

Monterey County RMA Planning

DRAFT Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN160151

1. PDSP001 - NO AMPLIFICATION ON CLUBHOUSE TERRACES (NON-STANDARD)

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: The Owner/Applicant shall not allow amplified music or other forms of amplification on the clubhouse terraces. (RMA-Planning)

Compliance or Monitoring Action to be Performed: On an ongoing basis, there shall be no amplified music or other forms of amplification allowed on the clubhouse terraces.

2. PDSP002 - VERIFICATION OF NOISE LEVELS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: Post-construction and occupancy, the Owner/Applicant shall submit an acoustical report from a qualified consultant to RMA-Planning which analyzes the noise levels from the clubhouse/terraces, both during an event and regular operations for lunch and dinner. If the noise levels do not conform to the requirements of Monterey County Code (MCC) Section 10.60, Noise Control, then the Owner/Applicant shall take measures necessary to bring the noise levels into conformance with MCC. (RMA-Planning)

Compliance or Monitoring Action to be Performed: Within 90 days of occupancy, the Owner/Applicant shall submit an acoustical report from a qualified consultant to RMA-Planning for review.

10/27/14 Hearing Submittal #5

Monterey County Resource Management Agency-Planning
168 West Alisal St., 2d Floor
Salinas, California 93901

Re: MPCC Expansion
PLN 160151

Gentlemen:

All of us who are signatories to this letter are homeowners in the residential neighborhood immediately adjacent to Monterey Peninsula Country Club ("MPCC").

We are writing to express our grave concern about the pending MPCC proposal to "add new terraces additions 2,050 square foot lower level and 6,830 square foot main level terrace with iron gates, fire pits, site wall, fire place and water fixtures" as described in Project File No. PLN160151 (the "Project"). This addition is intended as an expansion of the MPCC Main Dining Room to include newly constructed outside terraces, including an outdoor bar and restaurant immediately above and overlooking the eighteenth fairway of the Dunes Course. It is designed to accommodate as many as 80-100 people, and would be the eighth dining and beverage venue at MPCC, and the single most intrusive such venue on the adjacent residential neighborhood.

We believe the Project will have an adverse impact on the adjacent residential areas, and that the inevitable noise, activity, lighting and other visual intrusiveness will constitute an unwarranted and unreasonable degradation of the peace and quiet, and privacy of our neighborhood. For example, the proposed site is directly across the fairway from those of us who live on Wranglers Trail Road, and our bedrooms are in the immediate view plane of the terrace bar and restaurant.

Finally, we believe that it can reasonably be expected to have a significant adverse effect on our property values.

We respectfully request that you withhold approval of this Project.

Current MPCC Bar and Restaurant Operations.

MPCC currently has approximately 1,100 members. It conducts food and beverage operations at seven different venues, including "The Grill, Loggia, Main Dining Room [seating 400 people]. Shore Shelter, Dunes Shelter, Women's Private Dining Room, and Men's

Private Dining Room, along with the stunning Beach House which is used for special events and private parties.” “The club has six commercial kitchens.”

Its food and beverage operations are described by MPCC itself as a “busy \$5.8M operation” serving “180,000 covers per year, including 20,000 covers during AT&T Pro Am....”

The scale and size of this level of operations is not exactly a snack bar at the turn, which might be deemed ancillary to the operation of a golf course. It is, instead, a large and thriving commercial operation being conducted in an O-S-D-RES zone, employing a staff of 200 people, and is totally antithetical to the concept of ancillary operations of a golf course. Despite this, the addition of another bar and restaurant operation of “less than 10,000 square feet” is “categorically exempt” from CEQA. It is therefore exempt, apparently, from any consideration of the immediate neighborhood that would be reflected in an environmental impact report.

The Project is modeled on the Dunes Shelter, the other food and beverage operation at MPCC that has outdoor food and beverage service with fire rings, etc. According to MPCC, the Dunes Shelter, although much smaller than MPCC’s Main Dining Room, is currently responsible for \$1.2 million of its \$5.6 million in food and beverage revenues. The economic incentive to expand on a model as successful as the Shelter should be obvious, and the anomaly of its commercial purpose in a zone deemed as rural open space cannot be disregarded.

Zoning and Use Permit Considerations.

MPCC is zoned O-S-D-RES. Having in mind that the applicable Zoning Regulations begin with an expressed purpose of the “preservation of rural” environment in the O-S-D-RES zone, and that CEQA Guidelines admonish public agencies to be mindful of the “cumulative impact” of serial or sequential projects that are categorically exempt from CEQA, those of us in the immediate neighborhood of MPCC may begin to wonder how many more “categorically exempt” commercial improvements of less than 10,000 square feet we may have to suffer. The environmental impact report which has not been required would presumably have addressed not only the concerns expressed above, but also such other factors as water usage, traffic, ambient noise, smoke, light and odors, and effect on wildlife.

The stated purpose of Chapter 21.38 of the Monterey County Zoning Ordinance (Regulations for Open Space Zoning Districts or “O” Districts) is “to promote a rural atmosphere in an otherwise urban or semiurban development....”

Chapter 21.38 specifically mentions golf courses as an allowed use, along with “crop and tree farming and grazing of horses, cattle, sheep and goats,” and buildings “accessory” to allowed uses, but includes absolutely no mention of any allowable commercial bar and restaurant facilities or any use that is even remotely similar. Indeed, all of the specifically mentioned permissible uses are relatively pastoral in nature, consistent with the maintenance of a “rural atmosphere.”

The proximity of and impact upon residential neighborhoods is a valid consideration for the denial of conditional use permits even in commercial zones. See *Floresta, Inc. v. City*

The proximity of and impact upon residential neighborhoods is a valid consideration for the denial of conditional use permits even in commercial zones. See *Floresta, Inc. v. City Council of San Leandro*, 190 Cal.App.2d 599 (1961)(upholding the denial of a use permit for the operation of a “cocktail bar” in a shopping center contiguous to a residential neighborhood). Similarly, for the extension of a preexisting nonconforming use in a residential zone. See *Town of Los Gatos v. State Board of Equalization*, 141 Cal.App.2d 344 (1956). We believe that such considerations should be dispositive of the question when, as here, the expanded commercial use is located not in a commercial zone, but rather in an O-S-D-RES zone, particularly when the use being expanded is of the size and scale of MPCC’s current food and beverage operations. The concept of cumulative impact should be properly applied to the matter at hand.

We look forward to the opportunity to elaborate on these concerns at your public hearing.

Sincerely yours,

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Pebble Beach, California

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Mr. and Mrs. Schnipkes
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1082 Wranglers Trail
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Supplemental Signatories

(following original submission on October 17, 2016)

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