



NEW MONTEREY

Neighborhood ASSOCIATION

P. O. Box 2642 Monterey, CA 93942

January 15, 2018

RE: Appeal of 860 Wave Street; Use Permit 17-0428 for a Commercial Recreation and Entertainment Use (Outdoor 18 Hole Miniature Golf Course); Applicant April Montgomery; Owner Cannery Row Company; C-2 Zoning District

City Council
City Hall
Monterey, CA 93940

Dear Mayor Roberson and Members of City Council:

In December, the Planning Commission approved an outdoor 18-hole miniature golf course at 860 Wave Street. The proposal for this use at this location raised a number of concerns which we communicated to the Planning Commission. In our opinion the Use Permit Conditions of Approval fail to adequately address these concerns.

- 1) This proposal shows access to the Recreation Trail at the place that customers will stand in line to begin play. It has been city policy to restrict commercial access onto the Recreation Trail as long as there has been a Recreation Trail. The volume of pedestrian and surrey traffic and speed of bicycles in this area of the Recreation Trail makes business access a danger for all users. Even an exit at this location puts people at risk of collision. Wave Street access is far safer. **The Use Permit should have denied Recreation Trail access.**
- 2) This site has no water. The applicant talked of filling a 55-gallon drum with water from the IMAX spring and transporting it to the site for water to clean up spills, accidents and the like and maintain landscape. **The Use Permit doesn't require water be brought to the site.** There is no requirement to supply water to maintain site cleanliness. (Very 19th-century!)
- 3) There are no restrooms for employees or customers.
 - a. Restrooms at 700 Cannery Row and the city's Parking Garage are two blocks away. It is unclear whether the Parking Garage restrooms are even open until 10 PM. Groups playing 18-holes of golf need restrooms. Without them, people will use Bruce Ariss Way or the yards of neighbors, as occasionally happens now.
 - b. Does OSHA require restrooms for employees within 200' of the work site?
 - c. Apparently there is nothing to prohibit the consumption of alcoholic beverages on site. The applicant is not proposing it, but the Use Permit does not prohibit it for this and future operators. Customers consuming beverages they have brought with them will increase the need for restrooms.
- 4) The Use Permit allows Spring/Summer hours of operation to be 10 AM to 10 PM. Staff recommended, and we support, weekday hours ending at 9 PM. All city parks close before 10 PM. Residents currently see the madding crowds leave by 6 PM. **This will be a significant impact on the residents in this block.**
- 5) Potentially significant excavation will be needed to create holes 3 & 4 and the walkways that serve them very near a prominent cypress tree on-site. It will likely be injured or radically pruned to do what is proposed. The use permit should have at least required tree protection.

- 6) The application provides no structure to shelter employees from rain, fog and wind 12 hours a day. No heat? We wonder about the long-term viability of the enterprise.
- 7) The applicant mentions low-level lighting but nothing of security lighting evenings or after hours. Adding lights to this site will change the character of this block and effect households all the way to the top of the hill as fog diffuses the light. Recreation Trail policy says that business lighting is not to spill over onto the Rec Trail. This issue is not addressed in the Use Permit.
- 8) Plans don't mention fencing along the Rec Trail and Wave Street. It is imperative that errant golf balls be stopped before hitting Rec Trail users and pedestrians on Wave Street.
- 9) The use permit could have required an archaeologist be present during excavation instead of requiring an archaeological report. Everyone knows the area is archaeologically sensitive. A costly **archaeological report was required.**
- 10) Parking Paying for a six-space parking adjustment increases the balance in a parking fund, but provides no parking spaces. The same money paid into a validated parking program for the city lot just uphill or the garage instead would encourage people to park in city facilities. **(This would require amending the Parking Ordinance.)**

By unanimous vote, the board of New Monterey Neighborhood Association supports the appeal and recommends denying the incomplete Use Permit.

Sincerely yours,

Sharon Dwight for the NMNA Board

cf: Hans Uslar, City Manager
Kim Cole, Chief Planner
Christopher Schmidt, Planner
George Molano
Bonnie Adams, CRBID
NMNA Board