



Attachment 4
SAN LUIS OBISPO COUNTY
DEPARTMENT OF PUBLIC WORKS

County Government Center, Room 207 • San Luis Obispo CA 93408 • (805) 781-5252
Fax (805) 781-1229 email address: pwd@co.slo.ca.us

MEMORANDUM

Date: October 22, 2014
To: Schani Siong, Project Planner
From: Frank Honeycutt PE, Development Services
Subject: **Public Works Comments on DRC2014-00022, M & R Investment MUP, Birch Ave, Cayucos, APN 064-112-022 & 023**

Thank you for the opportunity to provide information on the proposed subject project. It has been reviewed by several divisions of Public Works, and this represents our consolidated response.

PUBLIC WORKS REQUESTS THAT AN INFORMATION HOLD BE PLACED ON THIS PROJECT UNTIL THE APPLICANT PROVIDES THE FOLLOWING DOCUMENTS FOR PUBLIC WORKS REVIEW AND COMMENT:

1. In accordance with the Land Use Ordinance, as the project is located in a Stormwater Management (MS4) Area, it is considered a regulated project and required to submit a Stormwater Control Plan Application and Coversheet.

Public Works Comments:

- A. The proposed project triggers Curb Gutter and Sidewalk requirements per 23.05.106. These requirements were waived while processing the previous Land Use Permit and that Waiver is still in force.
- B. The proposed project is within a drainage review area. Drainage plan is required to be prepared by a registered civil engineer.
- C. The project meets the applicability criteria for Stormwater Management. Therefore, the project is required to submit a Stormwater Control Plan Application and Coversheet. The Storm Water Control Plan application and template can be found at:

http://www.slocounty.ca.gov/Assets/PL/Grading+and+Stormwater+Mgmt/new_stormwater/SWCP+Application+Pkg.pdf.

The Post Construction Requirement (PCR) Handbook can be found at:

http://www.slocounty.ca.gov/Assets/PL/Grading+and+Stormwater+Mgmt/new_stormwater/PCR+Handbook+1.1.pdf

Recommended Project Conditions of Approval:

Access and Access Easement

1. **At the time of application for construction permits**, the applicant shall submit plans to the Department of Public Works to secure an Encroachment Permit and post a cash damage bond to install improvements within the public right-of-way in accordance with County Public Improvement Standards. The plan is to include, as applicable:
 - a. Construct or reconstruct the existing site access driveway approach in accordance with County Public Improvement Standard B-1a.
 - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
2. **At the time of application for construction permits**, the applicant shall provide evidence to the Department of Planning and Building that onsite circulation and pavement structural sections have been designed and shall be constructed in conformance with Cal Fire standards and specifications back to the nearest public maintained roadway.
3. **At the time of application for construction permits**, the applicant shall submit a Restrictive Covenant to provide a future easement for access and utilities for Lots 3 and 4, Lot 5 and Lot 6 for review and approval by the County.
4. **Prior to occupancy or final inspection**, the applicant shall provide evidence that the restrictive covenant for access, utilities, and maintenance has been recorded with the County Clerk Recorder's Office.
5. **Prior to final inspection**, the applicant shall provide to the Department of Planning and Building, evidence of a recorded maintenance agreement for Birch Avenue access driveway and "no parking (fire lane) signage" for Lots 3 and 4, Lot 5 and Lot 6. The applicant shall also demonstrate to the Department of Planning and Building that the portion of the access drive is either included within the above maintenance agreement or adequate addressed in another maintenance arrangement.

Erosion and Sedimentation Control and Drainage Plan

6. **Prior to issuance of a construction permit**, the applicant shall submit an Erosion and Sedimentation Control and Drainage Plan to Public Works for review and approval. The plan shall use sediment control measures to protect Little Cayucos Creek. Installation of erosion and sedimentation control devices shall be installed around the perimeter of the construction zone. No flows shall be directed to Cayucos Creek without NPDES permit.

Stormwater Pollution Prevention

7. **At the time of application for construction permits**, the applicant shall demonstrate whether the project is subject to the LUO Section for Stormwater Management. Applicable projects shall submit a Stormwater Control Plan (SWCP) prepared by an appropriately licensed professional to the County for review and approval. The SWCP shall incorporate appropriate BMP's, shall demonstrate compliance with Stormwater Quality Standards and shall include a preliminary drainage plan, a preliminary erosion and sedimentation plan. The applicant shall submit complete drainage calculations for review and approval.

8. **At the time of application for construction permits**, if necessary, the applicant shall submit a draft "Private Stormwater Conveyance Management and Maintenance System" exhibit for review and approval by the County.
9. **Prior to issuance of construction permits**, if necessary, the applicant shall record with the County Clerk the "Private Stormwater Conveyance Management and Maintenance System" to document on-going and permanent storm drainage control, management, treatment, disposal and reporting.



triad/holmes associates

civil engineering
land surveying

mariposa lakes • bishop • redwood city • napa
san luis obispo • phosinton

November 20, 2006

Richard Marshall
San Luis Obispo County - Public Works Department
Government Center
1050 Monterey Street
San Luis Obispo, CA 93408
Via fax (805) 781-1229

Subject: Exemption - Retaining Wall in the Right of Way
Birch Street, Cayucos

Dear Richard:

On behalf of our client, Steve Miller, we would like to request an exemption for the retaining wall in the Birch Street right of way shown on the "Preliminary Grading, Drainage and Utility Plan" prepared for the MUP. An approximate 3-4 foot high retaining wall is necessary to build a hammerhead style fire turnaround.

We looked at the option of grading only, to support the fire turnaround, and a fill slope will not catch. It is not expected that Birch Street will ever be extended to cross the creek. Traffic in this portion of right of way will be minimal since only a handful of residences will be using it to access their lots.

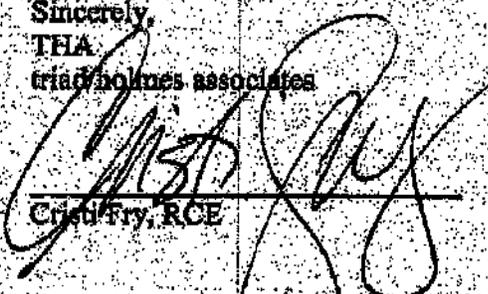
The wall height will be minimized as much as possible (4 feet or less) and will maintain a 20 foot setback from the top of bank. A 6 inch curb and railing will be installed along the top of the retaining wall where the exposed height exceeds 18 inches.

If you have any further questions, please feel free to call.

Sincerely,

THA

triad/holmes associates


Cristl Fry, RCE

Cc: Marsh. Lee - Planning and Building via fax (805) 781-1242
Glenn Marshall - Public Works via fax (805) 781-1229
Steve Miller via fax (805) 772-7734

\\Slova\it\Share\JOBS\11-0021\CORRESPONDENCE\11-20-06 to County-request\11-00215exemption.doc



"Cristi Fry"
<cfry@thainc.com>
11/27/2006 03:13 PM

To <rmarshall@co.slo.ca.us>
cc "Roy Worthen" <rworthen@thainc.com>,
<stevegayla@aol.com>, <mlee@co.slo.ca.us>
bcc
Subject RE: Birch Street, Cayucos

Retaining Wall

Richard,

Thank you very much!

Cristi

Cristi E. Fry, RCE
tha
555 chorro street, suite a
San Luis Obispo, CA 93405

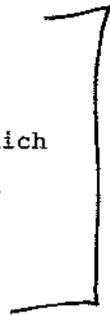
(805)544-8908
(805)544-8932 fax

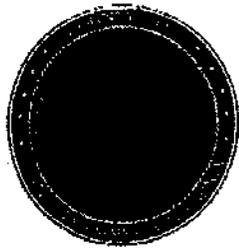
-----Original Message-----

From: rmarshall@co.slo.ca.us [mailto:rmarshall@co.slo.ca.us]
Sent: Monday, November 27, 2006 3:18 PM
To: cfry@thainc.com
Subject: Birch Street, Cayucos

I received your letter of November 20 and have reviewed it with Glenn Marshall of this office. Your request for adjustment to the standard which prohibits retaining walls in road rights-of-way is acceptable. Please proceed with your design process and let me know if you have any further questions.

-Richard Marshall
SLO County Public Works
Development Services Engineer





Jm
SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP
DIRECTOR

November 28, 2006

M & R Investments
PO Box 228
Cayucos, CA 93430

Subject: Anderson Curb, Gutter & Sidewalk Waiver Request DRC2006-00095

Dear Mr. Anderson:

The Planning and Public Works department staff has inspected the site for the subject application. After comparing the characteristics of the site with the waiver in Title 22 or Title 23 of the County Code, staff has determined that your request for waiver can be approved. Staff found that the development of the required street frontage improvements would be incompatible based on the following characteristics of the site and vicinity:

The grade is incompatible because of the creek fronting the property, and there is no community need to complete Birch Avenue between D and E streets, therefore no curb, gutter or sidewalk improvements are needed.

An appeal to the Board of Supervisors of this decision may be filed within 14 calendar days after the date of this notice. The appeal must be filed with the Planning Department using an official appeal form, together with the required filing fee. A time and place for a hearing on the appeal will then be set.

If you have any questions concerning these requirements, please contact me at (805) 788-2351.

Sincerely,

Ryan Hostetter
Ryan Hostetter
Current Planning

cc: County Public Works Department

John MacDonald
2813 Santa Barbara
Cayucos, CA 93430

COUNTY GOVERNMENT CENTER • SAN LUIS OBISPO • CALIFORNIA 93408 • (805) 781-5600

EMAIL: planning@co.slo.ca.us • FAX: (805) 781-1242 • WEBSITE: <http://www.sloplanning.org>



SAN LUIS OBISPO COUNTY DEPARTMENT OF PUBLIC WORKS

Noel King, Director

County Government Center, Room 207 • San Luis Obispo CA 93408 • (805) 781-5252

Fax (805) 781-1229

email address: pwd@co.sio.ca.us

TO: Department of Planning & Building

Date: 11/27/06

FROM: Department of Public Works

SUBJECT: CURB, GUTTER AND SIDEWALK WAIVER RESPONSE

Name: Anderson	Waiver File No. DRC2006-00095
A.P.N. 064-112-020	Project File No. D020030P
Address 61 Birch Ave, Cayucos	Legal Description Lots 3 & 4 Block 3 Town of Cayucos A MB 160

Findings for curb gutter and sidewalk exceptions per LUO Sections 22.54.030d and 23.05.106d:

- 1. Incompatible grade:** Grade is Incompatible (Creek fronts property)
- 2. Incompatible development (drainage and traffic control):** There is no community need to complete Birch Avenue between D and E Streets, therefore no curb, gutter or sidewalk improvements are needed for this project.
- 3. Premature development (bond for future construction):** NA
- 4. Other: Board of Supervisors Modification :** NA.

Public Works recommends approval of this waiver.

By: 
RICHARD MARSHALL
Development Services Engineer

cc: Road File: #4284
CGS file

V:_CGS\Waivers\Cayucos\Anderson.wpd



SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

THIS IS A NEW PROJECT REFERRAL

DATE: 9/19/2014

TO: Cayucos Fire Protection District

FROM: Schani Siong (805-781-4374 or ssiong@co.slo.ca.us)
Coastal Team / Development Review

PROJECT DESCRIPTION: DRC2014-00022 M&R INVESTMENT – Proposed minor use permit to construct three single family residences with road improvements. Site location is Birch Ave, Cayucos. APNs: 064-112-022 and -023

Return this letter with your comments attached no later than: 14 days from receipt of this referral. CACs please respond within 60 days. Thank you.

PART I - IS THE ATTACHED INFORMATION ADEQUATE TO COMPLETE YOUR REVIEW?

- YES (Please go on to PART II.)
- NO (Call me ASAP to discuss what else you need. We have only 10 days in which we must obtain comments from outside agencies.)

PART II - ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

- YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter)
- NO (Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION.

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

no comment

9/25/14
Date

[Signature]
Name Darwin Siong

805-995-3372
Phone

201 CAYUCOS DRIVE
CAYUCOS, CA 93439

Phone 805-995-3372
Fax 805-995-0953



Fax

To: MARSHA LEE (SLO CO. PLANNING) **From:** BILL RADKE

Fax: 781-1242 **Pages:** 2

Phone: 788-2008 **Date:** 9/8/2006

Re: BIRCH ST IMPROVEMENTS **CC:**

M&R INVESTMENTS

For Review

Marsha,

Attached is a copy of a fax sent to John Mac Donald on 7-12-04 sharing our concerns for the development of the Birch St. extension for the proposed construction of 3 single family dwellings.. Those concerns are still valid and consistent with our current requirement. John Mac Donald provided us a site plan dated 08-23-06 that appears to address the road width/turn-around issues. We would like to see the "Fire Lane" posting and the recorded CC&R included as conditions of development permit.

Let me know if you need any additional information.

Bill Radke, Fire Chief

CAYUCOS FIRE PROTECTION DISTRICT
P.O. BOX 707
201 CAYUCOS DRIVE
CAYUCOS, CA 93430
PH: 805-995-3372 FX: 805-995-0953

Aug. 29, 2002

To: Coastal Team
S.L.O. Co. Department of Planning and Building

Subject: Project #D020030P (Anderson/Thomas)

I am enclosing a copy of a preliminary site evaluation I did for this location at the request of one of the bidders. (It was available to other interested parties.) In it I tried to make a case for developing the Birch St. access instead of utilizing the alley, as proposed in this application. The reasons I gave are as follows:

1. Uniform Fire Code and SLO Co Developers Guide require a traffic turn-around at the end of a dead-end street over 150 feet in length. That will be difficult on Birch St. but nearly impossible on the alley.
2. Road width (travel lanes, exclusive of parking) must be 20 feet. That's the entire legal width of the alley. Existing structures (power poles, fences, etc.) already encroach on this minimum width. I don't think this condition can be met without some additional land being dedicated for road improvements. Also, from local experience I can't recommend residential construction without on-street parking.
3. We would expect the access road to be maintained either by the County or by a binding agreement of the property owners, administered by the county. I question whether the existing alley neighbors will be interested in joining into such an agreement.
4. I mentioned a problem with assigning street address in an alley but I suppose the alley would be given a name ("Poquito Place"?) and numbers assigned.

As you may gather, I think the access should be Birch St. improvements, not the alley. If the alley is accepted, it will need to be 20 feet wide, posted "No Parking", and be designed and maintained to support the imposed loads of 20 tons at 25 mph, and shall be provided with a surface so as to provide all-weather driving capabilities and maintain 90% compaction. Further, a turn-around must be provided near the end which must also meet the above requirements.



Bill Radke, Fire Chief

8/12/04 Talked w/ Bill Radke - turn around as shown on plans OK; condition for approval of fire prior to issuance

13

MORRO ROCK MUTUAL WATER COMPANY
P.O. BOX 757, CAYUCOS, CA 93430
PH: (805) 995-3766 FAX: (805) 995-0953

NOTIFICATION OF ELIGIBILITY TO RECEIVE A WATER WILL SERVE LETTER

Steve Miller
M&R Investment One Company, Inc.
8441 E. 32nd Street N. #200
Wichita, KS 67225

June 26, 2014

Project Address: Birch Avenue, Cayucos
Assessor Parcel Number: 064-112-023
Lots: 5 Block: 3 Subdivision: Town of Cayucos
TYPE OF PROJECT: New Single Family Residences

Dear Sir:

We received your request for water service to your property.

Beginning in 1998, a Retrofit Rebate Fee was included in charges for new connections.

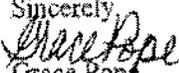
A Conditional Will-Serve letter, which will entitle the property owner to request installation of a service and a water meter, will be issued when the following conditions are met. Conditions must be met no later than July 31, 2015.

1. Payment of \$200 non-refundable application fee.
2. Payment of \$2,500 membership fee.
3. Proof of an application for a Building Permit or Developmental Use Permit.

Installation of a water service will occur after the following fees have been paid:

1. Payment of \$3,000 Connection Fee
 2. Payment of \$1,200 Retrofit Rebate Fee
 3. Payment of \$500 One Inch Meter Fee
- Plus any other fees due to the water company.

Failure to meet any of these deadlines will result in a forfeiture of your notification for a Will-Serve letter as well as your priority on the Will-Serve eligibility list.

Sincerely,

Grace Pope
Administrative Supervisor
Morro Rock Mutual Water Company

No. 7537 P. 2

JUL 1 2014 10:45AM 805 995 0953

CAYUCOS SANITARY DISTRICT

200 Ash Avenue
P.O. Box 333, Cayucos, California 93430-0333
805-995-3290

R. Enns, President
C. Bell, Jr., Vice-President
H. Fones
N. Raimondo
B. Gibeaut

Conditional Will-Serve Letter

To: San Luis Obispo County Planning Department
From: Cayucos Sanitary District
Date: 3/1/2005

Applicant Name: **MR & R INVESTMENTS CO**
C/O - GAYLA SMELSER
Address: **55 BAKERSFIELD AVE**
City, State, Zip **CAYUCOS, CA. 93430-1176**

Project Number: **TO COME**

Project Address: **61 BIRCH AVE**

Assessors Parcel Number: **064-112-002** **LOT: 3,4,5,6** **BLK:3** **TRACT:TOC**

Project Description: **3 SFR**

Date of Issue: **3/4/2005** Expiration Date: **3/3/2006** Extention

We have reviewed the proposed project development and are aware of its potential effect upon the facilities and property (including easements) controlled by the District.

We have reviewed the plans and have determined there are conditions placed on the development as follows:

* SEE FURTHER CONDITIONS PLACED ON THIS PROJECT. ATTACHED AS PAGES 2 AND 3.

* Other: _____

* All District conditions shall be reflected on the plans.

* A Final Will-Serve Letter shall be issued when all conditions (above) have been met; final will-serve fees have been paid; and physical connection (at owners expense) has been made and inspected by the District. The County shall not allow final occupancy until they have received a Final Will-Serve Letter issued by the District.

We will serve this proposed development with our community sewer system facilities and solid waste disposal services so long as the applicant complies with our conditions (above) and connection requirements, including payment of all applicable sewer will-serve fees in effect at the time of connection. A 48 hour notice requesting sewer inspection by the District is required.

Approved By:  Date: 3-7-05
Sewer Collection Worker II, Operations and Maintenance

2005 APR 13 AM 10:23
SLO CNTY
DEPT
PLANNING/BUILDING

M & R Investments
Project: 61 Birch Ave - 3 SFRS
APN 064-112-002
February 28, 2005

Page 2 of 3

Conditional Will Serve

Other conditions placed on this project:

1. Prior to commencement of construction, the applicant shall provide a title report from a reputable title company authorized to do business in the State of California for all property in which sewer facilities and improvements intended to connect to the District's sewer system shall be installed, and shall obtain written authorization from all property owners identified therein for the installation of such sewer facilities and improvements.
2. The applicant shall be responsible for all construction, repair and maintenance of any and all sewer lines, pipes, laterals, manholes, pumps, pumping systems, backflow devices, sump basins and associated appurtenances (collectively "sewer facilities") connecting to the District sewer line located in "E" Street, Cayucos, California and shall provide an annual independent certification by a licensed plumbing contractor certifying the satisfactory condition and operation of the subject sewer facilities. The applicant shall provide written recorded notice, in a form acceptable to the District, of this requirement to all of its heirs, assigns, grantees, and/or successors in interest.
3. The applicant shall provide District with a complete set of as-built plans and specifications for the subject sewer facilities.
4. Prior to commencement of construction, the applicant shall enter into an indemnity agreement, in recordable form, acceptable to District, obligating the applicant, its heirs, assigns, grantees and/or successors in interest to defend, indemnify and hold the District harmless from any and all claims, causes of actions, demands, or charges and from any loss or liability arising out of or in any way related to the subject project. The proposed indemnity agreement is acceptable, with the following changes to

Paragraph 4:
As consideration for the review and approval of said installation by the District, M&R hereby agrees that the District and its directors, officers, employees and agents shall not be liable for any injury or death to any person or damage to any property arising from the performance of any work required as part of said installation by M&R, its officers, employees, independent contractors or agents. To the fullest extent allowed by law, M&R shall protect, indemnify and hold the District harmless from any and all claims, causes of actions, demands or charges and from any loss or liability, including all costs, penalties, expenses, attorney's fees, litigation costs, and other fees arising out of or in any way connected with the design, permitting, installation, maintenance, repair and operation of said sewer line and related appurtenances described herein.
5. The Applicant's Agent has stated the alley is Public Right-of-Way that is not maintained by San Luis Obispo County. Additionally, the Applicant's Agent had stated that the proposed individual pump stations and force mains will be privately maintained to the satisfaction of the San Luis Obispo County Public Health Department in conformance with San Luis Obispo Public Health Department's June 29, 2004 letter to Mr. McDonald (Applicant's Agent). Therefore, the District has no responsibility for any facilities within said alley.

M & R Investments
Project: 61 Birch Ave - 3 SFRS
APN 064-112-002
February 28, 2005

Page 3 of 3

Conditional Will Serve

Other conditions placed on this project:

The District should require that annual Independent Certifications be provided by a licensed Plumbing Contractor regarding the satisfactory operability of the pumping systems and backflow devices.

6. The Applicant shall construct an additional sanitary sewer manhole in "E" Street at the proposed point of connection of the proposed 6-inch diameter gravity sanitary sewer (SS) to the District's 8-inch SS in "E" Street. This manhole shall be designed and detailed by a California Registered Civil Engineer and reviewed by the District Engineer.

7. The Plans prepared by Triad/Holmes shall be modified to include an additional SS manhole in "E" Street at the point of connection to the District's collection system.

Said Plans shall also show the installation of backflow prevention devices on each force main.

8. The Applicant shall mitigate potential odors from the privately maintained SS manhole by furnishing, installing and maintaining a biofilter unit beneath the manhole cover. District Staff shall approve the manufacturer of said filter. The Applicant shall maintain and replace said filter in conformance with the manufacturer's recommendations and document said activities to the District.

b.



SAN LUIS OBISPO COUNTY

DEPARTMENT OF PLANNING AND BUILDING

THIS IS A NEW PROJECT REFERRAL

DATE: 9/19/2014

TO: Cayucos Elementary School District

FROM: Schani Siong (805-781-4374 or ssiong@co.slo.ca.us)
Coastal Team / Development Review

PROJECT DESCRIPTION: DRC2014-00022 M&R INVESTMENT – Proposed minor use permit to construct three single family residences with road improvements. Site location is Birch Ave, Cayucos. APNs: 064-112-022 and -023

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- NO (Please go on to PART III)

PART III - INDICATE YOUR RECOMMENDATION FOR FINAL ACTION

Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial.

IF YOU HAVE "NO COMMENT," PLEASE SO INDICATE, OR CALL.

See attached Exhibit "A"

9/30/14 Date
 Anne Hubbard (805) 999-3094 Name Phone

EXHIBIT "A"

Cayucos Elementary School District's Response to the Birch Avenue Land Use Permit
Application Dated 9/19/2014

The permit application contains one error that affects Cayucos Elementary School District. On Page 9 of the application package, the applicant fails to note that the Birch Avenue lots are within the boundaries of the Cayucos Elementary School District. As such, required development fees must be paid to Cayucos Elementary School District prior to the issuance of the Birch Avenue building permits.

The County should also note that the lots are likely located within two school districts. Coast Unified School District likely provides high school services in the area, while Cayucos Elementary School District provides elementary school services.