

3/22/2004  
#43

March 22, 2004

**VIA REGULAR MAIL AND FACSIMILE TO 831/384-3261**

Monterey County Planning Commission  
c/o: Senior Planner Thom McCue  
Monterey County Planning Department  
2620 First Avenue  
Marina, CA 93933

**Re: The Residents of Spanish Bay  
Comments to Draft EIR  
Applicant: Pebble Beach Company**

Honorable Chair and Planning Commissioners:

This letter is sent on behalf of the Board of Directors of The Residents at Spanish Bay Association and its members to express the Board's concerns with respect to the adequacy of the Draft EIR covering the Pebble Beach Company's pending application for major construction projects in the Del Monte Forest.

The Board is concerned with a number of issues, some of which fall within the parameters of the Draft EIR. For example, the Board is concerned with the lack of treatment with respect to traffic impacts, visual and aesthetic impacts, pedestrian and vehicular safety, construction and cumulative impacts. | 1

We recognize that these comments are general in nature. I have confirmed with Senior Planner Thom McCue that further comments will be accepted after today, even though today has been designated as the "cut-off" date for public comments concerning the Draft EIR. We appreciate this latitude as it will provide an opportunity for us to more thoroughly review the Draft EIR. I also believe there is support in the case law for the proposition that comments may be submitted up until the public hearing itself.

We have spoken to a representative of the project developer about our concerns. We have discussed details concerning such things as a second access point, the placement of stop signs or other traffic calming measures, the possible location of additional parking, the specific | 2

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design layout for their exclusive entryway, the adjustment in location of the proposed tennis courts and basketball half-court, the routing of construction vehicles to and from construction sites, reconfiguring a reverse camber on Congress Road that may present a hazard, addressing additional traffic, noise, and security issues during construction and clean-up responsibilities thereafter. We have also discussed the nature and type of re-landscaping once the underground parking facility has been constructed, the re-staking and re-netting of the proposed tennis courts and the possible use of emergency paths. In short, we have spent a good amount of time identifying issues we are concerned with, and we have communicated these issues to the Pebble Beach Company.

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In some cases, the applicant has agreed to address our issues in a mutually acceptable manner. We are anticipating receiving written confirmation of those items in the next several days, so that we can then review each with the planning staff, to make sure those solutions are feasible from a planning standpoint. In other cases, we continue to debate whether and how, remaining issues should be addressed. We may be asking staff to consider adding conditions of approval to address issues we are not able to resolve, although it is our desire to resolve as many open issues as possible, prior to the conclusion of the hearing process.

In the meantime, we will continue to review the Draft EIR and submit additional comments we may have with respect to the adequacy of the Draft EIR. Thank you for the opportunity to submit these comments.

Very truly yours,

**BERDING & WEIL LLP**



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cc: Mark Stilwell

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