



4 October 2018

Schani Siong, Project Manager
County of San Luis Obispo
Dept. of Planning & Building
976 Osos Street, Room 300
San Luis Obispo, CA 93408

**Subject: Cottages at Avila Beach; 076-174-009
Information Hold Letter-DRC2018-00060 Response Letter**

Dear Schani,

Thank you for your letter dated April 26, 2018. On behalf of SCM Avila Beach Partners, LLC applicants of the Cottages at Avila Beach, we offer the following responses to your comments. Responses are provided in bold italics below in the order which they appear in the County's Information Hold Letter dated April 26, 2018.

1. Access & Easements

a. Provide written consent of landowners where off-site access and/or utility improvements are proposed and/or required.

The accompanying Road Easement Agreement provides for legal ingress from Avila Beach Drive over Ana Bay Drive and Marre Road, to the project site. The agreement also specifies the terms for improvements and maintenance of Marre Road.

The applicants are pursuing easements from the landowners/leaseholders of the property to the west for utilities, stormwater and a pedestrian access to Avila Beach Drive.

b. The project description included an intention to obtain an easement west of the site for bike/ped coastal access along Wild Cherry Canyon road. Coastal access is a good design feature that the project should consider, including connection to the Bob Jones Trail. Please provide more information on coastal access and trail proposal.

The applicants have contacted PG&E and the leaseholder regarding the possibility of a pedestrian easement through the property down to Avila Beach Drive. If an easement is

granted, we will also pursue a pedestrian crossing (per Public Works standards) at Avila Beach Drive to access the beach on the south side of the road.

c. With item (a & b), the County received a letter from PG&E letter in 2016 (attached) notifying any land use decisions on the Wild Cherry Canyon lots & Diablo Canyon Power Plant (DCPP) lands are subject on the completion of DCPP decommissioning plan. Please provide information on how this project will/ will not be affected by PG&E's position.

We have reviewed the letter and, at this time, we do not believe the decommissioning will affect the proposed project. We are engaged with PG&E and the leaseholder for easements (e.g. fuel management, utilities, pedestrian access).

d. Provide written approval from County Fire/Cal Fire on the proposed access plan and reduced access road width.

An e-mail was sent to you from Cal Fire Captain Dennis Byrnes, accepting the reduced access width.

2. Temporary Events & Public Usage of Amenities – Please provide more information on the proposed temporary events and its differentiation from the regular hotel dining and banquet operations. This also applies to the pool, spa and gym facilities – are these meant only for the guests or also for public usage via club membership like Avila Bay Athletic Club & Spa? The County ordinance allows for regular restaurant operations and club facilities based on seating capacity and use areas. If these amenities are intended for public usage and the events are *in addition* to the regular restaurant operations (i.e. small wedding held separately outdoor with reception held in the banquet while the restaurant is open to the hotel guests), these are important project components that need to be added to the project description and be analyzed in updated reports (parking, noise, traffic, sewer / water analysis etc.).

Please see the accompanying revise traffic and circulation analysis and page 10 of the attached revised project description. These describe the types of proposed events and the usage of the property during those events (e.g. rooms, restaurant, banquet space).

3. Archeological & Biological Assessment

a. Please note that all assessments will need to cover the *entire on-site and off-site improvements* such as stormwater drains, trails, road improvements, utility/ water trenching and upgrades as applicable, any proposed vegetation clearing required for fuel modifications per Cal Fire, and construction staging areas.

An addendum to the archaeological materials will be pursued to analyze potential impacts to cultural resources as a result of widening the access road to meet fire department requirements, and any proposed utilities. The project team is actively

pursuing feasible options to bring in utilities from other locations to minimize impacts to cultural resources.

An addendum to the biological assessment has been provided to study potential impacts to resources on the neighboring property to the west for stormwater and pedestrian path impacts.

4. Grading & Stormwater Discharge

a. Civil drawings showed stormwater drainage over adjacent PG&E parcel and ended on Wild Cherry Canyon road with no further information on plan. Provide more details on the stormwater discharge intended for this project.

Please see the accompanying revised plans and report which further describe the stormwater drainage over the PG&E parcel. The stormwater would proceed downhill to the west to an existing stormwater connection, as shown on the accompanying plans.

b. Provide information on the cut i.e. location and the overall staging area(s) for construction materials and/or equipment.

Please see the accompany revised drawings.

c. Provide more information on the area disturbance for road and utility improvements i.e. total area, slopes, cut depth (particularly for trenching near archeological sites).

Please see the accompany revised civil drawings. As an advisory, the applicant has been pursuing alternative methods of providing services to the project site, to see if it may be feasible to reduce trenching within the driveway that passes through an archaeological site.

5. Slopes & Building Height

a. Based on the preliminary grading and site plans, it appears there may be grading in areas exceeding 30% slopes. Please provide slope maps in 5' increments and shall include both on and off-site areas where grading, construction or other alterations are proposed. Note that any disturbance in areas exceeding 30% will require a variance application along with this Development Plan.

A colorized slope exhibit has been provided which indicates slope.

b. Provide information on height calculation per Section 23.04.122 to show compliance with 35' height limit.

Please see the accompany revised drawings and elevations.

6. Design & Setbacks

a. Per the pre-application meeting, an agricultural buffer may be needed due to the adjacent agricultural / grazing land. Please note this may be an issue that will be evaluated during the EIR and may impact the project design.

After consulting with the Ag Commissioner's office, the project was revised to include the following components:

- ***No-climb perimeter/property line fencing and "No Trespassing" signs posted at regular intervals (except for the pedestrian easement, if approved).***
- ***The 100' fuel management zone for fire protection will also serve as a de-facto agricultural buffer;***
- ***Revised palette to use fruitless olive trees, which will limit/eliminate***
 - ***Agricultural Commission oversight***
 - ***Use of pesticides/herbicides***
 - ***Maintenance (dropped fruit clean-up, bird deterrents, etc.)***
 - ***Additional setbacks from agricultural crop producing trees; and***
- ***Guest disclosures and operational ability to relocate any guests disturbed by adjacent agricultural activities.***

b. Per the Coastal Zone Land Use Ordinance Section 23.04.110.a(2), the side setback is 30'. This parcel is in the high fire hazard area within the State Responsibility where fire hazard mitigations are important to be evaluated in the EIR process. Please provide information on how the project meets the setback or a formal request for setback adjustment will be required as part of the project description.

A setback adjustment for 3 cottages (and possibly the pool) is requested as shown in the accompanying exhibit. Each structure will maintain a minimum of 10' setback from the property boundary. In addition, the applicant proposes a 100' fuel management buffer on the PG&E property which will serve as an effective additional setback.

7. Visual Study & Landscape Plan

a. Given this development is within the coastal visual corridor, a visual analysis shall be prepared by a qualified individual approved by the County per CZLUO 23.02.035. Please find attached list of County approved visual consultants. The visual analysis can be developed as part of the EIR.

Per our subsequent conversations, it has been agreed that the Visual Study will be addressed via the EIR consultant.

b. A landscape plan will be required per CZLUO Section 23.04.18 Landscape Standards. This also can be developed as part of the visual analysis during the EIR.

A revised landscape plan, with additional detail, has been provided pursuant to the CZLUO.

8. Signage

a. Please note directional signage to an offsite business is not allowed in the County per CZLUO 23.04.306. Please review the signage ordinance and its limitations and provide conceptual signage information to the County.

Per our subsequent conversations, it was acknowledged that it may make sense in this unique situation to provide directional signage at 1) Avila Beach Drive and 2) the hairpin turn which leads to the gold course. Signage here could help with circulation and avoid unnecessary slowing and turn-arounds. A concept sign plan was submitted for Department review on July 23rd.

9. Sewer, Water & Utilities

a. Per the Intent To Serve Letter, please clarify condition 'SMMWC will not maintain private wastewater facilities' in the will serve letter

According to Rick Koon, General Manager for SMMWC, the condition, "refers to the lift station and the force main that(the applicant) propose(s) to put in. SMMWC will be responsible after the line ties into our mainline near our lift station 2 at the tennis court." In essence, sewer lines on the property are the responsibility of the applicant and will be installed and maintained by the project applicant.

b. Provide information verifying the SMMWC sewer facility has the capacity to incorporate the sewer from the project.

Page 2 of the previously provided Conditional Will Serve letter from SMMWC (11/2/2017) indicates that there is ample capacity to serve sewer:

This letter confirms that SMMWC has the physical capability to provide ample potable water and capacity in our wastewater collection system to meet project demands.

Members of the project team met with Rick Koon on September 14, 2018. Both within the Conditional Will Serve Letter (11/2/2017) and in person in the meeting, the General Manager confirmed that the District has capacity to serve the project.

c. The availability for the overall water/sewer capacity is depended on upgrading certain existing infrastructure for SMMWC. Please confirm the various upgrade(s) and extensions including the evaluation of the abandoned force main that will be converted into a RW transmission main. If this needs to be replaced / upgraded, the scope shall be included into the project description and environmental analyses during the EIR.

The proposed reclaimed water system was previously proposed by SMMWC. The subject parcel is a shareholder in the Company. As part of project review with the Company, the applicant agreed to contribute towards the reclaimed water system as such time as the system was brought on line. However, it is not needed in order to provide the water necessary to serve the project. The hotel will use gray water until such time as the reclaimed water system may become available. The General Manager of San Miguelito suggested that the County may want to call him if there are further questions on this matter.

10. Traffic

a. See Public Works comments attached. When resubmitting information, please cc' the Planning Department in all correspondences.

The applicant team has consulted with Public Works regarding roadways, special events, traffic and stormwater and has revised the project to address the noted concerns. Please see the accompany plans, reports and project descriptions.

Other Items

1. Cultural Resources: Under the provisions of AB 52, the project has referred to local tribal contacts. Implementation of the proposed project may have significant effects on tribal cultural resources. A. Several tribes have contacted the County requesting consultations. Please provide information on previous outreach and/or consultations conducted with the Native American tribal groups to help facilitate on-going meetings.

We previously supplied the County with complete meeting minutes via email on April 30, 2018, detailing the discussions with the Chumash on October 26, 2017 and November 27, 2017. We look forward to an opportunity engage in further productive discussions with the county and Native American tribal groups at the appropriate time.

2. EIR Waiver Form: Please review and sign the attached waiver and return to our office at your earliest convenience. Given there are additional information needed to complete the project description, revised project description will need to be confirmed prior to NOP and RFP preparation.

The EIR Waiver form was signed and returned to you electronically on May 2nd, 2018.

3. Real Time Billing: We received your signed cost accounting agreement. Please confirm that the County will process this on RTB basis, but not inclusive of the EIR.

We confirm that the County will process on a RTB basis.

4. Digital copies of all submitted documentation. Please provide digital copies of all documentations submitted for this project and the EIR.

Comment acknowledged. We will continue to provide electronic copies of all submitted materials. The initial submittal materials included a thumb drive and materials were also sent via Drop Box.

Public Works

1. Initial comments on the Draft Transportation Impact Study include:

a. Complete traffic study (which analyzes both LOS and VMT)

The report has been updated to provide LOS and VMT analysis.

b. Update the project trip generation rate to reflect full hotel uses and the proposed events. Events with 200 visitors is discussed in project description but no information on how often and no discussion in traffic report.

A section was added to the report for special events including use of the banquet space. In addition, special events are discussed in further detail within the updated project description, commencing on page 10. A "menu" of special events is provided within a chart, covering 3 basic scenarios.

c. Evaluate secondary access routes (secondary access required for event projects).

Site access is discussed on page 16 of the study. The applicant is a member of the San Luis Bay Estates and has the rights to use HOA roads for emergency purposes.

d. Consider submitting a Traffic Management Plan as a project mitigation to limit vehicle trips for events, and to shuttle guests to and from town (as mentioned in project description).

Pending feedback on the events provided in the updated TIS and TDM, the applicant is open to providing a TDM plan or revising the maximum # of guests (e.g. 78 or less) when the restaurant remains open to the public, to avoid significant traffic impacts.

e. Provide worse case design delivery truck or fire truck turning templates for Ana Bay Road and Marre Road showing sufficient access road widths are being provided.

An exhibit is attached to this report and has been added to the updated TIS.

f. The proposed Marre Road centerline curves and road sections A-A through D-D, Sheet C-3, do not conform to Cal Fire requirements. Show conformance or provide evidence that Cal Fire will support an adjustment to their standards.

The applicant team met with Cal Fire Captain Byrnes on the project site and reviewed the project plans and proposal to narrow road widths in certain places to minimize impacts to cultural resources. Subsequently, Captain Byrnes confirmed in writing that Cal Fire was satisfied with the proposed driveway design. A copy of that e-mail was provided to SLO County Planning staff.

g. Per Resolution 2008-152, submit a Roadway Safety Analysis for Avila Beach Drive between Ana Bay Road and San Luis Bay Drive

A Roadway Safety Analysis section has been added to the report

h. Submit sight distance analysis with recommendations for the intersection Ana Bay Road at Avila Beach Drive.

Sight distance at the intersection of Avila Beach Drive and Ana Bay Road for southbound drivers was found to be ample with approximately 465 feet looking west and approximately 390 feet looking east (see updated TIS)

- i. Provide improvements consistent with the Avila Parking Study (to be updated in 2018). May include lighting, parking or other amenities to encourage visitor and commuters to not park downtown.

Guests will generally not be encouraged to use their vehicles while staying at the hotel. The applicant is proposing to provide electric shuttles to guests to access DT Avila, the beach and the pier. This will minimize impacts on downtown parking.

- j. Project specific impact at Avila Beach Drive and Ontario Road. Although covered in Avila Valley Circulation Study under cumulative conditions. Project must mitigate for project specific impacts by constructing signal or similar Public Works approved project. RIF fees may be applied together with a RIF reimbursement agreement. Contact Public Works for more information.

Signalization of this intersection is discussed within the revised report.

- k. Project specific impact at Avila Beach Drive and Ana Bay Road. Project must propose mitigation if signal warrants not met, a southbound right turn lane should be considered/constructed.

This intersection is discussed within the report. Signal warrants are not met and no improvements are recommended.

2. See attached plan for recommended improvements for the Avila Beach Drive slope cut adjacent to the project site. The project must not create additional impervious area at top of road slope without construction concrete v-ditches or other slope drainage system protection system.

The project does not increase flows in this area. Consequently, no updates have been made to the improvements.

3. Update the Marre Road preliminary improvement plans (C-series sheets) to show and label the existing offsite access road easements. Show the proposed Marre Road improvement remain within the existing easement or provide evidence additional easement width can be secured from the affected property owner/s.

The road was designed to fit within the existing easement. However, should anything require an adjustment, the accompanying Road Easement Agreement includes a section that allows the grantor to relocate the easement with 10-days' notice to the Grantor. The applicant will engage the owners of the San Luis Bay Inn as necessary to resolve any issues with the location of the easement and/or utilities.

4. Update the site plan to show a pedestrian path of travel between the project site and existing pedestrian improvements on Avila Beach Drive (recommendation from Traffic Report).

It is infeasible to provide a pedestrian path of travel along the driveway because of the presence of sensitive cultural resources that limit the width of the road. The applicants are proposing to shuttle guests to the beach, harbor and DT Avila Beach. Additionally, they are pursuing a possible pedestrian trail to the west of the property that would provide access to the public beach.

5. The proposed project is located off non-county maintained roads. In accordance with Resolution 2008-152 no proposed land development which attracts general public traffic shall be permitted on privately maintained roads without a submission of a road maintenance agreement. Provide evidence that a road maintenance agreement signed by ALL property owners having legal access to Ana Bay Road and Marre Road can be secured.

The accompanying [Road Easement Agreement](#) includes access to the property from Ana Bay and Marre Roads and provides for shared maintenance of Marre Road (the driveway serving the subject property).

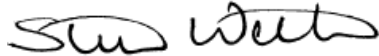
6. Provide a preliminary drainage plan and calculations showing how the project will comply with Section 5 of the Public Improvement Standards.

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A drainage report has been provided with the resubmittal package.

This concludes our response to the County's Information Hold Letter. Please do not hesitate to call me or any of the project team if you have any questions or require any further information. I can be reached at (805) 966-2758 x111

Sincerely,
SUZANNE ELLEDGE
PLANNING & PERMITTING SERVICES

A handwritten signature in black ink, appearing to read "Steve Welton".

Steve Welton, AICP
Senior Planner