

MONTEREY COUNTY PLANNING COMMISSION

Meeting: December 9, 2009		Time: 10:30am		Agenda Item No.: 4	
Project Description: Amendment to a previously approved Use Permit (PLN070350 an amendment to PLN060056) and Design Approval to modify the main lodge adding 88 square feet of building area and converting five existing lodge units into a 4,410 square foot fitness/spa facility, and add 1252 square feet of building area with the remodel 2,322 square feet of building area to create a 3,574 square foot fitness/dressing area and a 480 square foot deck, and modify the tennis center to install a new 5,280 square foot fitness building, a new 2,625 square foot pool with slide, a new children's wading pool with fountain area, a new 200 square foot Jacuzzi, a new terrace; remodel to include addition of an exterior door, to an existing historic farmhouse to facilitate a café, reception area, retail sales, and the removal of two tennis courts, existing pool, existing spa and two ancillary sheds of 414 square feet and 211 square feet.					
Project Location: One Old Ranch Road, Camel, CA			APNs: 416-522-004-000 & 416-522-010-000		
Planning File Number: PLN090322			Owner: Carmel Valley Ranch HSGE LLC Agent: Lombardo & Gilles		
Planning Area: Carmel Valley Master Plan			Flagged and staked: Yes		
Zoning Designation: 416-522-004-000 – "O-D-S" [Open Space with Design Control, and Site Plan Review Overlays District] 416-522-010-000 – "VO-D-S" [Visitor Serving/Professional Office with Design Control, and Site Plan Review Overlays District]					
CEQA Action: Addendum to a previously adopted Mitigated Negative Declaration					
Department: RMA - Planning Department					

RECOMMENDATION:

Staff recommends that the Planning Commission adopt a resolution (**Exhibit C**) to:

- 1) Consider an Addendum to an adopted Mitigated Negative Declaration; and
- 2) Approve the Amendment to the approved Use Permit (PLN070350), and Design Approval (PLN090322), based on the findings and evidence and subject to the conditions of approval (**Exhibit C**):

PROJECT OVERVIEW:

The subject property is located at 1 Old Ranch Road, Carmel Valley (Assessor's Parcel Numbers 416-522-004-000 & 416-522-010-000) within the Carmel Valley Master Plan area. The Carmel Valley Ranch is located on several parcels and, the proposed development will take place on two separate parcels. Both lots are irregularly shaped due to the surrounding golf course and are respectively 7.8 acres and 30.5 acres. The Carmel Valley Ranch Resort consists of a lodge building, tennis courts, and hotel and condominium rooms located in clustered buildings surrounded by a golf course. A range of housing types such as attached and detached single family dwellings also exist in the immediate vicinity. The subject parcels have a multiple zoning designations; Open Space with Design Control and Site Plan Review Overlay Districts (O-D-S) & Visitor Serving/Professional Office with Design Control, and Site Plan Review Overlays District. The Monterey County Zoning Ordinance allows accessory buildings to permitted uses within Open Space Districts. The proposed uses are consistent and in conformance with the provisions of the Specific Plan which was approved for the Carmel Valley Ranch.

The applicant proposes to amend the previously approved project (PLN070350 an amendment to PLN060056). Modifications to the project description include:

Main Lodge Area

- Addition of 88 square feet of building area and converting five existing lodge units into a 4,410 square foot fitness/spa facility, and add 1252 square feet of building area, remodel 2,322 square feet of building area to create a 3,574 square foot fitness/dressing area, and construct a 480 square foot deck above the dressing area;

Tennis Center Area

- Modify the tennis center to remove two tennis courts and install a new 5,280 square foot fitness building, a new 2,625 square foot pool with slide, a new children's wading pool with fountain area, a new 200 square foot Jacuzzi, a new terrace;
- Remodel to include addition of an exterior door to an existing historic farmhouse to facilitate a café, reception area, retail sales, and
- Removal of an existing pool, existing spa and two ancillary sheds of 414 square feet and 211 square feet.

Due to the similarities of this project to the previously approved project, an addendum to the previously approved Mitigated Negative Declaration has been prepared Pursuant to the provisions of Section 15164 of the CEQA Guidelines.

A more detailed discussion of the project is contained in **(Exhibit B)**.

OTHER AGENCY INVOLVEMENT: The following agencies and departments reviewed this project:

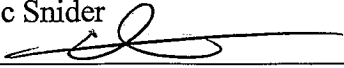
- √ RMA - Public Works Department
- √ Environmental Health Division
- √ Water Resources Agency
- √ Carmel Valley Fire Protection District
- RMA - Building Department

Agencies that submitted comments are noted with a check mark ("√"). Conditions recommended have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached as Exhibit 1 to the draft resolution **(Exhibit C)**.

The project was referred to the Carmel Valley Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did warrant referral to the LUAC because the proposed development is associated with a previously approved Mitigated Negative Declaration. This project was reviewed separately by the LUAC as DA090278 and PLN090322. The LUAC understood that both projects were proposed simultaneously. DA090278 received a unanimous recommendation for approval with one member abstaining. PLN090322 also received a unanimous recommendation for approval. Minutes and comments of the LUAC have been attached **(Exhibit E)**.

Note: The decision on this project is appealable to the Board of Supervisors

/s/ Eric Snider



Eric Snider, Assistant Planner

(831) 784-5737, SniderE@co.monterey.ca.us

(November 19, 2009)

cc: Front Counter Copy; Planning Commission; Carmel Valley Fire Protection District; Public Works Department; Environmental Health Division; Water Resources Agency; John Ford, Planning Services Manager; Eric Snider, Project Planner; Carol Allen, Senior Secretary; Carmel Valley Ranch Resort (HSGE LLC), Owner; Gail Hatter-Crawford, Agent; Molly Erickson; Margaret Robbins; Planning File PLN090322

Attachments: Exhibit A Project Data Sheet
Exhibit B Project Discussion
Exhibit C Draft Resolution, including:
1. Conditions of Approval
2. Site Plan, Floor Plan and Elevations, Parcel Map
Exhibit D Vicinity Map
Exhibit E Advisory Committee Minutes (LUAC)
Exhibit F HRRB Resolution DA090278
Exhibit G Addendum to Mitigated Negative Declaration
Exhibit H Initial Study / Mitigated Negative Declaration
Exhibit I Tree Protection Measures
Exhibit J Parking Analysis
Exhibit K MPWMD – Documentation of Water Use (January 2009)
Exhibit L MPWMD – Documentation of Water Use (November 2009)
Exhibit M Carmel Valley Ranch Resort Vicinity Map

This report was reviewed by John Ford, Planning Services Manager

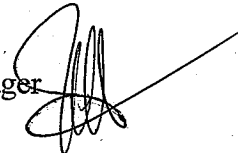


EXHIBIT A

PROJECT DATA SHEET

EXHIBIT A

Project Information for PLN090322

Project Title: CARMEL VALLEY RANCH HSGE LLC

Location: 1 OLD RANCH RD CARMEL

Primary APN: 416-522-010-000

Applicable Plan: Carmel Valley Master Plan

Coastal Zone: No

Permit Type: Amendment to Previously Approved Pe

Zoning:

Environmental Status: ADDENDUM

Plan Designation: LDR/1

Advisory Committee: Carmel Valley

Final Action Deadline (884):

Project Site Data:

Lot Size:

Coverage Allowed:

Coverage Proposed:

Existing Structures (sf):

Height Allowed:

Proposed Structures (sf):

Height Proposed:

Total Sq. Ft.:

FAR Allowed:

FAR Proposed:

Resource Zones and Reports:

Environmentally Sensitive Habitat:

Erosion Hazard Zone:

Biological Report #:

Soils Report #:

Forest Management Rpt. #:

Archaeological Sensitivity Zone:

Geologic Hazard Zone:

Archaeological Report #:

Geologic Report #:

Fire Hazard Zone:

Traffic Report #:

Other Information:

Water Source:

Sewage Disposal (method):

Water Dist/Co:

Sewer District Name: n/a

Fire District:

Grading (cubic yds.):

Tree Removal: n/a

EXHIBIT B

PROJECT DISCUSSION

EXHIBIT B PROJECT DISCUSSION

Background: Carmel Valley Ranch Specific Plan

The Specific Plan for the Carmel Valley Ranch was adopted by the Board of Supervisors on July 26, 1966, and most recently amended and revised on October 1, 1996. The Carmel Valley Ranch Plan provides for a wide range of resort, recreational, and residential land uses as well as large areas of open land. The Resort Lodge Complex Uses were defined by the Plan to include: management, restaurant/lounge, resort commercial (specialty apparel, drug/grill, barber/beauty, rental management and real estate) men's and women's locker room, pro shop and storage, and recreational amenities (game room, pool(s) tennis courts, children's playground). The Plan also indicates that the Tennis Club uses will be integrated into the resort lodge area. Therefore, the uses of the respective parcels associated with the main lodge and the lower tennis area should be developed in conjunction with one another as specified in the Specific Plan. The proposed project is consistent with the Carmel Valley Ranch Specific Plan.

Project History

- **PLN06056** - Analyzed in a Mitigated Negative Declaration, certified on October 26, 2006, by the Zoning Administrator, Resolution No. 060056;

The original approved project (**PLN060056**) consisted of a proposed 4,956 square foot spa, yoga studio and parking lot at the Carmel Valley Ranch Resort; conversion of existing Carmel Valley Ranch Resort hotel room #244 to a temporary sales office. The initial study analyzed two separate applications; 1) File no. PLN060056 (Spa and Yoga Studio Addition, Parking Lot & Temporary Sales Office); and 2) File No. PLN060360 (Hotel Conversion). This project was not undertaken.

- **PLN070350** - Approved on September 25, 2008, Resolution No. 070350, with an Addendum to the Mitigated Negative Declaration. PLN070350 amended the previous project PLN060056.

This project proposed to relocate the spa adjacent to the existing fitness center and reception and dressing building; reduce the size of the spa to 3,170 square-feet; and add 729 square-feet to the existing dressing and reception building; and remodel the fitness center including the addition of 155 square-feet to make the restrooms compliant with the Americans with Disabilities Act (ADA). This project was not initiated.

Current Proposal

- **PLN090322** – Proposal to amends Resolution No. 070350 to modify the previously approved main lodge and tennis facility improvements.

PLN090322 – Proposed modifications to the previous project include:

Main Lodge Area

- Addition of 88 square feet of building area and converting five existing lodge units into a 4,410 square foot fitness/spa facility, and add 1252 square feet of building area, remodel 2,322 square feet of building area to create a 3,574 square foot fitness/dressing area, construct a 480 square foot deck above the dressing area;

Tennis Center Area

- Modify the tennis center to remove two tennis courts and install a new 5,280 square foot fitness building, a new 2,625 square foot pool with slide, a new children's wading pool with fountain area, a new 200 square foot Jacuzzi, a new terrace; remodel to include addition of an exterior door, to an existing historic farmhouse to facilitate a café, reception area, retail sales, and the removal of two tennis courts, existing pool, existing spa and two ancillary sheds of 414 square feet and 211 square feet.

The construction of the tennis center fitness building is very similar to the project approved for the yoga/spa facility in PLN060056. The remainder of the work associated with the tennis center facility is upgrading existing facilities. The addition of the lodge facility does involve an expansion in area, but it also involves a reduction in the capacity of the lodge by removing rooms. The primary purpose is to upgrade support facilities and is consistent with the existing Use Permit.

Consistency

The site is designated for Open Space, and Visitor Serving/Professional Office with Design Control, and Site Plan Review Overlays District. The proposed structures are allowed and the uses have been previously approved. Therefore, the project is an allowed land use for this site. The project, as conditioned, is consistent with the applicable plans and policies.

California Environmental Quality Act

An addendum has been prepared pursuant to Article 11, Section 15164 of the California Environmental Quality Act guidelines to make minor technical changes to the project analyzed in a Mitigated Negative Declaration, certified on October 26, 2006, by Zoning Administrator Resolution No. 060056. None of the conditions described in Section 15162 calling for preparation of a subsequent EIR or negative declaration have occurred.

The project does not involve a new significant adverse environmental effect or substantially increase the severity of previously identified significant effects. The Carmel Valley Spa Addition, Parking Lot, Temporary Sales Office & Hotel Conversion; Initial Study, (**Exhibit H**) identified no significant effects or impacts. Documentation has been provided by the Monterey Peninsula Water Management District quantifying the current water credits available for the Carmel Valley Ranch Resort. This additional hydrological resource assessment confirms that the proposed modifications to the project would not involve a significant environmental effect.

Section 15164(b) states that an addendum to an adopted negative declaration may be prepared if none of the conditions described in Section 15162 calling for the preparation of a subsequent negative declaration have occurred. The project involves minor changes and additions which are in **substantial conformance** to the additions and impacts assessed in the initial MND for the

previously approved project. The project would not create additional significant environmental effects.

The proposed project PLN090322 is similar to prior approved proposals and is consistent with the findings of the original Mitigated Negative Declaration. All proposed development is minor in nature and would occur on previously disturbed sites.

Water Supply

The project has an adequate long-term water supply and manages development in the area so as to minimize adverse effects on the aquifers and preserve them as viable sources of water for human consumption. The proposed project would be provided water service by California-American Water Company. Cal-Am obtains water for its service area from groundwater resources.

Carmel Valley Ranch has taken a number of measures to decrease the amount of water used on-site. They have collaborated with the MPWMD in this endeavor and significantly reduced the water usage on-site and quantified the reduction in use. This was primarily done through irrigation modifications and installation of water saving fixtures. The applicant has submitted a current documentation of Water Use Credit (6.158 acre feet) from the Monterey Peninsula Water Management District (**Exhibits K & L**). A document was produced by the MPWMD addressing the available water credits for the previous owners dated January 3, 2009. A subsequent document has been produced for the current owners by the MPWMD dated November 2009. The intensification in water use proposed would be offset through the use of existing water credits retained by the applicant Carmel Valley Ranch.

MPWMD Rule 25.5(c), states, "A Water Use Credit may be applied to and shall allow future water use on that Site at anytime within a period of 60 months. **Exhibit L**, "Documentation of Water Use Credit- Carmel Valley Ranch," indicates that the water credit cited (6.158 acre feet of water) may be applied to future use on the site at any time within a period of 60 months from November 25, 2007. The District (MPWMD) defines a 'Site' as "Any unit of land which qualifies as a Parcel or lot under the Subdivision Map Act, and shall include all units of land: (1) which are contiguous to any other Parcel (or separated only by a road or easement), and (2) which have identical owners, and (3) which have an identical present use." MPWMD Rule 25.5(g), furthers that, "A valid Water Use Credit may provide the basis for the General Manager to issue a Water Permit for new, modified, or Intensified Water Use on that Site." Therefore, the water credits identified and certified by the District can be applied to the proposed intensification of use associated with the application PLN090322.

Historical Resource Protection

A *Phase I and II Historical Analysis* (Library No. LIB080417) dated August 20, 2007, was prepared by Kent Seavey, for the addition and remodel to the two existing buildings, the "Richard Snively Ranch House" and the "Recreation Hall". The two buildings qualify for historical significance under the criteria established by the Monterey County Register of Historic Resources. Original construction of both buildings has been altered through the years which have affected their architectural significance. Due to extensive alterations, there are no significant interiors remaining.

The project was heard before the Monterey County's Historical Resources Review Board (HRRB) on August 7, 2008 and again on November 5, 2009. At both hearing more extensive

plans were reviewed and approved for both structures. Due to cost the applicant has chosen to revise the plans most recently reviewed by and approved by the HRRB. The only current proposed alteration to either structure is the addition of an exterior door to the Ranch House. This exterior door addition to the Ranch House was considered and approved by HRRB Resolution No. DA090278.

Conclusion

Based on review of the proposed project plans, site visits, and the discussion above, planning staff concludes that:

1. Certifying an Addendum to the previously Certified Mitigated Negative Declaration to allow modifications to a previously approved and amended project would not result in a new significant environmental effect. The addendum would be consistent with the findings of the MND prepared for the "Carmel Valley Spa Addition, Parking Lot, Temporary Sales Office & Hotel Conversion" (**Exhibit H**). The project involves minor changes and additions which are in **substantial conformance** to the additions and impacts assessed in the initial MND for the previously approved project.
2. The proposed development is consistent with the intent of the cited policies of the General Plan, the Carmel Valley Master Plan and the Carmel Valley Ranch Specific Plan; and would be in compliance with the purpose and Regulations for the Open Space and Visitor Serving/Professional Office with Design Control, and Site Plan Review Zoning Districts.

Therefore, staff recommends that the Planning Commission approve the Amendment to the Use Permit and Design Approval application PLN090322.

EXHIBIT C

DRAFT RESOLUTION, INCLUDING:

1. CONDITION OF APPROVAL
2. SITE PLAN, FLOOR PLAN
AND ELEVATIONS, PARCEL
MAP

**EXHIBIT C
DRAFT RESOLUTION**

**Before the Planning Commission in and for the
County of Monterey, State of California**

In the matter of the application of:

CARMEL VALLEY RANCH HSGE LLC (PLN090322)

RESOLUTION NO. [REDACTED]

Resolution by the Monterey County Planning
Commission:

- 1) Adopt an addendum to a previously adopted Mitigated Negative Declaration;
- 2) Approving an amendment to a previously approved Use Permit (PLN070350 an amendment to PLN060056) and Design Approval to modify the main lodge adding 88 square feet of building area and converting five existing lodge units into a 4,410 square foot fitness/spa facility, and add 1252 square feet of building area with the remodel 2,322 square feet of building area to create a 3,574 square foot fitness/dressing area and a 480 square foot deck, and modify the tennis center to install a new 5,280 square foot fitness building, a new 2,625 square foot pool with slide, a new children's wading pool with fountain area, a new 200 square foot Jacuzzi, a new terrace; remodel to include addition of an exterior door, to an existing historic farmhouse to facilitate a café, reception area, retail sales, and the removal of two tennis courts, existing pool, existing spa and two ancillary sheds of 414 square feet and 211 square feet.

(PLN090322, Carmel Valley Ranch HSGE LLC, One Old Ranch Road, Carmel, CA, Carmel Valley Master Plan (APN: 416-522-004-000 & 416-522-010-000

The Carmel Valley Ranch Resort application (PLN090322) came on for public hearing before the Monterey County Planning Commission on December 9, 2009. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides as follows:

FINDINGS

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.

- EVIDENCE:** a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
- the Monterey County General Plan,
 - Greater Monterey Peninsula Area Plan
 - Greater Monterey Peninsula Area Plan ,Inventory and Analysis,
 - Carmel Valley Master Plan,
 - Monterey County Zoning Ordinance (Title 21)
 - Carmel Valley Ranch Specific Plan

No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.

- b) The property is located at One Old Ranch Road, Camel, CA (Assessor's Parcel Number 416-522-004-000 & 416-522-010-000, Carmel Valley Master Plan. The parcels have are respectively zoned: 416-522-004-000 – "O-D-S" [Open Space with Design Control, and Site Plan Review Overlays District] & 416-522-010-000 – "VO-D-S" [Visitor Serving/Professional Office with Design Control, and Site Plan Review Overlays District] the proposed structures and uses are allowed and have been previously approved. Therefore, the project is an allowed land use for this site.
- c) A previous Use Permit (PLN060056) was approved on October 26, 2006 (Resolution No. 060056). The Use Permit allowed: a 4,956 square foot spa and yoga studio addition to the Lodge building, the addition of a 17 space parking lot, the removal of two oak trees, and the conversion of hotel room No. 244 into a temporary sales office. This project was not undertaken and was superseded by PLN070350.
- d) The project (PLN060056) was amended by PLN070350 which allowed the relocation of the spa adjacent to the existing fitness center and reception and dressing building; reduce the size of the spa to 3,170 square-feet; and add 729 square-feet to the existing dressing and reception building; and remodel the fitness center including the addition of 155 square-feet to make the restrooms compliant with the Americans with Disabilities Act (ADA).
- e) This project would amend and supersede PLN070350, to include modification of the main lodge adding 88 square feet of building area and converting five existing lodge units into a 4,410 square foot fitness/spa facility, and add 1252 square feet of building area with the remodel 2,322 square feet of building area to create a 3,574 square foot fitness/dressing area and a 480 square foot deck, and modify the tennis center to install a new 5,280 square foot fitness building, a new 2,625 square foot pool with slide, a new children's wading pool with fountain area, a new 200 square foot Jacuzzi, a new terrace; remodel to include addition of an exterior door, to an existing historic farmhouse to facilitate a café, reception area, retail sales, and the removal of two tennis courts, existing pool, existing spa and two ancillary sheds of 414 square feet and 211 square feet.
- f) The project planner conducted a site inspection on September 16, 2009 to verify that the project on the subject parcel conforms to the plans listed above.
- g) The project was referred to the Carmel Valley Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure

guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did warrant referral to the LUAC because the proposed development includes is associated with a previously approved Mitigated Negative Declaration.

- h) The project was referred to the Monterey County Historic Resources Review Board (HRRB) on November 5, 2009. The HRRB unanimously recommended approval the project with four recommended conditions of approval. **(See Exhibit F).**
- i) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN090322.

2. **FINDING:** **SITE SUITABILITY** – The site is physically suitable for the use proposed.

- EVIDENCE:**
- a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Carmel Valley Fire Protection District, Public Works, Environmental Health Division, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
 - b) All proposed construction would be on previously disturbed sites. Minor demolition and grading of the site would be necessary to facilitate the proposed construction.
 - c) Carmel Valley Ranch Resort has provided an updated Parking Analysis **(Exhibit J)**. Staff has reviewed the document and determined that the analysis is adequate and consistent with the County of Monterey parking regulations in Title 21.58. This analysis shows that required parking is provided and available on-site.
 - d) Staff identified potential impacts to Historical Resources, and protected trees. (Technical reports by outside consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff independently reviewed these reports and concurs with their conclusions. The following reports have been prepared:
 - *“Phase I and II Historical Analysis”* (LIB080417) prepared by Kent Seavey, Pacific Grove, CA, (August 20, 2007).
 - *“Addendum to Historical and Architectural Evaluation of Carmel Valley Ranch”* (LIB090490) prepared by Kent Seavey, Pacific Grove, CA, (August 20, 2009).
 - *“Tree Protection Measures”* (LIB090495) prepared by Matt Horowitz, Carmel, CA (November 21, 2009) **(Exhibit I)**.
 - e) The proposed spa conversion at the Main Lodge area would be located near and under the dripline of several protected oaks. The Applicant has provided tree protection measures to assure any impact to the trees are minimized. Conditions have been included to further assure that the Tree Protection Measures are adhered to.
 - f) Staff conducted a site inspection on September 16, 2009 to verify that the site is suitable for this use.
 - g) The application, project plans, and related support materials submitted

by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN090322.

3. **FINDING:** **HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case 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 to the general welfare of the County.

- EVIDENCE:** a) The project was reviewed by RMA - Planning Department, Carmel Valley Fire Protection District, Public Works, Environmental Health Division, and Water Resources Agency. The respective departments/agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
- b) The proposed project will be serviced by Cal-Am for water and the Carmel Valley Sanitation District for sewer services.
- c) The uses proposed on the site are consistent with present uses and would pose no adverse risk to public health, safety or welfare.
- d) Preceding findings and supporting evidence for PLN090322.

4. **FINDING:** **NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property.

- EVIDENCE:** a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on subject property.
- b) Staff conducted a site inspection on September 16, 2009 and researched County records to assess if any violation exists on the subject property.
- c) There are no known violations on the subject parcel.
- d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN090322.

5. **FINDING:** **CEQA (Addendum):** - An Addendum to a previously certified Mitigated Negative Declaration was prepared pursuant to Code of Regulations, Title 14, Section 15164 to reflect changes or additions in the project that do not cause substantial changes or new information that would require major revisions to the adopted MND.

- EVIDENCE:** a) A MND for Carmel Valley Ranch Resort was prepared and certified by the Zoning Administrator on October 26, 2006 (Resolution 060056) **(Exhibit H)**.
- b) An Addendum has been prepared pursuant to Article 11, Section 15164 of the California Environmental Quality Act guidelines to make minor technical changes to the project analyzed in a Mitigated Negative Declaration, certified on October 26, 2006, by Zoning Administrator

Resolution No. 060056. None of the conditions described in Section 15162 calling for preparation of a subsequent EIR or negative declaration have occurred. There are no substantial changes proposed in the project that would require major revisions to the prior MND. The project involves minor changes and additions to the previously approved project and would create no additional significant environmental. **(Exhibit G)**.

- c) The original project consisted of a proposed addition of 4,956 square foot spa, yoga studio and parking lot at the Carmel Valley Ranch Resort; conversion of existing Carmel Valley Ranch Resort hotel room #244 to a temporary sales office; and proposed Vesting Tentative Map for the conversion of 144 existing hotels rooms to 144 individually owned condominium hotel units. The initial study analyzed two separate applications 1) File no. PLN060056 (Spa and Yoga Studio Addition, Parking Lot & Temporary Sales Office); and 2) File No. PLN060360 (Hotel Conversion).
- d) The subject application PLN090322 changes the previously approved proposal (PLN060056) by modifying the main lodge area and tennis facility. The project now proposes to add 88 square feet of building area and converting five existing lodge units into a 4,410 square foot fitness/spa facility, and to add 1,252 square feet of building area with the remodel 2,322 square feet of building area to create a 3,574 square foot fitness/dressing area and a 480 square foot deck, and modify the tennis center to install a new 5,280 square foot fitness building, a new 2,625 square foot pool with slide, a new children's wading pool with fountain area, a new 200 square foot jacuzzi, a new terrace; remodel to include addition of an exterior door to an existing historic farmhouse to facilitate a café, reception area, retail sales and the removal of two tennis courts, existing pool, existing jacuzzi and two ancillary sheds of 414 and 211 square feet.
- e) The Carmel Valley Spa Addition, Parking Lot, Temporary Sales Office & Hotel Conversion; Initial Study identified no significant effects or impacts. Documentation has been provided by the Monterey Peninsula Water Management District quantifying the availability of existing water credits to facilitate the proposed increase in water usage at the Carmel Valley Ranch Resort. This additional Hydrological Resource assessment confirms that the proposed modifications to the project would not involve a significant environmental effect.
- f) Section 15164(b) states that an addendum to an adopted negative declaration may be prepared if none of the conditions described in Section 15162 calling for the preparation of a subsequent negative declaration have occurred. The project involves minor changes and additions which are in **substantial conformance** to the additions and impacts assessed in the initial MND for the previously approved project. The project would not create additional significant environmental effects. This has been verified by the Monterey Peninsula Water Management District.
- g) The project would not result in a significant increase in capacity of the lodge and does not expand into areas that have not previously been disturbed by development.
- h) No adverse environmental effects were identified during staff review of

the development application and during a site visit on September 16, 2009.

- i) See preceding and following findings and supporting evidence.

5. **FINDING:** **VIEWSHED** – The subject project minimizes development within the viewshed in accordance with the applicable goals and policies of the applicable area plan and zoning codes.

- EVIDENCE:**
- a) The project includes application for development within a public viewshed. The area has **not** been identified as *critically sensitive or significant but non-critical*. In accordance with the applicable policies of the Carmel Valley Master Plan and the Monterey County Zoning Ordinance.
 - b) Parcel 416-522-004-000 is visible from Carmel Valley Road. A proposed 5,280 square foot building would be located on this site. The building would replace an existing tennis court and its perimeter fencing. The building has been designed/oriented to minimize its visibility from Carmel Valley Road and is buffered by a well established row of redwood trees on the parcel.
 - c) The proposed project has been designed to reduce any visual impact.
 - d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN090322.
 - e) The project planner conducted a site inspection on September 16, 2009 to verify that the project minimizes development within the viewshed or to identify methods to minimize the development.

6. **FINDING:** **WATER SUPPLY** – The project has an adequate long-term water supply and manages development in the area so as to minimize adverse effects on the aquifers and preserve them as viable sources of water for human consumption.

- EVIDENCE:**
- a) The proposed project would be provided water service by California-American Water Company. Cal-Am obtains water for its service area from groundwater resources.
 - b) The proposed project would increase water usage on the site. This intensification would be offset/mitigated through the usage of existing water credits retained by the applicant Carmel Valley Ranch. The applicant has submitted documentation from the Monterey Peninsula Water Management District, citing an outstanding Water Use Credit of 6.158 acre feet (**Exhibits K & L**).
 - c) MPWMD Rule 25.5(c), states, “A Water Use Credit may be applied to and shall allow future water use on that Site at anytime within a period of 60 months. **Exhibit L**, “Documentation of Water Use Credit-Carmel Valley Ranch,” indicates that the water credit cited (6.158 acre feet of water) may be applied to future use on the site at any time within a period of 60 months from November 25, 2007. The District (MPWMD) defines a ‘Site’ as “Any unit of land which qualifies as a Parcel or lot under the Subdivision Map Act, and shall include all units of land: (1) which are contiguous to any other Parcel (or separated only by a road or easement), and (2) which have identical owners, and (3) which have an identical present use.” MPWMD Rule 25.5(g), furthers

that, "A valid Water Use Credit may provide the basis for the General Manager to issue a Water Permit for new, modified, or Intensified Water Use on that Site." Therefore, the water credits identified and certified by the District can be applied to the proposed intensification of use associated with the application PLN090322.

- d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN090322.

7. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors.

EVIDENCE: a) Section 21.80.040B Monterey County Zoning Ordinance (Board of Supervisors).

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Planning Commission does hereby:

- A. Adopt an addendum to a previously adopted Mitigated Negative Declaration;
- B. Approve Approving an amendment to a previously approved Use Permit (PLN070350 an amendment to PLN060056) and Design Approval to modify the main lodge adding 88 square feet of building area and converting five existing lodge units into a 4,410 square foot fitness/spa facility, and add 1252 square feet of building area with the remodel 2,322 square feet of building area to create a 3,574 square foot fitness/dressing area and a 480 square foot deck, and modify the tennis center to install a new 5,280 square foot fitness building, a new 2,625 square foot pool with slide, a new children's wading pool with fountain area, a new 200 square foot Jacuzzi, a new terrace; remodel to include addition of an exterior door, to an existing historic farmhouse to facilitate a café, reception area, retail sales, and the removal of two tennis courts, existing pool, existing spa and two ancillary sheds of 414 square feet and 211 square feet, in general conformance with the attached sketch (**Exhibit 2**) and subject to the conditions (**Exhibit 1**), both exhibits being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 9th day of December, 2009 upon motion of **XXXXX**, seconded by **XXXXX**, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

NAME, Planning Commission

COPY OF THIS DECISION MAILED TO APPLICANT ON **DATE**

THIS APPLICATION IS APPEALABLE TO THE **BOARD OF SUPERVISORS**.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE **CLERK TO THE BOARD** ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE **DATE**

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or

until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning Department and Building Services Department office in Salinas.

2. This permit expires 4 years after the above date of granting thereof unless construction or use is started within this period.

RESOLUTION ### - EXHIBIT 1
Monterey County Resource Management Agency
Planning Department
Condition Compliance and/or Mitigation Monitoring
Reporting Plan

Project Name: Carmel Valley Ranch Resort
File No: PLN090322 **APNs:** 416-522-004-000 &
416-522-010-000
Approved by: Planning Commission **Date:** December 9, 2009

**Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
RMA – Planning Department						
1.		PD001 - SPECIFIC USES ONLY This Use Permit Amendment and Design Approval (PLN090322) allows an amendment to a previously approved Use Permit (PLN070350 an amendment to PLN060056) and Design Approval to modify the main lodge adding 88 square feet of building area and converting five existing lodge units into a 4,410 square foot fitness/spa facility, and add 1252 square feet of building area with the remodel 2,322 square feet of building area to create a 3,574 square foot fitness/dressing area and a 480 square foot deck, and modify the tennis center to install a new 5,280 square foot fitness building, a new 2,625 square foot pool with slide, a new children’s wading pool with fountain area, a new 200 square foot Jacuzzi, a new terrace; remodel to include addition of an exterior door, to an existing historic farmhouse to facilitate a café, reception area, retail sales, and the removal of two tennis courts, existing pool, existing spa and two ancillary sheds of 414 square feet and 211 square feet.. The property is located at One Old Ranch Road, Camel, CA (Assessor’s	Adhere to conditions and uses specified in the permit. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled.	Owner/ Applicant RMA - Planning WRA RMA - Planning	Ongoing unless otherwise stated	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		Parcel Number 416-522-004-000 & 416-522-010-000), Carmel Valley Master Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. (RMA-Planning Department)				
2.		PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution [REDACTED]) was approved by the Planning Commission for Assessor's Parcel Number 416-522-004-000 & 416-522-010-000 on December 9, 2009. The permit was granted subject to 13 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." (RMA-Planning Department)	Obtain appropriate form from the RMA-Planning Department. The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.	Owner/ Applicant RMA- Planning	Prior to the issuance of grading and building permits or commencement of use.	
3.		PD004 - INDEMNIFICATION AGREEMENT The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the County may be required by a	Submit signed and notarized Indemnification Agreement to the Director of RMA – Planning Department for review and signature by the County. Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA – Planning Department.	Owner/ Applicant	Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final/parcel map, whichever	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. (RMA - Planning Department)</p>			occurs first and as applicable	
4.		<p>PD011 – TREE AND ROOT PROTECTION Trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill-of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection, approved by a certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of the RMA – Director of Planning. If there is</p>	<p>Submit evidence of tree protection to the RMA - Planning Department for review and approval.</p>	Owner/ Applicant	Prior to the issuance of grading and/or building permits	
			<p>Submit on-going evidence that tree protection measures are in place through out grading and construction phases. If damage is possible, submit an interim report prepared by a certified arborist.</p>	Owner/ Applicant Arborist	During Construction	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by a certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits. (RMA - Planning Department)	Submit photos of the trees on the property to the RMA – Planning Department after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.	Owner/ Applicant	Prior to final inspection	
5.		PD032(A) - PERMIT EXPIRATION The permit shall be granted for a time period of 4 years, to expire on December 9, 2013 unless use of the property or actual construction has begun within this period. (RMA – Planning Department)	The applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning. Any request for extension must be received by the Planning Department at least 30 days prior to the expiration date.	Owner/ Applicant	As stated in the conditions of approval	
RMA – Public Works Department						
6.		PW0006 – CARMEL VALLEY The Applicant shall pay the Carmel Valley Master Plan Area Traffic Mitigation fee pursuant to the Board of Supervisors Resolution NO. 95-140, adopted September 12, 1995 (Fees are updated annually based on CCI). (Public Works)	Applicant shall pay to PBI the required traffic mitigation fee.	Owner/ Applicant	Prior to Building Permits Issuance	
7.		PW0043 – REGIONAL DEVELOPMENT IMPACT FEE Prior to issuance of building permits, applicant shall pay the Regional Development Impact Fee (RDIF) pursuant to Monterey Code Chapter 12.90. The fee amount shall be determined based on the parameters adopted in the current fee schedule. (Public Works)	Applicant shall pay Monterey County Building Services Department the traffic mitigation fee.	Owner/ Applicant	Prior to Building Permits Issuance	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/title)</i>
Health Department Environmental Health Division						
8.		EH36 - POOLS/SPAS Plans for public pools/spas shall be approved by the Division of Environmental Health. (Environmental Health)	Submit plans to the Division of Environmental Health for review and approval.	Owner/ Applicant	Prior to Building Permits Issuance	
Monterey County Water Resources Agency						
9.		WR43 - WATER AVAILABILITY CERTIFICATION The applicant shall obtain from the Monterey County Water Resources Agency, proof of water availability on the property, in the form of an approved Monterey Peninsula Water Management District Water Release Form. (Water Resources Agency)	Submit the Water Release Form to the Water Resources Agency for review and approval.	Owner/ Applicant	Prior to Building Permits Issuance	
Fire Agency (Monterey County Regional Fire District)						
10.		FIRE022 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM - (HAZARDOUS CONDITIONS) The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s). Installation shall be in accordance with the applicable	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to final building inspection	

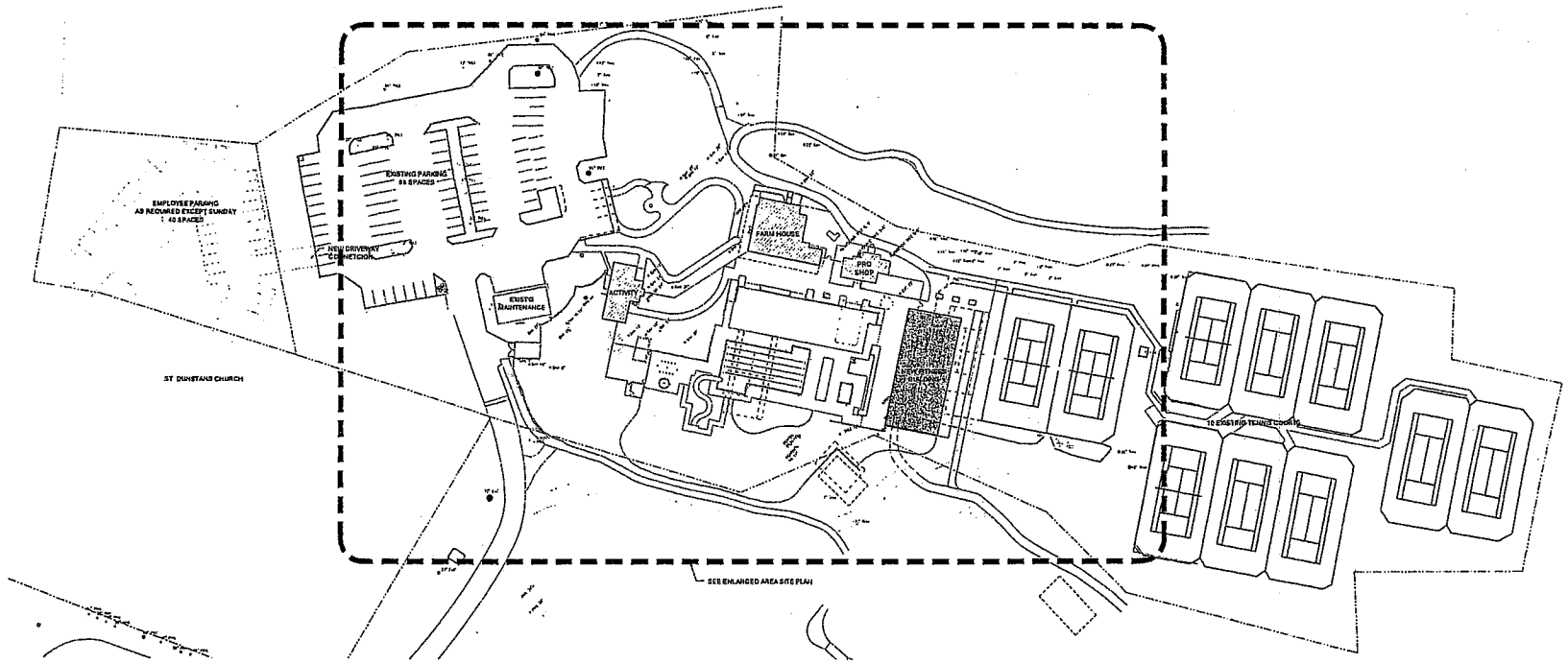
Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit. A rough sprinkler inspection must be scheduled by the installing contractor completed prior to requesting a framing inspection. Due to substandard access, or other mitigating factors, small bathroom(s) and open attached porches, carports, and similar structures shall be protected with fire sprinklers. (Responsible Land Use Department: Monterey County Regional Fire District.)	Applicant shall schedule fire dept. rough sprinkler inspection	Applicant or owner	Prior to issuance of building permit.	
			Applicant shall schedule fire dept. final sprinkler inspection	Applicant or owner	Prior to framing inspection	
11.		FIRE023 - FIRE ALARM SYSTEM - (COMMERCIAL) The building(s) shall be fully protected with an approved central station, proprietary station, or remote station automatic fire alarm system as defined by NFPA Standard 72. Plans and specifications for the fire alarm system shall be submitted by a California licensed C-10 contractor and approved prior to requesting a rough sprinkler or framing inspection. (Responsible Land Use Department: Monterey County Regional Fire District.)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
			Applicant shall submit fire alarm plans and obtain approval.	Applicant or owner	Prior to rough sprinkler or framing inspection	
			Applicant shall schedule fire alarm system acceptance test.	Applicant or owner	Prior to final building inspection	
12.		FIRE028 - ROOF CONSTRUCTION - All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class A roof construction. . (Responsible Land Use Department: Monterey County Regional Fire District.)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
13.		FIRE030 – NON-STANDARD CONDITIONS (MANUAL DRY STAND PIPE SYSTEM, CLASS I) A Fire Department Connection (FDC) and dry standpipes with fire valves are required. The locations are to be determined by the Fire District. A minimum of four sets of plans for the FDC, and the dry standpipes must be submitted and approved by the authority having jurisdiction prior to installation. An underground inspection is required before pipes can be covered. The dry standpipe system must be designed and maintained according to NFPA standards. (Responsible Land Use Department: Monterey County Regional Fire District.)				

END OF CONDITIONS

Rev. 07/29/2009

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 **SITE PLAN**

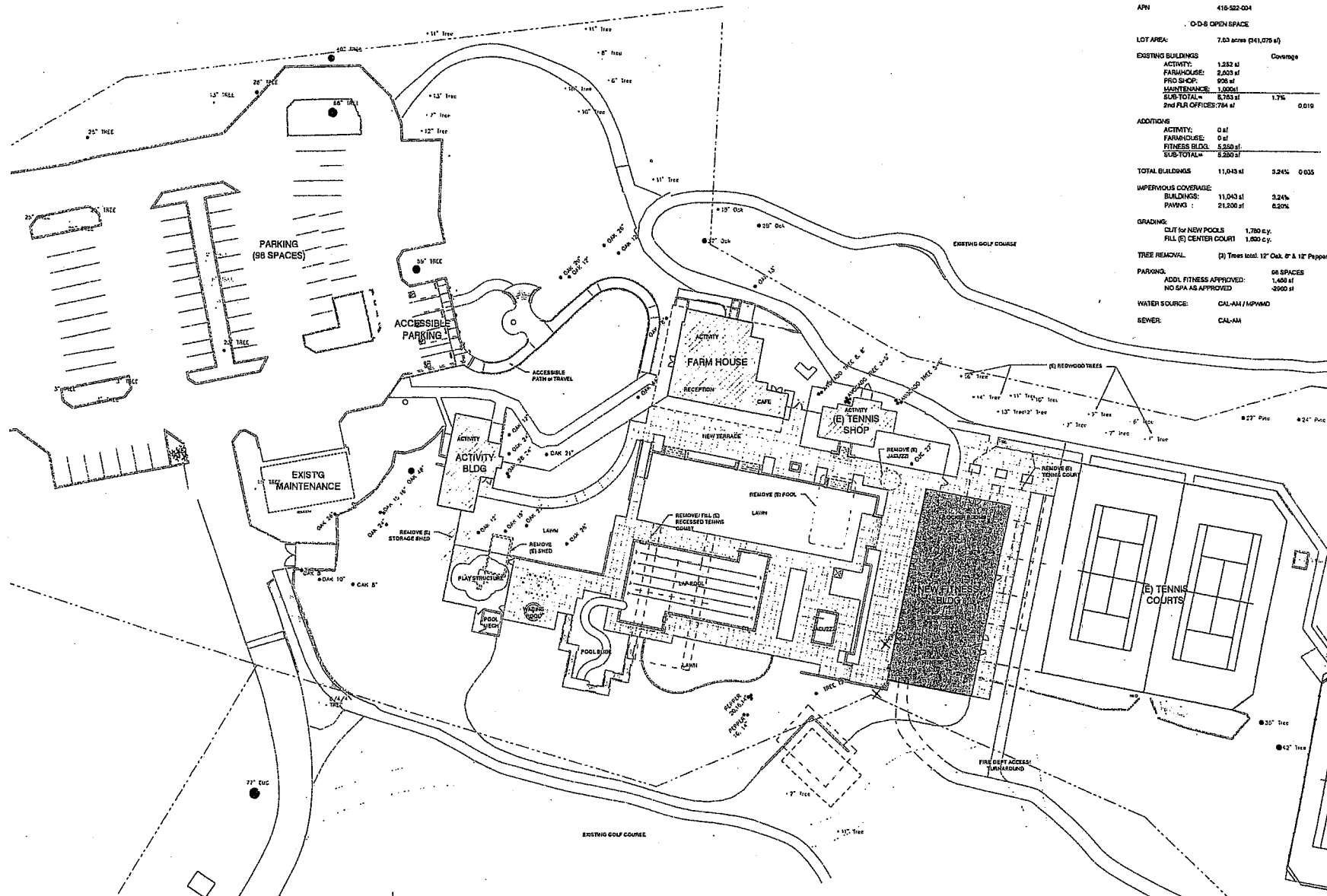
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MONTEREY COUNTY
 PLANNING & BUILDING
 INSPECTION DEPT.

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TENNIS CLUB SITE IMPROVEMENTS

APN 416-522-004

O-D-S OPEN SPACE

LOT AREA: 7.03 acres (311,076 sq ft)

EXISTING BUILDINGS	ACTIVITY	1,252 sq ft	Coverage
FARMHOUSE	2,003 sq ft		
PRO SHOP	928 sq ft		
MAINTENANCE	1,000 sq ft		
SUB-TOTAL	5,783 sq ft		1.7%
2ND FLR OFFICE	754 sq ft		0.019

ADDITIONS	ACTIVITY	0 sq ft
FARMHOUSE	0 sq ft	
FITNESS BLDG	5,250 sq ft	
SUB-TOTAL	5,250 sq ft	

TOTAL BUILDINGS	11,043 sq ft	3.24%	0.035
IMPERVIOUS COVERAGE:			
BUILDINGS	11,043 sq ft	3.24%	
PARKING	21,200 sq ft	6.20%	

GRADING:

CUT FOR NEW POOLS: 1,700 cu yd.

FILL (E) CENTER COURT: 1,820 cu yd.

TREE REMOVAL: (E) Trees total: 12" Oak, 6" & 12" Pepper

PARKING: 98 SPACES

ADDL FITNESS APPROVED: 1,400 sq ft

NO SPA AS APPROVED: 2000 sq ft

WATER SOURCE: CAL-AM / HPWMD

SEWER: CAL-AM

Project / Owner
Tennis Center
SITE
IMPROVEMENT
Carmel Valley R

Site No. 0923-005
Carmel, California 95008

THE PAUL DA
PARTNERS
ARCHITECTS & PL

Site Plan No. 0923-005
Date: 11/16/09
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ENLARGED AREA SITE PLAN

LEGEND

	EXISTING
	NEW OR ADDITION

SCALE 1/8\"/>

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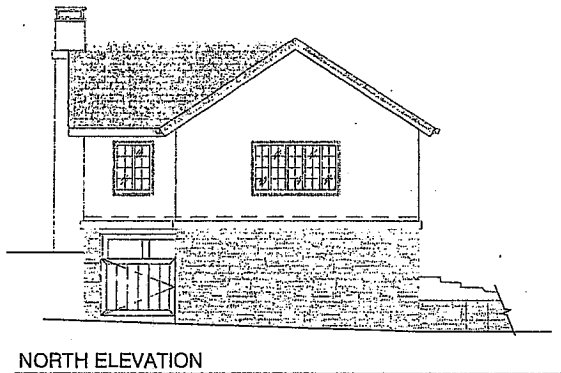
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INSPECTION DEPT.

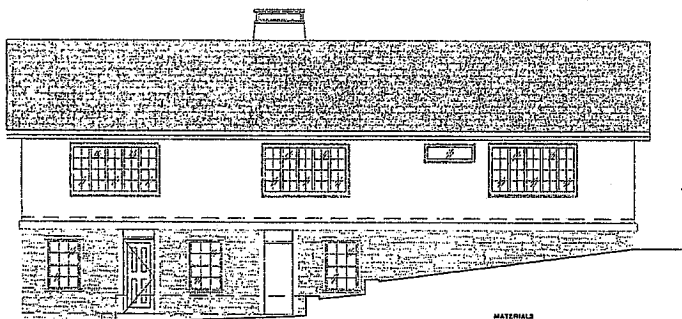
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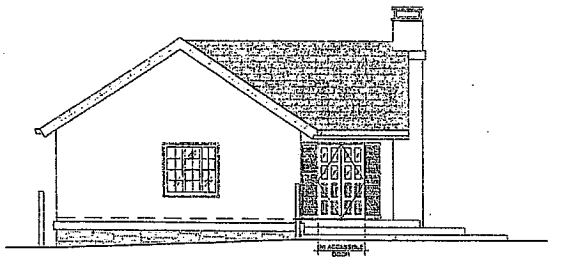


NORTH ELEVATION

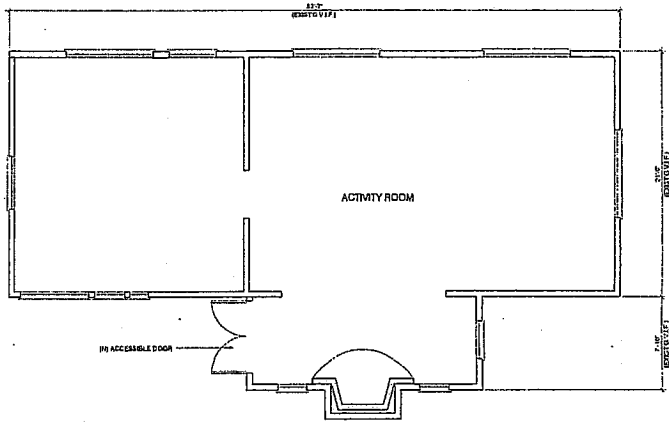


WEST ELEVATION

MATERIALS
 ROOF: CONCRETE TILE - EXISTING
 WALLS: GEMENT PLASTER - EXISTING
 WINDOWS / DOORS: WOOD EXISTING
 COLOR: EXISTING



SOUTH ELEVATION



WALL LEGEND
 ——— EXISTING WALLS TO REMAIN

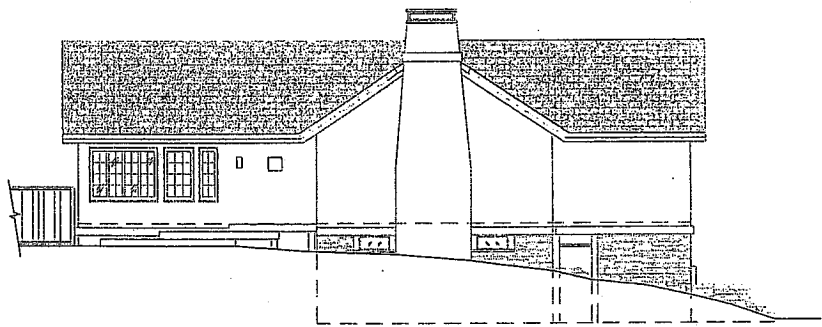


1 ST. FLOOR PLAN

EXISTING: MENS LOCKER ROOM
 NEW: ACTIVITY ROOM

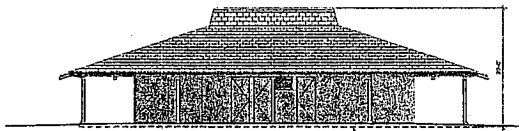
EXISTING: 1188 SF

SCALE: 1/8" = 1'-0"

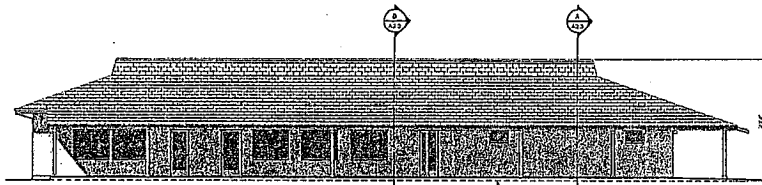


EAST ELEVATION

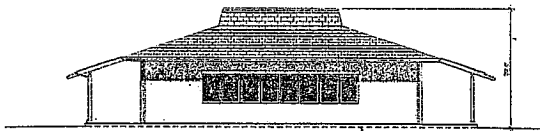
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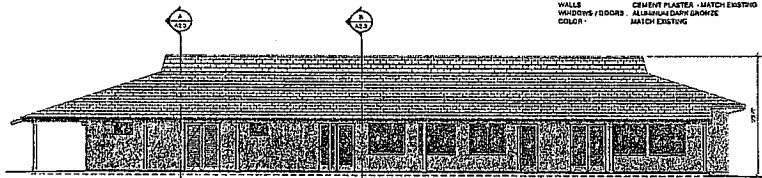
NORTH ELEVATION



EAST ELEVATION

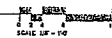


SOUTH ELEVATION

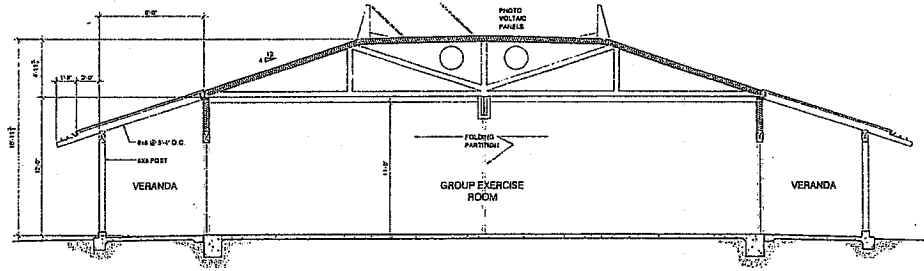


WEST ELEVATION

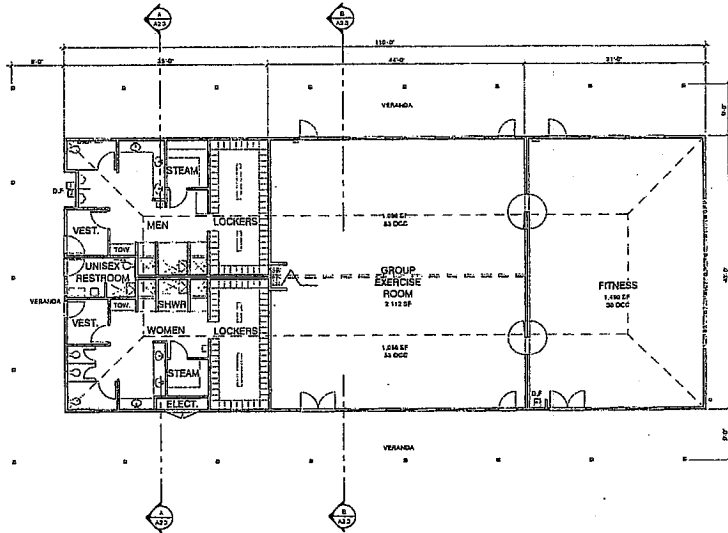
ELEVATIONS



MATERIALS
ROOF: CEMENT TILE - MATCH EXISTING
WALLS: CEMENT PLASTER - MATCH EXISTING
WINDOWS / DOORS: ALUMINUM CASPI FINISH
COLOR: MATCH EXISTING



B SECTION



FLOOR PLAN

SHEET NOTES
1 AVERAGE NATURAL GRADE

Improvements to
the Tennis Cent
NEW FITNESS
BUILDING
Carmel Valley Ran
One 9th Road Road
Carmel, California, 95008

THE
PAUL DAV
PARTNERSH
ARCHITECTS & PLANNERS
The Paul Dav Partnership, LLP
2001 Broadway Street
Monterey, CA 95040
408.253.2700 FAX 408.253.7000
408.253.2700

Drawn By: SL
Drawing Code: 11132-00
Project Number: 0923-005

Project Title:
FITNESS CENTER
FLOOR PLAN
ELEVATIONS &
SECTION

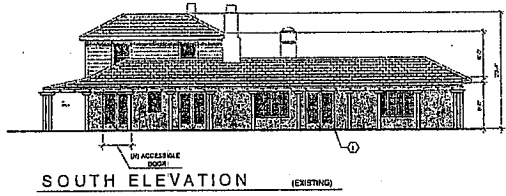
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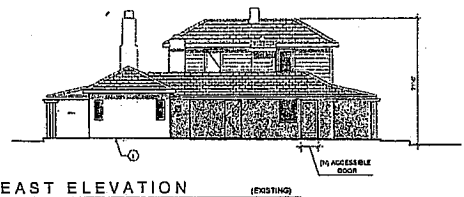
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INSPECTION DEPT.

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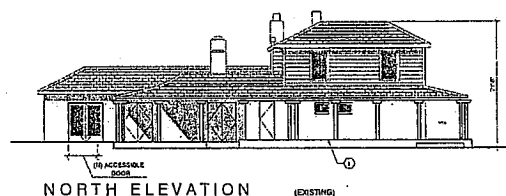
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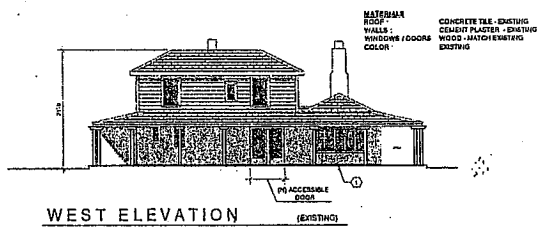
SOUTH ELEVATION (EXISTING)



EAST ELEVATION (EXISTING)



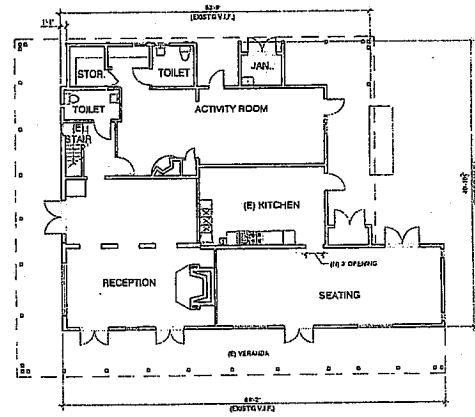
NORTH ELEVATION (EXISTING)



WEST ELEVATION (EXISTING)

MATERIALS:
 ROOF: CONCRETE TILE - EXISTING
 WALLS: CEMENT PLASTER - EXISTING
 WINDOWS / DOORS: WOOD - MATCH EXISTING
 COLOR: EXISTING

FARM HOUSE ELEVATIONS
 SCALE: 1/8" = 1'-0"



1ST. FLOOR PLAN
 EXISTING: 2,863 SF
 NEW: CAFE AND WOMEN'S DRESSING, CAFE, ACTIVITY ROOM AND RECEPTION
 SCALE: 1/8" = 1'-0"

SHEET NOTES
 1. AVERAGE NATURAL GRADE

Improvements to the Tennis Center FARM HOUSE BUILDING
 Carmel Valley Ranch
 On 200 South Road
 Carmel, California 95008

THE PAUL DAVIS PARTNERSHIP
 ARCHITECTS & PLANNERS
 The Paul Davis Partnership, LLP
 2nd Floor
 1000 California Street
 San Francisco, CA 94108
 (415) 774-1100
 www.pauldavispartnership.com

Drawn By: JLS
 Date of Sale: 10/16/09
 Project Number: 0923-1

WALL LEGEND
 ——— EXISTING WALLS TO REMAIN
 - - - - - EXISTING WALLS TO REMAIN
 [Hatched] EXISTING WALLS TO REMAIN

DATE OF THE FARM HOUSE 1ST. FLOOR PLAN ELEVATIONS

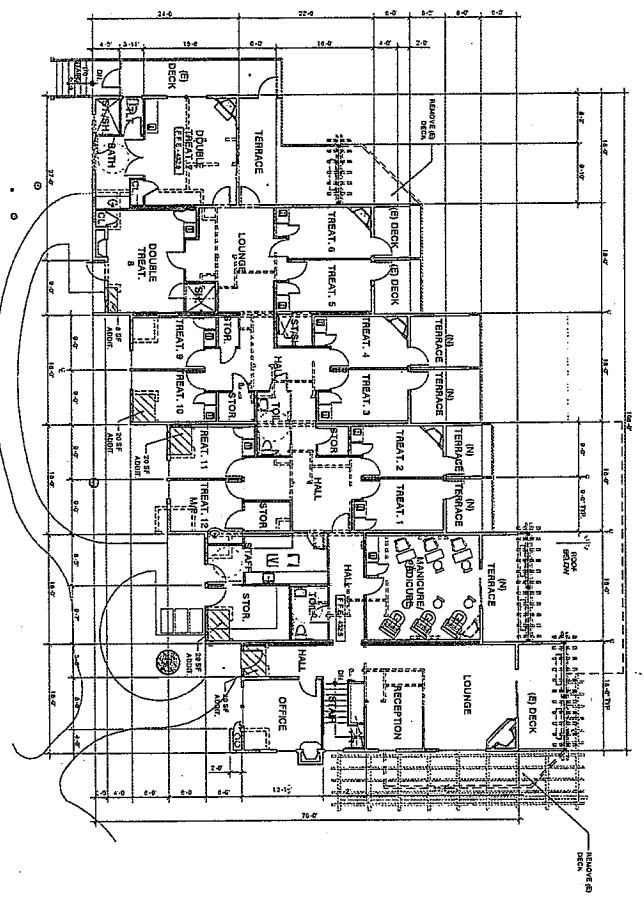
Date Number:

A2.3

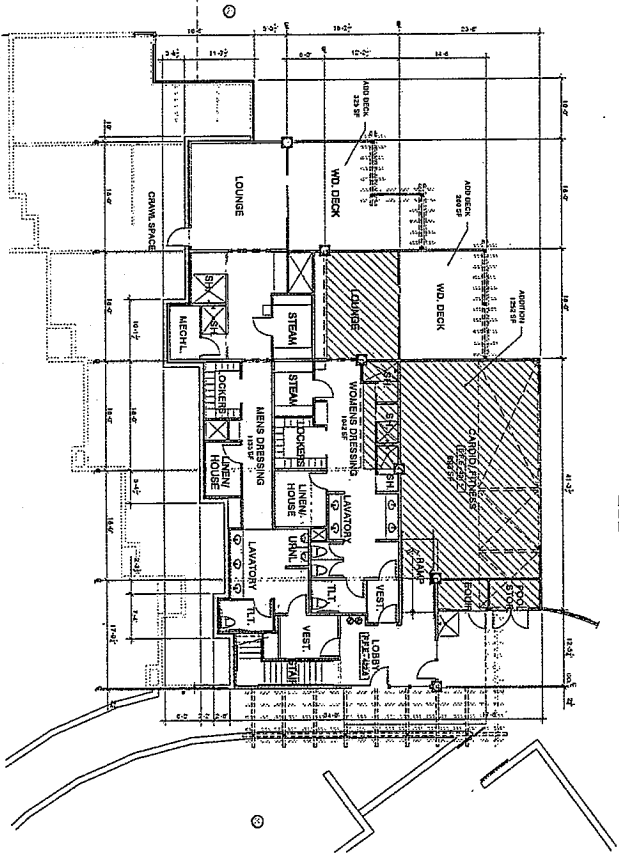
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UPPER FLOOR PLAN - 4410 SF
 (28 ST. ADDITION - 2022 ST. EXISTING)



LOWER FLOOR PLAN - 3574 SF
 (1123 ST. ADDITION - 2022 ST. BELOW EXIST. BUILDING)

EXHIBIT D

VICINITY MAP





CARMEL VALLEY



APPLICANT: CARMEL VALLEY RANCH HSGE LLC

APN: 416-522-010-000 & 416-522-004-000

FILE # PLN090322

 300' Limit  2500' Limit  City Limits  Water

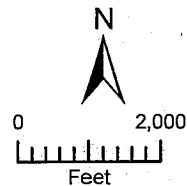


EXHIBIT E

ADVISORY COMMITTEE
MINUTES (LUAC)

MINUTES
Carmel Valley Land Use Advisory Committee
Monday, October 5, 2009

1. Meeting called to order by Janet Brennan at 6:30 pm

2. **Roll Call:**

Members Present: Janet Brennan, Judy MacClelland, Charles Franklin, John Anzini, Doug Pease, David Burbidge, Neil Agron

Members Absent: None

3. **Approval of Minutes:**

A. July 20, 2009 minutes

Motion: John Anzini (LUAC Member's Name)

Second: David Burbidge (LUAC Member's Name)

Ayes: 7

Noes: 0

Absent: 0

Abstain: 0

4. **Public Comments:** The Committee will receive public comment on non-agenda items that are within the purview of the Committee at this time. The length of individual presentations may be limited by the Chair.

Janet Brennan advised the committee that the proposal for term limits for LUAC members appears not to be moving forward.

5. **Scheduled Item(s)** - please refer to the Project Referral Sheets which follow for each separate file.

6. **Other Items:**

A) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects
(use additional sheets if necessary)

None

B) Announcements

None

6. **Meeting Adjourned:** 7:05 pm

Minutes taken by: Charles Franklin

Action by Land Use Advisory Committee Project Referral Sheet

Monterey County Planning Department
168 W Alisal St 2nd Floor
Salinas CA 93901
(831) 755-5025

Advisory Committee: Carmel Valley

Please submit your recommendations for this application by Monday, October 05, 2009.

Project Title: CVR HSGE LLC
File Number: DA090278
File Type: Public
Planner: SNIDER
Location: 1 OLD RANCH RD CARMEL

Project Description:
DESIGN APPROVAL TO ALLOW FACILITY RENOVATIONS AT CARMEL VALLEY RANCH CONSISTING OF THE CONSTRUCTION OF A NEW 5,280 SQUARE FOOT FITNESS BUILDING, A 773 SQUARE FOOT ADDITION TO AN EXISTING MEN'S RESTROOM, A NEW 2,450 SQUARE FOOT POOL, A NEW 800 SQUARE FOOT CHILDREN'S POOL, A NEW JACUZZI, AND A NEW TERRACE; A REMODEL AND 169 SQUARE FOOT ADDITION TO AN EXISTING FARMHOUSE TO INCLUDE CAFE, RECEPTION AREA, RETAIL SALES, MEN'S LOCKER ROOM AND DRESSING AREA. THE REMOVAL OF SUNKEN TENNIS COURT, EXISTING POOL, EXISTING SPA AND TWO ANCILLARY SHEDS. THE PROPERTY IS LOCATED AT 1 OLD RANCH ROAD, CARMEL (ASSESSOR'S PARCEL NUMBER 416-522-004-000), CARMEL VALLEY MASTER PLAN AREA.

Was the Owner/Applicant/Representative Present at Meeting? Yes No

PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
Margaret Robbins		X	Womens locker room in separate building Number of new employees for new activities
			Is there a limit on the number of club members (unknown)
Tim Sanders		X	Are there solar / Green elements (solar panels are under consideration for most of the roof)
			Post top does not match existing (intentional to distiguiush historic from modern)
			South facing windows have too much glass
David Burges	X		This is a needed element for the community

LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
Water & Traffic		
Restrictions to limit use of facility to Owners, Members & Guests		
Screening of the new structure from Carmel Valley Road may be necessary		
Solar power should be an element of the design		

ADDITIONAL LUAC COMMENTS

Add solar power on roof of new structure or other equivalent area on the site.
 The approval should be conditioned on the addition of screening landscape if necessary after completion of the construction.

RECOMMENDATION :

Motion by: John Anzini (LUAC Member's Name)

Second by Doug Pease (LUAC Member's Name)

Support Project as proposed

Recommend Changes (as noted above)

Continue the Item

Reason for Continuance: _____

Continued to what date: _____

AYES: 6

NOES: 0

ABSENT: 0

ABSTAIN: Judy MacClelland

MINUTES
Carmel Valley Land Use Advisory Committee
Monday, October 19, 2009

1. Meeting called to order by JANET BRENNAN at 6:30 pm

2. Roll Call

Members Present: JANET BRENNAN, Judy McClelland, John Anzini,
DAVID Burbidge, Neil Agron

Members Absent: 2 Charles Franklin, Doug Pease

3. Approval of Minutes:

A. October 5, 2009 minutes

Motion: Neil Agron (LUAC Member's Name)

Second: David Burbidge (LUAC Member's Name)

Ayes: 5

Noes: 0

Absent: 2

Abstain: 0

4. Public Comments: The Committee will receive public comment on non-agenda items that are within the purview of the Committee at this time. The length of individual presentations may be limited by the Chair.

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5. Scheduled Item(s) - please refer to the Project Referral Sheets which follow for each separate file.

6. Other Items:

A) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects
(use additional sheets if necessary)

B) Announcements

6. Meeting Adjourned: 7:15 pm

Minutes taken by: John Anzini

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Action by Land Use Advisory Committee Project Referral Sheet

Monterey County Planning Department
168 W Alisal St 2nd Floor
Salinas CA 93901
(831) 755-5025

Advisory Committee: Carmel Valley

Please submit your recommendations for this application by Monday, October 19, 2009.

Project Title: MID VALLEY FIRE PROTECTION DIST
File Number: GPZ090003
File Type: SUB
Planner: SNIDER
Location: 8455 CARMEL VALLEY RD CARMEL

Project Description:
GENERAL PLAN AMENDMENT TO CHANGE GENERAL PLAN LAND USE DESIGNATION FROM "PUBLIC-QUASI-PUBLIC" TO "LOW DENSITY RESIDENTIAL"; REZONE A 0.35 ARCE PARCEL FROM "PUBLIC-QUASI-PUBLIC" ZONING DISTRICT TO "LOW DENSITY RESIDENTIAL" DISTRICT. COMBINED DEVELOPMENT PERMIT CONSISTING OF: 1) MINOR SUBDIVISION TENTATIVE MAP TO ALLOW A DIVISION OF A 1.98 ACRE PARCEL INTO TWO PARCELS OF 0.35 ACRES (PARCEL 1) AND 1.63 ACRES (PARCEL 2). PARCEL 1 INCLUDES AN EXISTING SINGLE FAMILY DWELLING, AND PARCEL 2 INCLUDES THE EXISTING MID-VALLEY CARMEL VALLEY FIRE STATION; 2) A VARIANCE TO ALLOW A REDUCTION OF THE MINIMUM LOT SIZE FROM 1 ACRE TO .35 ACRES IN THE "LOW DENSITY RESIDENTIAL" DISTRICT. THE PROPERTY IS LOCATED AT 8455 CARMEL VALLEY ROAD, CARMEL (ASSESSOR'S PARCEL NUMBER 169-061-014-000), CARMEL VALLEY MASTER PLAN AREA.

Was the Owner/Applicant/Representative Present at Meeting? Yes _____ No

PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
TIM SANDERS			Lot line does not indicate a good project.
MARGARET ROBBINS			Historic Property - money would be a one time shot in the arm for the fire district. Rent is long term.
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			NOV 02 2009
			MONTEREY COUNTY PLANNING & BUILDING INSPECTION DEPT

LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)

ADDITIONAL LUAC COMMENTS

~~Chair Motion~~ RECOMMENDATION DENIAL

John Arcini this is a one time Budget fix - Building has historical value more public money can be made by renting over a long period of time than by selling. Not consistent with General Plan.

RECOMMENDATION: Denial: Project not consistent with General Plan and Subdivision map.

Motion by: David Bacchus (LUAC Member's Name)

Second by Judy McCullen (LUAC Member's Name)

Support Project as proposed

Recommend Changes (as noted above)

Continue the Item

Reason for Continuance: _____

Continued to what date: _____

AYES: 5

NOES: 0

ABSENT: 2

ABSTAIN: 0

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PLANNING & BUILDING
INSPECTION DEPT.

Action by Land Use Advisory Committee Project Referral Sheet

Monterey County Planning Department
168 W Alisal St 2nd Floor
Salinas CA 93901
(831) 755-5025

Advisory Committee: Carmel Valley

Please submit your recommendations for this application by Monday, October 19, 2009.

Project Title: BLISS BETSY W TR

File Number: PLN070654

File Type: PC

Planner: NICHOLSON

Location: 27445 LOMA DEL REY CARMEL

Project Description:

USE PERMIT TO CLEAR CODE ENFORCEMENT CASE CE070312 TO ALLOW DEVELOPMENT ON SLOPES IN EXCESS OF 30% CONSISTING OF THE WIDENING OF A ROAD FOR FIRE DEPARTMENT ACCESS AND THE REPLACEMENT OF AN APPROX. 200 LINEAR FOOT RETAINING WALL AND GRADING (APPROX. 100 CUBIC YARDS OF CUT AND 240 CUBIC YARDS OF FILL). THE PROPERTY IS LOCATED AT 27445 LOMA DEL REY, CARMEL (ASSESSOR'S PARCEL NUMBER 169-071-073-000), CARMEL VALLEY MASTER PLAN AREA.

Was the Owner/Applicant/Representative Present at Meeting? Yes No

Tony Lombardo

PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
<i>Margaret Robbins</i>		<i>X</i>	<i>Plans unviewable - Property Not Accessible</i>
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			NOV 02 2009
			MONTEREY COUNTY PLANNING & BUILDING INSPECTION DEPT.

LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)

ADDITIONAL LUAC COMMENTS

Plans unreadable -

RECOMMENDATION: *Plans be updated and site visit scheduled*

Motion by: John Anzani (LUAC Member's Name)

Second by NIEL Agnew (LUAC Member's Name)

- Support Project as proposed
- Recommend Changes (as noted above)

Continue the Item

Reason for Continuance: _____

Continued to what date: _____

AYES: 5

NOES: 0

ABSENT: 2

ABSTAIN: 6

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Action by Land Use Advisory Committee Project Referral Sheet

Monterey County Planning Department
168 W Alisal St 2nd Floor
Salinas CA 93901
(831) 755-5025

Advisory Committee: Carmel Valley

Please submit your recommendations for this application by Monday, October 19, 2009.

Project Title: CVR HSGE LLC
File Number: PLN090322
File Type: AMEND
Planner: SNIDER
Location: 1 OLD RANCH RD CARMEL

Project Description:
AMENDMENT TO A PREVIOUSLY APPROVED USE PERMIT (PLN070350) AND DESIGN APPROVAL FOR THE CONVERSION OF FIVE EXISTING LODGE UNITS INTO A 4,248 SQUARE FOOT FITNESS/SPA FACILITY AND THE DEVELOPMENT OF A FIRST FLOOR 1,160 SQUARE FOOT ADDITION. THE PROPERTY IS LOCATED AT 1 OLD RANCH ROAD, CARMEL (ASSESSORS PARCEL NUMBER 416-522-010-000), CARMEL VALLEY MASTER PLAN AREA.

Was the Owner/Applicant/Representative Present at Meeting? Yes No

Paul Davis

PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
<i>Margaret Robbins</i>		<i>X</i>	<i>Employee Housing for workers @ the lodge.</i>
<i>Tim Samoers</i>		<i>X</i>	<i>Housing for employees -</i>

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INSPECTION DEPT

LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)

ADDITIONAL LUAC COMMENTS Condition that Foundation work be overseen by arborist to guarantee the life of 6-7 large oak screening trees. AND AN ENVIRONMENTAL DOCUMENT that addresses the cumulative impact of this project in total be compiled. Also that the Arborist Analyzes the Ageing Monument OAKS at the Ranch and compile a plan for replacement of the Ageing OAK TREES

RECOMMENDATION: Approval

Motion by: John Anzini (LUAC Member's Name)

Second by David Burbage (LUAC Member's Name)

- Support Project as proposed
- Recommend Changes (as noted above)
- Continue the Item

Reason for Continuance: _____

Continued to what date: _____

AYES: 5

NOES: 0

ABSENT: 2

ABSTAIN: 0

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NOV 02 2009

MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT

EXHIBIT F

HRRB RESOLUTION DA090278

*Before the Historic Resources Review Board in and for the
County of Monterey, State of California*

Resolution No. DA 090278 (CVR HSGE LLC)

Resolution by the Monterey County Historic Resources Review Board (HRRB) to recommend approval of a Design Approval Request by CVR HSGE LLC to allow construction of a new 5,280 square foot fitness building, a 773 square foot addition to an existing men's restroom, a new 2,450 square foot pool, a new 800 square foot children's pool, a new Jacuzzi, a new terrace; remodel and 169 square foot addition to an existing historic farmhouse to include café, reception area, retail sales, men's locker room and dressing area and the removal of a sunken tennis court, existing pool, existing spa, and two ancillary sheds.

The Project is located at 1 Old Ranch Road, Carmel Valley (Assessor's Parcel Number 416-522-004-000), Carmel Valley Master Plan.

WHEREAS, this matter was heard by the Historic Resources Review Board (HRRB) of the County of Monterey on November 5, 2009, pursuant to the regulations for the Preservation of Historic Resources as contained in Chapter 18.25 of the Monterey County Code and the Secretary of the Interior's Standards for Rehabilitation.

WHEREAS, the parcel is located at One Old Ranch Road, Carmel Valley, (APN 416-522-004-000) of the County of Monterey. This building is not listed on the National Register of Historic Places, the California Register of Historic Resources or Monterey County's Local Register of Historic Resources.

WHEREAS, Lombardo and Gilles (applicant) filed with the County of Monterey, an application for a Design Approval to allow construction of a new 5,280 square foot fitness building, a 773 square foot addition to an existing men's restroom, a new 2,450 square foot pool, a new 800 square foot children's pool, a new Jacuzzi, a new terrace; remodel and 169 square foot addition to an existing historic farmhouse to include café, reception area, retail sales, men's locker room and dressing area and the removal of a sunken tennis court, existing pool, existing spa, and two ancillary sheds. Proposed building materials and colors will match existing.

WHEREAS, at the conclusion of the hearing, the matter was submitted to the HRRB for a recommendation. Having considered all the written and documentary information submitted, oral testimony, and other evidence presented before the HRRB, the HRRB rendered its decision to adopt findings and evidence to recommend approval of the Design Approval, subject to the following findings:

Finding: The proposed work is consistent with Section 21.54 of the Monterey County Zoning Code (Regulations for Historic Resources Zoning Districts) and will neither adversely affect the significant architectural features of the designated resource nor adversely affect the character, historical, architectural, or aesthetic interest or value of the designated resource and its site.

Finding: The use and exterior of the new improvements, addition, building or structure upon a designated historic resource site will neither adversely effect nor be incompatible with the use and exterior of existing designated historical resources, improvements, buildings and natural features of the site.

- Evidence:
1. **Design Approval Application and other materials in file DA 090278 (CVR HSGE LLC)**
 2. **Secretary of the Interior's Standards for the Treatment of Historic Properties.**
 3. **Oral testimony and HRRB discussion during the public hearing and the administrative record.**
 4. **Carmel Valley Land Use Advisory Committee decision to recommend approval of DA090278 (CVR HSGE LLC) dated October 5, 2009.**
 5. **Historical Analysis by Kent Seavey dated August 20, 2007 on file with the Monterey County RMA- Planning Department (LIB080417).**

THEREFORE, it is the decision of the Monterey County Historic Resources Review Board to recommend **approval of the CVR HSGE LLC Design Approval subject to the following conditions:**

1. **Document the affected elevation with Historic American Building Survey (HABS) drawings or by photogramatic recordation (level 3),**
2. **Salvage and store the windows that are now on the elevation for possible reinstallation in the future,**
3. **Interpretive signage on the history of the property and,**
4. **Apply for inclusion on the local Monterey County Historic Register.**

Passed and adopted on this 5th day of November, 2009, upon motion of _____, seconded by

_____, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Attest

Eric Snider, Project Planner
November 5, 2009

EXHIBIT G

ADDENDUM TO MITIGATED NEGATIVE DECLARATION

EXHIBIT G

Addendum Pursuant to the California Environmental Quality Act Article 11, Section 15164

Carmel Valley Ranch Resort Planning File No. PLN090322 Use Permit Amendment

1. Introduction

An initial study was prepared for and filed on September 29, 2006 for Carmel Valley Ranch Resort, Titled: Carmel Valley Spa Addition, Parking Lot, Temporary Sales Office & Hotel Conversion; Initial Study.

The original project consisted of a new of 4,956 square foot spa, yoga studio and parking lot at the Carmel Valley Ranch Resort; conversion of existing Carmel Valley Ranch Resort hotel room #244 to a temporary sales office; and proposed Vesting Tentative Map for the conversion of 144 existing hotels rooms to 144 individually owned condominium hotel units. The initial study analyzed two separate applications 1) File no. PLN060056 (Spa and Yoga Studio Addition, Parking Lot & Temporary Sales Office); and 2) File No. PLN060360 (Hotel Conversion).

The subject application PLN090322 changes the previously approved proposal (PLN060056) by modifying the main lodge area and tennis facility. The project now proposes to add 88 square feet of building area and converting five existing lodge units into a 4,410 square foot fitness/spa facility, and to add 1,252 square feet of building area with the remodel 2,322 square feet of building area to create a 3,574 square foot fitness/dressing area and a 480 square foot deck, and modify the tennis center to install a new 5,280 square foot fitness building, a new 2,625 square foot pool with slide, a new children's wading pool with fountain area, a new 200 square foot jacuzzi, a new terrace; remodel to include addition of an exterior door to an existing historic farmhouse to facilitate a café, reception area, retail sales and the removal of two tennis courts, existing pool, existing jacuzzi and two ancillary sheds of 414 and 211 square feet.

This technical addendum has been prepared pursuant to Article 11, Section 15164 of the California Environmental Quality Act guidelines to make minor technical changes to the project analyzed in a Mitigated Negative Declaration, certified on October 26, 2006), by Zoning Administrator Resolution No. 060056. None of the conditions described in Section 15162 calling for preparation of a subsequent EIR or negative declaration have occurred.

2. Scope and Purpose of this Addendum

The project does not involve a new significant environmental effect or substantially increase the severity of previously identified significant effects. The Carmel Valley Spa Addition, Parking Lot, Temporary Sales Office & Hotel Conversion; Initial Study identified no significant effects or impacts. Documentation has been provided by the Monterey Peninsula Water Management District quantifying the current water balance and the proposed water usage at the Carmel Valley Ranch Resort. This additional Hydrological Resource assessment confirms that the proposed modifications to the project would not involve a significant environmental effect.

3. Conclusion

Section 15164(b) states that an addendum to an adopted negative declaration may be prepared if none of the conditions described in Section 15162 calling for the preparation of a subsequent negative declaration have occurred. The project involves minor changes and additions which are in substantial conformance to the additions and impacts assessed in the initial MND for the previously approved project. The project would not create additional significant environmental effects. This has been verified by the Monterey Peninsula Water Management District.

Attachment: Carmel Valley Spa Addition, Parking Lot, Temporary Sales Office & Hotel Conversion; Initial Study

EXHIBIT H

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

County of Monterey
State of California

MITIGATED NEGATIVE DECLARATION

FILED

SEP 29 2006

STEPHEN L. VAGNINI
MONTEREY COUNTY CLERK
DEPUTY

Project Title:	Carmel Valley Ranch proposed addition of a 4,956 square foot spa, yoga studio and parking lot at the Carmel Valley Ranch Resort; conversion of existing Carmel Valley Ranch Resort hotel room #244 to a temporary sales office; and proposed Vesting Tentative Map for the conversion of 144 existing hotel rooms at Carmel Valley Ranch Resort to 144 individually owned condominium hotel units.
File Number:	PLN060056 & PLN060360
Owner:	Carmel Valley Ranch LP
Project Location:	Carmel Valley Ranch, Carmel Valley area
Primary APN:	416-522-020-000.
Project Planner:	Luis Osorio (831) 755-5177
Permit Type:	Combined Development Permit; and Standard Subdivision Vesting Tentative Map and
Project Description:	FILE No. PLN060056 COMBINED DEVELOPMENT PERMIT INCLUDING:1) USE PERMIT AND DESIGN APPROVAL FOR CONSTRUCTION OF A 4,056 SQUARE FOOT SPA AND YOGA ROOM ADDITION TO THE EXISTING LODGE AT THE CARMEL VALLEY RANCH INCLUDING REMOVAL OF TWO PROTECTED OAK TREES AND DEVELOPMENT OF 17 ADDITIONAL PARKING SPACES; AND 2) USE PERMIT FOR CONVERSION OF AN EXISTING HOTEL UNIT (UNIT NO 244) INTO A TEMPORARY SALES OFFICE FOR THE SALE OF INDIVIDUAL HOTEL UNITS. THE PROPERTY IS LOCATED AT 1 OLD RANCH ROAD, CARMEL VALLEY (ASSESSOR'S PARCEL NUMBER 416-522-010-000 & 416-592-023-000) WITHIN THE CARMEL VALLEY RANCH FILE No. PLN060360 STANDARD SUBDIVISION TENTATIVE MAP FOR THE CONVERSION OF 144 EXISTING HOTEL UNITS AT THE CARMEL VALLEY RANCH INTO 144 INDIVIDUALLY-OWNED HOTEL UNITS. THE HOTEL UNITS ARE LOCATED ON TWO SEPARATE PARCELS AT 1 OLD RANCH ROAD, CARMEL VALLEY (ASSESSOR'S PARCEL NUMBERS 416-522-010-000 & 416-592-023-000), WITHIN THE CARMEL VALLEY RANCH.

THIS PROPOSED PROJECT WILL NOT HAVE A SIGNIFICANT EFFECT ON THE ENVIRONMENT AS IT HAS BEEN FOUND:

- a) That said project will not have the potential to significantly degrade the quality of the environment.
- b) That said project will have no significant impact on long-term environmental goals.
- c) That said project will have no significant cumulative effect upon the environment.
- d) That said project will not cause substantial adverse effects on human beings, either directly or indirectly.

Decision Making Body:	Monterey County Board of Supervisors
Responsible Agency:	County of Monterey
Review Period Begins:	September 30, 2006
Review Period Ends:	October, 19 2006

Further information, including a copy of the application and Initial Study are available at the Monterey County Planning & Building Inspection Department, 168 W. Alisal St., Salinas, California 93901. Phone the Department at (831) 755-5025 or the planner at the number above.

MONTEREY COUNTY

PLANNING & BUILDING INSPECTION DEPARTMENT

168 West Alisal Street, 2nd Floor, Salinas, CA 93933

PHONE: (831) 755-5025 FAX: (831) 757-9516



INITIAL STUDY

I. BACKGROUND INFORMATION

Project Title: Carmel Valley Ranch proposed addition of a 4,956 square foot spa, yoga studio and parking lot at the Carmel Valley Ranch Resort; conversion of existing Carmel Valley Ranch Resort hotel room #244 to a temporary sales office; and proposed Vesting Tentative Map for the conversion of 144 existing hotel rooms at Carmel Valley Ranch Resort to 144 individually owned condominium hotel units.

File No.: Two separate applications have been submitted for the proposed projects: 1) File No. PLN060056 (Spa and Yoga Studio Addition, Parking Lot & Temporary Sales Office); and 2) File No. PLN060360 (Hotel Conversion)

Project Location: The proposed project is located within Carmel Valley Ranch off of Robinson Canyon Road in Carmel Valley, California as shown in **Figure 1, Regional Map**. The site of the spa and yoga studio addition, existing hotel room #244 (proposed unit #98 on Parcel A) and the 144 existing hotel units are located in the area designated as the "RResort Lodge" and the parking lot is located in the area designated as "Golf Course" in the *Carmel Valley Ranch Specific Plan* as shown in **Figure 2, Vicinity Map**.

Name of Property Owner: Carmel Valley Ranch LLC

Name of Applicant: Lombardo & Gilles - Miriam Schakat

Assessor's Parcel Number(s): 416-522-010-000 (Spa and Yoga Studio Addition)
416-522-021-000 (Parking Lot)
416-522-010-000 (Temporary Sales Office)
416-522-010-000 and 416-592-023-000 (Hotel Conversion)

Acreage of Property: The proposed spa and yoga studio addition would be approximately 4,956 square foot and the associated parking lot would be approximately 650 square feet. The temporary sales office, which is approximately 842 square feet, and a portion of the proposed condominium hotel units are located on Lot 10.

(Parcels A and B), which consists of approximately 30.8 acres. The remaining condominium hotel units (45 units) are located on Lot 8 (Parcel J), which consists of approximately 4.3 acres. The total project site would occur in an area that encompasses approximately 35 acres.

General Plan Designation: The *Carmel Valley Master Plan* designates the area of the proposed spa and yoga studio addition, temporary sales office and the hotel rooms as "Visitor Accommodation/Professional Offices" and the area of the parking lot as "Public/Quasi-Public." The *Carmel Valley Ranch Specific Plan* designates the spa and yoga addition, temporary sales office and lodge rooms as "Resort Lodge & Tennis Club" land use and the area of the proposed parking lot is designated as "Golf Course" land use.

Zoning District: The areas of the proposed spa and yoga studio addition, temporary sales office and the 144 existing hotel rooms to be converted to 144 individually owned condominium hotel units have a zoning designation of "VO-D-S" (Visitor Serving Office/Commercial within Design Control District - Site Plan Review combining districts). The proposed parking lot area has a zoning designation of "O-D-S-RAZ" and "LDR/2.5-D-S-RAZ" (Open Space and Low Density Residential (2.5 acres/unit) within Design Control - Site Plan Review - Residential Allocation combining districts).

Lead Agency: County of Monterey Planning and Building Inspection Department

Prepared By: Luis Osorio, Senior Planner
Pamela Lapham, Assistant Planner, PMC (Under Contract)
Tad Stearn, Principal, PMC (Under Contract)

Date Prepared: September 28, 2006

Contact Person: Luis Osorio, Senior Planner

Phone Number: 831-755-5177

II. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

A. Project Description:

The proposed development is comprised of two projects (separate applications) with three components:

Spa and Yoga Studio Addition, Parking Lot, and Temporary Sales Office (PLN 060056)

1) Development of a 4,956 square foot addition at the existing lodge building and conversion of an existing maintenance yard lot to an employee parking lot with 17 parking spaces at Carmel Valley Ranch Resort (Assessor's Parcel Number: 416-522-10-000). The proposed spa and yoga studio would consist of an approximately 4,956 square foot spa and yoga studio addition and approximately 650 square feet of parking lot, which would total approximately 5,606 square feet. The spa and yoga studio addition would include the removal of two existing oak trees located in the courtyard, which are in a state of decay according to the arborist's report. The spa addition would be constructed at the site of an existing courtyard by closing in the courtyard at the existing patio walls. The yoga studio would be constructed adjacent to the spa and existing outdoor terrace as a cantilevered structure over the existing loading dock area. The spa and yoga studio addition would consist of six treatment rooms with a shower, toilet and hot tub in each room; a manicure/pedicure area; a meditation garden; three offices; a reception area, and a studio to be used for yoga and Pilates classes. Development of the addition would require additional parking which would be provided by converting an existing dirt lot located at the maintenance yard into a surfaced parking lot that would be approximately 650 square feet and provide 17 parking spaces for lodge employees. Employees would be shuttled by golf carts to and from the lodge building. The proposed spa and yoga studio addition and parking lot are shown in **Figure 3a, Overall Site Plan** and **Figure 3b, Spa and Yoga Studio Addition Floor Plan**.

2) Conversion of hotel room #244 and a portion of room #243 to a temporary sales office (Assessor's Parcel Number: 416-522-10-000). The bedroom of hotel room #244 would serve as the temporary sales office with the existing living room as the reception area, as shown in **Figure 3c, Temporary Sales Office Floor Plan**. The bathroom would remain a bathroom for the temporary sales office. Hotel room #243 would have the living room converted to temporary storage area and eventually be remodeled and made available to sell as an individually owned condominium hotel unit. The temporary sales office in room #244 would encompass approximately 842 square feet.

Hotel Conversion (PLN 060360)

3) A Standard Subdivision Vesting Tentative Map for the conversion of 144 existing hotel rooms into 144 individually owned condominium hotel units within the "Resort Lodge" area of the *Carmel Valley Ranch Specific Plan* (Assessor's Parcel Numbers: 416-522-10-000 and 416-522-23-000), as shown in **Figure 4, Vesting Tentative Map**. The proposed commercial subdivision would result in the development of 144 commercial condominium hotel units, which would encompass the interior area of each unit, approximately 842 square feet, encompassing a total area of approximately 121,248 square feet.

The conversion of the hotel rooms to individually owned condominium hotel units will not change the density, land use, or zoning of the project site. The condominium hotel units will

continue to be used for visitor serving purposes, with the exception of their use by their owners for a specified time of no more than two weeks during the year (less than 50 percent of the occupancy). An owners' association will have a contract with the hotel operator for the maintenance and rental of the condominium hotel units and right to the use of the hotel amenities, which will be retained in ownership by the project applicant as non-condominium hotel property (i.e. the lodge, spa, pool deck, restaurant, golf course). The condominium hotel units would be individually owned, but managed and rented by Carmel Valley Lodge. The condominium hotel units will be rented to transient guests the same way they are currently rented. The hotel will continue to be operated and managed by a single management entity and the use of the income from the use of each condominium hotel unit shall be retained by the individual condominium hotel unit owner, net of fees and costs associated with managing and maintaining the units. Individual condominium hotel unit owners and occupants will have perpetual easement right to use all roadways, parking areas, and other areas to access the guest rooms, as well as the use of the front desk area and other areas fundamental to the operation of the units as hotel guest rooms.

B. Environmental Setting and Surrounding Land Uses:

As shown in Figure 4, Vesting Tentative Map, a majority of the area of the proposed development and subdivision is on two irregularly shaped parcels (Assessor's Parcel Numbers 416-522-010 and 416-592-023) located on Carmel Valley Ranch. The project site is known as the Carmel Valley Ranch Resort. The Carmel Valley Ranch Resort consists of a lodge building, tennis courts, and 145 hotel rooms located in clustered buildings surrounded by a golf course. A small portion of the proposed project would be located at the maintenance yard which is located on a third parcel in the "Golf Course" area (Assessor's Parcel Number 416-522-21-000).

The lodge building at Carmel Valley Ranch Resort consists of a lobby, lounge, restaurant, swimming pool, courtyard, offices and restrooms. The lodge is landscaped and surrounded by coast live oak trees. The proposed spa addition would be located at an existing concrete courtyard surrounded by concrete planters with a planter containing two large coast live oaks (*Quercus agrifolia*) in the center. The coast live oak trees are approximately 35 feet in height and have diameters two feet above ground that are approximately 23.5 inches and 45 inches. The spa would be centered around the existing planter and within the walls of the existing exterior planters. The yoga studio would be cantilevered over the existing loading dock. The parking lot would be located at an existing maintenance yard, which is an existing dirt lot currently being used for temporary parking during the restoration of the golf course. The temporary sales office would be located at existing hotel room #244 (proposed condominium hotel unit #98 on Parcel A). The existing hotel rooms are comprised of regular hotel rooms within buildings clustered around the golf course. The clustered campus setting emphasizes golf cart circulation.

The project site is immediately surrounded by the existing golf course and land reserve area. According to the *Carmel Valley Master Plan*, the golf course is designated as "Public/Quasi-Public" land use and the land reserve area has no land use designation. Other areas of the Carmel Valley Ranch have a "Medium Density Residential" land use designation.

Access to the project site would remain the same utilizing Old Ranch Road, Fairway Court, and Oak Place. Old Ranch Road would continue to provide access to the spa and yoga studio addition, and condominium hotel units #46 through #145, including the temporary sales office. Individually owned condominium hotel units #1 through #45 would be accessed via Oak Place and Fairway Court off from Oak Place. The parking lot would be accessed off of Old Ranch Road near the "Clubhouse."

III. PROJECT CONSISTENCY WITH OTHER APPLICABLE LOCAL AND STATE PLANS AND MANDATED LAWS

Use the list below to indicate plans applicable to the project and verify their consistency or non-consistency with project implementation.

General Plan/Area Plan	<input checked="" type="checkbox"/>	Air Quality Mgmt. Plan	<input checked="" type="checkbox"/>
Specific Plan	<input checked="" type="checkbox"/>	Airport Land Use Plans	<input type="checkbox"/>
Water Quality Control Plan	<input checked="" type="checkbox"/>	Local Coastal Program-LUP	<input type="checkbox"/>

IV. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED AND DETERMINATION

A. FACTORS

The environmental factors checked below would be potentially affected by this project, as discussed within the checklist on the following pages.

<input checked="" type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture Resources	<input checked="" type="checkbox"/> Air Quality
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Geology/Soils
<input type="checkbox"/> Hazards/Hazardous Materials	<input checked="" type="checkbox"/> Hydrology/Water Quality	<input checked="" type="checkbox"/> Land Use/Planning
<input type="checkbox"/> Mineral Resources	<input checked="" type="checkbox"/> Noise	<input type="checkbox"/> Population/Housing
<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation	<input checked="" type="checkbox"/> Transportation/Traffic
<input checked="" type="checkbox"/> Utilities/Service Systems		

Some proposed applications that are not exempt from CEQA review may have little or no potential for adverse environmental impact related to most of the topics in the Environmental Checklist; and/or potential impacts may involve only a few limited subject areas. These types of projects are generally minor in scope, located in a non-sensitive environment, and are easily identifiable and without public controversy. For the environmental issue areas where there is no potential for significant environmental impact (and not checked above), the following finding can be made using the project description, environmental setting, or other information as supporting evidence.

Check here if this finding is not applicable

FINDING: For the above referenced topics that are not checked off, there is no potential for significant environmental impact to occur from either construction, operation or maintenance of the proposed project and no further discussion in the Environmental Checklist is necessary.

EVIDENCE: Review of the proposal indicates that the spa and yoga studio addition, parking lot temporary sales office and conversion of 144 hotel rooms to 144 individually owned condominium hotel units would occur at the Carmel Valley Ranch Resort within Carmel Valley Ranch. The spa and yoga studio addition, temporary sales office and hotel conversion would add recreation uses; add employee parking spaces, temporarily change the use of two hotel rooms. The condominium conversion would permanently change the ownership of the 144 hotel rooms. The spa and yoga studio addition would be constructed primarily within the roof line footprint of the existing lodge building. The parking lot would be developed at an existing dirt lot located at the maintenance yard. The condominium hotel units would not contain kitchens or allow permanent or extended occupancy by the owner. No hazardous materials are associated with spa and yoga studio addition, parking lot, temporary sales office or condominium hotel uses. There are no mineral resources or agricultural resources within the project site. The proposed project would occur on land that was previous disturbed during the development of the Carmel Valley Ranch Resort so the disruption of land on the project site would not affect cultural resources or recreation. The spa and yoga addition and temporary sales office would create new uses on the project site; however the new uses would not substantially increase the demand on public services. In addition, the spa and yoga studio additions, parking lot, temporary sales office, and the hotel conversion, would not increase the population or displace or create new housing.

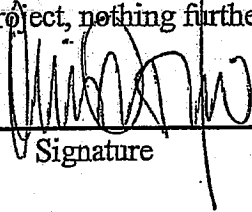
B. DETERMINATION

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis

as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature

Luis Osorio

Printed Name

September 28, 2006

Date

Senior Planner

Title

V. EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).
- 2) All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, and then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
- 4) "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c) (3) (D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a

previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significance.

VI. ENVIRONMENTAL CHECKLIST

1. AESTHETICS		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Have a substantial adverse effect on a scenic vista? (Source: 1, 3)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (Source: 1, 6, Exhibit A)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Substantially degrade the existing visual character or quality of the site and its surroundings? (Source: 1, 6, Exhibit A)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? (Source: 1, 6, Exhibit A)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/ Conditions and Mitigations:

a) The spa and yoga studio addition and the parking lot at the maintenance yard are the only portions of the proposed project that would result in physical changes to the existing environment. The spa and yoga studio addition would be located at the Carmel Valley Ranch Resort and the parking lot would be located at the maintenance yard, which are not visible from a scenic vista. Therefore, there would be **no impact** on a scenic vista.

b, c, d) The project sites are within Design Control ("D") and Site Plan Review ("S") combining zoning districts; therefore, any physical changes are subject to design review. As noted on the design approval request form contained in the project file, the spa addition would be constructed using cement plaster walls with copper roof and colors to match existing building colors (Exhibit A). On June 5, 2006, the Carmel Valley Land Use Advisory Committee (LUAC) recommended approval of the spa addition (without the yoga studio) and converting existing hotel unit #244 to a temporary sales office; the LUAC recommended the following conditions: the spa design shall match the existing building colors (gray); the two trees removed will be replaced with at least one very large oak tree; and the exterior lighting shall be downlit, shaded and have amber bulbs (Exhibit A). These recommendations should be extended to the other areas of the lodge that are to be physically altered, including the yoga studio and parking lot. Therefore, the following condition of approval is recommended to ensure that the affect on scenic resources and visual character, and that any new sources of light and glare are minimized.

Condition 1-1

- a. Prior to issuance of a building permit, the project applicant shall submit plans for review and approval by the Planning Department that reflect the recommendations of the Land use Advisory Committee.
- b. Prior to Occupancy, the project applicant shall replace one of the two existing coast live oak trees to be removed from the center planter at the lodge courtyard with one large oak tree (approximately 15-inches in diameter at two feet above ground level), obtained on-site in accordance with the recommendations of the Land Use Advisory Committee. If a large replacement tree cannot not be obtained on-site without being detrimental to the health of the tree, the replacement tree may be obtained from a nursery that carries coast live oaks of local origin that are certified free from Sudden Oak Death. In order to provide tree replacement at a 1:1 ratio, a second coast live oak tree is required to be planted as part of the landscaping near the spa and yoga studio addition prior to occupancy. The tree is to be planted at least 10 feet away from the very large oak tree to replace the two trees to be removed from the center of the courtyard in accordance with the arborist's report.
- c. Prior to issuance of a certificate of occupancy, the project applicant shall incorporate exterior lighting that is downlit, shaded, and uses amber bulbs in accordance with the recommendations of the Land Use Advisory Committee.

2. AGRICULTURAL RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? (Source: 1, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? (Source: 1, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? (Source: 1, 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Conditions and Mitigations:

See discussion in Section IV, Environmental Factors Potentially Affected and Determination.

According to the *Carmel Valley Ranch Specific Plan*, there is no agricultural land or resource contained within the "Resort Lodge" or "Golf Course" area of the Carmel Valley Ranch.

3. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan? (Source: 1, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? (Source: 1, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? (Source: 1, 8)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Result in significant construction-related air quality impacts? (Source: 1, 2, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Expose sensitive receptors to substantial pollutant concentrations? (Source: 1,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Create objectionable odors affecting a substantial number of people? (Source: 1,8)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Conditions and Mitigations:

a-c, e, f) The spa and yoga studio addition at the existing lodge courtyard and the surfaced parking lot at the maintenance yard are the only portions of the proposed project that would physically change the existing conditions of the project site. According to the *MBUAPCD CEQA Air Quality Guidelines*, the operations of the proposed spa and yoga studio addition and surfaced parking lot would not directly or indirectly generate emissions that would exceed Monterey Bay Unified Air Pollution Control District's (MBUAPCD) standards for ozone precursors (137 pounds per day of volatile organic compounds (VOC) or oxides of nitrogen (NO_x)); 82 pounds per day of airborne particulate matter (PM₁₀); 150 pounds per day of oxides of sulfur (SO_x), or odors.

According to the *MBUAPCD CEQA Air Quality Guidelines*, a significant affect on the levels of service at intersections or road segments could cause or contribute to an increase in carbon monoxide (CO) emissions. According to Higgins Associates, the proposed project would generate approximately 34 daily trips (9 trips during the AM peak hour and 5 trips during the PM

peak-hour). However, this increase in trips is considered insignificant and is not expected result in a significant affect on the levels of service at surrounding intersections or road segments. Therefore, the proposed project would not exceed the threshold of significance for CO.

Since the proposed project would not exceed the thresholds of significance for criteria pollutants, ozone precursors, inhalable particulates, emit odorous emissions, or contribute towards cumulative emissions of criteria pollutants, the proposed project would not conflict with the *MBUAPCD Air Quality Management Plan (AQMP)*. Therefore, the impacts associated the air quality plan, air quality standards, emission of criteria pollutants and/or odors would be considered **less than significant**.

d) The proposed project includes a spa addition that would involve grading of approximately 30 cubic yards within the footprint of the existing courtyard (no grading of the parking lot area is proposed). These construction activities may temporarily generate short-term emissions including, airborne particulate matter (PM₁₀) and toxic air contaminates (TAC).

According to the *MBUAPCD CEQA Air Quality Guidelines*, construction activities that involve minimal earth moving over an area of 8.1 acres per day, or more, could result in potentially significant temporary air quality impacts, if dust control measures are not implemented. Construction activities that require more extensive site preparation (e.g., grading and excavation) may result in significant impacts if the area of disturbance were to exceed 2.2 acres per day (MBUAPCD 2004). The *Carmel Valley Ranch Specific Plan EIR* requires that dust generated during construction can be controlled by wetting own the site and stabilizing exposed surfaces. The proposed project would be subject to the mitigation measures provided for the *Carmel Valley Specific Plan* and the proposed project will involve grading activities less than 2.2 acres per day. Therefore, the impact on air quality as a result of construction activities would be considered a **less than significant impact**.

4. BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? (Source: 1, EXHIBITS A & B)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Conditions and Mitigations:

a, b, c, d, f) The only portion of the proposed project that would change the existing physical conditions that may affect biological resources is the 4,956 square foot spa and yoga studio addition at the existing courtyard at the lodge and the surfacing of the parking lot at the maintenance yard. The construction activities required for the project would occur within previously disturbed and developed areas. Therefore, the proposed project will have **no impact** on special status plant or wildlife species, sensitive habitats, wetlands, migratory fish or wildlife; or conflict with an adopted Habitat Conservation Plan.

e) The proposed spa and yoga studio addition includes removal two existing coast live oaks (*Quercus agrifolia*), which are located in the center planter of the existing courtyard where the spa addition is proposed. The Arborist's Report prepared by Forest City Consulting in May 2006, states that the trees are 23.5 and 45 inches in diameter (two feet above ground) and are approximately 35 feet in height (Exhibit B). The later tree is considered a landmark tree (Over 24 inches in diameter) per the Zoning Ordinance. According to Forest City Consulting, the health of the trees has been comprised by decay, fungus, insect infestation and previous development, which make them unsafe in the near future (Exhibit B). According to Section 21.64.260.D of the *Monterey County Zoning Ordinance*, a tree removal permit is required. However, no Use Permit would be required since less than three protected trees would be removed.

The arborist's report recommends protection of the remaining trees and tree replacement of the existing two oak trees at a 1:1 ratio. On June 5, 2006, the Carmel Valley Land Use Advisory Committee (LUAC) recommended approval of the spa addition (the yoga studio and parking lot were added to the application later and will be considered by the LUAC on October 16, 2006) based on several conditions, including that at least one very large tree would replace the two trees removed (Exhibit A). Implementation of recommended Condition 1-1b [See Section VI.1 (Aesthetics) above] would ensure tree replacement in accordance with the design approval recommendations and provide tree replacement at a 1:1 ratio in accordance with Section 21.64.260.D of the *Monterey County Zoning Ordinance*. However, several other oak trees are located on the project site. There is the potential for these trees to be damage by construction equipment or vehicles if protective measures are not taken. This would be considered a **potentially significant impact**. The following mitigation measure would ensure protection of retained trees and that the overall impact on biological resources would be considered a **less than significant impact**.

Mitigation Measure 4-1

Prior to issuance of building and grading permits and during construction activities, the project applicant shall protect trees remaining on the project site from construction activities by limiting work areas away from existing trees by installing a tree protection fence around the dripline of each retained tree. This area shall not be used to park cars, store materials, pile debris or place equipment. Prior to construction activities, branches that are subject to breakage shall be pruned under the supervision of a certified Arborist. Roots encountered shall be cleanly cut to promote re-growth and major roots shall be tunneled under.

5. CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in 15064.5? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Conditions and Mitigations:

See discussion in **Section IV, Environmental Factors Potentially Affected and Determination.**

According to the *Greater Monterey Peninsula Area Plan*, the project site is located in an area designated as high archaeological sensitivity zone. However, the construction activities associated with the proposed project would disturb approximately 5,606 square feet of land that was previously disturbed during the development of the existing courtyard and maintenance yard at the Carmel Valley Ranch. In addition, the lodge building at the Carmel Valley Ranch Resort is not a historical or culturally significant building. Any cultural resources in the area would have been identified during the original construction of the lodge. Therefore, there would be **no impact** on Cultural Resources.

6. GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Source: 1, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Strong seismic ground shaking? (Source: 1, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction? (Source: 1, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Landslides? (Source: 1, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? (Source: 1, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property? (Source: 1, 5, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Conditions and Mitigations:

a, c, d) The project site was previously disturbed during the construction of the existing lodge, courtyard, maintenance yard and hotel rooms. The *Carmel Valley Ranch Specific Plan* requires that all structures are designed to withstand shaking and peak acceleration levels. Prior to development of the existing lodge, and hotel rooms, the developers were required to conduct detailed sub-surface geological studies to determine locations of landslides, faults and other geological conditions that may pose hazards and implement recommendations in accordance with the *Monterey County Seismic Safety Element*. The potential exposure of life and property to

hazards associated with ground rupture, seismic shaking, seismic related ground failure, landslides, or expansive soils were already mitigated in the *Carmel Valley Ranch Specific Plan Environmental Impact Report*. Seismic mitigation measures provided in the *Carmel Valley Ranch Specific Plan Environmental Impact Report* would be applicable to the spa and yoga studio addition. Therefore, the impact would be considered a **less than significant impact**.

b) During the construction of the spa and yoga studio addition at the lodge, approximately 30 cubic yards of soil would be graded to accommodate disabled visitors at the spa. The spa addition would be constructed in an area previously developed as an open courtyard. No grading is proposed for the surfaced parking lot at the existing maintenance yard. The *Carmel Valley Ranch Specific Plan* requires that grading plans include measures for the prevention and control of erosion and siltation and that no grading shall occur prior to securing a building or grading permit. Therefore, potential for substantial soil erosion to occur would be considered a **less than significant impact**.

e) The proposed project would be provided by existing sewer system. Therefore, there would be **no impact** associated with soil suitability for septic tanks.

7. HAZARDS AND HAZARDOUS MATERIALS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (Source: 1, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (Source: 1, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (Source: 1, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (Source: 1, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? (Source: 1, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area? (Source: 1, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (Source: 1, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands? (Source: 1, 4)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/ Conditions and Mitigations:

See discussion in Section IV, Environmental Factors Potentially Affected and Determination.

8. HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements? (1, EXHIBIT C)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? (1, EXHIBIT C)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) 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? (1, 14, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? (1, 14, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Otherwise substantially degrade water quality? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (1, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place within a 100-year flood hazard area structures which would impede or redirect flood flows (1, 5, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? (1, 5, 10)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Inundation by seiche, tsunami, or mudflow? (1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Conditions and Mitigations:

a) The existing lodge is connected to a wastewater treatment facility that is managed and operated by California-American Water Company (Cal-Am), which is under a permit from the Regional Water Quality Control Board (EXHIBIT C). Therefore, the wastewater generated by

the spa and yoga studio addition, temporary office, and condominium hotel units would not violate any water quality standards or discharge requirements.

b) The proposed project would be provided water service by California-American Water Company (Cal-Am Memorandum dated May, 2006). Cal-Am obtains water for its service area from groundwater resources. Monterey County Ordinance No. 3310 provides regulations to control intensification of water consumption in the Cal-Am service area due to the limited water supply. Ordinance No. 3310 is not applicable to and does not prohibit projects that consist of "additions to, or expansion of existing commercial development where such addition or expansion does not increase the water use of such commercial development" and "development projects including subdivision, where an applicant demonstrates to the satisfaction of the Planning Director that water conservation measures proposed on or off the affected building site will, in combination with the project for which approval is sought, result in a minimum of 10 percent overall decrease in the use of water" (per Section 18.46.040.B).

The spa and yoga studio addition is the only portion of the proposed project that would potentially intensify water consumption within Cal-Am's service area. The spa and yoga studio addition would add six treatment rooms, which would add six toilets, six hot tubs and six showers to the lodge building. Based on MPWMD's Group I use factor of 0.00007 multiplied by the 4,956 square feet of spa and yoga studio addition plus 0.05 AF for each added hot tub, the water demand would increase by approximately 0.65 acre feet per year (AFY). According to MPWMD, the proposed commercial subdivision of the hotel rooms into individually owned condominium hotel units would not result in a change of use that will intensify water usage or add additional connections to the resort. Therefore, the proposed project would result in an increase in total water use demand of approximately 0.65 AFY and intensify water use within Cal-Am's service area.

The project applicant proposes meeting the increased water use demand with water credits obtained from abandoning 24 existing spa/jacuzzis at the resort and retrofitting the existing 144 1.6-gallon toilets with 1.0-gallon toilets. Abandonment of the 24 existing spa/jacuzzis would result in savings of 1.20 acre-feet per year (AFY). Retrofitting of 144 existing toilets within the proposed subdivision would reduce water consumption by approximately 37.5 percent and result in an additional water credit of approximately 1.89 AFY, providing a total water credit of 3.09AFY to serve the proposed project. At this time MPWMD has only acknowledged that they will grant a water credit in the amount of 1.20 AFY upon verification of removal of spa/Jacuzzis (EXHIBIT C). However, at this time, sufficient evidence has not been provided to grant the water credit for the toilet retrofitting.

Conclusion

Subtracting the 1.20 AFY water credit associated with abandoning 24 spa/jacuzzis from the proposed project's estimated increased water use demand of 0.65 AFY would result in a net decrease in water use demand of approximately 0.55 AFY. This would be consistent with Monterey County Ordinance No. 3310 and would not intensify water use within Cal-Am's service area. However, if evidence of the removal of 24 hot tubs is not received by MPWMD, the 1.20 AFY water credit will not be granted and the increased water use demand would

intensify the water usage within Cal-Am's service area. In addition, if the toilet retrofitting is not approved by MPWMD, the water demand would not be reduced by a minimum of 10 percent in accordance with Monterey County Ordinance 3310. This would be considered a **potentially significant impact**. Therefore, the following mitigation measure has been provided to ensure no intensification of water use with Cal-Am's service area.

Mitigation Measure 8-1

Prior to issuance of building permits for any portion of the spa/yoga room addition, parking lot and prior to the filing of the Final Map for the condominium conversion, the project applicant shall provide evidence from the MPWMD that appropriate water credits have been approved to accommodate the estimated increase in water use demand of approximately 0.65 AFY and that provide a minimum 10 percent reduction of water use within the proposed subdivision. Implementation of this mitigation measure would ensure that the increased water use demand of approximately 0.65 AFY is met, and water usage within the proposed subdivision is reduced by 10 percent in accordance with Monterey County Ordinance No. 3310. This would ensure that water usage within Cal-Am's service area is not intensified. Therefore, there impact on groundwater resources would be reduced to a **less than significant level**.

Mitigation Measure 8-2

Prior to issuance of building permits for the retrofitting of the bathrooms of the 144 hotel units and prior to the recordation of the Final Map for the condominium conversion, the applicant shall provide evidence from the MPWMD that the District has reviewed and approved the water use reduction resulting from the retrofitting and that the water use reduction would maintain water usage at the Carmel Valley Ranch property within its existing allocation. This would ensure that water usage within Cal-Am's service area is not intensified. Therefore, there impact on groundwater resources would be reduced to a **less than significant level**.

c, d) The only physical change on the project site would be the spa and yoga studio addition and surfaced parking lot. The spa and yoga studio addition would occur in an area that was previously developed as impervious surfaces. According to Paul Davis Partnership, the proposed parking lot would be developed by applying "all weather surfacing" to an existing dirt lot at the maintenance yard to reduce the potential for erosion to occur in the parking lot area (Personal communication with Ryan Cornelsen. September 20, 2006). However, it is unknown at this time if the "all weather surfacing" material will be impervious. If the parking lot all weather surfacing material were impervious, the proposed project may result in an alteration of the existing drainage pattern. However, the alteration of the drainage pattern associated with the parking lot would be considered insignificant due to the parking lot only being approximately 650 square feet and the area being relatively level with no streams or rivers located nearby.

In addition, standard conditions of approval would require that the project applicant implement best management practices (BMPs) identified in the Monterey Peninsula Stormwater Management Program, which was adopted by the Central Coast Water Quality Control Board on September 8, 2006 and implemented by Monterey County Water Resources Agency.

Implementation of the BMPs would reduce stormwater runoff during construction and post construction in accordance with the Environmental Protection Agency's Phase II Storm Water NPDES requirements. Therefore, the proposed project would not substantially alter the existing drainage patterns or contribute runoff water which would exceed the capacity of the existing stormwater drainage system and the impact would be considered **less than significant**.

e) The proposed project would not introduce any new uses or that would significantly affect water quality. Therefore, the proposed project would have **no impact** on water quality.

f, g, h, i) The *Carmel Valley Ranch Specific Plan* requires that all occupied structures are built outside of the 100-year flood plain of the Carmel River. The only portion of the proposed project that would involve construction of new occupied structures is the spa and yoga studio addition on the existing lodge building, which is located outside the 100-year flood plain.

The project site is located approximately 10 miles downstream from San Clemente Dam. According to the Greater Monterey Peninsula Area Plan, inundation from dam failure would generally follow the 100-year flood boundary. Since the proposed project lies above the 100-year flood plain, inundation from dam failure would be minimal. In addition, the proposed project is located approximately 10 miles inland from the coast in a relatively level valley so people and structures would not be subject to hazards associated with seiches, tsunamis, or mudflows. Therefore, there would be **no impact** associated with 100-year flood hazards, dam inundation, seiches, tsunamis or mudflows.

9. LAND USE AND PLANNING

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Physically divide an established community? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) 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? (Source:4,5,7)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Conflict with any applicable habitat conservation plan or natural community conservation plan? (Source:)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Conditions and Mitigations:

a, c) The only physical change associated with the proposed project involves the spa and yoga studio addition to the existing lodge and parking lot at the existing maintenance yard. The existing lodge and maintenance yard are not located in an area that has an applicable habitat conservation plan. Therefore, the proposed project will have **no impact** on an established community or habitat conservation plan.

b) *Carmel Valley Ranch Specific Plan* - According to the *Carmel Valley Ranch Specific Plan* (Plan), the project site is designated as the "Resort Lodge" and "Golf Course" area. According to the Plan, approved uses within the "Resort Lodge" area include, but are not limited to: a mixture of one and two bedroom hotel rooms within buildings; the lodge, which includes restaurant, resort commercial, management/real estate, locker rooms, pro shop and storage; and recreation uses including game room, pool(s); tennis courts; and a children's playground. The spa and yoga studio addition and temporary sales office would be additional uses at the lodge that would be **consistent** with the established lodge use and with the allowed resort commercial uses.

According to the Plan, the "Golf Course" consists of a 150 acre 18-hole championship golf course, which includes, but is not limited to: a clubhouse, parking lot, maintenance barn, driving range, putting green, cart path system, storage ponds, irrigation system, cart bridge and half-way house. The *Carmel Valley Ranch Specific Plan* requires that the lodge parking coverage does not exceed 50 percent of the area and that the golf course clubhouse parking provide a minimum of 120 spaces or in conformance to the Zoning Ordinance. The proposed parking lot would improve an existing dirt lot to add approximately 17 employee parking spaces, which would not exceed 50 percent of the lodge area or take away from the clubhouse parking. Therefore, the parking lot would be **consistent** with the existing parking lot and maintenance yard use at the golf course. The proposed conversion and use of one hotel unit as a sales office would be temporary in nature and would be consistent with the Zoning Ordinance subject to approval of a use permit.

The conversion of the existing hotel rooms to individually owned condominium hotel units would not be considered a change in use because the facility would remain a "hotel" pursuant to Section 21.06.660 of the Zoning ordinance.

Carmel Valley Master Plan – According to the Carmel Valley Master Plan the "Resort Lodge" area has a "Visitor Accommodation/Professional Offices" land use designation and the "Golf Course" has a "Public/Quasi Public" land use designation. These land use designations are consistent with uses identified in the Carmel Valley Ranch Specific Plan. Condition of Approval 9-1 would ensure that the proposed project would be consistent with the *Carmel Valley Master Plan*.

Monterey County Zoning Ordinance - According to the Monterey County Zoning Map the spa and yoga studio addition, temporary sales office and hotel rooms have a zoning designation of Visitor Serving/Professional Office – Design Control – Site Plan Review Zoning District or "VO-D-S". The parking lot area has a zoning designation of Open Space and Low Density Residential (2.5 acres/unit) within Design Control – Site Plan Review – Residential Allocation combining districts or "O-D-S-RAZ" and "LDR/2.5-D-S-RAZ." The proposed use of a spa and yoga studio and a temporary sales office are consistent with the "VO" zoning designation. According to Section 21.38.050 of Chapter 21.38 the Zoning Ordinance (Regulations for Open Space Zoning Districts), golf courses and buildings accessory to any allowed uses are allowed uses within the "O" zoning district. The proposed additional parking is an accessory use to the lodge, is part of the overall parking at the Carmel Valley Ranch property and is required in accordance with Chapter 21.58 of the *Monterey County Zoning Ordinance*.

The proposed conversion of the 144 hotel units to 144 individually owned hotel units would include use by the individual property owners for a specified time period during a given year. According to Chapter 21.22.060 of the Zoning Ordinance (Regulations for Visitor serving/Professional Office Zoning Districts), multiple uses, including, but not limited to hotel uses and residential uses are allowed within the "VO" zoning district. Residential uses are allowed provided that "the gross square footage of the residential use does not exceed the gross square footage of the commercial use." The proposed use of the units by their owner for a specified time period would not result in the use of the units as residential units per se. Therefore, the converted units would continue to fall into the category of a hotel per the definition contained in Section 21.06.660 of the Zoning Ordinance, which states that a hotel is "any structure or portion thereof containing guestrooms used, designed, or intended to be used, let, or hired out or to be occupied, whether the compensation for hire is paid directly or indirectly, and occupied or intended to be occupied by more than two persons."

Monterey County Code – While the proposed conversion of hotel units to private ownership would continue to qualify as a hotel per the discussion above, there would need to be assurances that the proposed use of the units by individual owners does not become permanent or detracts from the hotel definition. To this end, owner occupancy of the units would have to be temporary and "transient." The Zoning Ordinance does not have a definition of a "transient," therefore, for this purpose, staff has relied in the definition contained in Chapter 5.40 (Transient Occupancy Tax) of Title 5 (Revenue and Finance) of the Monterey County Municipal Code. Section 5.40.020 H of

this Chapter defines "transient" as "any person who exercises occupancy or is entitled to occupancy by reason of concession, permit, right of access, license or other agreement for a period of thirty (30) calendar days or less, counting portions of calendar days as full days. Any such person so occupying space in a hotel shall be deemed to be a transient until the period of thirty (30) days has expired unless there is an agreement in writing between the operator and the occupant providing for a longer period of occupancy. In determining whether a person is a transient, uninterrupted periods of time extending both prior and subsequent to March 31, 1965, may be considered. (Ord. 3668, 1993; Ord. 3651 § 1, 1992)"

It would be necessary to provide assurances that occupancy of the units by the owners qualifies as "transient" for the project to be consistent with the definition of a hotel and with the limitations on occupancy by owners time-wise. Staff recommends Condition of Approval 9-1 to assure consistency and compliance with the *Carmel Valley Ranch Specific Plan*, *Carmel Valley Master Plan*, and the *Monterey County Zoning Ordinance*. Additionally, implementation of this condition would assure that impacts from the proposed use hotel conversion are **less than significant**.

Recommended Condition of Approval 9-1

The development agreement between the individual owners and the hotel management shall restrict occupancy (by renters or owners) of all condominium hotel units to a maximum occupancy of 30 consecutive calendar days, with a minimum of 7 days between the 30 consecutive day occupancy. This would ensure that the occupancy remains "transient" and the "hotel" use remains in place, which would be consistent with approved uses in the *Carmel Valley Ranch Specific Plan*.

10. MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (Source: 1, 6)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (Source: 1, 6)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Conditions and Mitigation:

The project site is developed land that does not contain mineral resources. See discussion in **Section IV, Environmental Factors Potentially Affected and Determination.**

11. NOISE

Would the project result in:	Potentially Significant Impact.	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? (Source: 1,2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (Source: 1,2)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (Source: 1, 2)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Conditions and Mitigations:

a, c) The operations of the spa and yoga studio, parking lot, temporary sales office and condominium hotel units would not introduce any permanent noise sources that would cause a substantial permanent increase in ambient noise levels that exceed the County of Monterey standards.

b, d) Noise would only be generated by the construction activities associated with construction of the spa and yoga studio addition and parking lot. As indicated in Table 11-1 below, activities involved in construction would generate maximum noise levels ranging from 85 to 88 dB at a distance of 50 feet. Construction activities would be temporary in nature and are anticipated to occur during normal daytime working hours.

Noise would also be generated during the construction phase by increased truck traffic on area roadways. A significant project-generated noise source would be truck traffic associated with

transport of heavy materials and equipment to and from construction sites. This noise increase would be of short duration, and would likely occur primarily during the daytime hours.

**TABLE 11-1
CONSTRUCTION EQUIPMENT NOISE**

Type of Equipment	Maximum Level (dB at 50 feet)
Bulldozers	87
Heavy Trucks	88
Backhoe	85
Pneumatic Tools	85

Source: *Environmental Noise Pollution, Patrick R. Cunniff, 1977.*

The proposed project would involve construction activities which typically generate maximum noise levels ranging from 85 to 88 dB at a distance of 50 feet, as indicated in Table 11-1. If these construction activities were to occur outside the normal daytime hours (e.g. from 7:00 PM to 7:00 AM), construction-related noise could result in sleep interference at existing nearby noise-sensitive receptors visiting the hotel. This would be considered a **potentially significant** impact. Implementation of the following mitigation measure would reduce this impact.

Mitigation Measure No. 11-1:

Prior to issuance of grading or building permits, the project applicant shall prepare and submit a "Construction Activities Schedule and Management Plan" identifying all construction activities. The plan shall include the entire development schedule and process, shall address all pertaining aspects and mitigation measures contemplated in the Noise Ordinance. During construction, the project applicant adhere to Monterey County's requirements for construction activities with respect to hours of operation, muffling of internal combustion engines and other factors which affect construction noise generation and its effects on noise-sensitive land uses. This would include implementing the following specific measures:

- Limit construction operations between the least noise-sensitive periods of the day (e.g., 7 AM to 7 PM);
- Construction activities generating noise levels ranging from 85 to 88dB shall be scheduled after mid-day during Tuesday through Thursday.
- Locate construction equipment and equipment staging areas at the furthest distance possible from nearby noise-sensitive land uses;
- Ensure that construction equipment is properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds should be closed during equipment operation;
- When not in use, motorized construction equipment should not be left idling; and
- Establish a contact person and notify adjacent property owners and users as to the contact person and complaint solution process.

Implementation of the above mitigation measure would prohibit noise-generating construction activities during the more noise-sensitive daytime hours and would reduce impacts to daytime noise-sensitive receptors. Noise generated by construction activities would be short-term and fully mitigated. Therefore, the construction related noise impacts would be reduced to a less than significant level.

e, f) The project site is not located within the area of any active public or private airstrip.

12. POPULATION AND HOUSING		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:					
a)	Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Conditions and Mitigations:

The proposed project will not increase the population or displace people. See discussion in Section IV, Environmental Factors Potentially Affected and Determination.

13. PUBLIC SERVICES

Would the project result in:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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Substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a) Fire protection? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Police protection? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Schools? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Parks? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Other public facilities? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Conditions and Mitigations:

The proposed project would not introduce any uses that would substantially increase the demand on public services. See discussion in **Section IV, Environmental Factors Potentially Affected and Determination.**

14. RECREATION

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Conditions and Mitigations:

The proposed project would not introduce any new uses that would increase the use of existing neighborhood recreation facilities. See discussion in Section IV, Environmental Factors Potentially Affected and Determination.

15. TRANSPORTATION/TRAFFIC

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? (Source: 1, Exhibit D)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? (Source: 1, Exhibit D)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? (Source: 1, Exhibit D)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (Source: 1, Exhibit D)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access? (Source: 1, Exhibit D)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity? (Source: 5)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (Source: 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/ Conditions and Mitigations:

a, b) Regional access to the project site would be provided by Carmel Valley Road via Robinson Canyon Road. Local on-site circulation would remain unchanged, utilizing Old Ranch Road, Fairway Court, and Oak Place. Old Ranch Road would continue to provide access to the spa and yoga studio additions, and condominium hotel units #46 through #145, including the temporary sales office. Individually owned condominium hotel units #1 through #45 would be accessed via Oak Place and Fairway Court off from Oak Place. The employee parking lot would be access via Old Ranch Road.

Traffic in the Carmel Valley Master Plan Area

The Board of Supervisors has adopted certain policy related to new residential and commercial subdivisions in the area of the Carmel Valley Master Plan. This policy is contained in Board of

Supervisors Resolution No. 02-024 (Exhibit 3). Section C of the resolution states "Additional units resulting from new residential and commercial subdivisions in the Carmel Valley Master Plan Area would foreseeably increase daily traffic on already deficient sections of State Highway 1 and Carmel Valley Road." The policy was adopted following the provisions of Policy No. 39.3.2.1 of the Carmel Valley Master Plan which provides that development having the potential for significant traffic impacts on levels of service, be deferred in the event that certain threshold volumes are reached in twelve segments of Carmel Valley Road. These thresholds have been reached according to a report from the Department of Public Works dated December 11, 2001.

Staff from the planning department and the department of Public works has reviewed the subject application in view of the policy mentioned above. Staff has determined that the subject policy is applicable to the proposed conversion of hotel units to individual ownership (File No. PLN030360), because the conversion requires a subdivision. Staff from the Public Works Department has agreed with the statement of the Traffic Report (See next paragraph) that the conversion would not generate additional daily trips and therefore would not affect the levels of service of the roads in the area. Therefore, staff believes that the proposed conversion complies with the intent of the adoption of the Policy of not allowing residential or commercial subdivisions that would result in the generation of additional vehicular traffic.

Existing Plus Project Traffic Conditions

According to the Traffic Report prepared by Higgins Associates, the conversion of 144 hotel rooms to 144 individually owned condominium hotel units would not generate additional daily trips or change parking characteristics since the condominium hotel units would still be rented out for hotel use. However, the spa and yoga studio addition would generate approximately 34 additional daily trips under the worst case scenario. The spa and yoga addition would generate 9 trips during the AM peak hour and 5 trips during the PM peak hour (Exhibit D). According to Higgins Associates, the project traffic generated on Carmel Valley Road would be distributed 50 percent eastbound and 50 percent westbound. Approximately 20 percent (2 trips during the AM peak hour and 1 trip during the PM peak hour) of the project traffic generated westbound would be distributed to State Route 1 and approximately 30 percent of the eastbound traffic would be distributed to Laureles Grade Road.

The most directly impacted intersection would be the eastbound off ramp at Carmel Valley Road and Robinson Canyon Road due to the proximity to the project site. Under existing plus project conditions, the Carmel Valley Road/Robinson Canyon Road intersection would operate at a level of service (LOS) A during both the AM and PM peak hours. At other intersections located on Carmel Valley Road, the increased traffic volume generated by the proposed project (9 trips during the AM peak hour and 5 trips during the PM peak hour) would decrease the further they were located away from the project site. Therefore, the trips generated by the proposed project would have a **less than significant impact** under existing plus project traffic conditions.

Cumulative Traffic Conditions

The vehicle trips generated by the spa/yoga room addition portion of the project would contribute towards cumulative traffic impacts on the roadway network within the area of the Carmel Valley Master Plan. Policy 39.1.7 of the *Carmel Valley Master Plan* recommends imposing developer

fees for projects within the Carmel Valley Master Plan planning area. Funds raised through the collection of these fees would go towards improvements to Carmel Valley Road. In addition, the proposed project would be subject to contribute towards State Route 1 reimbursement program that was established for recently completed roadway improvements. Furthermore, according to the TAMC Regional Transportation Plan (RTP), Carmel Valley Road is projected to operate at unacceptable levels of service east to Meadows Drive. Proposed improvements to Carmel Valley Road include widening the roadway to include passing lanes on key segments on a 4.39-mile section stretching from Via Petra to Robinson Canyon Road and adding left turn channelization and bicycle lanes. These improvements are included in TAMC's Congestion Management Program (CMP) but have not been implemented due to a lack of funding.

The additional trips generated by the spa and yoga studio addition would contribute towards cumulative traffic conditions within the Carmel Valley Master Plan planning area. This would be considered a **potentially significant cumulative impact**. Therefore, the following mitigation measure has been provided to help fund improvement projects that would improve the operations along Carmel Valley Road and contribute towards reimbursing improvements already constructed on State Route 1.

Mitigation Measure 15-1

- a. Prior to issuance of building permit, the project applicant shall contribute their proportional fair share, as determined and approved by the Department of Public Works, towards the Carmel Valley Road improvements impact fee in accordance Policy 39.1.7 of the *Carmel Valley Master Plan*.
- b. Prior to issuance of building permit, the project applicant shall contribute their proportional fair share towards the TAMC Carmel Valley Road improvement fee. This fee will contribute towards the widening of the roadway to include passing lanes between Via Petra and Robinson Canyon Road and adding left turn channelization and bicycle lanes.
- c. Prior to issuance of building permit, the project applicant shall contribute their proportional fair share towards the State Route 1 reimbursement program, which would go towards recently completed improvements to State Route 1.

Payment of these traffic impact fees would mitigate the cumulative traffic impact associated with the spa and yoga studio addition. Therefore, the increase in traffic associated with the proposed project would be reduced to a **less than significant** level.

c, d, e, g) The only change in existing use that would result in an increase in traffic is the spa and yoga studio addition. The spa and yoga studio addition would require surfacing an existing dirt lot to provide 17 employee parking spaces at the maintenance yard. Employees would be shuttled to and from the lodge building in golf carts. The proposed spa addition and associated parking lot would not result in increased hazards, result in inadequate emergency access; or conflict with adopted policies, plans or programs supporting alternative transportation. Furthermore, the project site is not located within an air flight path or near an active public or private airport.

f) The spa and yoga studio addition would result in an increase the number of visitors and employees at the lodge during business hours, which would result in an increased parking demand. According to Section 21.58.040 of the Zoning Ordinance, the spa and yoga studio use would require 1 parking space per every 50 square feet of spa, which would require approximately 99 parking spaces. However, according to Higgins Associates parking would only be required for new staff and non-hotel guests, which is assumed to be approximately 5 percent of the daily visitors to the spa and yoga studio addition. According to Higgins Associates, the spa and yoga studio addition would result in an increased parking demand of 12 parking spaces (Exhibit D). Of the increased demand for 12 additional parking spaces, 8 parking spaces would be generated by the increase in employees and 4 parking spaces would be generated by non-hotel guests visiting the spa and yoga studio.

The proposed project includes applying all weather surfacing on existing lot at the maintenance yard and striping the all weather surface to provide 17 employee parking spaces that are 8 feet wide by 20 feet long. The proposed parking lot would accommodate the 8 parking spaces generated by increased employees associated with the spa and yoga studio addition, plus an additional 9 lodge employee vehicles. The hotel employees will be shuttled to and from the lodge in golf carts. Providing additional employee parking spaces at the maintenance yard would free up approximately 9 parking spaces at the lodge parking lot. This would accommodate the increased parking demand of 4 parking spaces generated by the non-hotel guests visiting the spa and yoga studio. Therefore, the impact would be considered a **less than significant impact**.

16. UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (Source: 1, 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source: 1, 12, 13)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects? (Source: 1, 15)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (Source: 1, 13, Exhibit C)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? (Source: 12)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (Source: 1, 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste? (Source: 9)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion/Conclusion/Conditions and Mitigations:

a) The wastewater generated by the proposed project would be collected by the existing sewer system and treated by Carmel Valley Sanitation District. Carmel Valley Sanitation District was established in 1980 to provide tertiary sewage wastewater treatment for part of Carmel Valley Ranch and maintain and operate a community septic tank for the rest of the ranch. In 2004, the County of Monterey sold the operation and facilities to California-American Water Company. The treatment facility is monitored and regulated by the Central Coast Regional Water Quality Control Board's (RWQCB). Therefore, the wastewater generated proposed project would not exceed the RWQCB treatment requirements.

b, d, e) Wastewater and potable water services would be provided by California-American Water Company (Cal-Am. 2006). The conversion of existing hotel rooms to condominium hotel units and the temporary sales office would have no impact on the wastewater treatment demand. However, the spa and yoga studio addition would add six toilets, showers, and hot tubs, which would increase the water and wastewater demand.

Water

According to MPWMD, all interior water connections and potable water use at Carmel Valley Ranch Resort are supplied by California-American Water Company (Cal-Am) as an approved Water Distribution System (WDS) operating in accordance with the MPWMD's Rules and Regulations (Exhibit C). According to MPWMD, the change of ownership of the hotel rooms would not result in intensification of water use or addition of connections pursuant to the MPWMD's Rules nor constitute a change to the WDS. However, any addition or modification of plumbing fixtures requires review and approval by MPWMD. Intensified water uses are only allowed if additional water use is supported by on-site water credits or through water made available with the Monterey County allocation.

As discussed in Section 8, Hydrology and Water Quality, the 4,956 square foot spa and yoga studio addition would increase the water demand by 0.65 AFY. The proposed project would extend existing waterlines on-site to the spa addition. However, there would be no additional expansion of the water facilities required to meet the increased water demand of approximately 0.65 AFY.

Implementation of Mitigation Measure 8-1 requires that the project applicant provide evidence of water credits granted by MPWMD to meet the increased water demand associated with the spa addition and provide reduction in water use of a minimum of 10 percent within the proposed commercial subdivision, which would ensure that the water usage within Cal-Am's service area is not intensified and that the water demand is in accordance with Monterey County Ordinance No. 3310. Therefore, there would be sufficient water supplies available from existing entitlements and resources and the impact would be considered a **less than significant impact**.

Wastewater

The increased wastewater demand associated with the spa and yoga studio addition would be similar to the increased water demand of approximately 0.65 AFY. Implementation of Mitigation Measure 8-1 requires that the increased water demand is offset by water credits obtained from decreasing water usage within the proposed commercial subdivision by 10 percent. A 10 percent decrease in water usage would translate to a decrease in wastewater generated on-site. Therefore, the impact on existing wastewater treatment facilities would be considered a **less than significant impact**.

c) The proposed project includes a parking lot with "all weather surfacing" that may increase the impervious surfaces, which would generate increased storm water runoff. However, the storm water runoff would be minimal and discharged on-site in accordance with the Phase II Storm Water NPDES requirements. Furthermore, as a standard Condition of Approval, the project applicant shall be required to implement best management practices (BMPs) identified in the

Monterey Peninsula Stormwater Management Program. Therefore, the impact associated with storm water drainage facilities would be considered a **less than significant impact**.

f, g) The solid waste generated by the proposed project is collected by Carmel Marina Corporation, a division of Waste Management, Inc. and delivered to the Monterey Regional Waste Management District (MRWMD) landfill facility located north of the City of Marina. The MRWMD landfill receives approximately 225,000 tons of solid waste per year and has the ability to receive approximately 40 million tons. According to MRWMD, if MRWMD continues to achieve the "AB939" State-mandated 50 percent recycling goal, the landfill will continue to serve the current service area through the year 2107. (Personal communication with Rick Shedden, MRWMD, January 18, 2006). The spa operations would generate minimal solid waste. Therefore, the proposed project would have **less than significant impact** on solid waste facilities.

VII. MANDATORY FINDINGS OF SIGNIFICANCE

NOTE: If there are significant environmental impacts which cannot be mitigated and no feasible project alternatives are available, then complete the mandatory findings of significance and attach to this initial study as an appendix. This is the first step for starting the environmental impact report (EIR) process.

Does the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? (Source: see discussion above)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? (Source: see discussion above)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? (Source: see discussion above)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion/Conclusion/Condition and Mitigation:

See the discussions in Section IV, Environmental Factors Potentially Affected and Determination and Section VI, Environmental Checklist.

VIII. FISH AND GAME ENVIRONMENTAL DOCUMENT FEES

Assessment of Fee:

For purposes of implementing Section 735.5 of Title 14, California Code of Regulations: If based on the record as a whole, the Planner determines that implementation of the project described herein, will result in changes to resources A-G listed below, then a **Fish and Game Document Filing Fee** must be assessed. Based upon analysis using the criteria A-G, and information contained in the record, state conclusions with evidence below.

- A) Riparian land, rivers, streams, water courses, and wetlands under state and federal jurisdiction.
- B) Native and non-native plant life and the soil required to sustain habitat for fish and wildlife;
- C) Rare and unique plant life and ecological communities dependent on plant life, and;
- D) Listed threatened and endangered plant and animals and the habitat in which they are believed to reside.
- E) All species of plant or animals listed as protected or identified for special management in the Fish and Game Code, the Public Resources Code, and the Water Code, or regulations adopted thereunder.
- F) All marine terrestrial species subject to the jurisdiction of the Department of Fish and Game and the ecological communities in which they reside.
- G) All air and water resources the degradation of which will individually or cumulatively result in the loss of biological diversity among plants and animals residing in air or water.

De minimis Fee Exemption: For purposes of implementing Section 735.5 of the California Code of Regulations: A *De Minimis Exemption* may be granted to the **Environmental Document Fee** if there is substantial evidence, based on the record as a whole, that there **will not** be changes to the above named resources V. A-G caused by implementation of the project. Using the above criteria, state conclusions with evidence below, and follow Planning and Building Inceptions Department Procedures for filing a de minimis exemption.

Conclusion: The project will be required to pay the fee.

Evidence: The proposed project will require the removal of two native coast live oaks (*Quercus agrifolia*) that are comprised by decay, fungus, and insect infestation, as discussed in **Section VI.4, Biological Resources**.

IX. REFERENCES

- 1) Monterey County Planning and Building Inspection Department. *Project Applications/Plans*. February 22, 2006 and September 20, 2006.
- 2) Monterey County Planning Department. *Monterey County General Plan*. Adopted August 1982, as amended through November 5, 1996.
- 3) Monterey County Planning Department. *Greater Monterey Peninsula Area Plan*. Adopted December 17, 1984, as amended through December 5, 1995
- 4) Monterey County Planning Department. *Carmel Valley Master Plan*. Adopted December 16, 1986, as amended through April 28, 1998.
- 5) Monterey County Planning Department. *Carmel Valley Ranch Specific Plan*. Adopted November 3, 1976; as amended through October 1, 1996.
- 6) Monterey County Planning Department. *Carmel Valley Ranch Specific Plan EIR*. Adopted September 19, 1975 and Certified October 21, 1975.
- 7) Monterey County. *Monterey County Zoning Ordinance (Title 21)*. As amended October 11, 2000, through September 1997
- 8) Monterey Bay Unified Air Pollution Control District. *CEQA Air Quality Guidelines*. October 1995, as revised through June 2004.
- 9) Shedden, Rick, Monterey Regional Waste Management District. *Personal communication between Rick Shedden and Pamela Lapham*. January 18, 2006.
- 10) Federal Emergency Management Agency (FEMA). *Flood Insurance Rate Map. Panel 0601950185D*. January 30, 1984.
- 11) Violi, Joe. Carmel Valley Lodge. *Personal communication between Joe Violi, Carmel Valley Lodge and Pamela Lapham, PMC*. September 11, 2006.
- 12) California American Water (Cal-Am). *Will serve letter for sanitary sewer service at One Ranch Road Carmel Valley Ranch (APN 416-522-010 and 416-592-023)*. May 23, 2006.
- 13) California American Water (Cal-Am). *Will serve letter for water service at One Ranch Road Carmel Valley Ranch (APN 416-522-010 and 416-592-023)*. May 23, 2006.
- 14) Paul Davis Partnership. *Personal communication with Ryan Cornelsen*. September 20, 2006.
- 15) Monterey County Water Resources Agency. *Monterey Peninsula Stormwater Management Program*. Adopted September 8, 2006.

FIGURES

- Figure 1: Regional Map
Figure 2: Vicinity Map
Figure 3A: Overall Site Plan
Figure 3B: Spa and Yoga Studio Addition
Figure 3C: Temporary Sales Office Floor Plan
Figure 4: Vesting Tentative Map for the Condominium Conversion

EXHIBITS

EXHIBIT A: AESTHETICS

Carmel Valley Land Use Advisory Committee Comments. Design Approval Form, June 5, 2006

EXHIBIT B: BIOLOGICAL REOSURCES

Forest City Consulting. Arborist's Report. May 31, 2006.

EXHIBIT C: HYDROLOGY AND WATER QUALITY

Monterey Peninsula Water Management District. Completeness Status of Water use Credit Applications for Carmel Valley Ranch. May 26, 2006.

Monterey Peninsula Water Management District. Denial of Water Use Credit at Carmel Valley Ranch. May 26, 2006.

Monterey Peninsula Water Management District. Commercial Water Release Form and Water Permit Application. May 23, 2006.

Lombardo & Gilles. Explanation of water use credit application. May 23, 2006.

Initial Water Use/Nitrate Impact Questionnaire. May 23, 2006.

DeLay & Laredo. Water Use Letter. April 24, 2006.

EXHIBIT D: TRAFFIC AND CIRCULATION

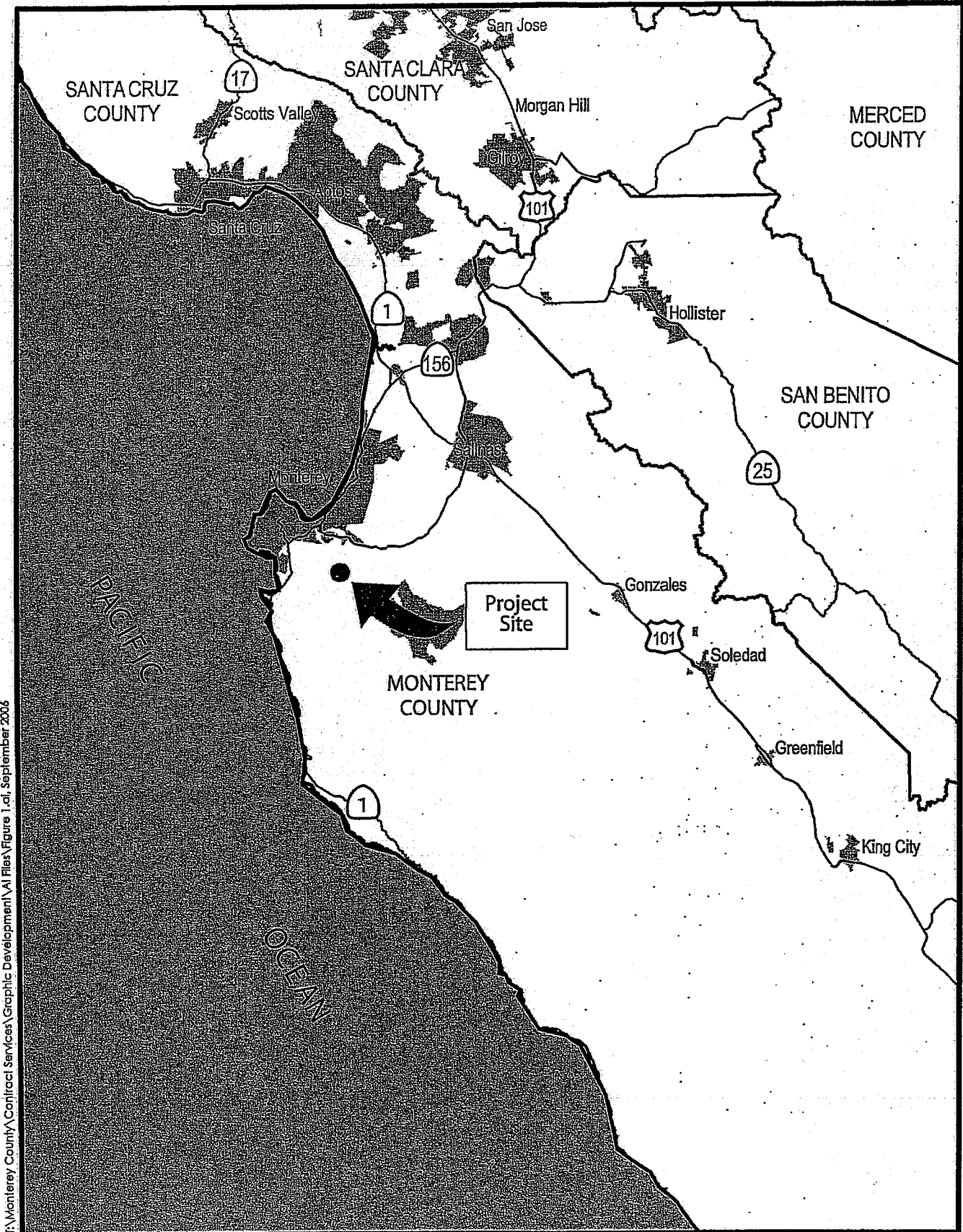
Higgins Associates. Traffic Impact Study Conclusions Letter. September 20, 2006.

Higgins Associates. Impact Fee Letter. September 20, 2006

Higgins Associates. Parking Letter. September 13, 2006

Higgins Associates. Hotel Trip Generation Letter. April 21, 2006.

Higgins Associates. Spa Trip Generation Letter. April 21, 2006



T:\Monterey County\Contract Services\Graphic Development\AI Files\Figure 1.ai, September 2006

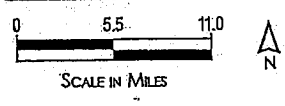
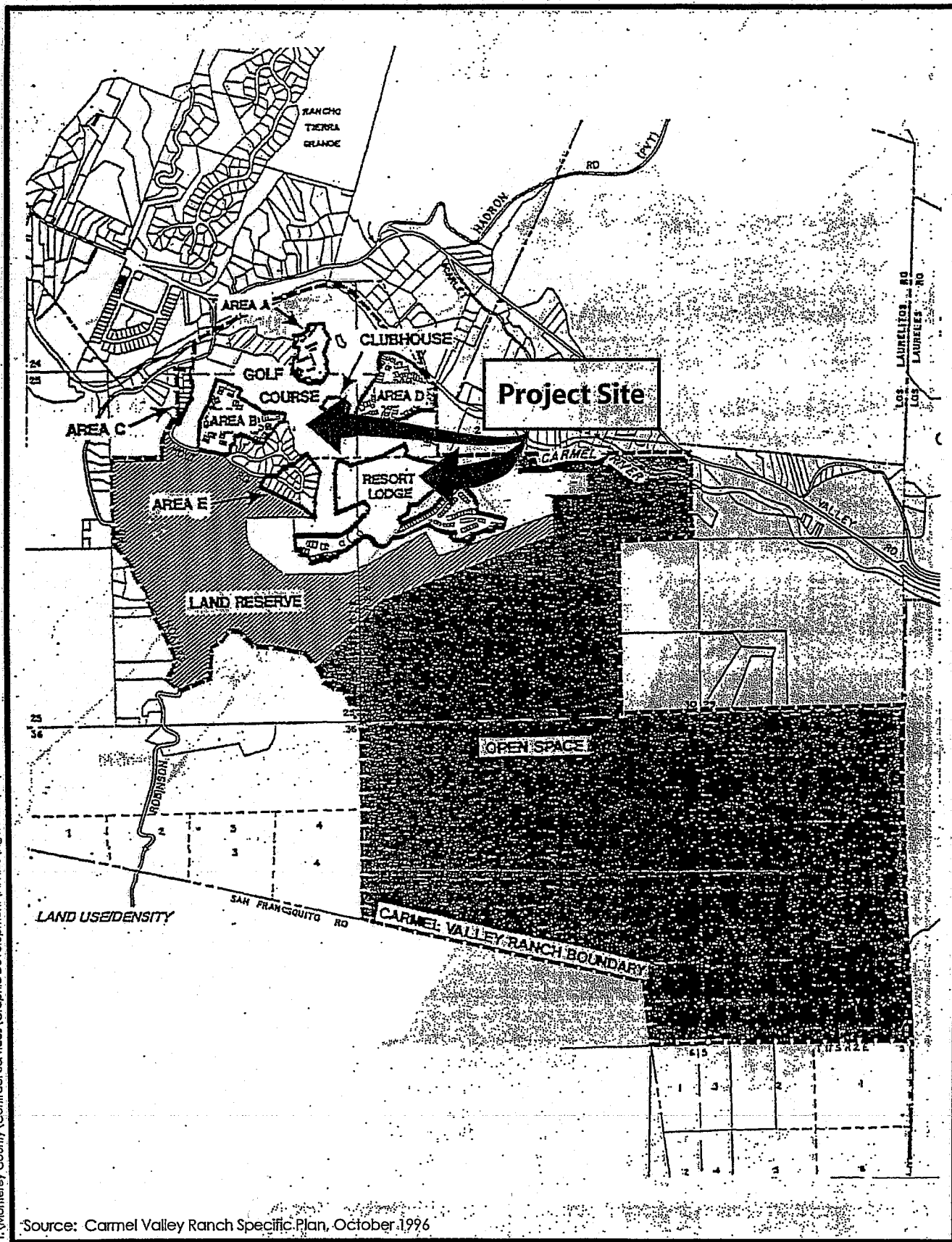


FIGURE 1
REGIONAL MAP

PMC



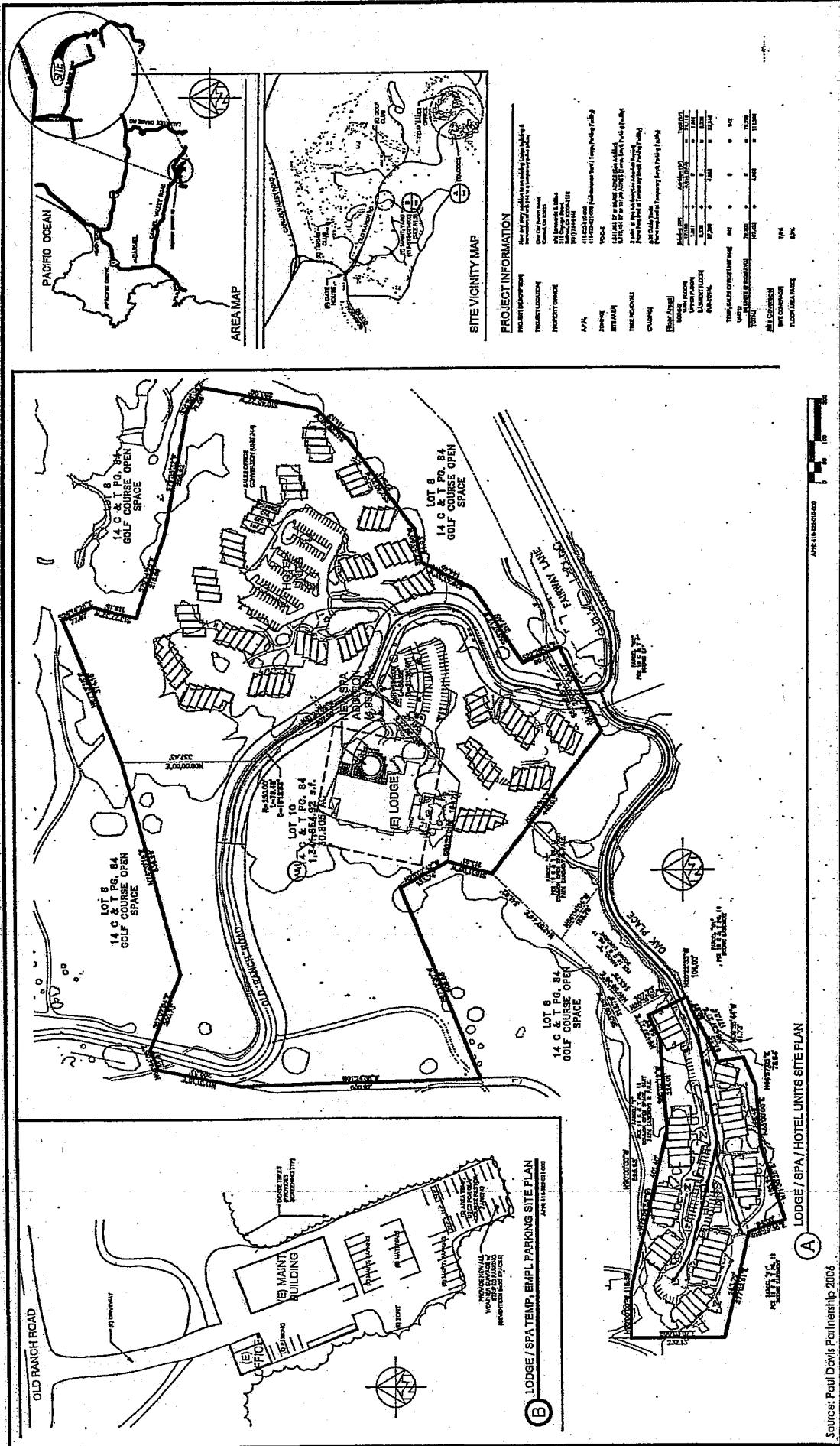
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NOT TO SCALE



FIGURE 2
VICINITY MAP

PMC



PROJECT INFORMATION

Site Plan for the proposed development of a resort facility on the site shown on the attached site plan.

PROJECT LOCATION: [Address]

PROJECT OWNER: [Name]

APPLICANT: [Name]

PREPARED BY: [Name]

DATE: [Date]

SCALE: [Scale]

PROJECT AREA: [Area]

TOTAL AREA: [Area]

NET AREA: [Area]

PERCENTAGE COVERED: [Percentage]

PERCENTAGE OPEN SPACE: [Percentage]

PERCENTAGE IMPERVIOUS SURFACE: [Percentage]

PERCENTAGE PERMEABLE SURFACE: [Percentage]

PERCENTAGE PAVED SURFACE: [Percentage]

PERCENTAGE UNPAVED SURFACE: [Percentage]

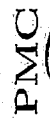
PERCENTAGE GREEN SPACE: [Percentage]

PERCENTAGE WATER BODIES: [Percentage]

PERCENTAGE UTILITIES: [Percentage]

PERCENTAGE OTHER: [Percentage]

FIGURE 3A
OVERALL SITE PLAN



Not to Scale

Source: Paul Davis Partnership, 2006

Montgomery County Contract Services/Graphic Development/Asst/Res/2A of September 2006

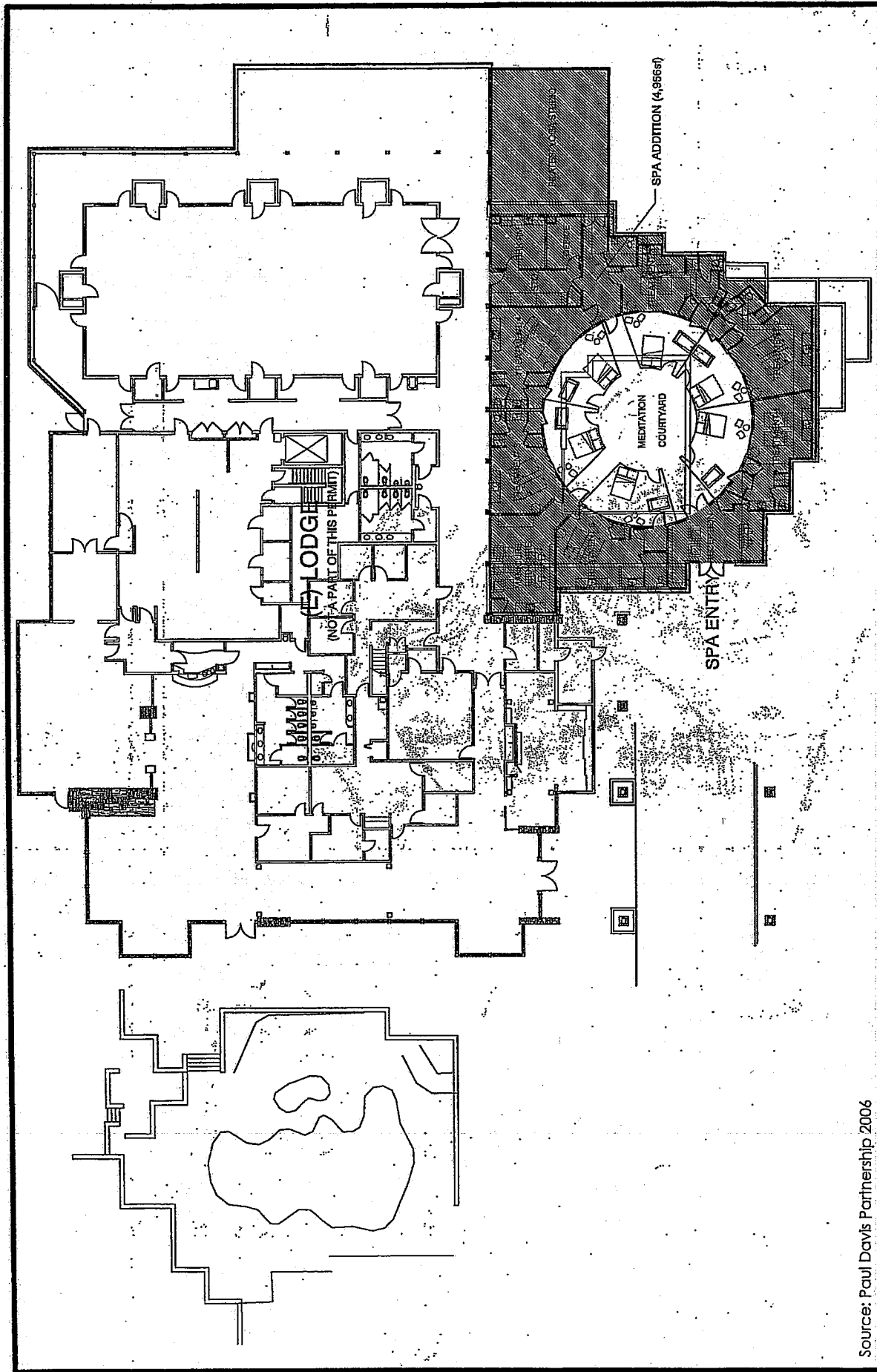


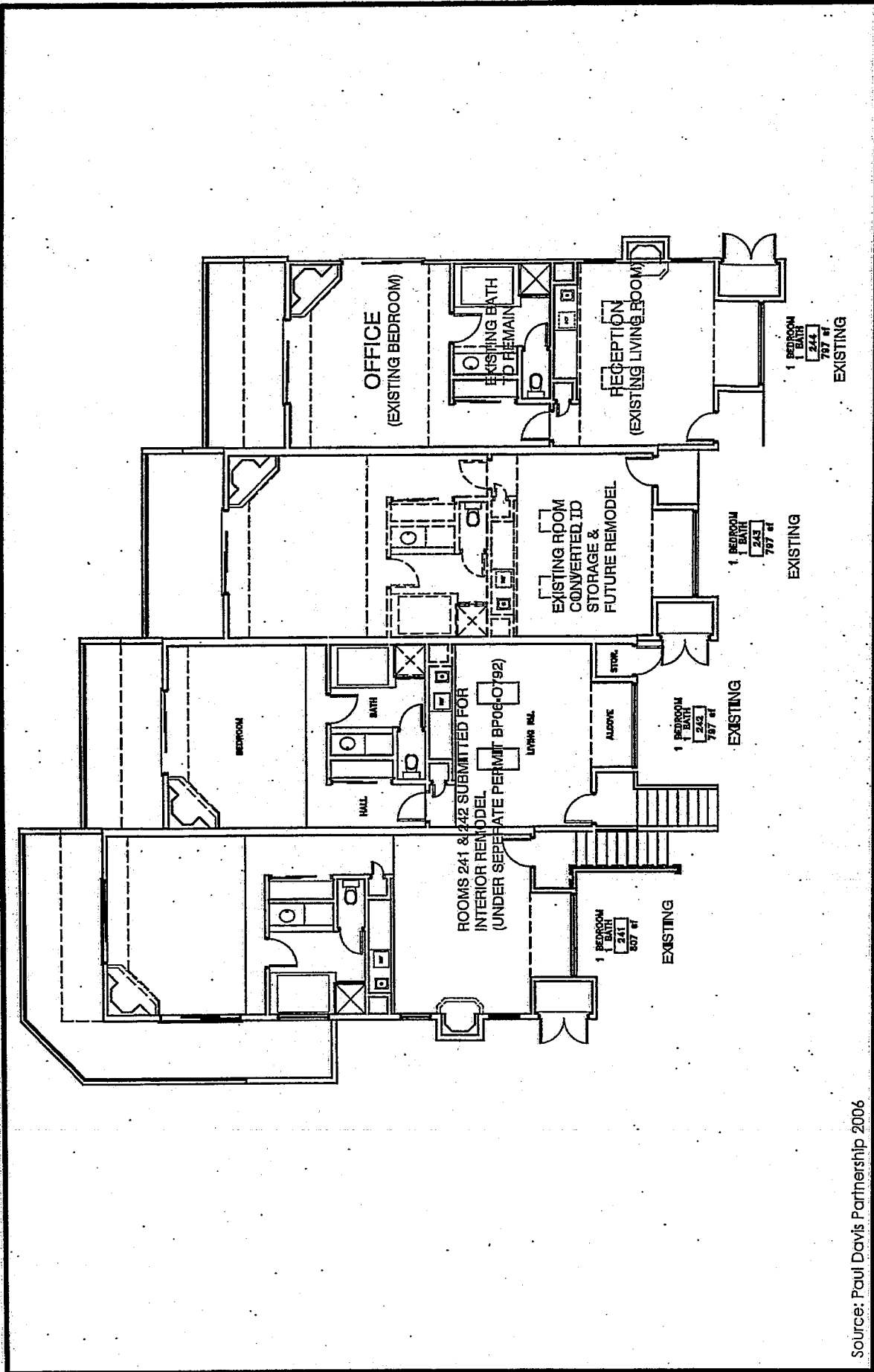
FIGURE 3B
SPA AND YOGA STUDIO ADDITION SITE PLAN



Source: Paul Davis Partnership 2006

NOT TO SCALE

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Source: Paul Davis Partnership 2006

Not to Scale

FIGURE 3C
TEMPORARY SALES OFFICE FLOOR PLAN

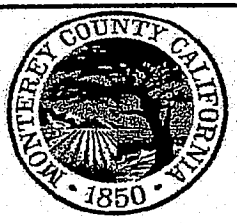


EXHIBIT A – AESTHETICS

Monterey County Land Use Advisory Commission. Design Approval Form. June 5, 2006.

WAC

FILE #: PLN060056



MONTEREY COUNTY
PLANNING AND BUILDING INSPECTION DEPARTMENT
 Salinas - 168 West Alisal, 2nd Floor, Salinas, CA 93902
 Telephone: 831.755.5025 Fax: 831.757.9516
 Coastal Office - 2620 First Avenue, Marina, CA 93933
 Telephone: 831.883.7500 fax: 831.384.3261
<http://www.co.monterey.ca.us/pbi/>

DESIGN APPROVAL REQUEST FORM

ASSESSOR'S PARCEL NUMBER: 416-522-010 2416-592-023

PROJECT ADDRESS: One Old Ranch Road, Carmel
 PROPERTY OWNER: Carmel Valley Ranch Telephone: 831-754-2444
 Address: 318 Cayuga Street Fax: 831-754-2011
 City/State/Zip: Salinas, CA 93901 Email: miriam@longil.com

APPLICANT: Lombardo & Gilles, ATTN: Miriam Schakat Telephone: 831-754-2444
 Address: P. O. Box 2119 Fax: 831-754-2011
 City/State/Zip: Salinas, CA 93902 Email: miriam@longil.com

AGENT: Telephone: _____
 Address: Fax: _____
 City/State/Zip: Email: _____

PROJECT DESCRIPTION: (Attach Scope of Work) Add 4056 sq. ft. (6 treatment rooms) to existing hotel and convert existing unit to temporary sales office.

MATERIALS TO BE USED: cement plaster walls w/ copper roof

COLORS TO BE USED: match existing building colors (gray)

You will need a building permit and must comply with the Monterey County Building Ordinance. Additionally, the Zoning Ordinance provides that no building permit be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit.

PROPERTY OWNER/AGENT SIGNATURE: [Signature] DATE: 5/23/06

FOR DEPARTMENT USE ONLY

ZONING: VO-D-5
 GENERAL/AREA PLAN:
 ADVISORY COMMITTEE: CARMEL VALLEY
 RELATED PERMITS:
 LUAC REFERRAL: YES NO
 ADMINISTRATIVE APPROVAL: YES NO
 PUBLIC HEARING REQUIRED? YES NO
 DOES THIS CORRECT A VIOLATION?
CVRANCH YES NO
WATER PLAN YES NO
 GIVEN OUT BY: [Signature] DATE: 4/20/06
 ACCEPTED BY: [Signature] DATE: 5/23/06
 COMMENTS:

ADVISORY COMMITTEE RECOMMENDATION
 APPROVAL DENIAL
 For: 4 Against: 0 Abstain: 0 Absent: 1
 Was the Applicant Present? YES NO architects
 Recommended Changes: one (at least) very large oak tree from onsite be used to replace 2 coming out AND all exterior lighting be dimmable; show 4 of amber bulbs
 Signature: [Signature]
 Date: 6/5/06

APPROPRIATE AUTHORITY: DIRECTOR OF P & B ZONING ADMINISTRATOR PLANNING COMMISSION
 ACTION: APPROVED DENIED

CONDITIONS:

APPROVED BY: _____ DATE: _____

PROCESSED BY: _____ DATE: _____



**MONTEREY COUNTY PLANNING AND BUILDING
INSPECTION DEPARTMENT**
(831) 755-5025 (SALINAS) (831) 883-7500 (MARINA)

STATEMENT OF PROJECT SCOPE OF WORK

PLEASE CHECK "YES" OR "NO" FOR ALL BOXES

- | | Yes | No | |
|-----|-------------------------------------|-------------------------------------|--|
| 1. | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | The project structure is for residential use. |
| 2. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The project structure is for commercial use. |
| 3. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The project includes constructing, enlarging, altering, repairing, moving, improving or removing electrical systems. |
| 4. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The project includes constructing, enlarging, altering, repairing, moving, improving or removing plumbing systems. |
| 5. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The project includes constructing, enlarging, altering, repairing, moving, improving or removing mechanical systems. |
| 6. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | The project includes constructing, enlarging, altering, repairing, moving, improving or removing a septic tank. |
| 7. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The project includes a sewer system.
Type: <u>Cal Am</u> |
| 8. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | The parcel has a well or will have a well. |
| 9. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | The project includes constructing, enlarging, altering, repairing, moving, improving or removing a well. |
| 10. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The project has an approved water system.
Name: <u>Cal Am</u> |
| 11. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | The project is NOT in the Monterey Peninsula Water District. |
| 12. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The project involves a fire sprinkler system. |
| 13. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | The project includes retaining walls. |
| 14. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | The project includes demolition work.
If "yes", describe _____ |
| 15. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | The project includes replacement and/or repair of fifty percent (50%) or more of the exterior walls of a structure. |
| 16. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The project includes removal of trees or vegetation.
If "yes", describe <u>removal of ground cover</u> |
| 17. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | The project includes a pre-manufactured unit(s). |
| 18. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | The project includes exterior siding changes. |
| 19. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | The project includes the removal of interior sheetrock or paneling. |
| 20. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | The project includes a structure that is being relocated. |
| 21. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | The project includes the alteration of the roof pitch of a structure. |
| 22. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | The project includes the use of roofing materials that are different in type and/or color from the original materials.
If "yes", describe _____ |
| 23. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | The project will include the installation and/or replacement of skylights. |
| 24. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The project includes foundation repair and/or replacement. |
| 25. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | The project includes a new or relocated driveway. |
| 26. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | The project includes site grading and/or site drainage changes. |
| 27. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | The project includes a historical structure, or a structure older than fifty (50) years. |
| 28. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | The project includes an accessory structure(s).
If "yes", describe _____ |
| 29. | <input checked="" type="checkbox"/> | <input type="checkbox"/> | The project will be connected to a public electrical utility. |

PLEASE DESCRIBE COMPLETELY AND FULLY THE PROJECT YOU ARE APPLYING FOR.
INCLUDE INFORMATION ON ALL QUESTIONS ANSWERED WITH A "YES".

Add a 4056 sq ft spa with six treatment rooms to existing hotel. Convert
already existing unit into temporary sales office.

I hereby certify that the above information is complete and correct. I certify that I am the property owner or that I am authorized to act on the property owner's behalf.

[Signature]
Signature

5/23/06
Date

It is unlawful to alter the substance of any official form or document of Monterey County.

EXHIBIT B – BIOLOGICAL RESOURCES

Forest City Consulting. Arborist's Report. May 31, 2006.



Forest City Consulting

Matt Horowitz

PMB # 305

225 Crossroads Boulevard

Carmel, CA 93923

831-464-9302

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Arborist's Report – Carmel Valley Ranch Spa

MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

Introduction

This Arborist's Report was prepared for Carmel Valley Ranch (APN 416-522-010). Preparation of the report is per request of the property owner. This report was prepared to address the removal of trees protected by Monterey County Zoning Ordinance - Title 21. This report was prepared to meet the requirements of section 21.64.260 - Preservation of Oak and Other Protected Trees. Preparation of this report was done by Matt Horowitz of Forest City Consulting, which has been on the County's list of Consulting Foresters since 1998.

This Arborist's Report is not a monetary valuation of the trees. It is not the intent of this report to provide risk assessment for any tree on this parcel, as any tree can fail at any time. No clinical diagnosis was performed on any pest or pathogen that may or may not be present.

In addition to its own inspection of the property, Forest City Consulting relied on information provided in the preparation of this report (such as, surveys, property boundaries and property ownership) and must reasonably rely on the accuracy of the information provided. Forest City Consulting shall not control nor be responsible for another's means, methods, techniques, schedules, sequences or procedures, or for contractor safety or any other related programs, or for another's failure to complete the work in accordance with the plans and specifications.

Site inspection

A site inspection was made on May, 25, 2006 by Matt Horowitz. Trees at the site were located and given a cursory review for health and condition. Existing improvements and the extents of proposed improvements were located. Potential tree impacts were reviewed.

The site currently supports a lodge and other guest facilities. The construction site is flat.

Project description

The project as proposed will: Build a spa around an existing courtyard planting box. The open courtyard will be retained; however the grade inside the planting box will need to be lowered to allow for access by disabled persons. Six treatment rooms will be built around the perimeter of the existing courtyard adding 4,056 square feet to the existing lodge. Easy access for disabled persons can be provided at existing courtyard entrances.

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INSPECTION DEPT.

Arborist's Report, Carmel Valley Ranch
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The existing driveway will not be impacted. Grading will take place for the improvements, the extent to which is shown on the site maps. A total of 30 yards of material will be removed from the planter box. Removal of this material is necessary for ADA access to the spa.

Tree description

Native trees on the property are mostly coast live oak (*Quercus agrifolia*).

The diameter for the trees was measured at two feet above grade (D2') as required by section 21.64.260. This diameter measurement was made using a standard diameter tape, which measures the distance around the tree and converts to "diameter" based on the relationship of circumference and diameter of a true circle.

Tree removal

Two trees are proposed for removal. Both are native trees.

Tree 1 is a coast live oak measuring 23.5" D2' and approximately 35 feet in height is located on the northern side of the planting box. There is decay at the root crown of this tree. The trunk has included bark on several sections. There were several small conks noted in the canopy of this tree. These conks are the fruiting bodies of the fungus and indicate that the fungus has matured to the point of being able to reproduce and spread to other nearby oaks. One limb has a 5" pocket of decay that was full of water on the date of inspection. Over half of the limbs on this tree have some degree of decay present. There are nails and electrical conduit on the trunk. The electrical conduit supplies power to illuminate the oak. The crown of this tree is in severe decline and the tree has lost about 50% of its foliage.



Photo of proposed tree removal # 1. Note small round conks on bottom of limb.

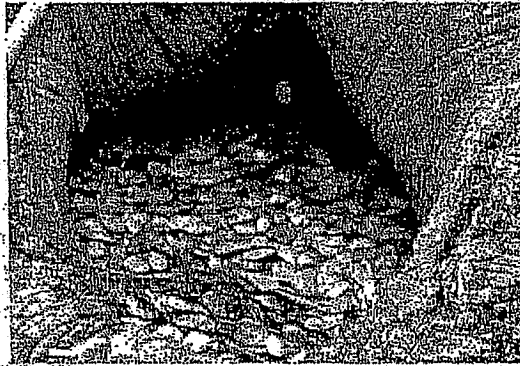
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MONTEREY COUNTY PLANNING & BUILDING INSPECTION DEPT.

Tree 2 is a two stem coast live oak measuring 45" D2' and 26" D2' respectively and is located on the southern side of the planter box. At 4.5 feet above grade (DBH) this tree forks into 3 stems measuring 25", 25" and 22" respectively. This tree is approximately 35 feet tall. There are several pockets of decay at the root crown. The largest pocket of decay extends well into the 45" D2' stem. This pocket of decay has destroyed about 65% of the holding wood for this large stem. A large pool of water (approximately 6" deep) was noted at the crotch of this tree. The decay under and to the sides of this water as well as another pocket of decay on the opposite side of the 45" D2' stem indicate that the fungus may well have compromised the stability of this stem. The rest of the stems looked to be in fair health although some of the smaller limbs were beginning to show symptoms of decay. The crown had an oak gall noted. This gall was most likely caused by insect infestation.



Tree #2 pocket of decay

Both of these trees have been compromised in the past when the planter box was constructed. The grading that originally occurred to create the courtyard removed much of both oaks' root zone. This root pruning occurred well within the dripline of both trees. Coast live oaks may have roots growing out twice the distance of the drip line, although the majority of these roots will occur under the drip line. The square shape of the planter box necessitated root pruning on three sides of each oak during courtyard construction. Common arboricultural practices try to avoid trenching (or root pruning) on more than one side of a tree. This root pruning was not fatal to the oaks at the time but did predispose them to infection from insects and pathogens. These trees are becoming increasingly more hazardous as time goes on.

Removal method

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Both trees will be removed by felling. This can be done without serious risk to other trees or structures by a trained professional. Small pieces of the felled trees can be chipped. Wood will be utilized as firewood or some other use.

Impacts of removal

Tree removal will not have any significant impacts to the property or the neighborhood. The property retains many trees including landmark oaks.

Tree retention

Many other oak trees on the property will be retained. The proposed site for the spa has already been impacted by the original courtyard development. Development of a spa at this site will impact two trees already suffering from past development. This will have less impact on the retained trees and forested areas than moving the project to another site on the property.

Protection of retained trees

The trees to be retained will be protected from damage by the construction related activities. Most of the retained trees will be located away from development activities and can be easily protected by staging demolition and construction activities away from the trees. The primary method of limiting work areas away from the trees will be by installing a Tree Protection Fence.

Tree Protection Fence (TPF)

A temporary fence should be erected on the property and maintained through construction. The fence will incorporate the dripline of each retained tree, where possible.

All areas protected by the TPF shall be considered off-limits during all stages of development. These areas shall not be used to park cars, store materials, pile debris, or place equipment. Gates into the protected areas may be installed to allow normal residential use of the property.

Utility trenching

When possible, utilities should be placed in the same trench. Care will be taken to avoid trenching on two sides of a tree. Major roots encountered will be tunneled under or bridged over and retained when possible. The portion of the utility trenching within the area protected by the TPF shall be dug using hand-tools or with light equipment under the supervision of a qualified arborist or forester.

Roots encountered

Roots encountered during trenching, grading and excavation that are not to be retained will be cleanly cut to promote re-growth and to prevent increased damage from breaking the root closer to the tree than is necessary. If cutting the root(s) will significantly affect the stability or vitality of the tree, the roots will either be bridged over or tunneled under where feasible.

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Pruning for construction

Branches located close to construction activities are subject to breakage from contact with heavy equipment and materials. A properly pruned branch will heal faster and is generally less damaging to the tree than a broken branch. Branches subject to breakage should be pruned when such pruning will not cause significant damage to the health, vitality and safety of the tree. Pruning should be conducted under the supervision of an Arborist certified by the International Society of Arboriculture.

Construction contracts

All construction contracts for the project shall include a provision requiring that all contractors and subcontractors performing work on this project be given a copy of the forest management plan and conditions of approval and agree to implement the provisions of the forest management plan and conditions of approval. In addition, the contracts shall also identify a County approved Arborist or Forester to be available to interpret this report or provide additional recommendations.

Tree replacement

Tree replacement at a 1:1 ratio is recommended for the two coast live oaks to be removed.

Two (2) trees should be planted as part of the landscaping. Trees should not be planted within 10 feet of existing trees or each other. Replacement areas have not been identified as the desired location of planted trees may change after the project is complete.

Coast live oak is the recommended replacement species. Trees should be of local origin and shall be from a nursery that is or can be certified free from Sudden Oak Death. Smaller trees tend to become established quicker, require less irrigation for a shorter duration, and obtain the same size as larger nursery trees over the long-term. The only real advantage of larger nursery trees is to create an immediate visual impact. This property will have many retained trees and tree replacement is not necessary to mitigate any visual impacts of tree removal.

The replacement trees will need supplemental irrigation until they become established. Any irrigation system should be as temporary in nature as possible and watering from an existing garden hose is acceptable. The numerous large oaks on the property will not tolerate supplemental summer irrigation. Irrigation needs to be kept out of the dripline of the retained oaks.

Required findings

The following findings are from section 21.64.260.D.5 and are listed here as they appear for the use of the appropriate authorities in considering approval for tree removal. Each of the findings was evaluated by Forest City Consulting in regards to the proposed removal of the protected trees. Matt Horowitz is a Certified Arborist with degrees in Forestry from institutions accredited by the Society of American Foresters, has a basic knowledge and understanding of each of the following factors for consideration as each relates to forest resources, and is qualified to give his

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opinion on the following issues. In addition, Matt's knowledge and expertise is adequate to allow him to determine if another expert needs to evaluate any of the specific concerns raised.

Is the tree removal the minimum required under the circumstances of the case?

This project, as proposed, will require the removal of two protected trees. Both of these trees have issues that may make them unsafe in the near future. Tree number 1 has conks which can spread fungal infections to other healthy trees nearby. This tree can be considered a risk to the health and sanitation of the surrounding forest.

Tree #2 has decay at its root collar. This decay is rapidly advancing to the point that the oak will become hazardous. Retaining this tree and building the spa around it will create a dangerous situation for spa guests.

As the project is proposed, the tree removal is the minimum required. Other areas near the lodge are on slopes exceeding 30% and are covered with existing oaks of a protected size. The impacts of locating the spa in the courtyard location are much smaller than the impacts of developing the spa in other locations near the lodge.

Will tree removal involve a risk of adverse environmental impacts?

Soil erosion: The proposed tree removal is not expected to increase the risk of soil erosion or contribute to erosion.

Tree removal, in and of itself, will not create an increased risk of soil erosion on this property. The area of the tree removals is flat. Soil erosion concerns are more a factor of the grading plans than this report.

Water quality: The removal of the trees will not substantially lessen the ability for the natural assimilation of nutrients, chemical pollutants, heavy metals, silt and other noxious substances from ground and surface waters.

The trees proposed for removal play a relatively insignificant role with concerns to water quality. It is unlikely that there are any chemical pollutants or heavy metals present upon the property or likely to be introduced that could potentially be assimilated to any significant degree by the trees to be removed. Any ability of the trees proposed for removal to provide for the natural assimilation of nutrients, chemical pollutants, heavy metals, silt and other noxious substances from ground and surface waters would be insignificant.

Ecological impacts: Tree removal will not have a substantial adverse impact upon existing biological and ecological systems, climatic conditions, which affect these systems, or such removal will not create conditions which may adversely affect the dynamic equilibrium of associated systems. Only two trees are being removed with

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many other large trees being retained.

Noise pollution: The removal will not significantly increase ambient noise levels to a degree that a nuisance is anticipated to occur.

The trees do not appear to have any affect on reducing noise. A relatively large area of dense vegetation is required to control noise. Proposed tree removal will not significantly increase ambient noise levels to a degree that a nuisance is anticipated to occur.

Air movement: The removal will not significantly reduce the ability of the existing vegetation to reduce wind velocities to the degree that a nuisance is anticipated to occur.

Wildlife habitat: The removal will not significantly reduce available habitat for wildlife existence and reproduction or result in the immigration of wildlife from adjacent or associated ecosystems.

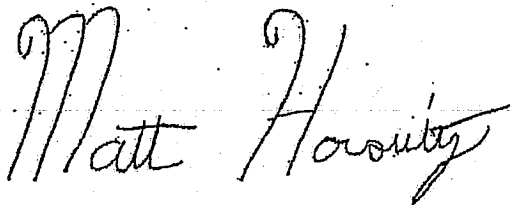
Many sections of the property will be retained with tree cover available for wildlife habitat.

6.0 Site map

The site map reviewed for this report is the 6-7-04 Site Plan prepared by the Paul Davis Partnership, Group, 286 Eldorado Street, Suite A Monterey, CA 93940.

Trees #1 and #2 were located and placed on the attached site map by the Paul Davis Partnership; their diameters were measured in the field by Forest City Consulting.

Please see attachment 1 for the site plan.



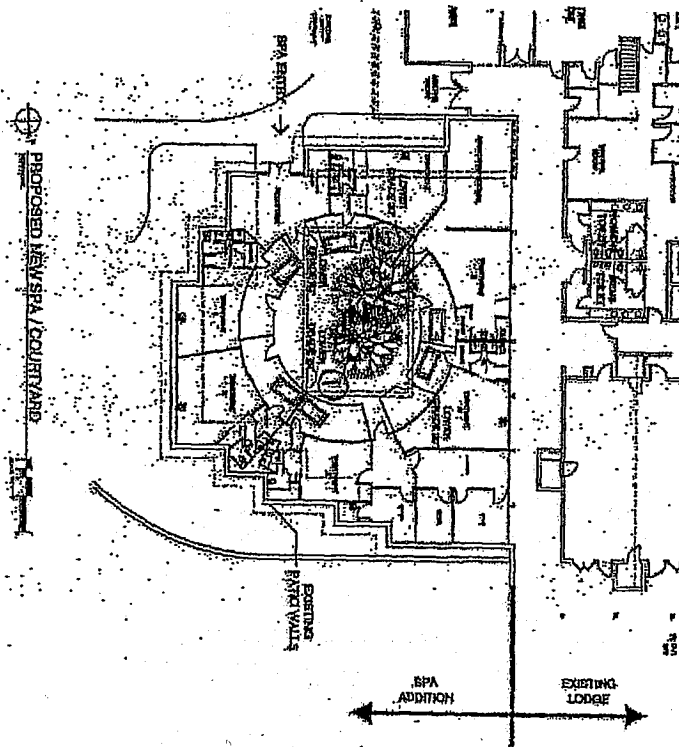
Matt Horowitz
Certified Arborist/Utility Specialist # WE 3163AU

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Forest City Consulting, Matt Horowitz
May 31, 2006
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MONTEREY COUNTY PLANNING & BUILDING INSPECTION DEPT. Attachment 1 Site Map



A2.2

1577 07/04/04



1577 07/04/04

THE
PAUL DAVIS
FARMERSHIP
PROGRAM

Forest City Consulting
1577 07/04/04

EXHIBIT C – HYDROLOGY & WATER QUALITY

Monterey Peninsula Water Management District. Completeness Status of Water Use Credit Applications for Carmel Valley Ranch. May 26, 2006.

Monterey Peninsula Water Management District. Denial of Water Use Credit at Carmel Valley Ranch. May 26, 2006.

Monterey Peninsula Water Management District. Commercial Water Release Form and Water Permit Application. May 23, 2006.

Lombardo & Gilles. Explanation of water use credit application. May 23, 2006.

Initial Water Use/Nitrate Impact Questionnaire. May 23, 2006

DeLay & Laredo. Water Use Letter. April 24, 2006.



MONTEREY PENINSULA WATER MANAGEMENT DISTRICT

5 HARRIS COURT, BLDG. G
POST OFFICE BOX 85
MONTEREY, CA 93942-0085 • (831) 658-5601
FAX (831) 644-9560 • <http://www.mpwmd.dst.ca.us>

May 26, 2006

Anthony Lombardo, Esquire
Lombardo & Gilles
Post Office Box 2119
Salinas, California 93902

**Subject: Completeness Status of Water Use Credit Applications for Carmel Valley Ranch
(APNs: 416-522-010 and 416-529-023)**

Dear Tony:

This letter responds to two Water Use Credit Applications received by the District on May 3, 2006 for credits at Carmel Valley Ranch. The applications identify six retrofits for which Water Use Credits are requested. The six proposed Carmel Valley Ranch retrofits appear to be:

1. Installation of 1.0 gallons-per-flush (gpf) toilets in a spa addition (i.e. massage rooms) to the main lodge and replacement of 1.6 gpf toilets with 1.0 gpf toilets in the lodge restrooms.
2. Replacement of the existing restaurant dishwasher with a more efficient model.
3. Retrofit golf course irrigation spray heads and controls.
4. Convert existing landscaping and irrigation system at the lodge and hotel units to well water.
5. Replacement of 1.6 gpf toilets with 1.0 gpf toilets in the 144 hotel rooms.
6. Remove 24 existing Jacuzzi spas.

The following comments pertain to each of the requests for credit:

1. *Installation of 1.0 gallons-per-flush (gpf) toilets in a spa addition (i.e. massage rooms) to the main lodge and replacement of 1.6 gpf toilets with 1.0 gpf toilets in the lodge restrooms.*

The spa addition, as it was described to staff in April 2006, will consist of individual massage rooms and enclosed patio areas, each with a private hot tub and shower. Under the current factors, the area used for this type of spa will be multiplied by the District's Group 1 factor, with an additional increment added for each hot tub (0.05 acre-foot each). In order to demonstrate a permanent reduction in capacity for installing 1.0 gpf toilets, you will need to provide convincing evidence of the increment of toilet water use in a spa, and the increment (as a percentage) of water that will be saved by reducing from 1.6 gpf to 1.0 gpf.

Anthony Lombardo
May 26, 2006
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The current application is incomplete for this portion of the Water Use Credit application, as there is no convincing analysis of the water savings associated with this retrofit.

2. *Replacement of the existing restaurant dishwasher with a more efficient model.*

Under the current District factors, the water use capacity for restaurants is calculated by multiplying the District's Group III restaurant/bar factor by the number of indoor restaurant seats allowed by the jurisdiction. That factor is currently 0.02 af/scat. In order to demonstrate a permanent reduction in capacity for installing a more efficient commercial dishwasher, you will need to provide convincing evidence of the increment of dishwasher water use in a restaurant, and the increment (as a percentage) of water that will be saved by reducing from the current model to a more efficient model.

The current application is incomplete for this portion of the Water Use Credit application, as there is no convincing analysis of the water savings associated with this retrofit.

3. *Retrofit golf course irrigation spray heads and controls.*

Under the current District factors, the water use capacity for golf courses is calculated by multiplying the District's Group III turf factor by the area of irrigated turf. That factor is currently 2.1 af/acre. In order to demonstrate a permanent reduction in capacity for installing a more efficient irrigation system, you will need to provide convincing evidence of the increment of water savings (as a percentage) that can be reasonably expected by installation of the proposed irrigation system. Additional information, including specifications and water use analyses concerning the existing and proposed systems should also be incorporated into any report.

In addition, the source of water for the golf course at Carmel Valley Ranch differs from the other applications in that the use is served by well water. This fact needs to be identified in the Water Use Credit application. It is also recognized that a portion of the golf course irrigation supply is from reclaimed water. Please submit copies of all semi-annual discharger self-monitoring reports that have been filed with the California Regional Water Quality Control Board for the past 15 years. These reports are filed pursuant to Waste Discharge Permit No. 89-04. If these reports are no longer filed, please provide an Excel spreadsheet with data indicating the annual production of reclaimed water from the wastewater treatment plant.

The current application is incomplete for this portion of the Water Use Credit application, as there is no convincing analysis of the water savings associated with this retrofit. In addition, the source of supply should be identified and information provided on the quantity of reclaimed water produced for golf course irrigation.

Anthony Lombardo
May 26, 2006
Page 3

4. *Convert existing landscaping and irrigation system at the lodge and hotel units to well water.*

This portion of the application is complete. A response is being sent under separate cover.

5. *Replacement of 1.6 gpf toilets with 1.0 gpf toilets in the 144 hotel rooms.*

Under the current District factors, the water use capacity for hotel use is calculated by multiplying the District's Group III hotel factor by the number of rooms allowed by the jurisdiction. That factor is currently 0.1 af/room. In order to demonstrate a permanent reduction in capacity for installing 1 gpf toilets in place of 1.6 gpf toilets, you will need to provide convincing evidence of the increment of toilet water use in a hotel, and the increment (as a percentage) of water that will be saved by reducing from 1.6 gpf to 1.0 gpf.

The current application is incomplete for this portion of the Water Use Credit application, as there is no convincing analysis of the water savings associated with this retrofit.

6. *Remove 24 existing Jacuzzi spas.*

District staff verified the historic existence of 12 hot tub spas outside of the rooms at the Lodge and has water permits to document the additional 12 spas.

Documentation of water credits in the amount of 0.05 AF/spa will be granted upon verification of permanent removal.

District staff and legal counsel reviewed the Water Use Credit proposals discussed in this letter in the context of current District rules and regulations before preparing this response to your applications. A copy of a memorandum from District Counsel addressing the theory of credit documentation is attached. As there have been few applications for Water Use Credits for nonresidential retrofits, the process is relatively new.

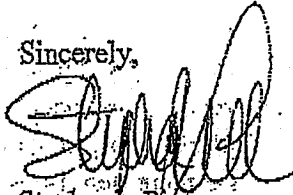
Miriam Schakat and I discussed the possibility of submitting new applications for each proposed credit. Revised applications should include the information discussed above, as well as identify the water source for each retrofit requested. The applications should also indicate that the retrofit credits are requested as special circumstances under Rule 24-G (i.e. based on other hard documentation). It should be noted that any Water Use Credit resulting from retrofitting to ultra-low consumption technology will require recordation of a notice on the title of the property. The recorded document will provide notice that any specifically recognized retrofits are permanent requirements for the site and that any change to a more intensive use will require a water permit from the District.

Anthony Lombardo
May 26, 2006
Page 4

Finally, fees in the amount of \$210 were submitted with the two applications received on May 3, 2006. The fees collected cover two hours of staff time for processing the applications. Time in excess of two hours is being tracked and charged at the rate of \$70 per hour. District staff will mail you an invoice for every 20 hours of staff time spent on this project. Your prompt payment will be appreciated.

If you have any questions, please call the Permit and Conservation Office at 658-5601.

Sincerely,



Stephanie Pizar
Water Demand Manager

cc: David Berger
Dave Laredo

Enclosures

1. Pre-Application Form for Water Distribution System Permits
2. May 26, 2006 Memo from David Laredo



**MONTEREY PENINSULA
WATER MANAGEMENT DISTRICT**

5 HARRIS COURT, BLDG. G
POST OFFICE BOX 85
MONTEREY, CA 93942-0085 • (831) 658-5601
FAX (831) 644-9560 • <http://www.mpwmd.dst.ca.us>

May 26, 2006

Anthony Lombardo, Esquire
Lombardo & Gilles
Post Office Box 2119
Salinas, California 93902

Subject: Denial of Water Use Credit at Carmel Valley Ranch (APN: 416-522-010)

Dear Tony:

This letter responds to a portion of a Water Use Credit Application received by the District on May 3, 2006. The request is for Water Use Credits for conversion of the existing landscaping and irrigation system around the lodge and hotel units to well water.

The conversion of irrigation to well water would not result in a permanent reduction in capacity for water use on the hotel site. It would result in the reduction of Cal-Am water use; however the water use capacity remains. In addition, the landscaping around the lodge was not permitted separately from the hotel use when the water permit for the lodge was issued in 1986. The adjacent landscaping was considered to be an associated use of the lodge.

The parcel occupied by the lodge is distinct from the golf course parcel. The expansion of well water use to this parcel for lodge irrigation will require an amendment to the Water Distribution System Permit for the Carmel Valley Ranch wells. The amendment process begins with completion of a separate pre-application (enclosed) and submittal of \$200. A meeting with staff will be scheduled after the pre-application is received. The amendment process may take three to four months, including a public hearing before the Board. After the water distribution system amendment has been approved, the District can issue a water permit for the expansion of the well water use to the lodge irrigation.

The current application for a Water Use Credit for converting Cal-Am irrigation to well water is denied as there is no permanent reduction in water use capacity, as defined by Rule 11. This decision is a final decision of the General Manager and is appealable to the Board of Directors within 21 days.

If you have any questions, please call the Permit and Conservation Office at 658-5601.

Sincerely,

Stephanie Pintar
Water Demand Manager

cc: David Berger
Dave Laredo

MONTEREY PENINSULA WATER MANAGEMENT DISTRICT

COMMERCIAL WATER RELEASE FORM AND WATER PERMIT APPLICATION

NOTE: When approved and signed, this form must be submitted with final and complete construction plans, to the Monterey Peninsula Water Management District permit office (831-658-5601), 5 Harris Court, Bldg. G, Monterey. Completing the Water Release Form & Permit Application does not guarantee issuance of a water permit.

ALL SPACES BELOW MUST BE COMPLETED OR THE APPLICATION MAY NOT BE PROCESSED. (Please print firmly).

Property Owner: Carmel Valley Ranch Agent/Representative: Lombardo & Gilles, Miriam Schakat
 Name of Business: Carmel Valley Ranch Mailing Address: P. O. Box 2119
Salinas, CA 93902
 Business Owner: _____
 Owner's Phone: same as agent Agent's Phone: 831-754-2444
 Property Address: One Old Ranch Road Assessor's Parcel Number: 416 - 522 - 010
Carmel, CA 9 Is a Water Meter Needed? No If yes, how many? _____

(District law requires each water user to have separate water meters)

Water Company Serving Property: California American Water

All properties that modify or add water fixtures on a property within the Monterey Peninsula Water Management District must obtain written authorization from the District prior to taking action. Commercial users that increase square-footage or change uses, as illustrated below, are also required to obtain a water permit. Low water use plumbing fixtures will be required as a condition of most water permits. Applicants not increasing demand according to the table below may be directed by the jurisdiction to obtain a water permit waiver from the District in lieu of a water permit.

DETERMINE THE MOST APPROPRIATE CATEGORY FROM THE FOLLOWING LIST AND COMPLETE THE BLANK SPACES BELOW.

Square Footage of Commercial Space: 4,056

GROUP I - Low to Moderate Use

Multiply square-footage by 0.00007 to estimate water needs for the following uses:

Auto Uses	Chiropractic	Family Grocery	Office	Storage
Retail	Bank	Church	General Retail	General Medical
Fast Photo	Gym/spa	Warehouse	Florist	Manicure/Pedicure

GROUP II - High Use

Multiply square-footage by 0.0002 to estimate water needs for the following uses:

Bakery	Deli	Photographic	Coffee House
Intensive Medical	Sandwich Shop	Convenience Store	Dry Cleaner
Pizza	Supermarket	Candy Store	Veterinary

GROUP III - Miscellaneous Uses

Each Type of Use has a Separate Factor. Multiply an appropriate factor as listed.

Use	Factor	Measurement (each)	Use	Factor (each)	Measurement (each)
Dorm	0.04	room	Restaurant (24hr)	0.038	seat (capacity counted)
Child Care	0.0072	child	Beauty Shop	0.0567	cutting station
Plant Nursery	0.00009	square-foot	Theater	0.0012	seat
Landscaping		Call District	Bar	0.02	seat (capacity counted)
Laundromat	0.2	washer	Restaurant	0.02	seat (capacity counted)
Gas Station	0.0913	# of pumps	Self-Storage	0.0001	square-footage
Meeting Hall	0.00053	square-foot	Spa	0.05	per spa/Jacuzzi
Lux. Hotel	0.21	room	Motel/B&B	0.1	room
Residential Care		Call District	Dental		Call District
Car Wash		Call District	Swimming Pool	0.02	100 square-foot surface area

PLEASE COMPLETE THE FOLLOWING:

Measurement X Factor from Above = Water Capacity

(1) PREVIOUS USE _____ X _____ = _____ ACRE-FEET

(2) PROPOSED USE gym/spa X 0.0007 = 0.28 ACRE-FEET

0.30 ACRE-FEET

SUBTRACT (2) FROM (1) 0.58 ACRE-FEET**Please see attached

Assistance with completing this form may be obtained from the MPWMD at (831) 658-5601 from 8:00 - 5:00 weekdays.

OFFICIAL USE ONLY

1. PLAN CHECKED FOR:
 _____ BUILDING PERMIT
 _____ DISCRETIONARY

2. JURISDICTION'S FILE NUMBER

3. PLAN CHECK DATE
 _____ / _____ / _____

4. AMOUNT OF WATER DEDUCTION AUTHORIZED:
 _____ ACRE-FEET

5. ACCOUNT TO BE DEBITED:
 (Please check one)
 _____ Paralta Allocation
 _____ Public Credit Account
 _____ Pre-Paralta Account
 _____ NO DEBIT AUTHORIZED

6. Date of Authorization
 _____ / _____ / _____

7. Authorized by:

Notes:

NOTE: If the result is a positive number, the jurisdiction must authorize water for the difference. In completing this Water Release Form, the undersigned (as owner or as agent for the property owner) acknowledges that any discrepancy or mistake may cause rejection or delay in processing of the application. Additionally, the applicant is responsible for accurately accounting for the type of commercial use of the business. If the type of use changes without notification to the District, water permits for the property may be canceled. In addition, changes in use or expansions completed without a water permit may be cause for interruption of the water service to the site, additional fees and penalties, the imposition of a lien on the property, and deduction of water from the local jurisdiction's allocation.

I certify, under penalty of perjury, that the information provided on this Water Release Form & Permit Application is to my knowledge correct, and the information accurately reflects the changes presently planned for this property.

Signature of Owner/Agent _____ Date 5/23/06

This form expires on the same date as any discretionary or building permits issued for this project by the city or county.

Anthony L. Lombardo
Jeffery R. Gilles
Derinda L. Messenger
James W. Sullivan
Jacqueline M. Zischke
Steven D. Penrose
E. Soren Diaz
Sheri L. Damon
Virginia A. Hines
Patrick S.M. Cassey
Paul W. Moncrief
Bradley W. Sullivan
Miriam Schakat
Kelly McCarthy Sutherland
Ken Gorman
Dennis Beougher

Lombardo
& Gilles
PROFESSIONAL CORPORATION
Attorneys At Law

318 Coyuga Street
P. O. Box 2119
Salinas, CA 93902-2119
831-754-2444 (SALINAS)
888-757-2444 (MONTEREY)
831-754-2011 (FAX)

225 Sixth Street
Hollister, CA 95023
831-630-9444

File No. 00108.024

**Certified by the State Bar
of California Board of Legal
Specialization as a Specialist
in Estate Planning, Trust and
Probate Law.*

May 23, 2006

Monterey County Planning & Building
Inspection Department
168 W. Alisal Street, 2nd Floor
Salinas, CA 93901

Re: **Commercial Water Release Form for Carmel Valley Ranch**

To Whom It May Concern:

Attached please find the water use credit application that has been filed with the Monterey Peninsula Water Management District.

The toilet retro-fit and spa tub abandonment will generate sufficient water credit for this project.

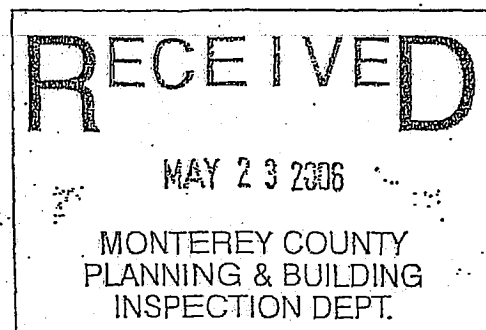
Sincerely,

Lombardo & Gilles, PC



Miriam Schakat
MS:rp

Enclosures



Water Use Credit Application for Carmel Valley Ranch

We are applying for a water use credit for the following changes to the property:

1. Convert existing toilets in the 144 units from 1.6 gallon per flush to 1.0 gallon per flush.
 $144 \text{ units} \times 0.1 \text{ AF/Yr.} \times 35\% \text{ use} \times 37.5\% \text{ savings} (0.6/1.6) = 1.89 \text{ AF}$
2. Eliminate 24 existing hot tubs (Jacuzzis) at $0.05 \text{ AF/YR} = 1.20 \text{ AF}$
(12 hot tubs (Jacuzzis) with the original 100 units built in 1986, and 12 additional hot tubs at the more recent 44 units.)

The above results for a total of 3.09 AF of water use credit.

RECEIVED

MAY 23 2006

MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

RECEIVED

MAY 23 2006

MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

INITIAL WATER USE/NITRATE IMPACT QUESTIONNAIRE FOR DEVELOPMENT IN MONTEREY COUNTY

This questionnaire must be completed and submitted to the Monterey County Health Department, Division of Environmental Health (two copies) and the Monterey County Water Resources Agency (one copy). The information supplied in the questionnaire will be used to evaluate the long term impacts of the proposed project on the water quality and quantity of both the local and regional ground water basins of Monterey County. In some cases the information supplied in this questionnaire will be adequate for determining the impacts of proposed development on groundwater supplies. In other cases, however, additional information or hydrologic studies may be required by the Monterey County Division of Environmental Health and/or the Monterey County Water Resources Agency. Inquiries regarding this questionnaire should be directed to the Monterey County Division of Environmental Health, (408)755-4964 or the Monterey County Water Resources Agency, Al Mulholland, (408)755-4860.

1. Project Name: Carmel Valley Ranch
2. Applicant's Name: Lombardo & Gilles ATTN: Miriam Schakat
Address: P. O. Box 2119 City: Salinas State: CA Zip: 93901
Telephone: () / (831) 754-2444 / ()
(Home) (Business) (Mobile)
3. Owner(s) Name: Carmel Valley Ranch
Address: 318 Cayuga Street City: Salinas State: CA Zip: 93901
Telephone: () (831) 754-2444 ()
(Home) (Business) (Mobile)
4. Project Location or Address: One Old Ranch Road, Carmel
(Attach site and vicinity maps)
5. Project Assessor's Parcel Number(s): 416-592-023 & 416-522-010
6. General Description of Proposed Project: Hotel to hotel/condo conversion

(Attach additional sheet if needed)

b) Commercial lots : _____ ; _____ ; _____
(Number) (Total acreage) (Total estimated water use)

c) Industrial lots: _____ ; _____ ; _____
(Number) (Total acreage) (Total estimated water use)

d) _____ ; _____ ; _____
(Other) (Number) (Total acreage) (Total estimated water use)

* For any proposed commercial, industrial, or other uses, attach a written description of the uses for each lot.

18. Acreage of irrigated agriculture, landscape, open space, green belt, parks, common area, etc, proposed and total water use: _____ ; _____
(Total acreage) (Total estimated water use)

19. Will any other types of wastes (i.e. wash water, water treatment unit discharges, crushing wastes, processing wastes, tail waters, etc), be generated as a part of this project? YES NO

If yes, attach a written description with estimated peak, daily, monthly, seasonal, and yearly volumes.

20. Will solid wastes containing nitrates be disposed of on-site (animal manure, organic compost, etc.)? YES NO

If yes, attach a written description with the number of animals, the type of waste, and the amount to be disposed of on a daily, monthly, seasonal, and yearly basis.

21. As owner(s) or owner's (owners') agent for the development permit application, I/we have read the questions and know the contents herein. I/We declare under penalty of perjury that the information contained in this questionnaire, including the plans and documents submitted herewith are true and correct to the best of my/our knowledge.

Owners Name (Type or print)

Owners Signature

Owners Name (Type or print)

Owners Signature

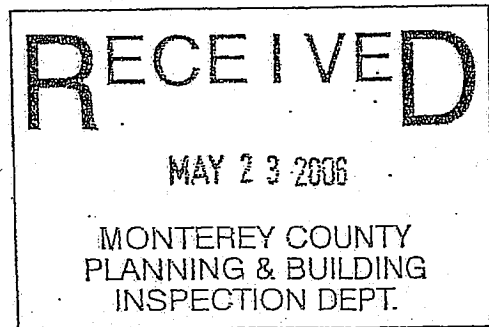
Dated: _____ at _____, California.

I declare under penalty of perjury that I am authorized by the owner(s) of the described property to supply this information.

Meriam Schatof
Agents Name (Type or print)

[Signature]
Agents Signature

Dated: 5/23/06 at Salinas, California.



108.24

De LAY & LAREDO

Attorneys at Law
606 Forest Avenue
Pacific Grove, California 93950
dave@laredolaw.net

Paul R. De Lay
David C. Laredo
Fran Farina
Heidi A. Quinn

Telephone (831) 646-1502
Facsimile (831) 646-0377

April 24, 2006

RECEIVED

APR 21 2006

Miriam Schakat, Esq.
LOMBARDO & GILLES, PC
318 Cayuga Street
Salinas, CA 93901

Re: Carmel Valley Ranch Resort
APN 416-522-010 and 416-592-023

Dear Ms. Schakat:

This letter is sent at the direction of David A. Berger, General Manager of the Monterey Peninsula Water Management District (District), in response to your e-mail request addressed to Joseph Oliver.

You seek confirmation from the District that a long term water supply is available for the Carmel Valley Ranch Resort (APN 416-522-010 and 416-592-023). It appears that your request is made in conjunction with a pending Monterey County Subdivision (Tentative Map) application for the site.

Presently all interior water connections and potable water use at Carmel Valley Ranch Resort (Resort) are supplied by California American Water (Cal Am) as an approved Water Distribution System (WDS) operating in accord with the District's Rules and Regulations. Water service to the Resort is available under terms and conditions that apply equally to similar classes of water use (e.g. residential or commercial connections) through existing connections to that public utility system. The District has received and reviewed a copy of the April 7, 2006 letter from Cal-Am addressed to your firm confirming that the referenced Resort site lies within the Cal-Am service area. The District has no basis to refute any matter stated therein.

Additionally, the District confirms that Carmel Valley Ranch Resort owns and operates several wells dedicated to non-potable water use for golf course on the Resort site. These wells constitute a "pre-existing multiple parcel connection system" under the District's WDS permit regulations. Any change to this WDS shall require a permit pursuant to District Rule 22.

The District regulates any expansion of water use at the Resort site (e.g. District Rule 24). Proposed activities that shall not intensify water use, or add additional connections to the Resort, however, are not subject to regulation by the District. The mere transfer of title to property does not result in intensification of water use or addition of connections pursuant to the District's Rules. Neither will change of ownership constitute a change to the WDS under District Rule 22.

Any proposal by the Resort, or by subsequent individual owners of one or more units at the

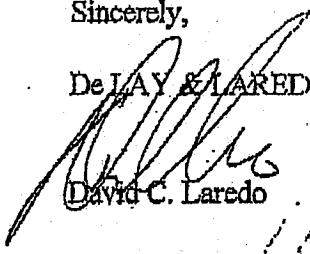
Miriam Schakat, Esq.
LOMBARDO & GILLES, PC
Re: Carmel Valley Ranch
Page 2 of 2

Resort, to add or modify plumbing fixtures or to add hotel rooms, however, would require review and approval by the District to ensure compliance with applicable WDS regulations.

Intensified water uses are allowed only to the extent the additional water use is supported by on-site water credits (based upon a detailed engineering analysis of prospective water savings), or through water made available in accord with the Monterey County allocation.

Sincerely,

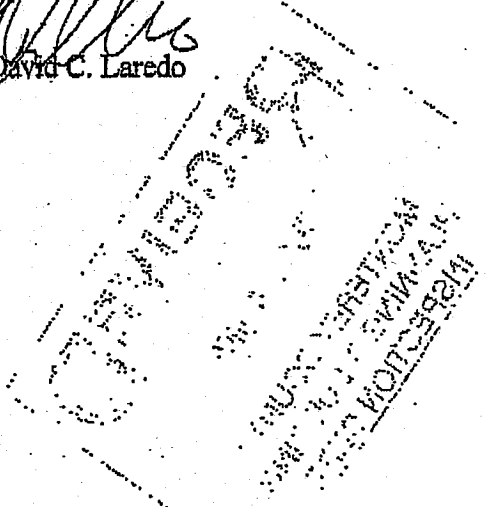
De LAY & LAREDO



David C. Laredo

DCL:wg

Cc: David A. Berger



108.24

**California
American Water**

April 7, 2006

RECEIVED

MAY 24 2006

Lombardo and Gilles
PO Box 2119
Salinas, Ca 93902

RE: APN 416 522 010 and 416-592 023
Service address: # 1 Old Ranch Road Carmel Valley Ranch

This letter is to advise that the referenced property is located within the California American Water (Cal-Am) service area. Cal-Am will serve water to this lot under the provisions of the rules, regulations and tariffs of the California Public Utilities Commission (CPUC) and any other regulatory agency with jurisdiction. The applicant for water service must comply with all Cal-Am rules and regulations as are on file with the CPUC and must obtain all required permits and pay all required fees as a condition of service.

This proposal to serve water is valid for an indefinite period of time, is subject to water availability to Cal-Am and to changes or modifications as approved, adopted or directed by the CPUC and or any other regulatory agency with jurisdiction.

Sincerely,

Marilyn Torres
Water Conservation Specialist
50 Ragsdale Dr. Ste. 100
Monterey, CA 93940
Office 831-646-3247 Fax 831-375-4367

California American Water
Coastal Division

50 Ragsdale Dr., Suite 100
P.O. Box 951
Monterey, CA 93942-0951

T 831 646 3201
F 831 375 4367

I www.calamwater.com

EXHIBIT D – TRAFFIC & CIRCULATION

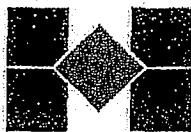
Higgins Associates. Traffic Impact Study Conclusions Letter. September 20, 2006.

Higgins Associates. Impact Fee Letter. September 20, 2006

Higgins Associates. Parking Letter. September 13, 2006

Higgins Associates. Hotel Trip Generation Letter. April 21, 2006

Higgins Associates. Spa Trip Generation Letter. April 21, 2006



HIGGINS ASSOCIATES

CIVIL & TRAFFIC ENGINEERS

September 20, 2006

Ms. Miriam Schakat, Esq.
Lombardo & Gilles, PC
318 Cayuga Street
Salinas 93902

Re: Carmel Valley Ranch Hotel Spa and Yoga Facility: Traffic Impact Study Conclusions

Dear Ms. Schakat,

Following are our conclusions regarding the traffic impacts and fee contributions for the proposed conversion of existing hotel units into individual ownership units and the addition of a 4,956 square foot Spa and Yoga Facility at the Carmel Valley Ranch, located in Carmel Valley, Monterey County, California.

The conversion of the hotel units into individual ownership units will not generate any additional traffic. The addition of the Spa and Yoga Facility is expected to generate 34 daily trips, 9 AM peak hour trips (nine in and zero out), and 5 PM peak hour trips (one in and four out). The project traffic will be distributed 50% to the east and 50% to the west along Carmel Valley Road. Approximately 20% of the traffic (two AM peak hour trip and one PM peak hour trip) will distribute to Highway-1. The project adds 4,956 square feet of building to the existing hotel facility.

The addition of project traffic was analyzed at the eastbound off ramp at Carmel Valley Road and Robinson Canyon Road, which the intersection that is closest and almost directly impacted by the project. The LOS is A in both the AM and PM peak hours for existing and existing plus project traffic conditions. Thus the project traffic does not require any mitigation at the intersection. The project will add 5 PM peak hour trips to this intersection. Further away from the project site, the project traffic volumes decrease even further and no mitigations would be required at other intersections along Carmel Valley Road. The project adds less than 0.2% to the intersections along Carmel Valley Road during the PM peak hour.

The project does, however, contribute to cumulative traffic impacts to the Carmel Valley area road network and is required to pay traffic impact fees of planned roadway improvements and already constructed roadway improvements for SR1, for which a reimbursement program has been established. The three traffic impact fees that the project would be required to pay fees towards are indicated below with the fee calculation:

I:\2006\G Jobs\001-0506-0386-038 TIA conclusions 09-20.doc

The addition of the spa and yoga facility is expected to generate 34 daily trips, 9 AM peak hour trips (nine in and zero out), and 5 PM peak hour trips (one in and four out). The project traffic will be distributed 50% to the east and 50% to the west along Carmel Valley Road. Approximately 20% of the traffic (two AM peak hour trip and one PM peak hour trip) will distribute to Highway 1 and 30% to Laureless Grade. The remainder (50%) will remain in the valley. The project trip distribution and traffic assignment is indicated in Exhibit 3. The project adds 4,956 square feet of building to the existing hotel facility.

The project trip generation is low and thus only the most critical intersection, Robinson Canyon/eastbound off ramp of Carmel Valley Road, was analyzed for AM and PM peak hour conditions. This intersection is closest to the project site, and almost directly impacted by the project. Traffic counts at this intersection were conducted for the River Ranch Residence study (20 apartments) in 1997; thus, turning movement counts were available. The AM and PM peak turning movement counts is estimated to be approximately 10% of the daily traffic volumes. Monterey County conducted traffic counts of the roads in 2005, and the information is available in their 2005 *Annual Average Daily Traffic* count book. The daily volumes on Carmel Valley Road east and west of Robinson Canyon Road and on Robinson Road has increased by approximately 20% between 1997 and 2005, and as such the turning volumes were also increased by 20% at the study intersection. The post processed turning movements for the AM and PM peak hours are indicated in Exhibit 4. The eastbound off ramp is stop-controlled at Robinson Canyon Road. The LOS is A in both the AM and PM peak hours for existing and existing plus project traffic conditions. The LOS worksheets are included in Appendix B. Thus, the project traffic does not require any mitigation at the intersection. The project will add 9 AM and 5 PM peak hour trips to this intersection. Further away from the project site, the project traffic volumes decrease even further and no mitigations would be required at other intersections along Carmel Valley Road. The project adds less than 0.2% to the intersections along Carmel Valley Road during the PM peak hour and less than 0.5% during the AM peak hour.

The segments on Carmel Valley Road were analyzed for existing, existing plus project, cumulative and cumulative plus project conditions. The County has established threshold volumes along Carmel Valley Road, as indicated in Exhibit 5. These volumes do not present any specific level of service condition, but merely a threshold where improvements would be warranted. Exhibit 5 indicates that only the existing traffic volumes on the segment of Carmel Valley Ranch between Rancho San Carlos Road and Schulte Road exceeds the threshold. All other existing volumes are lower than the threshold volume. With the addition of the project traffic, the conditions does not change, thus the project do not generate any new impact on Carmel Valley Road.

Cumulative traffic volumes on Carmel valley road were obtained from the *Wang Minor Subdivision Traffic Impact Analysis* performed by Higgins Associates in September 2004, and the *Traffic Impact Study for the September Ranch Subdivision* performed by TJKM in October 2004. A list of cumulative projects is indicated in Exhibit 6. The cumulative analysis indicates

Ms. Miriam Schakat
September 20, 2006
Page 3

that all future volumes on all the segments of Carmel Valley Road would exceed the County threshold. The Carmel Valley Master Plan has established a Traffic Impact Fee for planned future roadway improvements. The current fee for commercial uses is \$5,397 per 1,000 square feet of development. The project would have to pay a fair share contribution towards the fee because it adds incrementally to the anticipated future conditions. Thus the project would pay \$26,748 towards the Carmel Valley Master plan Traffic Impact Fee.

The project is also required to pay regional traffic impact fees to TAMC. The current fee is \$5,326 per 1,000 square feet of development. Thus the project would pay a total of \$26,396 towards the TAMC Regional Traffic Impact Fee.

The project would also have to pay \$598 per 1,000 square feet of development for interim improvements on Highway 1 north of Carmel Valley Road. Thus the project would pay a total of \$2,960 towards the TAMC Regional Traffic Impact Fee. The fee per KSF is calculated as follows:

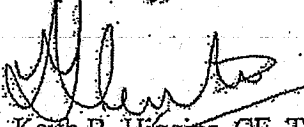
- The SR 1 reimbursement fee is currently \$740 per residential dwelling unit, or \$740 per PM peak hour trip. The project generates 4 PM peak hour trips and is 4,956 square feet. Thus the fee per thousand square feet is calculated as $\$740 \times 4 / 4,956 = \598 per 1,000 sq. ft.

The three traffic impact fees that the project would be required to pay fees towards are indicated below with the fee calculation:

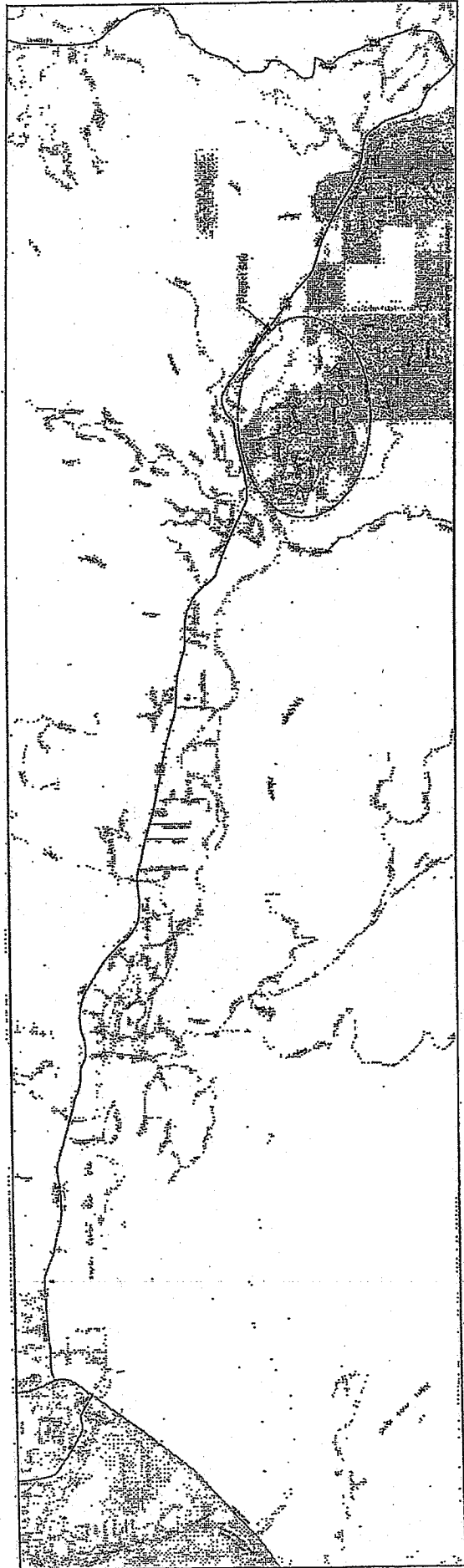
Carmel Valley Master Plan TIF: (\$5,397 per 1,000 sq. ft.)	\$ 26,748
TAMC Development Fee (\$5,326 per 1,000 sq. ft.)	\$ 26,396
SR1 reimbursement fee: (\$598 per 1,000 sq. ft.)	\$ 2,960
Total Project Traffic Fee Contribution	<u>\$ 56,104</u>

If you have any questions regarding this report, please do not hesitate to contact Frederik Venter or me.

Respectfully,


Keith B. Higgins, CE, TE

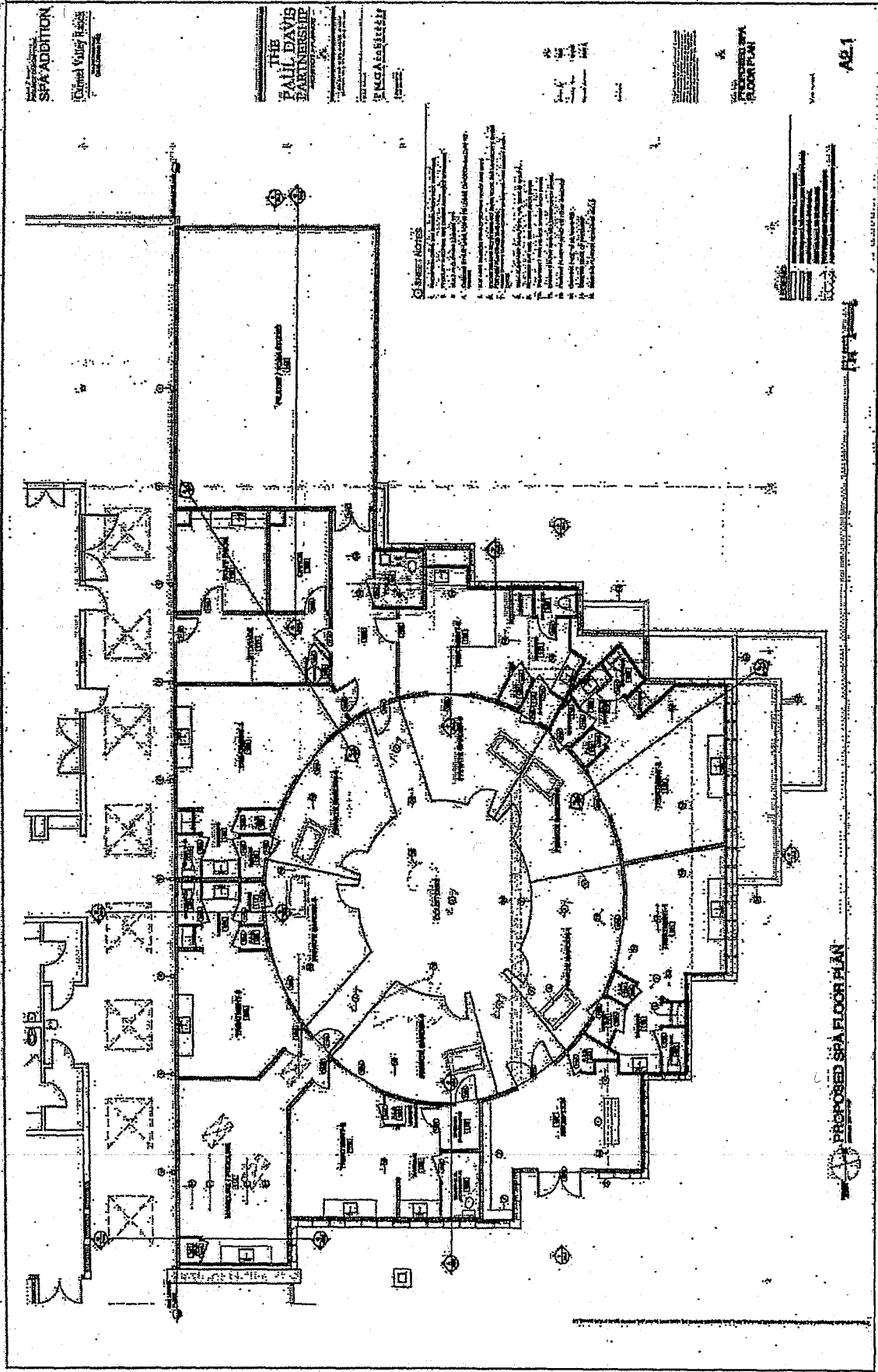
kbh:aem/mmm/mtr



**EXHIBIT 1
PROJECT LOCATION MAP**

5008 New Hampshire
Sheet 1

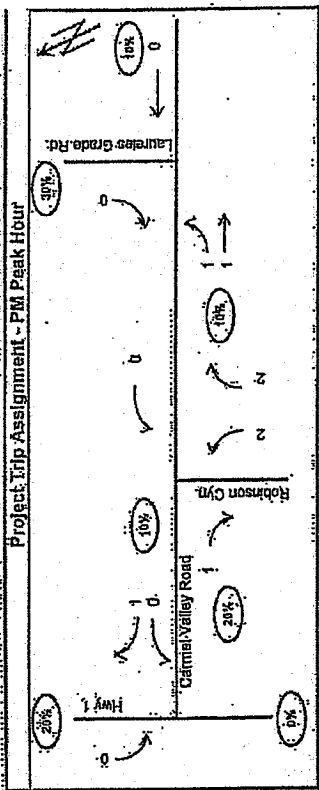
Higgins Associates



**EXHIBIT 2
PROJECT SITE PLAN**

6-038 New Exhibits.xls
Exhibit 2

Higgins Associates

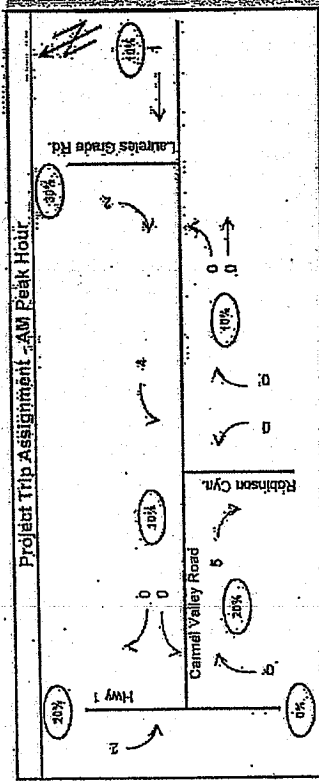


Existing + Project Conditions - ADT

Hwy 1	17,117	44,717	31,417	11,117	10,204
Rancho San Carlos					
Schulte Rd.					
Robinson Cyn.					
Carmel Valley Road					
Milramonte Rd.					
Laureles Grade Rd.					

Cumulative + Project Conditions - ADT

Hwy 1	21,017	47,517	15,357	14,557	13,554
Rancho San Carlos					
Schulte Rd.					
Robinson Cyn.					
Carmel Valley Road					
Milramonte Rd.					
Laureles Grade Rd.					



Existing Conditions - ADT

Hwy 1	17,100	44,700	11,400	11,100	11,200
Rancho San Carlos					
Schulte Rd.					
Robinson Cyn.					
Carmel Valley Road					
Milramonte Rd.					
Laureles Grade Rd.					

Cumulative Conditions - ADT

Hwy 1	21,000	47,500	15,340	14,540	13,550
Rancho San Carlos					
Schulte Rd.					
Robinson Cyn.					
Carmel Valley Road					
Milramonte Rd.					
Laureles Grade Rd.					

Note: Drawing not to scale.

- Data Sources:
1. Cumulative Conditions ADT from Traffic Impact Study for the Septimier Ranch Subdivision, TJKM, October 2, 2004
 2. Cumulative Conditions ADT from Wang Minor Subdivision Traffic Impact Analysis Update, Higgins Associates, September 24, 2004

Road Segment	Type	County Threshold	Existing Conditions		Existing + Project Conditions		Cumulative Conditions	
			Average Daily Traffic Volumes	Exceed Threshold?	Average Daily Traffic Volume	Exceed Threshold?	Average Daily Traffic Volume	Exceed Threshold?
1 Robinson Road, south of CVR	2-Lane Collector	19,000	3,600	NO	3,634	NO	3,634	NO
2 CVR between Rancho San Carlos Road and Schulte Road	2-Lane Rural Hwy	16,540	17,100	YES	17,117	YES	21,000	YES
3 CVR between Schulte Road and Robinson Canyon Road	2-Lane Rural Hwy	16,389	14,700	NO	14,717	NO	17,500	YES
4 CVR between Robinson Canyon Road and Miramonte Road	2-Lane Rural Hwy	12,752	16,400	NO	14,417	NO	15,340	YES
5 CVR between Miramonte Road and Laureles Grade Road	2-Lane Rural Hwy	12,752	11,100	NO	11,117	NO	14,540	YES
6 CVR between Laureles Grade Road and Ford Road	2-Lane Rural Hwy	11,600	11,200	NO	11,204	NO	13,560	YES

NOTES:

- Roadway segment levels of service based upon threshold volumes shown in Appendix A2. (HCM, TRB, 2000)
- Carmel Valley Master Plan Threshold Volumes (1997)
- Existing ADT's for Carmel Valley Road were obtained from the 2005 Annual Average Daily Traffic, published by Monterey County Public Works Department.
- Cumulative Conditions ADT from Traffic Impact Study for the September Ranch Subdivision, TJKM, October 5, 2004
- Cumulative Conditions ADT from Wang Minor Subdivision Traffic Impact Analysis Update, Higgins Associates, September 24, 2004

APPROVED AND PENDING PROJECTS	SIZE	Daily Trip Rate	Daily Trips	Trip Rate	AM PEAK		PM PEAK		Total Trips
					In	Out	In	Out	
A. Quail Meadows ¹	Mixed use	463			10	4	16	14	60
B. Cañada Woods	1/4 silo 16 lot	6.57 36.05	421 664	0.76 4.48	2875 5446	8 15	28 24	16 28	44 52
C. Rio Road Mixed Use Building ²	12 lot 28 silo 38 lot	23.5 5.9 6.77	282 185 677	1.95 7.4 9.75	8944 1185 4675	4 2 32	7 10 50	32 5 185	33 15 288
D. Community Life Center ³	10 rooms	9.57	2757	10.16	102	4	3	7	16
E. Rancho San Carlos ⁴	10 silo 9 silo	8.57 8.57	86 28	0.76 0.76	2575 2575	2 2	6 2	8 2	10 2
F. Rancho Chiquita Pt. Lobos Bed & Breakfast ⁵	28 silo	8.57	278	0.76	2575	6	15	19	28
G. Fox Creek Ranch	64 units	1.73	112			7	13	6	14
H. Holman Road Subdivision	conversion					0	0	0	0
I. Rancho San Carlos - Pójeró Creek Area ⁶	5,667 sq ft					6	2	11	22
J. Sunnito Assisted Living ⁷	mixed use					0	0	0	0
K. Highlands Inn Timeshare ⁸						2	2	0	0
L. White Oaks Plaza ⁹						0	0	0	0
M. Mid Valley Landscapes Storage ¹⁰						N/A	N/A	N/A	N/A
N. Quail Meadows Lot 57, Quail Lodge ¹¹		0.28	75	0.02	5050	3	2	5	8
O. Bernatard Wine Tasting & Office ¹²		8.57	172	0.76	2575	50	33	83	280
P. Center Street Mini-Storage ¹³						2	10	14	18
Q. Grossroads Shopping Center Expansion						1	2	3	4
R. Vista Nidura						38	1	3	4
S. Wang Subdivision ¹⁴						247	300	547	905
PROJECT TOTAL									

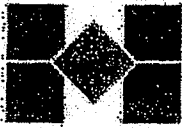
Notes

- The Generation from Quail Meadows Storage, Higgins Associates, 2001.
- Rio Road Mixed Use Trip Generation obtained from Rio Road Mixed Use Development Traffic Analysis Report, Higgins Associates, May 13, 1996.
- Community Life Center Trip Generation obtained from Community Life Center Traffic Study Report, Higgins Associates, August 1, 1998.
- Rancho San Carlos is under construction.
- Rancho Chiquita Pt. Lobos Bed & Breakfast obtained from Rancho Chiquita Pt. Lobos Bed & Breakfast Traffic Analysis, Higgins Associates, November 25, 1997.
- Trip Generation is based on Single Family Use from Trip Generation, ein Emission, Institute of Transportation Engineers, 1987.
- Sunnito Assisted Living Trip Generation is based on Sunnito Assisted Living Project Traffic and Parking Engineering Report, Higgins Associates, October 10, 2002. (Highway 101)
- measures, no peak hour trip will be generated from this project.
- The conversion of Highlands Hotels to Highlands Inn Timeshare will not generate any new trips, based on Higgins Associates study in 1997.
- From Traffic Impact Analysis for Wine Docks Plaza Expansion, Higgins Associates, May 2, 2001.
- Based on Mid Valley Landscapes Storage Traffic Analysis, Higgins Associates, May 16, 2001.
- From Traffic Analysis for Quail Meadows Lot 57, Quail Lodge Expansion, Higgins Associates, May 16, 2001.
- From Bernatard Wine Tasting & Office Rehabilitation Traffic Analysis Report, Higgins Associates, September 27, 1998.
- Trip Generation is based on Mini-Warehouse Use (code 151) from Trip Generation, 5th Edition, Institute of Transportation Engineers, 1987.
- From Traffic Analysis for Wang Manor Subdivision, Higgins Associates November 2002.

EXHIBIT 6
TRIP GENERATION OF
APPROVED/PENDING PROJECTS

6-138 Trip Gen. of Approved/Pending Projects.xls
Sheet1

APPENDIX A
TRIP GENERATION AND PARKING



HIGGINS ASSOCIATES

CIVIL & TRAFFIC ENGINEERS

September 13, 2006

Ms. Miriam Schakat, Esq.
Lombardo & Gilles, PC
318 Cayuga Street
Salinas 93902

Re: Carmel Valley Ranch Hotel Trip Generation and Parking Assessment

Dear Ms. Schakat,

Thank you for requesting Higgins Associates to prepare a trip generation parking evaluation of the proposed changes to the Carmel Valley Ranch, located in Carmel Valley, Monterey County, California. The purpose of the study is to determine the project's potential trip generation and parking impacts based on recommended changes to the existing facility. The changes include:

- A conversion of the hotel units into individual ownership units.
- The addition of a spa and yoga facility.

The traffic study also evaluates future parking requirements for the proposed spa and yoga facility.

1. UNIT TITLE CHANGE

It is proposed to convert 144 units of the hotel into individual ownership units. Of the 144 units, 142 are one-bedroom units and two are two-bedroom units. After title has changed, the units will still be rented out as resort/hotel units and no floor plan layout of the units will be modified. Also, no units will be occupied by only one guest or owner. The change in ownership is not expected to change the trip generation or parking characteristics and as such, we conclude that there will be no additional trips generated or change in the parking demand for the 144 units.

It is proposed to add recreational facilities to the hotel (a spa and yoga facility) of the Carmel Valley Ranch Hotel, which will generate additional daily trips and parking demand.

2. TRIP GENERATION

Addition of Spa Suites:

It is proposed to construct six spa suites at the main lodge. The attached site plan (Exhibit 1) indicates the proposed layout of the six suites. Each suite will have two beds. The Institute of Transportation Engineers does not have trip generation rates for spa suites typical to the project analyzed in this study. Subsequently, we used daily operations to estimate the daily, AM and PM

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peak hour trip generation for the spa suites based on information provided by the client. It is estimated that 95% of the spa guests will consist of hotel residents (existing trips) and 5% of public (new trips). Using this information, a worst-case scenario (fully occupied spa) is used for the spa trip generation and to determine the additional parking that would be required.

Assumptions:

- * The spa opens for customers at 9:00 AM and closes at 9:00 PM.
- * All spa suites are occupied (6 suites, 12 beds).
- * Short-term use (2.5 to 3 hours) will have the highest trip generation.
- * Credit is taken for hotel guests that would use the spa facility.
- * No additional cleaning staff will be required for the spa since existing hotel cleaning staff will service the spa.
- * One masseuse per unit is assumed and one new administrative staff for the spa suites is assumed. During peak times a staff member from the hotel will be used at the spa facility to assist the new staff member. The masseuses will also assist the staff member with client reception. Thus, 7 new staff members (6 masseuses and 1 administrative) will travel to the spa.
- * Administrative staff departures at 5 PM and other staff after closure.
- * One delivery is estimated during the off-peak periods.

The following table indicates the new trips that would be generated to and from the spa.

<u>Time</u>	<u>Inbound Trips</u>	<u>Outbound Trips</u>
7:30-8:30 AM	7 staff	-
8:30-9:00 AM	12x0.05=1 guest	-
9:00-11:00 AM	1 delivery	1 delivery
11:00-11:59 AM	12x0.05=1 guest	12x0.05=1 guest
2:00-3:00 PM	12x0.05=1 guest	12x0.05=1 guest
5:00-6:00 PM	12x0.05=1 guest	12x0.05=1 guest, 1 staff
6:00-9:00 PM	-	12x0.05=1 guest, 6 staff
Total	12 trips	12 trips

Addition of a Yoga Facility:

It is also proposed to add a yoga facility that can accommodate between 6 and 8 attendees with one instructor. It is expected that there will be four classes per day between 8 AM and 6 PM. The classes will be approximately 1 hour long. It is estimated that 95% of the yoga guests will consist of hotel residents (existing trips) and 5% of public (new trips). The administrative staff for the spa facility will also manage the yoga facility. The following table indicates the estimated trip generation for the yoga facility.

<u>Time</u>	<u>Inbound Trips</u>	<u>Outbound Trips</u>
7:30-8:00 AM	8x0.05=1 guest, 1 staff	-
8:00-9:00 AM (Class)	-	-
9:00-10:00 AM	8x0.05=1 guest	8x0.05=1 guest
10:00-11:00 AM (Class)	-	-
11:00 AM - 2:00 PM	8x0.05=1 guest	8x0.05=1 guest
2:00-3:00 PM (Class)	-	-
3:00 - 4:00 PM	8x0.05=1 guest	8x0.05=1 guest
4:00 - 5:00 PM (Class)	-	-
5:00 - 6:00 PM	-	8x0.05=1 guest, 1 staff
Total:	5 trips	3 trips

Thus, the total net increase in daily trip generation for the spa and yoga facility is estimated at 34 trips (17 inbound and 17 outbound). During the AM peak hour (7:30 - 8:30) the spa would generate 7 inbound trips and the yoga facility 2 inbound trips and no outbound trips. During the PM peak hour (5:00 - 6:00) the spa would generate 1 inbound trip and 2 outbound trips. The yoga facility would generate 2 outbound trips only and no inbound trips. With average conditions (when the spa and the yoga facility not fully occupied), the trip generation will be less.

Summary of New Trip Generation:

The following table is a summary of the trip generation for the proposed addition of the spa and yoga facility.

Facility	Daily Trips	AM Peak Hour Trips		PM Peak Hour Trips	
		Inbound	Outbound	Inbound	Outbound
Spa	24	7	0	1	2
Yoga	10	2	0	0	2
Total	34	9	0	1	4

3. PARKING

Spa Suites:

To estimate the required additional parking demand for the spa suites, the following assumptions are made. These assumptions are based on the trip generation and would thus present a worst-case scenario:

Ms. Miriam Schakat

September 13, 2006

Page 4

Assumptions:

- Parking is only required for new staff and non-hotel guests, or 5% of the daily visitors to the spa.
- Short-term use (2.5 hours) of the spa will generate the highest parking demand due to a higher turnover and subsequent overlap of parking demand. An overlap factor of 1.75 is assumed.
- Credit is taken for hotel guests that would park somewhere else on the site.
- No additional cleaning staff will be required for the spa since existing hotel cleaning staff will service the spa.
- One masseuse per unit is assumed and one administrative staff for the spa suites. Thus, staff parking demand is seven spaces.

Parking demand:

Spa Guests (non-hotel):	1 Spa bed = 1 x 1.75 = 2 parking spaces
Staff:	7 parking spaces
Total:	9 parking spaces

Yoga Facility:

To estimate the required additional parking demand for the yoga facility, the following assumptions are made. These assumptions are based on the trip generation and would thus present a worst-case scenario:

Assumptions:

- Parking is only required for new staff and non-hotel guests, or 5% of the daily visitors to the spa.
- Even though classes may be staggered through out the day, class times could be consecutive, which would result in an overlap for parking demand. An overlap factor of 1.75 is assumed.
- Credit is taken for hotel guests that would park somewhere else on the site.
- No additional cleaning staff will be required for the yoga facility since existing hotel cleaning staff will service the spa.
- The yoga facility will have one trainer. The spa administrative staff will also manage the yoga facility reception. Thus, staff parking demand is one space.

Ms. Miriam Schakat
September 13, 2006
Page 5

Parking demand:

Yoga Guests (non-hotel):	1 Guest = $1 \times 1.75 = 2$ parking spaces
Staff:	<u>1 parking space</u>
Total:	3 parking spaces

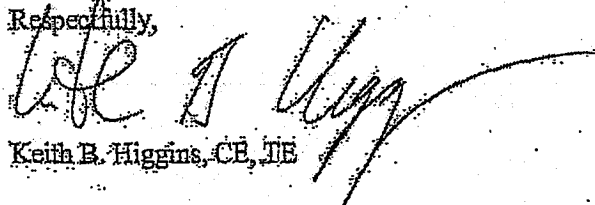
Summary of Parking Demand:

No additional parking would be required for the title changes for the 144 hotel units, since the units would continue to be used as a hotel/resort facility. The addition of the spa would generate an additional parking demand of 9 spaces. The yoga facility would generate a demand for an additional 3 spaces. Thus the addition of the spa and the yoga facility would require 12 additional parking spaces.

It is planned to construct approximately 20 new parking spaces at the existing maintenance yard on the site. Hotel staff will park at this location and be shuttled to and from the main hotel building. Plans for the additional parking provision will be submitted with the application for the building permit. The addition of the spa and the yoga room will result in demand for an additional 12 parking spaces and 20 additional spaces will be provided, thus the parking requirements for the new facility is met.

If you have any questions regarding this report, please do not hesitate to contact Frederik Venter or me.

Respectfully,


Keith B. Higgins, CE, IE

kbh:aem/mim/mtr

APPENDIX B
LEVEL OF SERVICE WORKSHEETS

HCM Unsignalized Intersection Capacity Analysis
 3: EB Off & Robinson Canyon

AM
 9/20/2006

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations	1	1	1	1	1	1
Sign Control	Stop			Free	Free	
Grade	0%			0%	0%	
Volume (veh/h)	0	145	0	24	65	0
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (veh/h)	0	158	0	26	71	0
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type	None					
Median storage (veh)						
vC, conflicting volume	97	71	71			
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
tC, single (s)	6.4	6.2	4.1			
tC, 2 stage (s)						
tF (s)	3.5	3.3	2.2			
p0 queue free %	100	84	100			
cM capacity (veh/h)	903	992	1530			

Direction, Lane #	EB 1	NB 1	SB 1
Volume Total	158	26	71
Volume Left	0	0	0
Volume Right	158	0	0
cSH	992	1530	1700
Volume to Capacity	0.16	0.00	0.04
Queue Length (ft)	14	0	0
Control Delay (s)	9.3	0.0	0.0
Lane LOS	A		
Approach Delay (s)	9.3	0.0	0.0
Approach LOS	A		

Intersection Summary			
Average Delay		5.8	
Intersection Capacity Utilization	20.1%		ICU Level of Service
			A

HCM Unsignalized Intersection Capacity Analysis
 3: EB-Off & Robinson Canyon

PM
 9/20/2006

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations	←	←	←	↑	↓	↘
Sign Control	Stop			Free	Free	
Grade	0%			0%	0%	
Volume (veh/h)	0	130	0	68	27	0
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (veh/h)	0	141	0	68	27	0
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type	None					
Median storage (veh)						
VC, conflicting volume	96	27	27			
VC1, stage 1 conf vol						
VC2, stage 2 conf vol						
IC, single (s)	6.4	6.2	4.1			
IC, 2-stage (s)						
IF (s)	3.5	3.3	2.2			
p0 queue free %	100	87	100			
CM capacity (veh/h)	904	1048	1587			

Direction, Lane #	EB 1	NB 1	SB 1
Volume Total	141	68	27
Volume Left	0	0	0
Volume Right	141	0	0
cSH	1048	1587	1700
Volume to Capacity	0.13	0.00	0.02
Queue Length (ft)	12	0	0
Control Delay (s)	9.0	0.0	0.0
Lane LOS	A		
Approach Delay (s)	9.0	0.0	0.0
Approach LOS	A		

Intersection Summary

Average Delay	5.3
Intersection Capacity Utilization	19.0%
ICU Level of Service	A



HIGGINS ASSOCIATES

CIVIL & TRAFFIC ENGINEERS

September 20, 2006

Ms. Miriam Schakat, Esq.
Lombardo & Gilles, PC
318 Cayuga Street
Salinas 93902

Re: Carmel Valley Ranch Hotel Spa and Yoga Facility: Traffic Impact Study

Dear Ms. Schakat,

Thank you for requesting Higgins Associates to prepare a traffic impact study for the proposed changes to the Carmel Valley Ranch Hotel, located in Carmel Valley, Monterey County, California. The purpose of the study is to determine the project's potential traffic impacts and traffic impact fee contributions based on recommended changes to the existing facility. The changes include:

- A conversion of the hotel units into individual ownership units.
- The addition of a spa and yoga facility.

A trip generation parking and assessment for the recommended changes have been submitted in our letter report dated September 13, 2006, attached in Appendix A. A location map of the Carmel Valley Ranch is included in Exhibit 1.

Hotel Conversion

It is proposed to convert 144 units of the hotel into individual ownership units. Of the 144 units, 142 are one-bedroom units and two are two-bedroom units. After title has changed, the units will still be rented out as resort/hotel units and no floor plan layout of the units will be modified. Also, no units will be occupied by only one guest or owner. The change in ownership is not expected to change the trip generation or parking characteristics; as such, we conclude that there will be no additional trips generated or changes in parking demand for the 144 units.

Spa and Yoga Addition

It is proposed to construct six spa suites and a yoga facility of 4,956 square feet at the main lodge. The attached site plan (Exhibit 2) indicates the proposed layout of the six suites and the yoga room.

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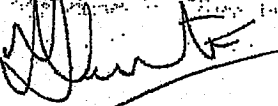
Ms. Miriam Schakat
September 13, 2006
Page 2

Carmel Valley Master Plan TIF: (\$5,397 per 1,000 sq. ft.)	\$ 26,748
TAMC Development Fee (\$5,326 per 1,000 sq. ft.)	\$ 26,396
SR1-reimbursement fee: (\$598 per 1,000 sq. ft.)	<u>\$ 2,960</u>
Total Project Traffic Fee Contribution	<u>\$ 56,104</u>


The SR 1 reimbursement fee is currently \$740 per residential dwelling unit or \$740 per PM peak hour trip. The project generates 4 PM peak hour trips and is 4,956 square feet. Thus the fee per thousand square feet is calculated as $\$740 \times 4 / 4.956 = \598 per 1,000 sq. ft.

If you have any questions regarding this report, please do not hesitate to contact Frederik Venter or me.

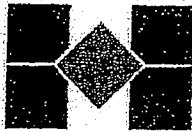
Respectfully,



Keith B. Higgins, CE, TE



kbh:aem/mmm/mtr



HIGGINS ASSOCIATES

CIVIL & TRAFFIC ENGINEERS

September 13, 2006

Ms. Miriam Schakat, Esq.
Lombardo & Gilles, PC
318 Cayuga Street
Salinas 93902

Re: Carmel Valley Ranch Hotel Trip Generation and Parking Assessment

Dear Ms. Schakat,

Thank you for requesting Higgins Associates to prepare a trip generation parking evaluation of the proposed changes to the Carmel Valley Ranch, located in Carmel Valley, Monterey County, California. The purpose of the study is to determine the project's potential trip generation and parking impacts based on recommended changes to the existing facility. The changes include:

- A conversion of the hotel units into individual ownership units.
- The addition of a spa and yoga facility.

The traffic study also evaluates future parking requirements for the proposed spa and yoga facility.

1. UNIT TITLE CHANGE

It is proposed to convert 144 units of the hotel into individual ownership units. Of the 144 units, 142 are one-bedroom units and two are two-bedroom units. After title has changed, the units will still be rented out as resort/hotel units and no floor plan layout of the units will be modified. Also, no units will be occupied by only one guest or owner. The change in ownership is not expected to change the trip generation or parking characteristics and as such, we conclude that there will be no additional trips generated or change in the parking demand for the 144 units.

It is proposed to add recreational facilities to the hotel (a spa and yoga facility) of the Carmel Valley Ranch Hotel, which will generate additional daily trips and parking demand.

2. TRIP GENERATION

Addition of Spa Suites:

It is proposed to construct six spa suites at the main lodge. The attached site plan (**Exhibit 1**) indicates the proposed layout of the six suites. Each suite will have two beds. The Institute of Transportation Engineers does not have trip generation rates for spa suites typical to the project analyzed in this study. Subsequently, we used daily operations to estimate the daily, AM and PM

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peak hour trip generation for the spa suites based on information provided by the client. It is estimated that 95% of the spa guests will consist of hotel residents (existing trips) and 5% of public (new trips). Using this information, a worst-case scenario (fully occupied spa) is used for the spa trip generation and to determine the additional parking that would be required.

Assumptions:

- The spa opens for customers at 9:00 AM and closes at 9:00 PM
- All spa suites are occupied (6 suites, 12 beds).
- Short-term use (2.5 to 3 hours) will have the highest trip generation.
- Credit is taken for hotel guests that would use the spa facility.
- No additional cleaning staff will be required for the spa since existing hotel cleaning staff will service the spa.
- One masseuse per unit is assumed and one new administrative staff for the spa suites is assumed. During peak times a staff member from the hotel will be used at the spa facility to assist the new staff member. The masseuses will also assist the staff member with client reception. Thus, 7 new staff members (6 masseuses and 1 administrative) will travel to the spa.
- Administrative staff departures at 5 PM and other staff after closure.
- One delivery is estimated during the off-peak periods.

The following table indicates the new trips that would be generated to and from the spa:

<u>Time</u>	<u>Inbound Trips</u>	<u>Outbound Trips</u>
7:30-8:30 AM	7 staff	
8:30-9:00 AM	12x0.05=1 guest	
9:00-11:00 AM	1 delivery	1 delivery
11:00-11:59 AM	12x0.05=1 guest	12x0.05=1 guest
2:00 - 3:00 PM	12x0.05=1 guest	12x0.05=1 guest
5:00 - 6:00 PM	12x0.05=1 guest	12x0.05=1 guest, 1 staff
6:00 - 9:00 PM		12x0.05=1 guest, 6 staff
Total	12 trips	12 trips

Addition of a Yoga Facility:

It is also proposed to add a yoga facility that can accommodate between 6 and 8 attendees with one instructor. It is expected that there will be four classes per day between 8 AM and 6 PM. The classes will be approximately 1 hour long. It is estimated that 95% of the yoga guests will consist of hotel residents (existing trips) and 5% of public (new trips). The administrative staff for the spa facility will also manage the yoga facility. The following table indicates the estimated trip generation for the yoga facility.

<u>Time</u>	<u>Inbound Trips</u>	<u>Outbound Trips</u>
7:30-8:00 AM	8x0.05=1 guest, 1 staff	-
8:00-9:00 AM (Class)	-	-
9:00 - 10:00 AM	8x0.05=1 guest	8x0.05=1 guest
10:00-11:00 AM (Class)	-	-
11:00 AM - 2:00 PM	8x0.05=1 guest	8x0.05=1 guest
2:00-3:00 PM (Class)	-	-
3:00 - 4:00 PM	8x0.05=1 guest	8x0.05=1 guest
4:00 - 5:00 PM (Class)	-	-
5:00 - 6:00 PM	-	8x0.05=1 guest, 1 staff
Total	5 trips	5 trips

Thus, the total net increase in daily trip generation for the spa and yoga facility is estimated at 34 trips (17 inbound and 17 outbound). During the AM peak hour (7:30 - 8:30) the spa would generate 7 inbound trips and the yoga facility 2 inbound trips and no outbound trips. During the PM peak hour (5:00 - 6:00) the spa would generate 1 inbound trip and 2 outbound trips. The yoga facility would generate 2 outbound trips only and no inbound trips. With average conditions (when the spa and the yoga facility not fully occupied), the trip generation will be less.

Summary of New Trip Generation:

The following table is a summary of the trip generation for the proposed addition of the spa and yoga facility.

Facility	Daily Trips	AM Peak Hour Trips		PM Peak Hour Trips	
		Inbound	Outbound	Inbound	Outbound
Spa	24	7	0	1	2
Yoga	10	2	0	0	2
Total	34	9	0	1	4

3. PARKING

Spa Suites:

To estimate the required additional parking demand for the spa suites, the following assumptions are made. These assumptions are based on the trip generation and would thus present a worst-case scenario:

Assumptions:

- Parking is only required for new staff and non-hotel guests, or 5% of the daily visitors to the spa.
- Short-term use (2.5 hours) of the spa will generate the highest parking demand due to a higher turnover and subsequent overlap of parking demand. An overlap factor of 1.75 is assumed.
- Credit is taken for hotel guests that would park somewhere else on the site.
- No additional cleaning staff will be required for the spa since existing hotel cleaning staff will service the spa.
- One masseuse per unit is assumed and one administrative staff for the spa suites. Thus, staff-parking demand is seven spaces.

Parking demand:

Spa Guests (non-hotel):	1 Spa bed = 1 x 1.75 = 2 parking spaces
Staff:	7 parking spaces
Total:	9 parking spaces

Yoga Facility:

To estimate the required additional parking demand for the yoga facility, the following assumptions are made. These assumptions are based on the trip generation and would thus present a worst-case scenario:

Assumptions:

- Parking is only required for new staff and non-hotel guests, or 5% of the daily visitors to the spa.
- Even though classes may be staggered through out the day, class times could be consecutive, which would result in an overlap for parking demand. An overlap factor of 1.75 is assumed.
- Credit is taken for hotel guests that would park somewhere else on the site.
- No additional cleaning staff will be required for the yoga facility since existing hotel cleaning staff will service the spa.
- The yoga facility will have one trainer. The spa administrative staff will also manage the yoga facility reception. Thus, staff-parking demand is one space.

Ms. Miriam Schakat
September 13, 2006
Page 5

Parking demand:

Yoga Guests (non-hotel):	1 Guest = 1 x 1.75 = 2 parking spaces
Staff:	<u>1 parking space</u>
Total:	3 parking spaces

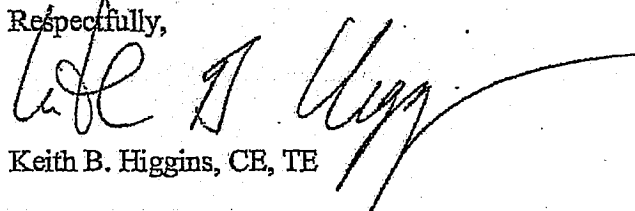
Summary of Parking Demand:

No additional parking would be required for the title changes for the 144 hotel units, since the units would continue to be used as a hotel/resort facility. The addition of the spa would generate an additional parking demand of 9 spaces. The yoga facility would generate a demand for an additional 3 spaces. Thus the addition of the spa and the yoga facility would require 12 additional parking spaces.

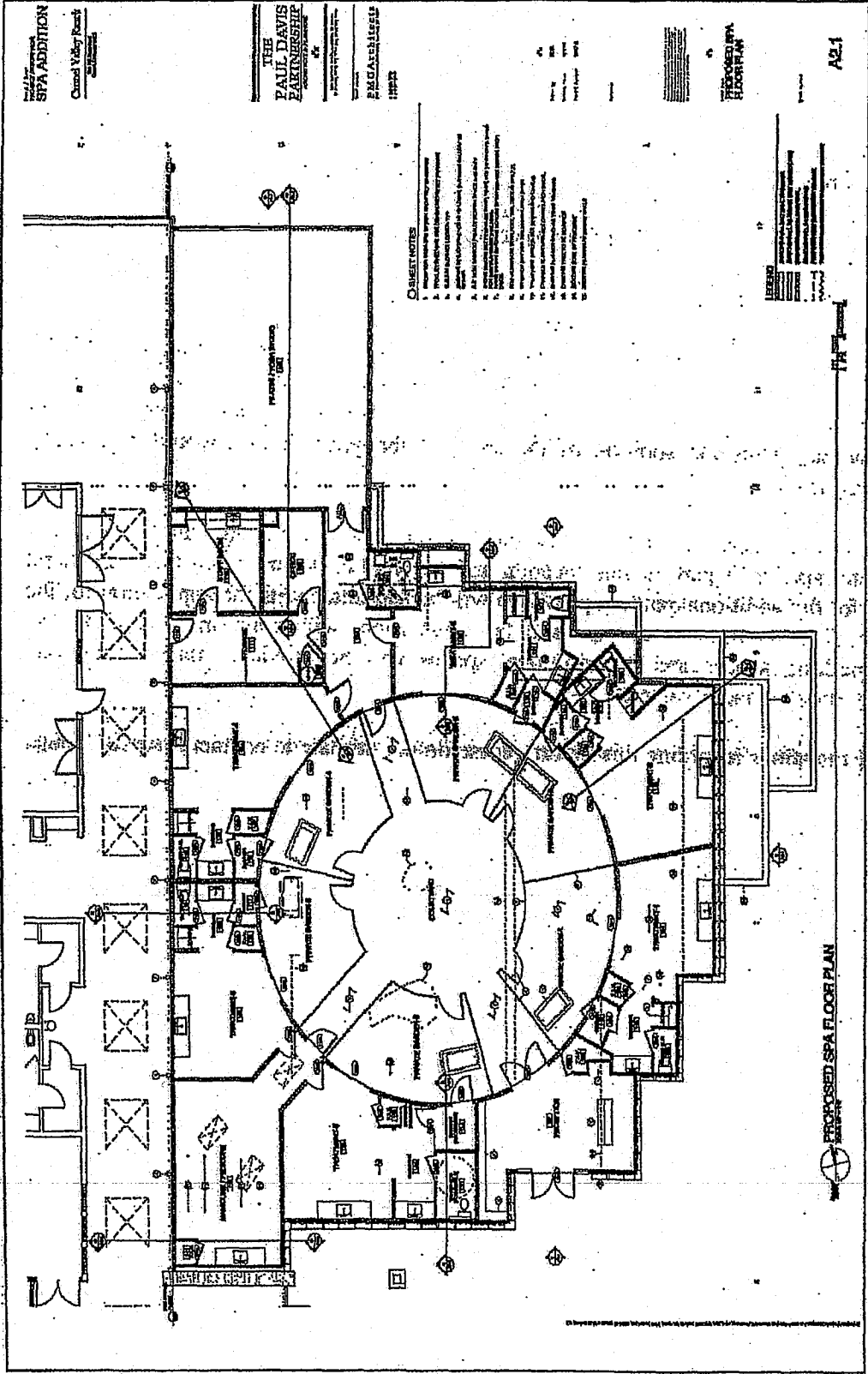
It is planned to construct approximately 20 new parking spaces at the existing maintenance yard on the site. Hotel staff will park at this location and be shuttled to and from the main hotel building. Plans for the additional parking provision will be submitted with the application for the building permit. The addition of the spa and the yoga room will result in demand for an additional 12 parking spaces and 20 additional spaces will be provided, thus the parking requirements for the new facility is met.

If you have any questions regarding this report, please do not hesitate to contact Frederik Venter or me.

Respectfully,


Keith B. Higgins, CE, TE

kbh:aem/mm/mtr



THE
 SPA ADDITION
 Canal Valley Road
 ...

THE
 PAUL DAVIS
 PARTNERSHIP
 ...

P.O. ARCHITECTS
 ...

- CLARIFYING NOTES**
1. All work shall be in accordance with the approved plans and specifications.
 2. All materials shall be of the highest quality and shall be approved by the architect.
 3. All work shall be completed within the specified time frame.
 4. All work shall be done in accordance with the applicable building codes and regulations.
 5. All work shall be done in accordance with the applicable safety regulations.
 6. All work shall be done in accordance with the applicable environmental regulations.
 7. All work shall be done in accordance with the applicable fire safety regulations.
 8. All work shall be done in accordance with the applicable accessibility regulations.
 9. All work shall be done in accordance with the applicable energy efficiency regulations.
 10. All work shall be done in accordance with the applicable sustainability regulations.

PROPOSED SPA FLOOR PLAN
 ...

AS-1

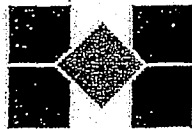
PROPOSED SPA FLOOR PLAN

EXHIBIT 1

S:\038_ Exhibits\ids
 Sheet1

Higgins Associates

16812AA



HIGGINS ASSOCIATES

CIVIL & TRAFFIC ENGINEERS

RECEIVED

APR 24 2006

April 21, 2006

Ms. Miriam Schakat, Esq.
Lombardo & Gilles, PC
318 Cayuga Street
Salinas 93902

Re: Carmel Valley Ranch Hotel Trip Generation

Dear Ms. Schakat,

Thank you for requesting Higgins Associates to perform a traffic engineering study for the proposed subdivision changes to the Carmel Valley Ranch Hotel, located in Carmel Valley, Monterey County, California. The purpose of the study is to determine the project's potential trip generation.

Unit Title Change

It is proposed to convert 144 units of the hotel into full ownership units. Of the 144 units, 142 are one-bedroom units and two are two-bedroom units. After title has changed, the units will still be rented out as resort/hotel units and no floor plan layout of the units will be modified. Also, no units will be occupied by only one guest or owner. The change in ownership is not expected to change the trip generation or parking characteristics and as such we conclude that there will be no additional trips generated or change in the parking demand for the 144 units.

No additional parking would be required for the title changes for the 144 hotel units, since the units would continue to be used as hotel/resort facilities.

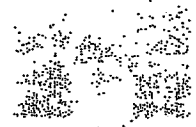
If you have any questions regarding this report, please do not hesitate to contact me.

Respectfully,

Keith B. Higgins, CE, TE

kbh:jb/aem/mmm

RECEIVED
MAY 23 2006
MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.



RECEIVED

MAY 23 2006

MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

April 21, 2006

Ms. Miriam Schakat, Esq.
Lombardo & Gilles, PC
318 Cayuga Street
Salinas 93902

Re: Carmel Valley Ranch Hotel Spa Trip Generation

Dear Ms. Schakat,

Thank you for requesting Higgins Associates to perform a traffic engineering study for the proposed addition of a spa to the Carmel Valley Ranch, located in Carmel Valley, Monterey County, California. The purpose of the study is to determine the project's potential trip generation.

Addition of Spa Suites

It is also proposed to construct six spa suites at the main lodge. Each suite will have two beds. The Institute of Transportation Engineers does not have trip generation rates for Spa Suites typical to the project analyzed in this study. Subsequently, we used daily operations (worst case) to estimate the daily AM and PM peak hour trip generation for the spa suites based on information provided by the client. It is estimated that 95% of the Spa guests will consist of hotel residents (existing trips) and 5% of public (new trips). Using this information, a worst case scenario is calculated for the Spa trip generation.

Assumptions:

- The spa opens for customers at 9:00 AM and closes at 9:00 PM
- All spa suites are occupied (6 suites, 12 beds).
- Short term use (2.5 to 3 hours) will generate the highest trip generation.
- No credit is taken for hotel guests that would use the spa facility.
- No additional cleaning staff will be required for the spa since existing hotel cleaning staff will service the spa.
- One masseuse per unit is assumed and four administrative staff for the spa suites is assumed. Thus, 10 staff members will travel to the spa.
- Administrative staff departures at 5 PM
- Two deliveries are estimated during the off-peak periods

The following table indicates the additional trips that would be generated to the spa.

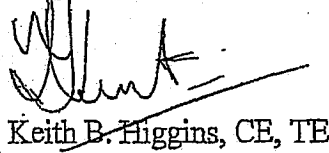
Ms. Miriam Schakat
April 21, 2006
Page 2

<u>Time</u>	<u>Inbound Trips</u>	<u>Outbound Trips</u>
7:30-8:30 AM	10 staff	-
8:30-9:00 AM	12x0.05=1 guest	-
9:00-11:00 AM	2 deliveries	2 deliveries
11:00-11:59 AM	12x0.05=1 guest	12x0.05=1 guest
2:00 - 3:00 PM	12x0.05=1 guest	12x0.05=1 guest
5:00 - 6:00 PM	12x0.05=1 guest	12x0.05=1 guest, 2 staff
6:00 - 9:00 PM	-	12x0.05=1 guest, 8 staff
Total	16 trips	16 trips

Thus, the total net increase in daily trip generation for the spa is estimated at 32 trips. During the AM peak hour the spa would generate 10 inbound trips and no outbound trips. During the PM peak hour the spa would generate one inbound trip and three outbound trips. This is a worst case scenario. With average conditions (when the spa not fully occupied), the trip generation will be less.

If you have any questions regarding this report, please do not hesitate to contact me.

Respectfully,



Keith B. Higgins, CE, TE

kbh:jb/aem/mmm

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MAY 23 2006

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PLANNING & BUILDING
INSPECTION DEPT.

EXHIBIT I

TREE PROTECTION MEASURES

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MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

Forest City Consulting
Matt Horowitz
PMB # 305
225 Crossroads Boulevard
Carmel, CA 93923
831-464-9302

Tree protection measures for spa construction

The proposed spa construction/expansion near the lodge at Carmel Valley Ranch is located near and under the dripline of several protected oaks, some of which qualify as landmark trees due to their size (24 inches or larger measured at two feet above grade D2'). Please refer to image 1 to view this area.

These trees will require certain measures to protect them during construction. Soil compaction caused by heavy equipment (backhoes, bobcats, etc.) can permanently impact critical root zones with just one pass over the soil. In order to reduce or eliminate this compaction the following steps should be taken:

Tree protection fencing should follow the driplines or critical root zones of all trees whenever possible.

The critical root zone area shall be defined as the area under the dripline of the tree or, if the tree has an asymmetrical crown, the distance from the trunk equal to 1 foot per inch of stem diameter measured at 4.5 feet above grade (DBH). Example: a tree with a DBH of 7 inches would have a critical root zone up to 7 feet away from its trunk.

All proposed improvements should use post and pier construction when located in the critical root zone. Any soil compaction needed should be kept to a minimum and never exceed 85%. Excavation for any caisson holes should be hand dug to a depth no less than 30 inches. If roots are encountered that are larger than 1 inch in diameter the hole should be moved 1 or 2 feet to the side to avoid necessitating severing the root. After the initial hole has been hand dug, heavy equipment can be used to finish drilling the hole PROVIDED that sterile straw should be placed to a depth between 4 to 6 inches then covered with plywood to distribute the weight of the equipment and protect root structures of nearby trees.

Heavy equipment including backhoes and bobcats should be kept off paved surfaces to the extent possible. If heavy equipment must be used on a paved area, sterile straw should be placed to a depth between 4 to 6 inches then covered with plywood to distribute the weight of the equipment and protect root structures of nearby trees. Heavy equipment should not be operated in the critical root zones whenever possible.

When working in critical root zones with heavy equipment, tree trunks should be wrapped with boards to protect the trunks from inadvertent damage.

Excavation in the critical root zones 4 inches or deeper should be hand dug. A trench 12 inches wide by 30 inches deep should be dug along the edge of any proposed excavation greater than 4 inches deep. No roots larger than 1 inch in diameter should be cut during this excavation. An arborist or forester should examine the roots and trench before any larger roots are severed. All roots in this trench should be photographed.

It is strongly recommended that all construction personal be given a copy of this report and document their understanding of the provisions contained by signing an agreement to abide by said provisions.



Image 1 – proposed expansion area for spa.

This image shows the area of the spa proposed for expansion. No heavy equipment should be allowed in this area unless the root zones are first protected with straw and plywood as described above. Holes should be hand dug to a depth of 30 inches to ensure no major roots are being severed.

Matt Horowitz

Matt Horowitz
ISA Certified Arborist #WE3163AU

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**MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.**

EXHIBIT J

PARKING ANALYSIS

**Carmel Valley Ranch Resort
Parking Analysis**

November 23, 2009

Carmel Valley Ranch is a mixed use development consisting of residential, recreational, and the visitor serving facilities of the Carmel Valley Ranch Resort. Parking requirements for Carmel Valley Ranch are subject to the regulations in Title 21. The following analysis addresses the existing and required parking provisions for the Lodge, the Golf Course, and the Tennis Activity Center; as well as for parking for the proposed improvements at the Lodge and at the Tennis Activity Center.

Part I:

Facilities at the Lodge include hotel units, meeting room/meeting room addition, the restaurant/lounge, lobby check-in, a small gift shop area, a pool, and the proposed spa treatment building:

<u>Breakdown:</u>	<u>Existing</u>	<u>New</u>
Hotel Units:	144 units	139 units
Restaurant:	141 seats	141 seats
Meeting Room:	4092 sq. ft.	6677 sq. ft.
Spa Building:	4056 sq. ft.	4410 sq. ft.

Existing parking = 205 spaces + 75 valet spaces = 280 spaces

Parking requirements:

Hotel, Meeting Rooms, and Restaurant:	139 spaces
Employees (maximum shift = 75):	50 spaces
Spa Treatment: (employee max. shift = 14: = 9 staff parking + 2 public/ See Higgins public analysis)	<u>11 spaces</u>
	200 spaces

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**MONTEREY COUNTY
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INSPECTION DEPT.**

Part II:

Facilities at the Golf Club consist of an 18-hole golf course, a restaurant/clubhouse, and a pro shop.

<u>Breakdown:</u>	<u>Existing</u>	<u>New</u>
Golf:	18 hole course	no change
Restaurant:	149 seats	no change

Existing parking = 85 spaces

Parking requirements:

Golf Clubhouse (18 holes @ 4):	<u>72 spaces</u>
	72 spaces

Part III:

Facilities at the Lower Tennis Center include tennis courts, pools, a pro shop, a café, and a proposed fitness building:

<u>Breakdown:</u>	<u>Existing</u>	<u>New</u>
Tennis Courts:	12 courts	10 courts
Café:	24 seats	24 seats
Fitness Building:	560 sq. ft.	5280 sq. ft.
Dressing Rooms:	2264 sq. ft.	1720 sq. ft.
Pro Shop:	908 sq. ft.	480 sq. ft.
Pool:	980 sq. ft.	3220 sq. ft.

Existing parking = 155 spaces

Parking requirements:

Tennis Courts (2 per court): 20 spaces

Fitness Building (1 per 50 sq.ft.) 105 spaces

Pool (1 per 100 sq. ft.) 32 spaces

157 spaces

EXHIBIT K

MPWMD – DOCUMENTATION OF WATER USE (JANUARY 2009)



**MONTEREY PENINSULA
WATER MANAGEMENT DISTRICT**

5 HARRIS COURT, BLDG. G
POST OFFICE BOX 85
MONTEREY, CA 93942-0085 • (831) 658-5601
FAX (831) 644-9560 • <http://www.mpwmd.dst.ca.us>

January 3, 2009

Wind Hotels Holdings Inc.
dba Carmel Valley Ranch
Attn: David Clark
1 Old Ranch Road
Carmel, CA 93923

**Subject: Documentation of Water Use Credit - Carmel Valley Ranch, 1 Old Ranch Road, Carmel
APN'S: 416-522-010 & 416-592-023**

Dear Mr. Clark:

In accordance with MPWMD Rule 25.5, the following Water Use Credit has been verified to be current as of this date at the site referenced above:

- **Credit for installation and permanent use of real time ET weather based irrigation controller serving all areas. Landscaping as per landscape plan dated September 12, 2006, using plants with species coefficient no greater than 2.0 and meeting all conditions stated in District letter of October 19, 2006. Proper design, installation and maintenance of new irrigation system with dedicated water meters, 6.158 acre feet of water.**

This Water Use Credit may be applied to future water use on that site at any time within a period of 60 months from November 25, 2007. After the 60th month, renewal of the Water Use Credit will be allowed only upon proof that some or all water savings represented by the credit are current. If savings are not current, a pro-rata reduction will occur. A single renewal period of 60 months is allowed; thereafter any unused Water Use Credit expires.

The Water Use Credit shown in this letter is a final determination of the Water District's General Manager. Final determinations of the General Manager may be appealed to the District Board within twenty-one (21) days after any such determination pursuant to District Rule 70. For information about the appeal process, contact the District office.

This letter should be presented to the Water Management District to utilize the credit. At such time as this Water Use Credit is applied to a water permit, one or more deed restrictions may be required to ensure permanent savings from the Water Use Credit.

Sincerely,

Michael Boles
Conservation Representative

Enclosure: District October 19, 2006 Letter

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EXHIBIT L

MPWMD – DOCUMENTATION OF WATER USE (NOVEMBER 2009)



**MONTEREY PENINSULA
WATER MANAGEMENT DISTRICT**

5 HARRIS COURT, BLDG. G
POST OFFICE BOX 85
MONTEREY, CA 93942-0085 • (831) 658-5601
FAX (831) 644-9560 • <http://www.mpwmd.dsf.ca.us>

November 24, 2009

CVR HSGE LLC
dba Carmel Valley Ranch
Attn: Gail Hattercrawfort
318 Cayuga Street
Salinas, CA 93901

**Subject: Documentation of Water Use Credit - Carmel Valley Ranch, 1 Old Ranch Road, Carmel
APN'S: 416-522-010 & 416-592-023**

Dear Ms. Hattercrawfort:

In accordance with MPWMD Rule 25.5, the following Water Use Credit has been verified to be current as of this date at the site referenced above:

- **Credit for installation and permanent use of real time ET weather based irrigation controller serving all areas. Landscaping as per landscape plan dated September 12, 2006, using plants with species coefficient no greater than 2.0 and meeting all conditions stated in District letter of October 19, 2006. Proper design, installation and maintenance of new irrigation system with dedicated water meters, 6.158 acre feet of water.**

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This letter should be presented to the Water Management District to utilize the credit. At such time as this Water Use Credit is applied to a water permit, one or more deed restrictions may be required to ensure permanent savings from the Water Use Credit.

Sincerely,

Michael Boles

Michael Boles
Conservation Representative

EXHIBIT M

CARMEL VALLEY RANCH
RESORT VICINITY MAP

Carmel Valley Ranch Ownership



pa

Exhibit
M

