

**CITY OF CARMEL-BY-THE-SEA
PLANNING COMMISSION
REGULAR MEETING AGENDA**

Regular Meeting
City Hall
East Side of Monte Verde Street
Between Ocean & Seventh Avenues

November 9, 2016
Wednesday
Tour: 1:30 p.m.
Meeting: 4:00 p.m.

A. CALL TO ORDER AND ROLL CALL

Commissioners: Don Goodhue, Chair
 Michael LePage
 Ian Martin
 Gail Lehman

B. TOUR OF INSPECTION

Shortly after 1:30 p.m., the Commission will leave the Council Chambers for an on-site Tour of Inspection of all properties listed on this agenda (including those on the Consent Agenda). The Tour may also include projects previously approved by the City and not on this agenda. Prior to the beginning of the Tour of Inspection, the Commission may eliminate one or more on-site visits. The public is welcome to follow the Commission on its tour of the determined sites. The Commission will return to the Council Chambers at **4:00 p.m.** or as soon thereafter as possible.

C. ROLL CALL

D. PLEDGE OF ALLEGIANCE

E. ANNOUNCEMENTS/EXTRAORDINARY BUSINESS

F. APPEARANCES

Anyone wishing to address the Commission on matters not on the agenda, but within the jurisdiction of the Commission, may do so now. Please state the matter on which you wish to speak. Matters not appearing on the Commission agenda will not receive action at this meeting but may be referred to staff for a future meeting. Presentations will be limited to three minutes, or as otherwise established by the Commission Chair. Persons are not required to give their name or address, but it is helpful for speakers to state their name in order that the Secretary may identify them.

G. CONSENT AGENDA

Items placed on the Consent Agenda are considered to be routine and are acted upon by the Commission in one motion. There is no discussion of these items prior to the Commission action unless a member of the Commission, staff, or public requests specific items be discussed and removed from the Consent Agenda. It is understood that the staff recommends approval of all consent items. Each item on the Consent Agenda approved by the Commission shall be deemed to have been considered in full and adopted as recommended.

1. Draft minutes from the September 14, 2016 Planning Commission Meeting
2. Draft minutes from the October 12, 2016 Planning Commission Meeting
3. TE 16-368 (HMD Properties L.P.) Consideration of a Time Extension (TE 16-368) for a
NW Corner of San Carlos & 12th Design Study (DS 15-303) and associated Coastal
Blk: 131; Lot: 13 Development Permit for the construction of a new
APN: 010-154-013 residence located in the Single-Family Residential (R-1)
Zoning District

H. PUBLIC HEARINGS

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

1. DS 16-414 (Martin) Consideration of Design Study (DS 16-414) for the
Casanova Street, 5 NE of 13th Ave. replacement of a wood-shake roof with composition
Blk: 134; Lot: 16 shingles on a residence located in the Single-Family
APN: 010-175-026 Residential (R-1) Zoning District.
2. DS 16-306 (Garren) Consideration of a Concept and Final Design Study
Glenn Warner (DS 16-306) and associated Coastal Development
Santa Rita Street, 3 NE of 6th Avenue Permit for a first- and second-story addition to an
Blk: 62, Lot: 14 existing historic single-family residence located in
APN: 010-035-013 the Single-Family Residential (R-1) Zoning District.
3. DS 16-177 (Kronenberger) Consideration of Concept Design Study (DS 16-177)
Claudio Ortiz, Designer and associated Coastal Development Permit for a
SE Corner of San Antonio & 11th second story addition to an existing single-family
Blk: X; Lot: 2 residence located in the Single-Family Residential
APN: 010-279-016 (R-1) Zoning District

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| <p>4. DS 16-397 (Carr)
 Bolton Design Group, Inc.
 Torres Street, 5 NE of 4th Avenue
 Block: 38; lot: E
 APN: 010-103-012</p> | <p>Consideration of Concept Design Study (DS 16-397) and Coastal Development Permit for the construction of a new single-family residence on a vacant lot located in the Single-Family Residential (R-1) Zoning District</p> |
| <p>5. DS 16-403 (Mussallem)
 Greg Mussallem
 S/W Corner of Casanova Street and 10th Ave.
 Blk: K; Lot: 1 & 3
 APN: 010-272-017</p> | <p>Consideration of Concept Design Study (DS 16-403) and associated Coastal Development Permit for the construction of a new single-family residence on a vacant lot located in the Single-Family Residential (R-1) Zoning District.</p> |
| <p>6. DS 16-259 (Carmel Way Trust)
 Aengus Jeffers
 10 Carmel Way
 Blk: SD; Lot: 7
 APN: 010-321-021</p> | <p>Adoption of a Mitigated Negative Declaration and consideration of a Concept Design Study (DS 16-259), associated Coastal Development Permit, lot merger, and lot-line adjustment, for the construction of a new residence located in the Single-Family Residential (R-1), Park Overlay (P), Archaeological Significance Overlay (AS), and Beach and Riparian (BR) Overlay Zoning Districts. The parcel is adjacent to the Environmentally Sensitive Habitat Area Overlay Area (ESHA) of Carmel Beach.</p> |
| <p>7. DS 16-260 (Carmel Way Trust)
 Aengus Jeffers
 10 Carmel Way
 Blk: SD; Lot: 9
 APN: 010-321-020</p> | <p>Adoption of a Mitigated Negative Declaration and consideration of a Concept Design Study (DS 16-260), associated Coastal Development Permit, lot merger, and lot-line adjustment, for the construction of a new residence located in the Single-Family Residential (R-1), Park Overlay (P), Archaeological Significance Overlay (AS), and Beach and Riparian (BR) Overlay Zoning Districts. The parcel is adjacent to the Environmentally Sensitive Habitat Area Overlay Area (ESHA) of Carmel Beach.</p> |
| <p>8. Carmel-by-the-Sea
 Commercial Zoning Districts</p> | <p>Review of Municipal Code Title 17.14 (Commercial Zoning Districts) in order to evaluate if amendments should be made to require a Conditional Use Permit for certain land uses</p> |

I. DIRECTOR'S REPORT

1. Update on Planning Activities

J. SUB-COMMITTEE REPORTS

1. Restaurant Subcommittee update

K. ADJOURNMENT

The next meetings of the Planning Commission will be: Wednesday, December 14, 2016

The City of Carmel-by-the-Sea does not discriminate against persons with disabilities. Carmel-by-the-Sea City Hall is an accessible facility. The City of Carmel-by-the-Sea telecommunications device for the Deaf/Speech Impaired (T.D.D.) Number is 1-800-735-2929.

The City Council Chambers is equipped with a portable microphone for anyone unable to come to the podium. Assisted listening devices are available upon request of the Administrative Coordinator. If you need assistance, please advise the Planning Commission Secretary what item you would like to comment on and the microphone will be brought to you.

Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection in the Planning & Building Department located in City Hall, east side of Monte Verde between Ocean & 7th Avenues, during normal business hours.

AFFIDAVIT OF POSTING

I, Marc Wiener, Community Planning and Building Director, for the City of Carmel-by-the-Sea, DO HEREBY CERTIFY, under penalty of perjury under the laws of the State of California, that the foregoing notice was posted at the Carmel-by-the-Sea City Hall bulletin board, posted at the Harrison Memorial Library on Ocean and Lincoln Avenues and the Carmel Post Office.

Dated this 4th day of November 2016 at the hour of 4:00 p.m.

Marc Wiener, AICP
Community Planning and Building Director

CITY OF CARMEL-BY-THE-SEA
PLANNING COMMISSION REGULAR MEETING – MINUTES
September 14, 2016

A. CALL TO ORDER AND ROLL CALL FOR TOUR OF INSPECTION

PRESENT: Commissioners: Martin, Paterson, Lehman, LePage and Goodhue

ABSENT: NONE

STAFF PRESENT: Marc Wiener, Acting Planning & Building Director
Catherine Tarone, Assistant Planner
Ashley Hobson, Contract Planner
Matthew Sundt, Contract Planner
Cortina Whitmore, Planning Commission Secretary

B. TOUR OF INSPECTION

The Commission convened at 1:30 p.m. and then toured the following sites:

- UP 16-340 (Mulligan’s Public House), Dolores, 2 SE of Ocean Ave; Blk: 76, Lot:10
- DR 16-101 (Carmel Plaza), Corner of Ocean and Mission; Blk: 78, Lot: 1-27
- DS 16-309 (Massoudi),Guadalupe, 3 NE of 3rd Ave.; Blk: 22, Lot: 16
- DS 15-217 (Chadwick), Scenic Rd., 2 NW of 8th Ave.; Blk: C2, Lot: 10& 11
- DS 16-300 (Welsh), San Antonio, 2 NW of 12th Ave.; Blk: A5, Lot: 2
- DS 16-240 (Freeman), San Carlos, 6 NW of Santa Lucia; Blk: 143, Lot: 21
- CDP 16-315 (Carmel-by-the-Sea), North Dunes Carmel Beach; Blk: n/a, Lot: n/a

C. ROLL CALL

Chairman Goodhue called the meeting to order at 4:25 p.m.

D. PLEDGE OF ALLEGIANCE

Members of the audience joined Commission Members in the Pledge of Allegiance.

E. ANNOUNCCEMENTS/EXTRAORDINARY BUSINESS

N/A

F. APPEARANCES

Lily Yu, asked for clarification of the City’s Multi-use Art Gallery code and requested the Planning Commission review the City’s code section to amend in order to allow new Multi-Use Art Galleries in Carmel.

H. PUBLIC HEARINGS

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| 1. CDP 16-315 (Carmel-by-the-Sea)
North Dunes Carmel Beach
North Ocean Ave./West of San
Antonio
Blk: n/a: Lot: n/a
APN: n/a | Consideration of a five-year, renewable Coastal Development Permit for habitat restoration, monitoring and maintenance activated in the North Dunes area of Carmel Beach in accordance with the North Dunes Habitat Restoration Plan |
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Marc Wiener, Planning Director provided brief summary of project history. Mr. Wiener noted staff and Coastal Commission support.

Speaker #1: Joey Canepa, Project Biologist presented North Dunes Restoration report. Ms. Canepa provided North Dunes history and presented a pictorial habitat tour. Ms. Canepa noted the Acacia and ice plant located on the Dunes stop the sand flow and are the two largest problems affecting the North Dunes. Ms. Canepa's discussed the removal of aggressive invasive plants with the replacement of native plants to preserve the habitat for Tidestrom's lupine and Black Legless Lizard both endangered species. Ms. Canepa stated the North Dunes Carmel Beach area is approximately eight (8) acres in total; 35% non-native plant species, 25% cabled native plant species, 15% bare sand (volleyball courts) and 25% tree canopy & structures. The Coastal Development Permit's scope of work includes the following:

- Removal of ice-plant and *Conococia*
- Removal of acacia in the dune area
- Removal of other invasive plants-annual weeds and possible Tidestrom's lupine
- Trimming of acacia back and lower along the beach bluff to minimize intrusion in to dunes and open views to the ocean
- Removal of stumps (Limited number) and monitor impact and benefits
- Use of mechanized equipment to facilitate tree and invasive removals, fence installation, and maintenance requirements under direction of the project biologist.
- Seed collection and seedling propagation
- Seed sowing and seedling planting
- Protection/fencing of Tidestrom's lupine areas and other sensitive recovery areas
- Signage
- Maintenance of structure is. Boardwalk, signage, fencing, tree pruning
- Monitoring (annual reports to FBC, PC and CC) and gauging progress on performance standards
- Adjustments/Adaptive Management

Ms. Canepa answered questions from the Commission.

Speaker #2: Mike Branson, City Forester, noted his support for Project Biologist, Joey Canepa and the Coastal Development Permit. Mr. Branson stated the City Council allocated additional funds for the restoration and maintenance plan and recommended the project move forward as soon as possible due to seasonal planting requirements. Mr. Branson clarified the total number of living trees as 85 which include Oaks, Pines and Cypress trees. Mr. Branson reiterated the Forest and Beach Commission recommendations as the following:

- Remove dead and hazardous trees, and remove or transplant a limited number (up to five (5) over the initial 5-year term of the CDP).
- Remove acacia unless they are important to foredune stability. Also, reduce the height of the acacia hedges in the foredunes area.
- Include on-going tree maintenance and catch up on areas that have experienced deferred maintenance.
- Refrain from removing trees that would damage the dunes when they are removed.
- Retain the heritage eucalyptus tree and the healthy trees along Ocean Avenue.
- The biologist should also consider the back (eastern side) of the volleyball area for volleyball use - habitat preservation conflicts and possible additional restoration activities.
- Include an allowance for removal of a limited number of tree stumps if necessary for restoration goals.
- The F&B Commission should also receive annual reports on the plan's implementation, similar to what would be presented to the Planning Commission.

Mr. Branson answered questions from the Commission.

Chair Goodhue opened the public hearing.

Speaker #3: Neils Reimers read a passage from Eunice Gray's 1925 Cross Trails and Chaparral book which describes the Carmel's sand dunes and cautions against contamination. Mr. Reimers expressed how specific tree species negatively affect the native plants found on the Dunes and introduced the idea that the North Dunes could possibly be placed on the National Register of Historic Places when the restoration is complete.

Speaker #4: Remi Allard, Landscape Contractor and Board Member of the Friends of the Forest cautioned the City to be mindful of the biology that occurs under the trees and the potential impact if the trees are removed.

Speaker #5: Maria Sutherland, representative from the Friends of the Forest group agreed with the plan for tree removal as suggested by the Forest and Beach Commission provided the trees are transplanted to another location. Ms. Sutherland voiced support for the removal of dead trees and stumps, removal of ice plants and other invasive species.

Ms. Sutherland expressed concern with the potential use of chemical herbicides and suggested annual tree maintenance for trimming and pruning.

Speaker #6: Mike Delappa, representative for the Volleyball community expressed his support for the North Dunes restoration plan however noted he is not in favor of removing the volleyball courts. Mr. Delappa stated a willingness to work with the Coastal Commission to reconfigure the volleyball courts. Mr. Delappa noted the volleyball courts are used year-round and are an incredible institution and great public resource.

Speaker #7: Butch Cronalin appeared to advocate on behalf of the volleyball community. Mr. Cronalin voiced support for the North Dunes restoration project however noted the volleyball courts will need to be functional if moved and expressed willingness to collaborate for the best possible outcome for everyone.

Speaker #8: Barbara Livingston, Founder of Friends of the Forest voiced her support for Ms. Sutherland's comments. Ms. Livingston noted the City is currently operating without a Coastal Development Permit.

Chair Goodhue asked Marc Wiener, Planning Director to clarify volleyball comments. Mr. Wiener informed the Commission of the staff recommended condition to study volleyball courts.

Speaker #1: Ms. Canepa continued the volleyball court discussion and noted the presence of endangered plant species located in areas surrounding volleyball courts.

Speaker #9: Public Works Director, Robert Mullane expressed willingness to work with the volleyball courts supporters and noted once the trees are removed the volleyball court can be shifted and repositioned with the same number of courts.

Speaker #10: Robert Cotham from SAND (SAve our Native Dunes) expressed support for Ms. Canepa's report and the removal of invasive plant species and protection of endangered species. Mr. Cothman noted concerns with the number of trees for removal and the proposed location for removal. SAND requested the removal of more than the proposed five trees specifically in the area south of Sand and Sea.

Speaker #11: Jon Lambert, representative from SAND and Horticulturist reiterated SAND's support of Ms. Canepa's findings and recommendations. SANDS presented an alternative plan for the North Dunes Restoration which includes:

- Removal of dead trees, scrubs and limbs.
- Removal of nine (9) trees in total (eight (8) Cypress trees and one (1) mature Oak).
- Thin out and lift canopies of identified Cypress and Oak trees.
- Replant two (2) trees within City limits for every one (1) tree removed from the Dunes.

Mr. Lambert noted concerns with the proposed timeline and requested completion of all work by the end of 2018 with tree removal completed by the end of 2017. Mr. Lambert informed the Commission the SANDs group has offered pledges and financial support to expedite the North Dunes Restoration Maintenance plan. Mr. Lambert answered questions from the Commission.

Speaker #12: Karen Ferrlito, Forest and Beach Commissioner requested staff clarify the Forest and Beach Commission determination regarding the removal of Pine trees. Ms. Ferrlito clarified the Forest and Beach Commission approved the removal of up to five (5) trees of City Biologist, Joey Canepa's selection.

Speaker#1: Ms. Canepa clarified the 85 trees located in the North Dunes as 64 mature trees and 21 juvenile trees. Ms. Canepa answered additional questions from the Commission.

Speaker#13: Nancy Porteous-Thomas, representative of SAND thanked Ms. Canepa and Mr. Branson for their efforts and requested tree removal begin in Phase I of the North Dunes restoration plan.

Speaker#14: Greg Kent spoke in favor of a restoration plan and requested City support of the SAND maintenance plan.

Speaker #15: Andrea Thatcher voiced support for SAND and their efforts to preserve the North Dunes.

Chair Goodhue closed the public hearing.

The Commission held discussion. The Commissioners commended the City's effort to restore the North Dunes. Commissioner Martin expressed his belief that science should dictate the Dunes Restoration Maintenance Plan schedule. Commissioner Lehman expressed her support for the Dunes restoration and voiced her support for shifting the volleyball courts if needed to protect the habitat. Commissioner LePage applauded the City's proactive effort and expressed confidence and support for the City's qualified Biologist, Ms. Canepa's findings and recommendations. Commissioner Paterson agreed with Commissioner LePage's comments and suggested the removal of more trees than recommended. Commissioner Goodhue also agreed that more trees should be removed. Commissioner Martin shared a postcard of Carmel Beach circa 1930-1945 that depicts both white sand beaches and trees and noted that Cypress trees are a part of Carmel's history.

Marc Wiener clarified corrections to staff conditions #2 to strike "and before a sixth year event is approved" and add condition #10 that will require the City to work with the volleyball community to relocate the volleyball courts in a westerly direction to protect the Tidestrom's lupine.

The Commission continued discussion.

Ms. Canepa stated there will need to be further tree discussion.

Commissioner LePage moved to accept CDP 16-315 (Carmel-by-the-Beach) for a five-year renewable Coastal Development Permit with conditions as per staff and changes to condition #2, the addition of condition #10 that requires the City to work with the Volleyball group to relocate volleyball court in order to protect Tidestrom's lupines and condition #11 which states the City's Biologist shall study and make recommendation based on scientific information as to whether the Cypress trees along the eastern edge of the volleyball courts should be removed in order to meet legal requirements for Tidestrom's lupines. Commissioner Martin seconded the motion and carried the following vote: 4-1-0-0. Motion passed.

AYES: COMMISSIONERS: MARTIN, LEHMAN, LEPAGE & GOODHUE
NOES: COMMISSIONERS: PATERSON
ABSENT: COMMISSIONERS: NONE
ABSTAIN: COMMISSIONERS: NONE

2. DS 15-217 (Chadwick)
Eric Miller Architects
Scenic Road, 2 NW of 8th Ave.
Blk: C2, Lots: 10 & 11
APN: 010-312-026

Consideration of Final Design Study (DS 15-217) Coastal Development Permit application for the demolition of existing residence and construction of new residence located in the Single-Family Residential (R-1) Zoning District, Beach and Riparian (BR) Zoning Districts, Archaeological Significance (AS) Overlay District and the Appeal Jurisdiction/Beach Overlay (AB) Districts.

Matthew Sundt, Contract Planner summarized project history and presented staff report.

Marc Wiener, Community Planning Director noted DS 15-217 (Chadwick) is a De Novo hearing item and informed the Commission it has the authority to approve, deny or provide an alternative decision.

Speaker #1: Anthony Lombardo representative for the Owners conveyed his client's wishes for the residence and noted the Owners have complied with the City's wishes and requested an approval. Mr. Lombardo and Project Architect, Eric Miller answered questions from the Commission.

Speaker #2: Mark Blum representative for the Yencken's neighbors, to the south presented three points to the Commission regarding DS 15-217 (Chadwick). Mr. Plum reiterated DS 15-217 is a De Novo hearing, commented on the applicable standards for

review and stated the staff report primarily contained findings that do not support an approval.

Speaker #3: Victoria Beach provided the Commission with documents and height elevation renderings. Ms Beach discussed the City's Design Guidelines that address height limits and the appearance of height from the street. Ms. Beach answered questions from the Commission.

Chair Goodhue opened the public hearing.

Speaker #3: Simon Yencken, neighbor stated his principal concern is the view impact from the beach for everyone.

Speaker #4: Barbara Livingston voiced her appreciation of Mr. Yencken for addressing a community concern.

Speaker #5: Jon Lambert, voiced support for the Yencken's.

Speaker #2: Anthony Lombardo noted the argument made by Victoria Beach was already heard and rejected.

Speaker #6: Arthur Chadwick, property owner stated he purchased the property two years ago and has tried to appease the neighbors concerns.

Chair Goodhue closed the public hearing.

The Commission held discussion. Commissioner LePage stated the Commission is fully aware of the De Novo hearing requirements. The Commission discussed the appearance of the house from the beach elevation, the mass and bulk of the proposed structure, the proposed window on the southside of the residence and potential privacy impacts and requested a study of the west elevation.

Commissioner LePage motioned to continue DS 15-217 (Chadwick). Motion seconded by Commissioner Martin. Motion died.

Chair Goodhue reopened the public hearing.

Speaker #2: Anthony Lombardo, representative for the Chadwick's requested a final determination rather than a continuance.

The public hearing was closed.

Commissioner LePage moved to deny DS 15-217 (Chadwick). Motion seconded by Commissioner Lehman and carried the following vote: 5-0-0-0. Motion denied.

AYES: COMMISSIONERS: MARTIN, LEHMAN, PATERSON, LEPAGE

Speaker #1: Applicant, Al Saroyan discussed design and answered questions from the Planning Commission.

Chair Goodhue opened the public hearing, seeing no speakers the public hearing was closed.

The Commission held brief discussion.

Commissioner LePage moved to accept DS 16-309 (Massoudi) as proposed with the directive the Applicant remove all ivy from the oak tree, apply for an encroachment permit and to remove condition #26. Motion seconded by Commissioner Paterson and carried the following roll call vote: 5-0-0-0. Motion approved.

AYES:	COMMISSIONERS: MARTIN, PATERSON, LEHMAN, LEPAGE & GOODHUE
NOES:	COMMISSIONERS: NONE
ABSENT:	COMMISSIONERS: NONE
ABSTAIN:	COMMISSIONERS: NONE

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| 5. DS 16-340 (Mulligan’s Public House)
Dan Reimer
Dolores, 2 SE of Ocean Ave.
Blk: 76; Lot: 10
APN: 010-146-012 | Consideration of s Use Permit (UP 16-340)
application for the establishment of full-
line restaurant in the Central Commercial
(CC) Zoning District |
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Catherine Tarone, Assistant Planner summarized staff report and noted staff recommends approval of the Design Study and Use Permit.

Speaker #1: Applicant, Arian Reimer provided further Use Permit details and requested the Commission extend the hours of operation.

Chair Goodhue opened the public hearing.

Speaker #2: Barbara Livingston commented the restaurant’s closing hours should be earlier and suggested the reduction of TV screens in the restaurant.

Speaker #3: Jonathan Saap voiced support for Mulligan’s Public House.

Speaker #4: The project painter noted the TV screens are not visible from the street.

Speaker#5: A representative for the Leidig-Draper Family spoke in favor of Mulligan’s Public House.

Chair Goodhue closed the public hearing.

The Commission held brief discussion in regards to the proposed bar size and hours of operation.

Commissioner LePage motioned to accept UP 16-341 (Mulligan’s Public House) as presented by staff, amend condition #18 to allow hours operation from 11 a.m. - 11 p.m. Monday through Friday and 9 a.m. - 11 p.m. Saturdays and Sundays with the direction to close the outside patio nightly by 10 p.m. Motion seconded by Commissioner Martin and carried the following roll call: 5-0-0-0. Motion approved.

AYES: COMMISSIONERS: PATERSON, MARTIN, LEPAGE,
GOODHUE & LEHMAN
NOES: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: NONE
ABSTAIN: COMMISSIONERS: NONE

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| 6. DR 16-101 (Carmel Plaza)
Belli Architectural Group
Corner of Ocean and Mission
(Carmel Plaza)
Blk: 78, Lot: 1-27
APN: 010-086-006 | Consideration of Use Permit (UP 16-353) and Design Review (DR 16-354) applications for the establishment of a full-line restaurant and exterior storefront alterations to a commercial space located in the Carmel Plaza |
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Marc Wiener, Planning Director presented staff report and clarified the definition of a restaurant as defined in the City of Carmel-by-the-Sea’s Municipal Code. Mr. Wiener clarified the number of proposed seats and hours of operation. Mr. Wiener provided The Patio’s proposed ancillary uses and answered questions from the Commission.

Speaker #1: Gayle Speers, General Manager of the Carmel Plaza expressed support for “The Patio.” Ms. Speers introduced Lucas Reeves, VP of Marketing for American National Investments to present The Patio’s marketing plan.

Speaker #2: Lucas Reeves, presented The Patio’s marketing plan to the Commission and answered questions.

Speaker#3: David Peartree, Project Architect provided brief summary of the proposed design.

Speaker # 4: Jason Retterer, L+G, LLC Attorney for The Patio summarized project and reiterated “The Patio” is not a formula restaurant.

Chair Goodhue opened the public hearing.

Speaker # 5: Michael Sapon, Owner of A.W. Shucks spoke in opposition of The Patio in Carmel and noted The Patio is not in consistent with Carmel's character.

Speaker # 6: John Plastini, member of the Doud family and Manager of the Doud Arcade discussed previous usage concerns raised by the Planning Commission in the Doud Arcade and noted his opposition for The Patio is in regards to the size of the proposed restaurant and expressed The Patio is too large for Carmel-by-the-Sea.

Speaker # 7: Jeff Baron expressed his opposition for The Patio.

Speaker # 8: Jonathan Sapp stated The Patio is not a local business and too large for the community. Mr. Saap voiced his opposition for an outdoor bar area.

Speaker #9: Richard Kreitman noted he is not in support of the restaurant.

Speaker #10: Soerke Peters, Owner of Basil Restaurant spoke to Carmel's current staffing problem and inquired where The Patio would find employees to work in the large proposed location.

Speaker #11: Barbara Livingston stated the restaurant is too large for Carmel and noted the large variety of food available in one location will deter the public from exploring the City.

Speaker#12: Ethan Hare, Project General Manager expressed support for The Patio.

Speaker #13: Ken Spilfogel voiced his concern that The Patio appears bar driven.

Speaker #14: Speaker #14, no name provided stated The Patio is great large restaurant with a big city feel.

Speaker #15: Mike Brown discussed Carmel's current parking problems and noted the proposed menu items are currently available throughout the City.

Speaker #16: Fay Massoudi, Owner of Café Carmel spoke in opposition of The Patio and noted the restaurant is too large for Carmel and will negatively impact the smaller establishments.

Seeing no other speaker the public hearing was closed.

Marc Wiener thanked the public for their comments and reminded the Commission their decision is discretionary. The Commission held discussion. Commissioner Martin commended the presentation however noted concerns. Commissioner Paterson stated that he could not support the project. Commissioners LePage, Lehman and Goodhue all agreed The Patio is too large for Carmel and is not within the City's character.

Commissioner LePage motioned to deny DR 16-101 (Carmel Plaza). Motion seconded by Commissioner Paterson and carried the following roll call: 5-0-0-0. Motion denied.

AYES: COMMISSIONERS: PATERSON, LEPAGE, LEHMAN,
MARTIN & GOODHUE
NOES: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: NONE
ABSTAIN: COMMISSIONERS: NONE

7. Carmel-by-the-Sea Review of Municipal Code Title 17.14
Commercial Zoning District (Commercial Zoning Districts) in order to
evaluate if amendments should be made to
require a Conditional Use Permit for
certain land uses

Marc Wiener, Planning Director presented staff report and noted the City Council provided direction to the Planning Commission to review Conditional Use Permits. Mr. Wiener suggested the Planning Commission consider: wine tasting rooms, skin care establishments, bike rentals and multi-use art galleries.

Chair Goodhue opened the public hearing.

Speaker #1: Lily Yu voiced her support for the Planning Commission to review the City's Conditional Use Permits and asked for the Planning Commission to include Multi-Use Permits in the review.

Speaker #2: Stacy Meheen, Owner of Bay Bikes noted prior to the Planning Commission's review of bike rentals in Carmel, the City needs to create the proper bike lane signage in the commercial district to mitigate bike safety concerns.

Chair Goodhue closed the public hearing.

The Commission held discussion.

No motion required.

I. DIRECTOR'S REPORT

1. Update on Planning Activities

Planning Director, Marc Wiener provided brief summary of Planning Department activity.

J. SUB-COMMITTEE REPORTS

1. Restaurant Subcommittee update
No update presented.

K. ADJOURNMENT

There being no further business, Chair Goodhue adjourned the meeting at 10:20 p.m.

The next meeting of the Planning Commission is scheduled:

Wednesday November 9, 2016 at 4:00 p.m. – Regular Meeting

SIGNED:

Donald Goodhue, Planning Commission Chair

ATTEST:

Cortina Whitmore, Planning Commission Secretary

**CITY OF CARMEL-BY-THE-SEA
PLANNING COMMISSION REGULAR MEETING – MINUTES
October 12, 2016**

A. CALL TO ORDER AND ROLL CALL FOR TOUR OF INSPECTION

PRESENT: Commissioners: Paterson, Lehman, LePage, Wendt and Goodhue

ABSENT: NONE

STAFF PRESENT: Marc Wiener, Acting Planning & Building Director
Ashley Hobson, Contract Planner
Matthew Sundt, Contract Planner
Cortina Whitmore, Planning Commission Secretary

B. TOUR OF INSPECTION

The Commission convened at 3:15 p.m. and then toured the following sites:

- DS 16-378 (Henkel), NE corner of 9th Ave. and Monte Verde; Blk: 94, Lot:20
- UP 16-191 (CPines7), SE corner of Dolores & 7th .; Blk: 91, Lot: 2, 4,6, &8

C. ROLL CALL

Chairman Goodhue called the meeting to order at 4:03 p.m.

D. PLEDGE OF ALLEGIANCE

Members of the audience joined Commission Members in the Pledge of Allegiance.

E. ANNOUNCCEMENTS/EXTRAORDINARY BUSINESS

- Chair Goodhue welcomed Commissioner Julie Wendt to the Planning Commission.
- Chip Rerig, City Administrator announced Marc Wiener as the Planning and Building Department Director.
- Commissioner Paterson announced his retirement from the Planning Commission.
- The Commissioners thanked Keith Paterson for his service to the City and expressed how much Commissioner Paterson will be missed.

F. APPEARANCES

- Barbara Livingston congratulated Mr. Wiener on his appointment as Planning Director.

- Former Carmel Mayor, Ken White congratulated Mr. Wiener on his promotion. Mr. White discussed the abundance of trash containers in the front of homes around the City and suggested the City develop a non penalty space for off street trash enclosures.

G. CONSENT AGENDA

Items placed on the Consent Agenda are considered to be routine and are acted upon by the Commission in one motion. There is no discussion of these items prior to the Commission action unless a member of the Commission, staff, or public requests specific items be discussed and removed from the Consent Agenda. It is understood that the staff recommends approval of all consent items. Each item on the Consent Agenda approved by the Commission shall be deemed to have been considered in full and adopted as recommended.

N/A

H. PUBLIC HEARINGS

- | | |
|--|---|
| <p>1. DS 16-378 (Henkel)
North Dunes Carmel
NE corner of 9th Ave. & Monte Verde
Blk: 94, Lot: 20
APN: 010-193-009</p> | <p>Consideration of a Concept Design Study (DS 16-378) for the demolition of an existing residence and construction of a new single-family residence located in the Single-Family Residential (R-1) Zoning District</p> |
|--|---|

Ashley Hobson, Contract Planner summarized the staff report and provided site history. Ms. Hobson noted the Planning Department received letters from neighbors and summarized the recommendations from the City Forester. Ms. Hobson answered questions from the Commission.

Applicant/Architect, Adam Jeselnick summarized the concept design and addressed concerns raised by staff and neighbors. Mr. Jeselnick expressed his and the Owner’s willingness to work with both the neighbors and the City Forester.

Chair Goodhue opened the public hearing.

Speaker #1: Barbara Livingston commented on the proposed height of the residence, inquired about the type of fireplace proposed, noted her disappointment with the demolition of the garage and suggested the basement be reconsidered due to potential tree impact.

Speaker #2: Carl Iverson, northern neighbor on Monte Verde St. expressed concern regarding the proposed rooftop deck and the potential noise impact. Mr. Iverson

expressed his disapproval of the proposed fireplace. Mr. Iverson thanked Commissioner Paterson for his years of service to the City.

Speaker #3: Nancy Strom provided the Commission with a letter summarizing her concerns regarding: the height of the structure and the potential view impacts, impact to Cypress tree on property and stated the design is not consistent with the other historic homes in the surrounding area.

Speaker #4: Southern neighbor noted concerns regarding; privacy and mass and bulk. The neighbor stated that the proposed home is not in character with the neighboring homes.

Speaker#5: Pat Corrigan, neighbor to the east discussed concerns with the size of the proposed residence. Mr. Corrigan suggested the Architect move the house forward to help preserve the surrounding trees.

Seeing no other speakers, Chair Goodhue closed the public hearing.

The Commission briefly discussed the concerns raised during the public hearing.

Chair Goodhue reopened the public hearing.

Applicant/Architect: Adam Jeselnick responded to concerns and noted willingness to work with staff and neighbors.

The public hearing was closed.

The Commission concluded discussion.

Commissioner LePage moved to continue DS 16-378 (Henkel) to allow the applicant time to redesign the residence with the Planning Commission direction and encouraged the applicant to work with the neighbors. Commissioner Paterson seconded the motion and carried the following vote: 5-0-0-0.

AYES:	COMMISSIONERS: LEHMAN, PATERSON, LEPAGE, WENDT & GOODHUE
NOES:	COMMISSIONERS: NONE
ABSENT:	COMMISSIONERS: NONE
ABSTAIN:	COMMISSIONERS: NONE

2. UP 16-191 (CPines7, LLC) Fred Kern SE corner of Dolores & 7 th Blk: 91, Lots: 2, 4,6 & 8 APN: 010-145-020	Consideration of a Use Permit (UP 16-191) application from the establishment of a full-line restaurant in the Service Commercial (SC) Zoning District.
---	--

Marc Wiener, Planning director presented staff report and provided Use Permit history. Mr. Wiener reminded the Commission that Item #2 is considered a De Novo item. Mr. Wiener discussed the City Council recommendations and answered questions from the Planning Commission.

Speaker #1: Applicant, Fred Kern summarized the intended use for the 7th & Dolores space and answered questions from the Commission.

Chair Goodhue opened the public hearing

Speaker #2: Ken White pointed out noise levels differ between a fine dining experience and a buyout event and the potential noise impacts to the surrounding neighbors.

Speaker #3: Barbara expressed her support for a fine dining restaurant however cautioned against a chain restaurant appearance in Carmel. Ms. Livingston spoke to the Use Permits and length of buyout events at 7th & Dolores.

Speaker #4: Jeff Baron, Forest and Beach Commissioner conveyed his support for a full-line restaurant at 7th & Dolores and recommended the Commission limit the number of buyouts. Mr. Baron noted the Use Permit for overnight parking at 7th & Dolores should be cancelled with an approval of a full-line restaurant.

Speaker #5: Rich Pepe, Carmel restaurant owner expressed his support for a full line restaurant with a limit of four special events permitted each year. Mr. Pepe voiced concern for a potential take-out counter and large amount of outdoor seating which Mr. Pepe suggested the Planning Commission limit as well.

Speaker #1: Fred Kern responded to inquires and concerns from the public hearing.

Chair Goodhue closed the public hearing.

Marc Wiener announced the Planning Commission was provided with the minutes from the City Council September 2016 meeting. Mr. Wiener discussed the Council's findings and the four allowable events at 7th & Dolores.

The Commission held brief discussion. Commissioner LePage asked the Applicant for clarification regarding the four special events.

Chair Goodhue reopened the public hearing.

Speaker #1: Fred Kern answered Planning Commission questions and stated events are open to the public.

Speaker #3: Barbara Livingston stated she was present at the previous City Council meeting and stated the Applicant received specific instruction from the City Council that 7th & Dolores is to be operated as a full-line restaurant not an event center.

Speaker #6: Adam Jeselnick, Architect clarified the owners' intent to create a synergy between the current Owners/Operators and four annual special events.

Speaker #5: Rich Pepe stated the City Council was specific in their recommendations regarding 7th & Dolores his belief that it is a mistake to approve a full-line restaurant and four events at 7th & Dolores and recommended a case-by-case review for restaurant buyouts and special events.

Speaker #7: Jeff Peterson, Co-owner of 7th & Dolores expressed a willingness to continue to comply with all of the City's requests.

Chair Goodhue closed the public hearing.

Commissioner Paterson noted his concern for the preapproval of events and recommended the Planning Commission limit the number of days for the specific events. Commissioner LePage acknowledged the owner's intent to improve the use of the building. Commissioner Goodhue concluded discussion.

Commissioner Paterson moved to approve UP 16-191 (CPines7, LLC) as presented with amendments #18, #19, #20 & #21 and to allow UP 12-20 and UP 15-282 to remain in existence until the issuance of a business license. Upon the issuance of the Business License the Applicant shall return to the Planning Commission for approval of the use of four special events in 2017 with a required review at the end of the year for 2018. Motion seconded by Commissioner LePage and carried the following vote: 4-1-0-0.

AYES:	COMMISSIONERS: LEHMAN, PATERSON, WENDT & LEPAGE
NOES:	COMMISSIONERS: GOODHUE
ABSENT:	COMMISSIONERS: NONE
ABSTAIN:	COMMISSIONERS: NONE

3. Carmel-by-the-Sea
Commercial Zoning Districts

Review of Municipal Code Title 17.14 (Commercial Zoning Districts) in order to evaluate if amendments should be made to require a Conditional Use Permit for certain land uses.

Planning Director, Marc Wiener provided a brief summary of the City's Municipal Code section 17.14.30 (Land Use Regulations). Mr. Wiener provided suggestions on which Use Permits should be considered for an amendment. Mr. Wiener answered questions from the Commission.

Chair Goodhue opened the public hearing.

Speaker#1: Jonathan Saap spoke about conditional use permits and suggested the City creates standard conditions.

Speaker #2: Jeff Baron recommended Conditional Use Permits run with a Business License rather than with the land.

Speaker #3: Barbara Livingston commended Marc Wiener for providing the Commission an opportunity to review the Municipal Code to evaluate if amendments should be made to require a Conditional Use Permit.

Chair Goodhue closed the public hearing. Mr. Wiener addressed comments and questions from the Commission.

The public hearing was reopened.

Speaker #4: Ken Spilfogel owner of Flaherty's expressed his opinion regarding solicitation from the doorway of businesses.

The Commission continued discussion. Commissioner Wendt questioned if the Residential Nuisance section of the City code could be amended to include the Commercial District.

The Commission concluded the discussion.

I. DIRECTOR'S REPORT

1. Update on City Council October 2016 Meeting.

Marc Wiener, Planning Director provided the Commission with an update on recent City Council action.

J. SUB-COMMITTEE REPORTS

1. Restaurant Subcommittee

Chair Goodhue announced the Restaurant subcommittee is losing two committee members and will meet one more time, conduct a workshop and present results to the Planning Commission in December 2016.

K. ADJOURNMENT

There being no further business, Chair Goodhue adjourned the meeting at 7:26 p.m.

The next meeting of the Planning Commission is scheduled:

Wednesday November 9, 2016 at 4:00 p.m. – Regular Meeting

SIGNED:

Donald Goodhue, Planning Commission Chair

ATTEST:

Cortina Whitmore, Planning Commission Secretary



CITY OF CARMEL-BY-THE-SEA

Planning Commission Report

November 9, 2016

To: Chair Goodhue and Planning Commissioners

From: Marc Wiener, AICP, Community Planning and Building Director

Subject: Consideration of a Time Extension (TE 16-368) for a Design Study (DS 15-303), Demolition and associated Coastal Development Permit for the demolition of an existing residence and construction of a new residence located in the Single-Family Residential (R-1) Zoning District

Recommendation:

Approve a two-year time extension (TE 16-368) for Design Study (DS 15-303), Demolition and Coastal Development Permits for the construction of a new residence located in the Single-Family Residential (R-1) Zoning District. The permits are valid until September 9, 2018.

Application: DS 15-303 **APNs:** 010-154-012 & 010-154-013
Location: Northwest corner of San Carlos Street and Twelfth Avenue
Block: 131 **Lots:** 11 & 13
Applicant: Hermina Dallas **Property Owner:** HMD Properties, L. P.

Background and Project Description:

The project site was originally part of a two-lot property with a residence located in the middle of the two lots. On September 14, 2005, the Planning Commission approved an application for a lot line adjustment and the relocation of the residence approximately fifteen feet to the east, which created a new buildable lot. The Design Review Board subsequently approved a new residence to be located on the western lot (APN: 010-154-013). The applicant later received approval to demolish the house located near the middle of the two lots rather than relocating it. The following is a summary of past decisions for this project.

- 10/25/06 – DRB Approves Project
- 10/24/07 – DRB Approves a 1-Year Time Extension
- 11/19/08 – DRB Re-Issues Project Approvals

12/9/09 – Planning Commission Approves a 1-Year Time Extension
12/8/10 – Planning Commission Re-Issues Project approvals
11/9/11 – Planning Commission approves a 2-Year Time Extension
11/13/13 – Planning Commission Re-Issues Project Approvals (DS 13-113)
9/9/15 – Planning Commission Re-Issues Project Approvals (DS 15-303)

Staff analysis:

Time Extension: The Planning Commission granted a re-issuance of the Design Study, Demolition Permit, and Coastal Development permits for this project on September 9, 2015. These permits approvals were valid for one year and have since expired. The applicant has applied for a time extension of the project permits to keep the permits active.

CMC Section 17.52.170 indicates that design review approvals are typically valid for one year and that the Planning Commission may grant an additional extension. The Commission also has the discretion to grant an approval or an extension for longer than 1 year. If, since the date of the original approval, the conditions surrounding the original approval have changed, or the General Plan, Municipal Code or Local Coastal Plan Program has been amended in any manner which causes the approval to be inconsistent with these plans or codes, no time extension or renewal shall be granted for any approval unless the project is revised to be consistent with the changes. Since there have been no pertinent changes to the General Plan, Municipal Code, or Local Coastal Program since this project was first approved, staff can support granting a time extension of the project permits and recommends that it be for a period of two years. The time extension will expire on September 8, 2018.

Environmental Review: The proposed project is categorically exempt from CEQA requirements, pursuant to Section 15303 (Class 3) – New Construction or Conversion of Small Units. The project includes the construction of one single-family residence in a residential zone, and therefore qualifies for a Class 3 Exemption. The proposed residence does not present any unusual circumstances that would result in a potentially significant environmental impact.

ATTACHMENTS:

- Attachment A – Findings for Approval
- Attachment B – Conditions of Approval
- Attachment C – Project Plans

Attachment A – Findings for Approval

TE 16-368 (HMD Prop, LP)
 November 9, 2015
 Findings for Approval
 Page 1

FINDINGS REQUIRED FOR CONCEPT AND FINAL DESIGN STUDY APPROVAL (CMC 17.64.8 and LUP Policy P1-45)		
For each of the required design study findings listed below, staff has indicated whether the submitted plans support adoption of the findings. For all findings checked "no" the staff report discusses the issues to facilitate the Planning Commission decision-making. Findings checked "yes" may or may not be discussed in the report depending on the issues.		
Municipal Code Finding	YES	NO
1. The project conforms with all zoning standards applicable to the site, or has received appropriate use permits and/or variances consistent with the zoning ordinance.	✓	
2. The project is consistent with the City's design objectives for protection and enhancement of the urbanized forest, open space resources and site design. The project's use of open space, topography, access, trees and vegetation will maintain or establish a continuity of design both on the site and in the public right of way that is characteristic of the neighborhood.	✓	
3. The project avoids complexity using simple/modest building forms, a simple roof plan with a limited number of roof planes and a restrained employment of offsets and appendages that are consistent with neighborhood character, yet will not be viewed as repetitive or monotonous within the neighborhood context.	✓	
4. The project is adapted to human scale in the height of its roof, plate lines, eave lines, building forms, and in the size of windows doors and entryways. The development is similar in size, scale, and form to buildings on the immediate block and neighborhood. Its height is compatible with its site and surrounding development and will not present excess mass or bulk to the public or to adjoining properties. Mass of the building relates to the context of other homes in the vicinity.	✓	
5. The project is consistent with the City's objectives for public and private views and will retain a reasonable amount of solar access for neighboring sites. Through the placement, location and size of windows, doors and balconies the design respects the rights to reasonable privacy on adjoining sites.	✓	
6. The design concept is consistent with the goals, objectives and policies related to residential design in the general plan.	✓	
7. The development does not require removal of any significant trees unless necessary to provide a viable economic use of the property or protect public health and safety. All buildings are setback a minimum of 6 feet from significant trees.	✓	

8. The proposed architectural style and detailing are simple and restrained in character, consistent and well integrated throughout the building and complementary to the neighborhood without appearing monotonous or repetitive in context with designs on nearby sites.	✓	
9. The proposed exterior materials and their application rely on natural materials and the overall design will as to the variety and diversity along the streetscape.	✓	
10. Design elements such as stonework, skylights, windows, doors, chimneys and garages are consistent with the adopted Design Guidelines and will complement the character of the structure and the neighborhood.	✓	
11. Proposed landscaping, paving treatments, fences and walls are carefully designed to complement the urbanized forest, the approved site design, adjacent sites, and the public right of way. The design will reinforce a sense of visual continuity along the street.	✓	
12. Any deviations from the Design Guidelines are considered minor and reasonably relate to good design principles and specific site conditions.	✓	

COASTAL DEVELOPMENT FINDINGS (CMC 17.64.B.1):

1. Local Coastal Program Consistency: The project conforms with the certified Local Coastal Program of the City of Carmel by the Sea.	✓	
2. Public access policy consistency: The project is not located between the first public road and the sea, and therefore no review is required for potential public access.	✓	

Attachment B - Conditions of Approval

TE 16-368 (HMD Prop, LP)
November 9, 2015
Conditions of Approval

Approval Conditions		
No.	Standard Conditions	
1.	Authorization: This approval of Design Study (DS 15-303) authorizes the construction of a new 1,819-square foot two-story residence, which includes a 200-square foot detached garage. The exterior materials will include stucco, unclad wood windows and doors, and a wood-shake roof. Fencing within the 15-foot front-yard setback will be a maximum of 4 ft in height, and fencing along the side and rear property lines will be at a maximum height of 6 feet. All work shall conform to the approved plans of November 9, 2016.	✓
2.	The project shall be constructed in conformance with all requirements of the local R-1 zoning ordinances. All adopted building and fire codes shall be adhered to in preparing the working drawings. If any codes or ordinances require design elements to be changed, or if any other changes are requested at the time such plans are submitted, such changes may require additional environmental review and subsequent approval by the Planning Commission.	✓
3.	This approval shall be valid for a period of one year from the date of action unless an active building permit has been issued and maintained for the proposed construction.	✓
4.	All new landscaping shall be shown on a landscape plan and shall be submitted to the Department of Community Planning and Building and to the City Forester prior to the issuance of a building permit. The landscape plan will be reviewed for compliance with the landscaping standards contained in the Zoning Code, including the following requirements: 1) all new landscaping shall be 75% drought-tolerant; 2) landscaped areas shall be irrigated by a drip/sprinkler system set on a timer; and 3) the project shall meet the City's recommended tree density standards, unless otherwise approved by the City based on site conditions. The landscaping plan shall show where new trees will be planted when new trees are required to be planted by the Forest and Beach Commission or the Planning Commission.	✓
5.	Trees on the site shall only be removed upon the approval of the City Forester or Forest and Beach Commission as appropriate; and all remaining trees shall be protected during construction by methods approved by the City Forester.	✓
6.	All foundations within 15 feet of significant trees shall be excavated by hand. If any tree roots larger than two inches (2") are encountered during construction, the City Forester shall be contacted before cutting the roots. The City Forester may require the roots to be bridged or may authorize the roots to be cut. If	✓

	roots larger than two inches (2") in diameter are cut without prior City Forester approval or any significant tree is endangered as a result of construction activity, the building permit will be suspended and all work stopped until an investigation by the City Forester has been completed. Twelve inches (12") of mulch shall be evenly spread inside the drip-line of all trees prior to the issuance of a building permit.	
7.	Approval of this application does not permit an increase in water use on the project site. Should the Monterey Peninsula Water Management District determine that the use would result in an increase in water beyond the maximum units allowed on a 4,052-square foot parcel, this permit will be scheduled for reconsideration and the appropriate findings will be prepared for review and adoption by the Planning Commission.	✓
8.	The applicant shall submit in writing to the Community Planning and Building staff any proposed changes to the project plans as approved by the Planning Commission on September 9, 2015, prior to incorporating changes on the site. If the applicant changes the project without first obtaining City approval, the applicant will be required to either: a) submit the change in writing and cease all work on the project until either the Planning Commission or staff has approved the change; or b) eliminate the change and submit the proposed change in writing for review. The project will be reviewed for its compliance to the approved plans prior to final inspection.	✓
9.	Exterior lighting shall be limited to 25 watts or less per fixture and shall be no higher than 10 feet above the ground. Landscape lighting shall be limited to 15 watts or less per fixture and shall not exceed 18 inches above the ground.	✓
10.	All skylights shall use non-reflective glass to minimize the amount of light and glare visible from adjoining properties. The applicant shall install skylights with flashing that matches the roof color, or shall paint the skylight flashing to match the roof color.	✓
11.	The Carmel stone façade shall be installed in a broken course/random or similar masonry pattern. Setting the stones vertically on their face in a cobweb pattern shall not be permitted. Prior to the full installation of stone during construction, the applicant shall install a 10-square foot section on the building to be reviewed by planning staff on site to ensure conformity with City standards.	N/A
12.	The applicant shall install unclad wood framed windows. Windows that have been approved with divided lights shall be constructed with fixed wooden mullions. Any window pane dividers, which are snap-in, or otherwise superficially applied, are not permitted.	✓
13.	The applicant agrees, at his or her sole expense, to defend, indemnify, and hold	✓

	harmless the City, its public officials, officers, employees, and assigns, from any liability; and shall reimburse the City for any expense incurred, resulting from, or in connection with any project approvals. This includes any appeal, claim, suit, or other legal proceeding, to attack, set aside, void, or annul any project approval. The City shall promptly notify the applicant of any legal proceeding, and shall cooperate fully in the defense. The City may, at its sole discretion, participate in any such legal action, but participation shall not relieve the applicant of any obligation under this condition. Should any party bring any legal action in connection with this project, the Superior Court of the County of Monterey, California, shall be the situs and have jurisdiction for the resolution of all such actions by the parties hereto.	
14.	The driveway material shall extend beyond the property line into the public right of way as needed to connect to the paved street edge. A minimal asphalt connection at the street edge may be required by the Superintendent of Streets or the Building Official, depending on site conditions, to accommodate the drainage flow line of the street.	✓
15.	This project is subject to a volume study.	✓
16.	Approval of this Design Study shall be valid only with approval of a Variance.	N/A
17.	A hazardous materials waste survey shall be required in conformance with the Monterey Bay Unified Air Pollution Control District prior to issuance of a demolition permit.	✓
18.	The applicant shall include a storm water drainage plan with the working drawings that are submitted for building permit review. The drainage plan shall include applicable Best Management Practices and retain all drainage on site through the use of semi-permeable paving materials, French drains, seepage pits, etc. Excess drainage that cannot be maintained on site, may be directed into the City's storm drain system after passing through a silt trap to reduce sediment from entering the storm drain. Drainage shall not be directed to adjacent private property.	✓
19a.	An archaeological reconnaissance report shall be prepared by a qualified archaeologist or other person(s) meeting the standards of the State Office of Historic Preservation prior to approval of a final building permit. The applicant shall adhere to any recommendations set forth in the archaeological report. All new construction involving excavation shall immediately cease if materials of archaeological significance are discovered on the site and shall not be permitted to recommence until a mitigation and monitoring plan is approved by the Planning Commission.	N/A
19b.	All new construction involving excavation shall immediately cease if cultural resources are discovered on the site, and the applicant shall notified the	✓

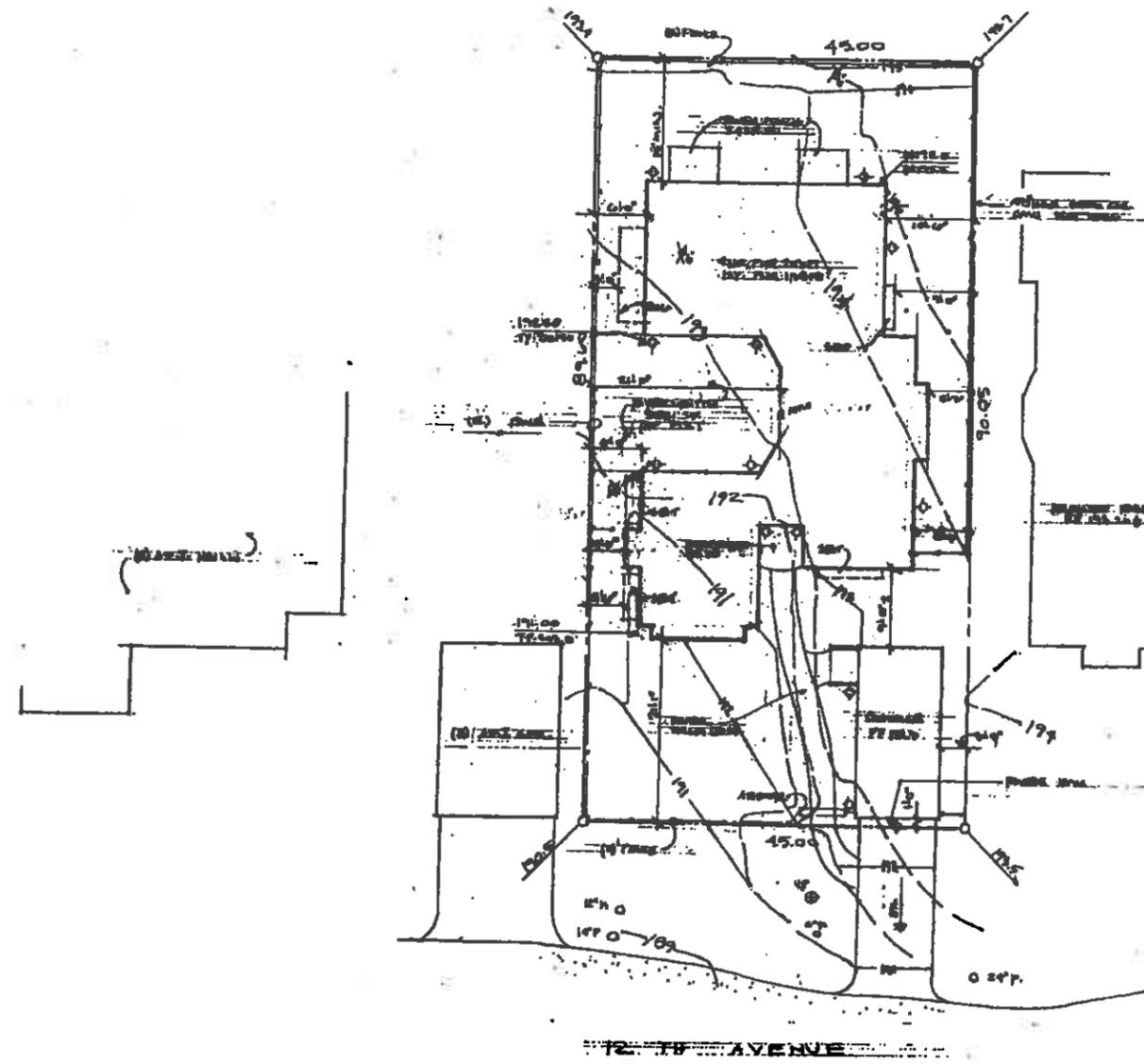
	Community Planning and Building Department within 24 hours. Work shall not be permitted to recommence until such resources are properly evaluated for significance by a qualified archaeologist. If the resources are determined to be significant, prior to resumption of work, a mitigation and monitoring plan shall be prepared by a qualified archaeologist and reviewed and approved by the Community Planning and Building Director. In addition, if human remains are unearthed during excavation, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and distribution pursuant to California Public Resources Code (PRC) Section 5097.98.	
	Special Conditions	
20.	The applicant shall plant one lower-canopy tree and three upper-canopy trees of substantial size and caliber and of a species approved by the City Forester. Prior to issuance of the Certificate of Occupancy the trees shall be planted on site located approximately 10 feet from any building. The trees shall also be shown on the final landscape plan submitted with the building permit application. The applicant shall provide a detailed landscape plan on the plan set submitted for final Planning Commission review.	✓
21.	The skylight located on the south elevation of the second story shall be removed.	✓

*Acknowledgement and acceptance of conditions of approval.

 Property Owner Signature

 Printed Name

 Date



FORM AREA	
AREA 1 (SCHEDULE)	22.0
AREA 2 (SCHEDULE)	30.0
TOTAL	52.0
LOC. AREA	14.2%

SITE COVERAGE (Max 50%)	
DRIVE	10.0
DRW.	12.0
LANDSC.	15.0
PATIO	15.0
POSSIBLE	10.0



Site Plan

1/24/14

REV	DATE	BY	CHKD
1	10-10-13
2	10-10-13
3	10-10-13
4	10-10-13

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BUILDING DESIGN & CONSULTING

draftct

2105 GARDEN RD., SUITE 817 / MONTEREY, CA 93940
 (831) 348-0888

NEW RESIDENCE FOR:
SAN CARLOS, LLP
 12TH AVENUE, 2ND HWY OF SAN CARLOS
 PART OF LOT 11 & 13, BLOCK 131
 APN: 016-164-013-000 CARMEL-BY-THE-SEA

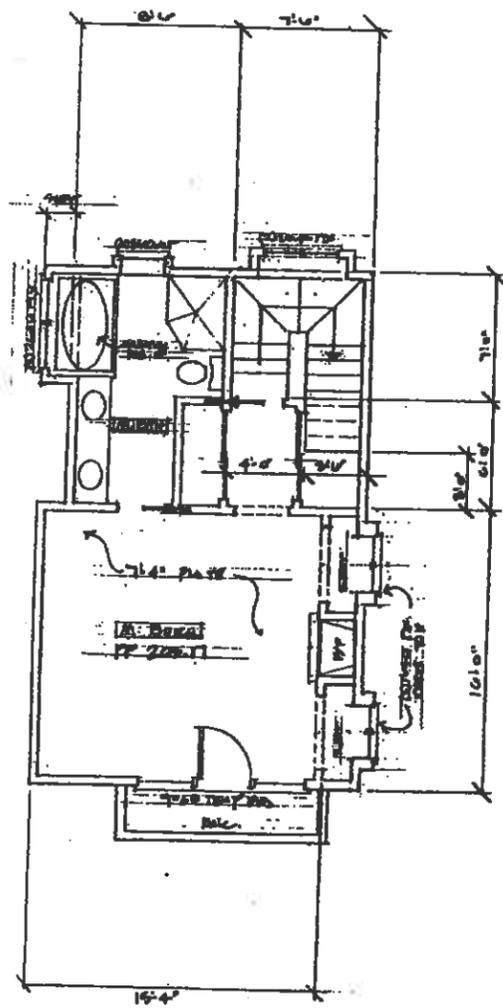
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DATE:

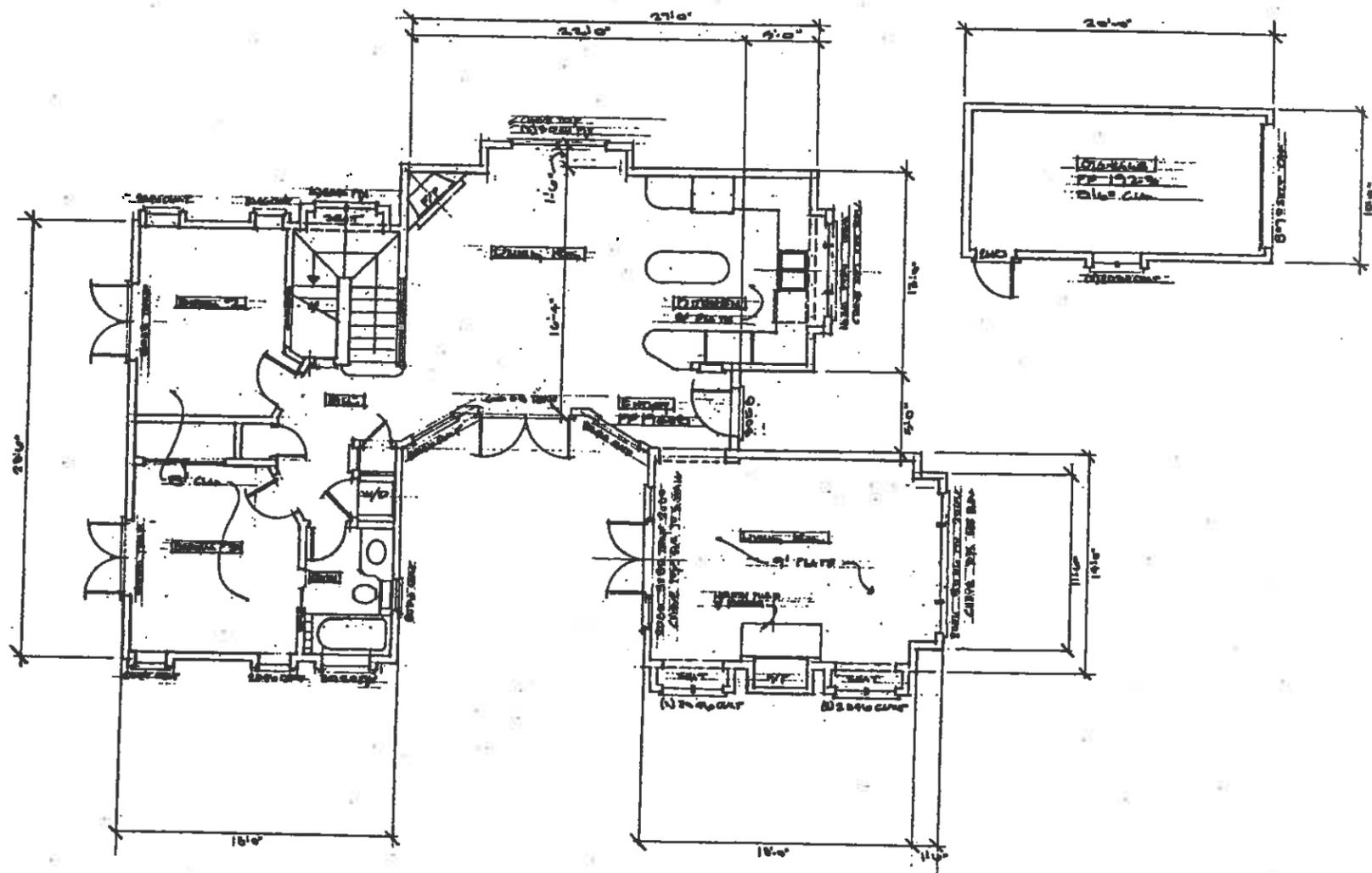
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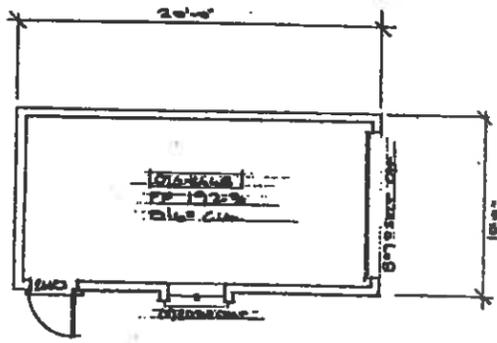
DATE:



SECOND STORY



FIRST STORY



DATE	BY
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8-30-04	JD
7-2-04	JD
10-7-03	JD
10-10-03	JD

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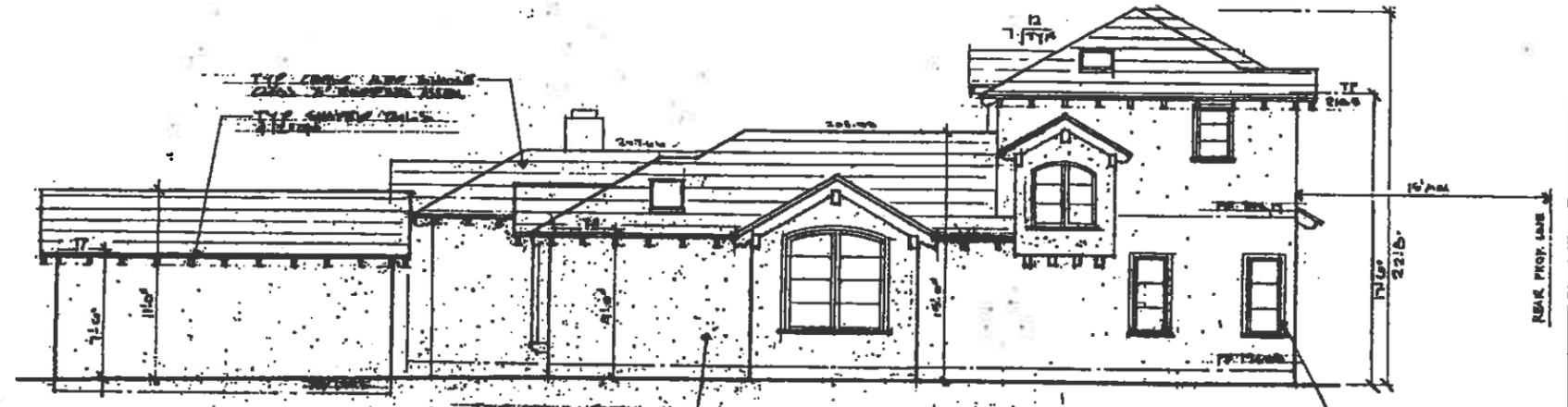
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 & CONSULTING
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 2140 SACRED HILL, SUITE 201 / MONTEVIELO, CA 94020
 (415) 948-3800
 FAX: (415) 948-3800

NEW RESIDENCE FOR:
SAN CARLOS, LLP
 12TH AVENUE, 2 NW OF SAN CARLOS
 PART OF LOT 11 & 13, BLOCK 131
 APN: 010-154-013-000 CARNIEL-BY-THE-SEA

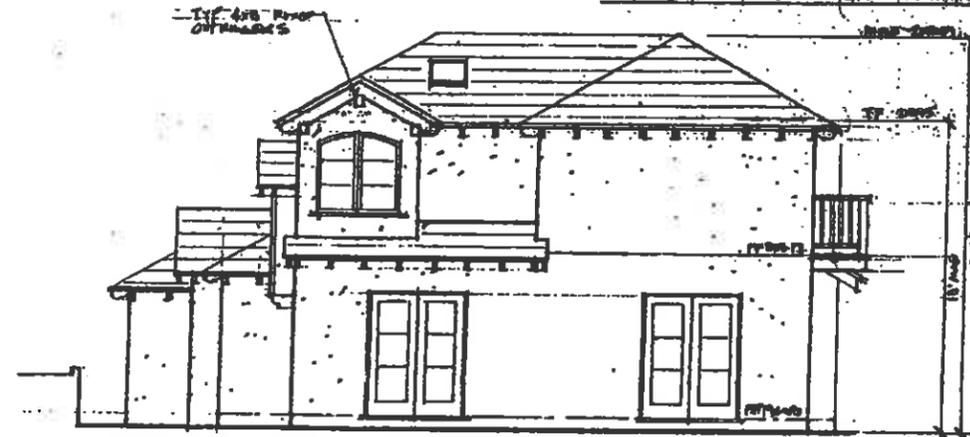
SHEET NO. **A-2**
 TOTAL SHEETS: 12



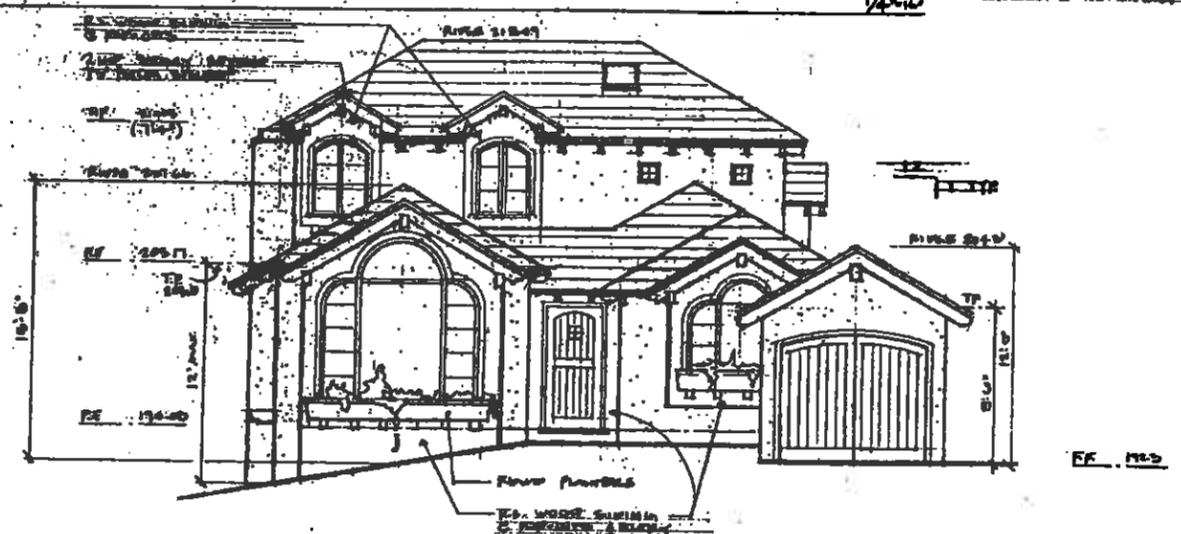
WEST ELEVATION



EAST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION

DATE	BY
10-1-05	JP
10-1-05	JP
10-1-05	JP

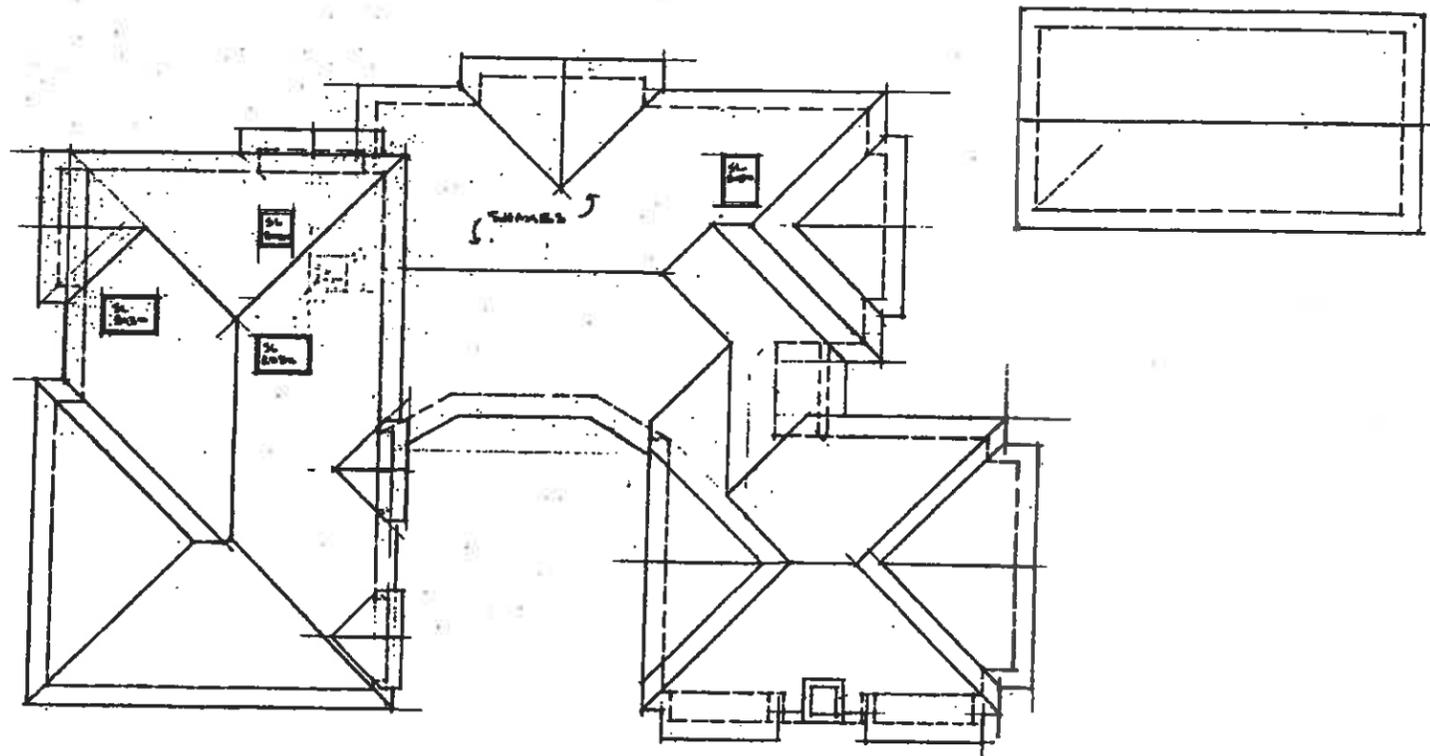
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SAN CARLOS, LLP
 12TH AVENUE, 2 NW OF SAN CARLOS
 PART OF LOT 11 & 13, BLOCK 131
 APN: 010-184-013-000 CARMEL-BY-THE-SEA

DATE	BY
10-1-05	JP
10-1-05	JP
10-1-05	JP

A.3



ROOF PLAN

K. Miller

DATE	8-30-94
BY	AVG
NO.	10-100-00
REV.	10-100-00

NEW RESIDENCE FOR:
 SAN CARLOS, LLP
 13TH AVENUE, 2ND NW OF SAN CARLOS
 PART OF LOT 11 & 13, BLOCK 131
 APN: 010-104-013-000 CARNEL-SY-TYE-SEA

BUILDING DESIGN
 & CONSULTING

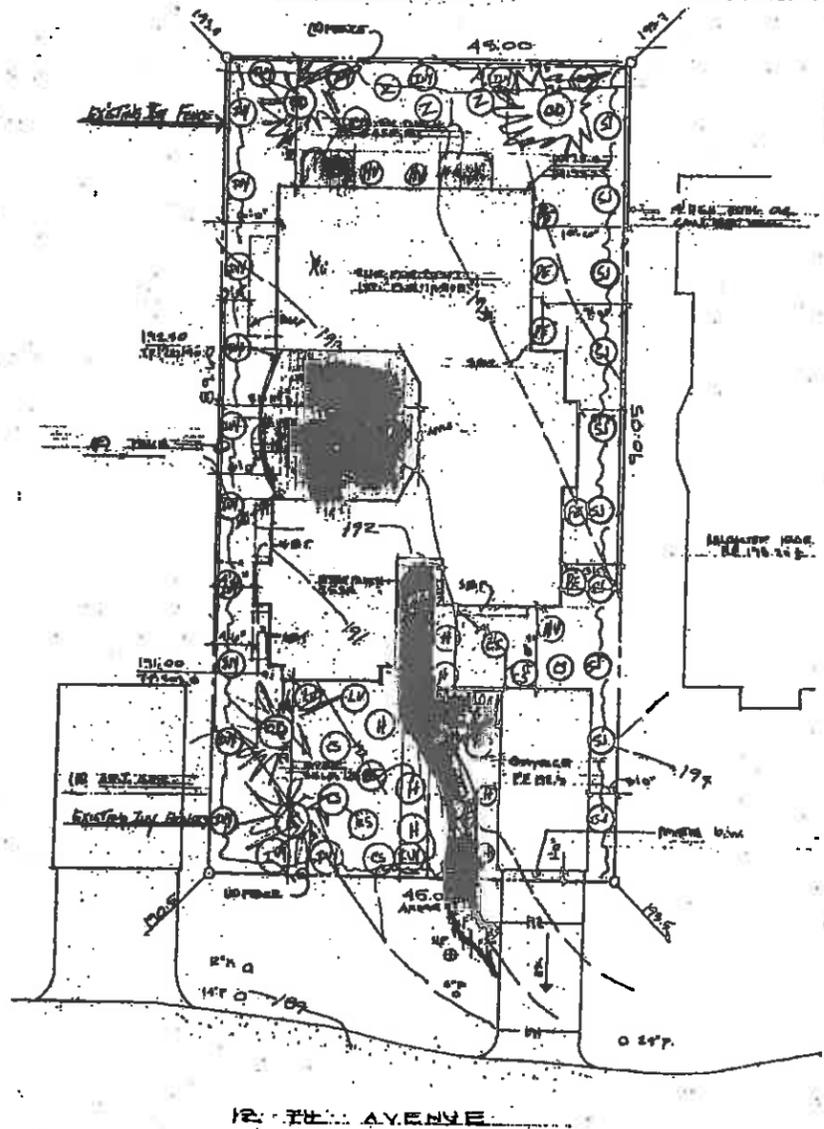
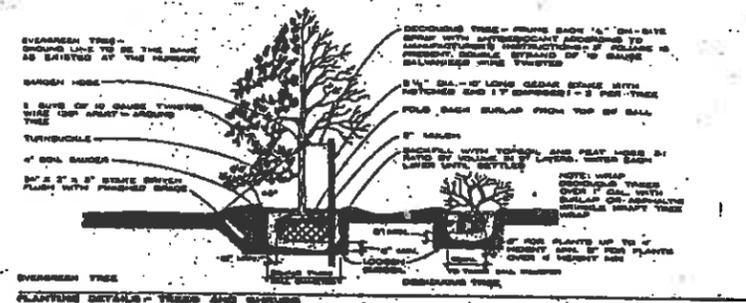
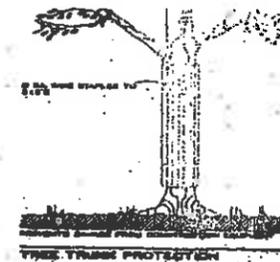
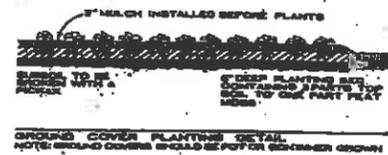
draft

2150 SANDHILL RD., SUITE 101 / MONTEREY, CA 95030
 (415) 949-8888 FAX 949-8888

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DATE	8-30-94
BY	AVG
NO.	10-100-00
REV.	10-100-00

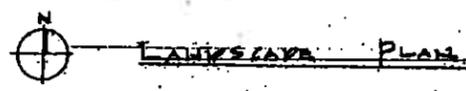


TREE	Quantity	Size
Upper Group Trees	1	12 Gal.
Lower Group Trees	1	15 Gal.

SHRUB AND FLOWER	Quantity	Size
1 - Garden Phlox	7	2 Gal.
2 - Garden Phlox	8	2 Gal.
3 - Garden Phlox	2	2 Gal.
4 - Garden Phlox	2	2 Gal.
5 - Garden Phlox	2	2 Gal.
6 - Garden Phlox	2	2 Gal.
7 - Garden Phlox	2	2 Gal.
8 - Garden Phlox	2	2 Gal.
9 - Garden Phlox	2	2 Gal.
10 - Garden Phlox	2	2 Gal.

WEST FRONT LINE: Existing Fence and Ivy to remain
SOUTH FRONT LINE: Existing Fence and Ivy to be moved from East to West
EAST FRONT LINE: Existing Fence and Ivy to remain

- NOTES:**
- ALL SHRUBS SHALL BE 5 GALLON UNLESS OTHERWISE NOTED ON PLAN.
 - SHRUB PLANTING HOLES TO BE TWO TIMES THE SIZE OF CONTAINER DIAMETER AND 3" DEEPER. BACKFILL WITH ONE PART NATIVE SOIL AND ONE PART NITROGENIZED ORGANIC AMENDMENT. FIRM PLANT SOIL AND WATER COIL IN MINIMAL BASINS AT PLANT.
 - APPLY SLOW RELEASE CHEMICAL FERTILIZER 16-8-8 TO ENTIRE PLANTED SITE. APPLY PRE EMERGENT WEED CONTROL AFTER PLANTING PER MANUFACTURERS RECOMMENDATION. MULCH SITE WHERE BARE OF GROUND COVER WITH CHIPS 1" DEEP.
 - INSTALL ELECTRIC VALVES WITH FILTER & PRESSURE REGULATOR ON ALL SPRINKLER & DRIP SYSTEMS.
 - ELECTRONIC TIME LOCK TO BE LOCATED IN GARAGE.
 - IRRIGATION VALVE LOCATION SHOWN ON SITE PLAN.
 - ALL SHRUBS SHALL BE IRRIGATED WITH A DRIP SYSTEM, OWNER WILL DESIGN SYSTEM.



DATE	BY
8-20-13	...
9-10-13	...
10-10-13	...
11-10-13	...

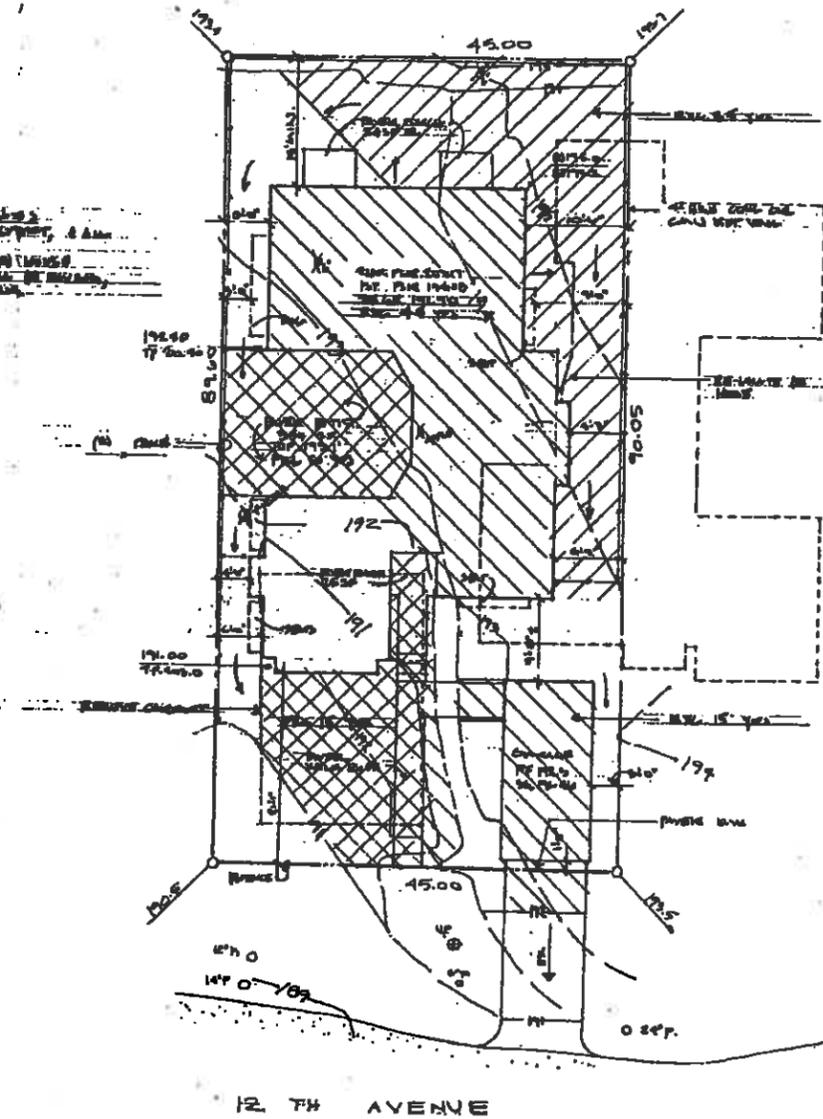
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DRAFTCT
 BUILDING DESIGN & CONSULTING
 2100 GARDEN RD., SUITE 201 / MOUNTAIN VIEW, CA 94039
 (415) 948-0888

NEW RESIDENCE FOR:
SAN CARLOS, LLP
 12TH AVENUE, 2ND FLOOR OF SAN CARLOS
 PART OF LOT 11 & 13, BLOCK 131
 APN: 019-164-013-000 CARMEL-BY-THE-SEA

DATE	BY
8-20-13	...
9-10-13	...
10-10-13	...
11-10-13	...

1. EXISTING GRADE
 2. PROPOSED GRADE
 3. EXISTING DRAINAGE
 4. PROPOSED DRAINAGE



LEGEND
 - - - - - DENOTES EXISTING CONTOURS
 _____ DENOTES PROPOSED CONTOURS
 DENOTES AREA OF EXCAVATION
 DENOTES AREA OF FILL
 - - - - - DENOTES DIRECTION OF DRAINAGE

GRADING AND DRAINAGE NOTES

1. ROOF DRAINS TO BE CONNECTED TO A 3" DIA. SOLID PVC, UNDERGROUND PIPE AND SLOPED AT 1/4" TO 1'-0" TO DAYLIGHT BELOW STRUCTURE.
 2. SUB-DRAINS (FRENCH DRAINS) SHALL BE INSTALLED BEHIND RETAINING WALLS AND ON UP-HILL FOUNDATIONS. SUB DRAINS SHALL BE A 4" DIA. PERF. PIPE CONNECTED TO A SOLID UNDERGROUND PIPE SLOPED AT 1/4" TO 1'-0" TO DAYLIGHT BELOW STRUCTURE.
 3. ALL FINISH GRADES INCLUDING PATIOS, AND DRIVEWAYS SHALL CONTOURED TO SLOPE AWAY FROM PROPOSED STRUCTURES TOWARD AREA DRAINS (CATCH BASINS), OR FRONT YARD AT A MINIMUM OF 2%, AND SHALL NOT BE CONCENTRATED IN ONE AREA, UNLESS NOTED ON SITE PLAN.
 4. ALL DRAINAGE FACILITIES SHOULD BE CHECKED AND MAINTAINED PERIODICALLY TO REMOVE OBSTRUCTIONS AND ASSURE PROPER FUNCTION.
 5. STOCKPILED MATERIALS AND DISTURBED BARE GROUND SHOULD BE COVERED WITH TARPS AND/OR NETTING DURING PERIODS OF RAIN OR HIGH WINDS.
 6. STOCKPILED SOILS SHOULD BE MAINTAINED IN A DAMP CONDITION TO MITIGATE POTENTIAL FOR BLOWING DIRT AND DUST.
 7. ALL AREAS BARE OR DISTURBED BY GRADING SHOULD BE REPLANTED WITH DROUGHT TOLERANT GROUND COVER AS SOON AS POSSIBLE AND MAINTAINED TO PROMOTE A HEALTHY GROUND COVER.
 8. SURROUNDING STREETS AND DRAINAGE COURSES SHOULD BE MAINTAINED CLEAN AND FREE OF CONSTRUCTION DEBRIS.
 9. CUT AND FILL SLOPES SHALL HAVE A MAXIMUM SLOPE OF 2" HORIZONTAL TO 1" VERTICAL.
 10. TOE OF ALL CUT AND FILL SLOPES TO BE 3'-0" FROM PROPERTY LINE.
 11. ALL RE-COMPACTED SOILS AND/OR ENGINEERED FILL SHOULD BE PLACED A MINIMUM 80% RELATIVE DENSITY OR AT THE VALUE REQUIRED FOR THAT PORTION OF THE WORK. ALL PAVEMENT SECTIONS SHOULD BE COMPACTED TO A MINIMUM OF 95% RELATIVE DENSITY.
 12. EXCAVATE 75 YARDS
 13. FILL 21 YARDS
 14. REMOVE SPOILS FROM SITE AND DISPOSE OF AT AN APPROVED LOCATION.
 15. REMOVE EXISTING LAND COVERAGE (PATIOS, WALKS, PAVEMENT) AS SPECIFIED ON PLAN.
- LEGEND:**
 F.F. DENOTES FINISH FLOOR
 S.G. DENOTES FINISH SUB GRADE
 (E) DENOTES EXISTING
 (N) DENOTES NEW
 F.G. DENOTES FINISH GRADE



GRADING / EXISTING / DRAINAGE PLAN

NO.	DATE	DESCRIPTION
1	07-15-06	ISSUED FOR PERMITS
2	07-15-06	ISSUED FOR PERMITS
3	07-15-06	ISSUED FOR PERMITS

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BUILDING DESIGN & CONSULTING
draftrect
 2180 GARDEN RD., SUITE 101 / MONTEREY, CA 95030
 (831) 646-0881

NEW RESIDENCE FOR:
SAN CARLOS, LLP
 127th AVENUE, 2 1/2 W OF SAN CARLOS
 PART OF LOT 11 & 13, BLOCK 131
 APN: 010-154-013-000 CARMEL-BY-THE-SEA

DRAFTRECT
 01

- *Wood shingles and shakes are preferred materials for most types of architecture typical of Carmel (i.e., Arts and Crafts, English Revival and Tudor Revival).*
- *Composition shingles that convey a color and texture similar to that of wood shingles may be considered on some architectural styles characteristic of more recent eras.*

The subject residence can be considered of the Arts and Crafts architectural tradition, is clad with stucco, and has a hipped roof design that is visually prominent from the street. In staff's opinion, a natural wood shake or an alternative roofing material that mimics the appearance of wood shakes (e.g., thick-butted composition shingles) would be most appropriate for the subject residence. Staff notes that other homes in the neighborhood include a mix of composition shingle and wood shake.

When making a decision on the use of composition-shingle roofing, the Planning Commission should consider neighborhood context, the architectural style of the building, and the characteristics of the proposed composition shingle. Staff notes that in certain instances, the Planning Commission has approved the replacement of wood roofing material with composition shingles in cases where the composition shingles are compatible with other homes in the neighborhood and/or when the roof is not highly visible from the street (for example, for flat or low-pitched roofs).

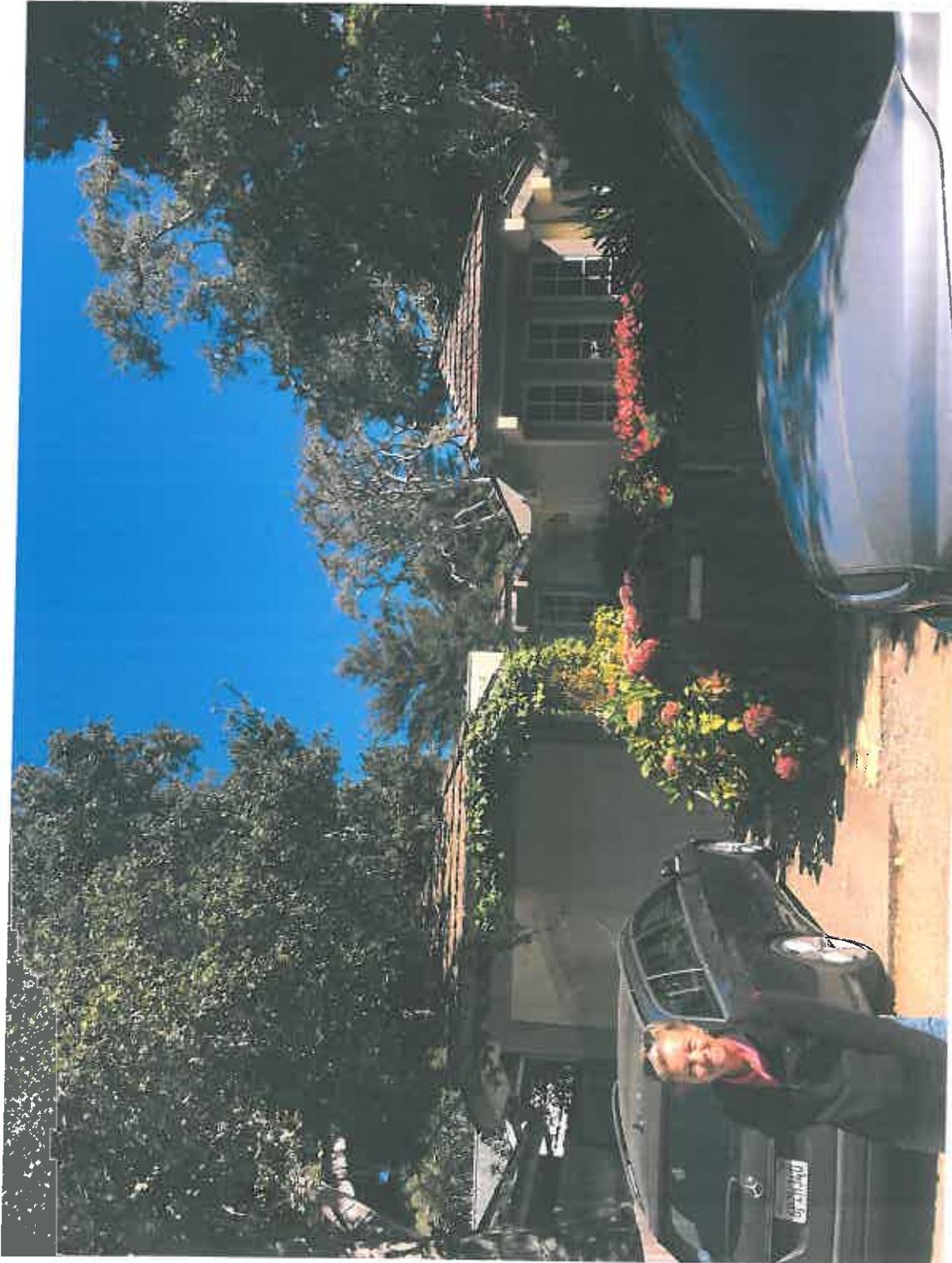
Staff recommends that the Planning Commission approval the proposal for composition shingle roofing with the proviso that the composition shingle be thick butted. As an alternative, the Planning Commission may deny the proposal thereby the property owner would have to replace in-kind. Alternatively, the Planning Commission could approve the proposed composite shingles roofing.

Environmental Review: The proposed project is categorically exempt from CEQA requirements, pursuant to Section 15303 (Class 1) – Additions to Existing Facilities.

ATTACHMENT:

- Attachment A – Site Photograph
- Attachment B – Property owner's letter

Attachment A - Site Photograph



RECEIVED

OCT 05 2016

**City of Carmel-by-the-Sea
Planning & Building Dept.**

To whom it may concern:

Our house on Casanova St 5 NE 13th is in desperate need of a new roof. The shake roof that is on it now is old (at least 25 years) and is missing several shakes and has lots of loose shakes. We would like to replace the roof as soon as possible, preferably before the rainy season begins (we are all hoping for a really wet winter). I have talked to several roofers and have been advised that the best roof to have in Carmel is a composite roof. I like the idea that this kind of roof is fire resistant which is really important to us. A house 2 doors down from us burned to the ground a few years ago and if it hadn't been such a still night the roof on our house would have probably burned too. The neighbors on either side of us have already replaced their roofs with composite and we would like to be consistent with what they have done. Please approve our permit right away so we can get this project under way. Thanks so much for your consideration.

Beth Bening Martin

Bbmartin1@mac.com

south east portion of the residence in 1936. The residence was officially listed in the Carmel Inventory of Historic Resources on September 7, 2004.

The Raymond Meeks House is an owner-built house that is significant at the local level under criterion #3 (architecture), as a minimally-altered example of the Craftsman style of architecture in Carmel. According to the Phase II Historic Report, character defining features include its raised one-story height, irregular plan, board-and-batten exterior wall cladding, low-pitched side-gabled roof system with exposed rafter tails, Craftsman style windows, and extensive use of Carmel stone retaining walls, staircases and an exterior eave wall chimney.

Proposed Project

The existing residence is 953 square feet in size. The applicant is proposing to add 847 square feet, including 340 square feet to the lower floor and 507 square feet to the upper-floor equaling a total square footage of 1,800 square feet. The additions to the residence will consist of a single-story bedroom addition on the north-east elevation of the residence, a second-story addition over the south-east portion of the existing historic residence and a first- and second-story addition at the rear of the residence. The proposed addition will extend the building's footprint by approximately 15 feet to 25 feet to the east (rear).

In addition to the expansion of the residence, the project consists of the following components: 1) the construction of a front- (west) facing deck accessed from sliding glass doors on the new second-story addition at the rear that will be concealed behind the historic first-story ridge line of the residence; 2) The installation of thin, grey composition shingle roofing on the addition; 3) the replacement of an original wood door on the front elevation with a casement window; 4) the installation of 8 new unclad, wood windows and 2 new doors on the addition; 5) the replacement of two vertical non-historic sections of sandstone veneer from the sides of the garage with board-and-batten wood siding to match existing; and 6) the repair of the altered top of the existing Carmel stone chimney on the south side elevation, 7) the installation of a new permeable paver driveway and a new patio at the rear of the residence; 8) the demolition of the existing 4 to 5 foot high stone wall in the rear yard and its replacement with a stucco wall measuring 6 feet and 6 inches to 7 feet and 6 inches; 9) new exterior lighting.

The siding on the proposed addition will be vertical wood board-and-batten measuring 1 inch by 4 inches with a 16-inch separation to differentiate it from the historic siding measuring 1 inch by 3 inches with a 12-inch separation between battens. The applicant is proposing to repaint the exterior of the residence with Behr "Flannel grey" as the primary color and white trim.

Additionally, the project's new windows are unclad wood and will be differentiated from the historic windows with two vertical muntin bars separating three lights at the top of the window and one light at the bottom. While the historic windows have a single vertical muntin bar separating two lights at the top of the window and one light at the bottom. All work shall conform to the approved plans except as conditioned by this permit.

Because of the historic status of the residence, the project plans were reviewed by the Carmel Historic Resources Board (HRB) which issued a Determination of Consistency with the Secretary's Standards at their October 17, 2016 meeting. The transcript of this meeting is available to the public and Commissioners if they would like more background on the review process related to this residence. Three Special Conditions were required of this project by the HRB, which are included in the attached Conditions of Approval. In addition, Mr. Kent Seavey, the City's Historic Preservation Consultant, reviewed the plans and concluded that the proposed remodel is consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties.

PROJECT DATA FOR A 4,000 SQUARE FOOT SITE:			
Site Considerations	Allowed	Existing	Proposed
Floor Area	1,800 sf	953 sf	1800 sf
Site Coverage	396 (556 if 50% or more is permeable) sf	1,341 sf	556 sf
Trees	3 Upper /1 Lower (recommended)	0/7	0/6
Ridge Height (1 st /2 nd)	18'/24'	13' - 16'	13' - 16' (addition)/ 23' (addition)
Plate Height (1 st /2 nd)	12'/ 18'	9'	9' - 13'(addition)/ 17' (addition)
Setbacks	Minimum Required	Existing	Proposed
Front	15'	38'	38'
Composite Side Yard	10' (25%)	13', 7" (34%)	10' (25%)
Minimum Side Yard	3'	3.7'	3.7'
Rear	15'	34'	17'

Staff has scheduled this application for both conceptual review and final review. If the Commission has concerns that cannot be addressed at one meeting it may continue the application.

Staff Analysis:

Forest Character: Residential Design Guidelines 1.1 through 1.4 encourage maintaining “*a forested image on the site*” and for new construction to be at least six feet from significant trees.

The City Forester visited the site with the City Planner in August 2016 as part of the Preliminary Site Assessment process and identified seven trees on the property including five significant Coast Live Oaks, one moderately-significant Pittosporum (Tree #7), and one Sugar Bush (*Rhus ovata*) (Tree #6) that is rated not significant by the City Forester. Staff has drafted a condition of approval that the applicant plant one upper-canopy tree in the rear yard of the property, as per the recommendations provided by the City Forester in the Preliminary Site Assessment Report.

In order to construct the addition in the rear (east) yard, the existing Carmel stone retaining wall is proposed to be demolished and a new 6 ft., 6 in. to 7 ft., 6 in. stucco wall is proposed to be constructed between 4 and 9 feet back from the existing wall. This will also necessitate the removal of the moderately-significant 12” pittosporum tree in the rear yard. Since the tree is moderately significant, it may be removed with the submittal of a tree removal permit application. Additionally, the Significant Tree Assessment Map drawn by the Forester indicates that a significant tree limb overhangs the south portion of the residence where the second-story addition will be located. If this tree limb is proposed for removal, a tree limb removal application is required. Staff has added a condition to this approval requiring that the applicant submit a tree removal permit for both the removal of the pittosporum and the removal of the significant tree limb.

Privacy & Views: Residential Design Guidelines 5.1 through 5.3 state that “*designs should preserve reasonable solar access to neighboring parcels*” and “*maintain privacy of indoor and outdoor spaces in a neighborhood*” and “*maintain view opportunities.*”

In regard to views, the residence to the rear (east) is elevated on the slope of the hill, faces west and may have an ocean view. Staff notes that the neighboring residence to the rear is elevated a substantial amount above the final grade of the proposed addition. In staff’s opinion, a view impact is possible but is likely to be minimal. The applicant has striven to minimize view impacts since the 2nd story addition’s overall height is 23 feet and since the project proposes grading the existing terraced rear yard to remove 6 to 7 feet of height so that the addition will be located at the same

grade as the existing residence. The Commission should evaluate the project's view impact after viewing the completed staking and flagging. As of the writing of this report, only partial staking and flagging had been erected.

In regard to privacy impacts, it appears that two upper-story windows will face and may overlap with neighboring windows. Window "T" (see window schedule) on the second-story addition will be positioned over the existing residence and appears to face a square divided light window on the upper-story of the neighboring property to the south. Window "T" is located in the master bedroom and consists of two side-by-side casement windows that are each 2.5 feet by 4 feet. The window will be located 6.5 feet back from the side property line and is partially obscured by an oak tree.

Additionally, window "N" on the second-story at bedroom 4 appears to line up with a double casement window on the neighboring property to the south. Window "N" on the second story is proposed to be 2.5 feet by 4 feet and located 6.5 feet back from the property line. In staff's opinion, this could constitute a privacy issue.

The Planning Commission will have the opportunity to evaluate the window locations during the tour of inspection. If the Commission feels that these windows do not constitute a privacy impact, in staff's opinion, the proposed residence meets the objectives of Residential Design Guidelines 5.1 through 5.3.

Mass & Scale: Residential Design Guidelines 7.1 through 7.6 advises that projects should "*Minimize mass of a building as seen from the public way or adjacent properties*" "Further, these guidelines state that "*a building should relate to a human scale in its basic forms.*"

In regard to the scale of the building, the proposed addition will be two stories in height and will be located over the roof of the existing residence as a second story. The first- and second-story addition will also extend the footprint of the existing residence by approximately 12 feet to the east. While the applicant is proposing to add a second story and while the top portion of the addition will be visible from the public way, the addition is located at the rear of the residence. Additionally, at the recommendation of the City's Historic Consultant, the residence has been reduced in height from 24 feet to 23 feet. In staff's opinion, the visibility of the addition from a pedestrian's perspective at the street will be minimal since the elevation of the grade on which the residence sits is several feet higher than the elevation of the grade at the street. Also, in staff's opinion, the scale of the second-story addition will be in keeping with the scale of the historic

residence. The historic residence is set back approximately 37 feet from the front property line while the new 2-story addition will be set back approximately 58 feet from the front property line.

In regard to the mass of the proposal, the design of the addition incorporates a variety of building and roof heights adding to the visual interest of the building. Furthermore, the second-story element's setback from the front of the residence helps to decrease its mass and visibility and its 8.5 foot setback from the north (side) elevation and 2-foot setback from the south (side) elevation helps break up mass of the building and creates varied wall segments and roof lines. In staff's opinion, this project possesses a reasonable human-scale form and appearance and meets the objectives of Residential Design Guidelines 7.1 through 7.6.

Building & Roof Form: Residential Design Guidelines 8.1 through 8.3 state that *"Shallow to moderately pitched roofs are appropriate on one-story buildings. More steeply pitched roof with low plate lines can be used on two-story buildings", roof eave lines should appear low in scale", "a roof form should be in proportion to the scale of the building"*. The Guidelines emphasize using *"restraint"* and *"simplicity"* in building forms, which should not be complicated, and roof lines, which should *"avoid complex forms."*

The roof of the existing single-story historic residence has a 4:12, low pitch and is side-gabled with wide overhanging eaves and exposed rafter tails. For the second-story addition, the applicant is proposing to match the 4:12 roof slope, side gabling and thin roll-roofing grey composition shingle material of the historic residence. These roof lines are simple and modest and are part of the residence's historic character-defining features. For the first-story addition at the north-east of the residence, the applicant is proposing a mostly flat roof with a 1:12 pitch. The flat roofed portion of the addition appears subordinate to the historic 4:12 roof slope. In staff's opinion, the changing roof heights of this residence helps to break up the mass, while keeping the overall roof forms simple in character and consistent with the original.

This project proposes a front- (west) facing balcony on the second story of the addition that will be concealed behind the top roof ridge of the original first-story historic portion of the building. Since the proposed balcony will not be visible from the public right-of-way, in staff's opinion the project will maintain a simple building form. However in regard to the sliding glass door on the upper-story balcony that will be partially visible on the front elevation, staff is concerned that the proposed style of the door is not compatible with the historic windows. The Commission should decide if the sliding glass door on the west elevation at the balcony is compatible with the design of the historic windows and doors on the residence.

Finally, the applicant is proposing to install wood, unclad windows with muntins that are differentiated from those of the residence's historic windows. The window sizes and styles that the applicant is proposing are in-scale with the historic window sizes. Since the addition is located to the rear and the upper-story addition is stepped back on the sides, the original residence's simple raised one story height is allowed to remain the primary visible feature of the residence.

This project achieves appropriate scale and form through locating the addition at the rear and allowing the second-story addition and balcony to be subordinate to and largely complementary in appearance with the historic original residence. In staff's opinion, the roof design is simple and complements the original building's style and so meets the objectives of Residential Design Guidelines 8.1 through 8.3.

Exterior Lighting: With regard to light fixtures, Municipal Code Section 15.36.070.B.1 and 2 states that all exterior lighting attached to the main building or any accessory building shall be no higher than 10 feet above the ground and shall not exceed 25 watts (incandescent equivalent; i.e., approximately 375 lumens) in power per fixture.

The City's Residential Design Guidelines, Section 11.8, states, "*Preserve the low nighttime lighting character of the residential neighborhoods. Use lights only where needed for safety and at outdoor activity areas. Appropriate locations may include building entries, gates, terraces, walkways, and patios,*" and "[...] *Point lights downward to reduce glare and avoid light pollution*", "*Locate and shield fixtures to avoid glare and excess lighting as seen from the neighboring properties and from the street*", and "*Lights should not be used to accent building or vegetation*".

The applicant is proposing to install two exterior lights: one at the new door on the lower story of the new addition at the rear of the residence and the second light on the west- (front) facing balcony on the second story of the addition. The location and style of the proposed wall-mounted light fixtures are depicted in Attachment D. The applicant is proposing lantern-style lights with opaque glass. No landscape lighting is proposed.

In regard to the proposed light that will be located next to the sliding glass doors leading to the proposed deck, staff recommends that since this light will face the street and may be able to be seen from the street and since the light will be located across from 3 square casement windows on the neighboring property to the south, staff has drafted a condition of approval requiring that this light be shielded and down-facing only rather than lantern-style. The Commission may also require that the proposed light in the rear yard be down-facing as well.

Site Coverage: Per Municipal Code Section 17.10.030.C, site coverage shall be limited to a maximum of 22 percent of the base floor area allowed for the site (Note: on a 4,000 square-foot site this equals 396 square feet). In addition, if at least 50 percent of all site coverage on the property is made of permeable or semi-permeable materials, an additional amount of site coverage of up to four percent of the site area, or 556 square feet of site coverage. The applicant is proposing to reduce the rear patio from 411 square feet to 78 square feet, reduce the width of the driveway from 19.5 feet to 10 feet and replace the concrete driveway with permeable pavers. Staff notes that the applicant has reduced the proposed site coverage from 1,341 to 556 square feet in compliance with the City's allowed site coverage limit for a 4,000 square foot lot.

Grading/Cut and Fill: The location of the 1 and 2-story addition in the rear yard requires that the existing rear yard be graded to remove approximately 6 to 7 feet of grade height to allow the addition to be built at the same grade as the historic residence. While the Residential Design Guidelines recommend minimizing the extent of excavation and fill on a site and following the natural contours of the site, staff can support this grading proposal since the original residence relied on substantial grading and since it will decrease the visibility of the addition and enable it to preserve neighboring views to the ocean. This amount of grading will require 54 cubic yards of cut to be exported off of the site.

Public ROW: Staff did not note any encroachments in the right-of-way.

Alternatives: Staff has included draft findings that the Commission can adopt if the Commission accepts the overall design concept. However, if the Commission does not support the design, then the Commission could continue the application with specific direction given to the applicant.

Environmental Review: The proposed project is categorically exempt from CEQA requirements, pursuant to Section 15301 (Class 1) – Existing Facilities. The project includes a 847-square foot addition to an existing 953-square foot residence, and therefore qualifies for a Class 1 exemption. The proposed alterations to the residence do not present any unusual circumstances that would result in a potentially significant environmental impact.

ATTACHMENTS:

- Attachment A – Site Photographs
- Attachment B – Findings for Approval
- Attachment C – Conditions of Approval

- Attachment D – Lighting Details and Roofing Details
- Attachment E – Project Plans

Garren Residence Photographs

West (Front) elevation of the existing residence





East (rear) yard and rear elevation





Area of new 2nd story addition and 2nd story windows on the neighboring property to the south





West-facing windows and balcony on neighboring property to the east (rear)





North (side) Elevation



Attachment B – Findings for Approval

DS 16-306 (Garren)
November 9, 2016
Findings for Approval
Page 1

FINDINGS REQUIRED FOR FINAL DESIGN STUDY APPROVAL (CMC 17.64.8 and LUP Policy P1-45)		
For each of the required design study findings listed below, staff has indicated whether the submitted plans support adoption of the findings. For all findings checked "no" the staff report discusses the issues to facilitate the Planning Commission decision-making. Findings checked "yes" may or may not be discussed in the report depending on the issues.		
Municipal Code Finding	YES	NO
1. The project conforms with all zoning standards applicable to the site, or has received appropriate use permits and/or variances consistent with the zoning ordinance.	✓	
2. The project is consistent with the City's design objectives for protection and enhancement of the urbanized forest, open space resources and site design. The project's use of open space, topography, access, trees and vegetation will maintain or establish a continuity of design both on the site and in the public right of way that is characteristic of the neighborhood.	✓	
3. The project avoids complexity using simple/modest building forms, a simple roof plan with a limited number of roof planes and a restrained employment of offsets and appendages that are consistent with neighborhood character, yet will not be viewed as repetitive or monotonous within the neighborhood context.	✓	
4. The project is adapted to human scale in the height of its roof, plate lines, eave lines, building forms, and in the size of windows doors and entryways. The development is similar in size, scale, and form to buildings on the immediate block and neighborhood. Its height is compatible with its site and surrounding development and will not present excess mass or bulk to the public or to adjoining properties. Mass of the building relates to the context of other homes in the vicinity.	✓	
5. The project is consistent with the City's objectives for public and private views and will retain a reasonable amount of solar access for neighboring sites. Through the placement, location and size of windows, doors and balconies the design respects the rights to reasonable privacy on adjoining sites.	TBD	
6. The design concept is consistent with the goals, objectives and policies related to residential design in the general plan.	✓	
7. The development does not require removal of any significant trees unless necessary to provide a viable economic use of the property or protect public health and safety. All buildings are setback a minimum of 6 feet from significant trees.	✓	
8. The proposed architectural style and detailing are simple and restrained in character, consistent and well integrated throughout the building and complementary to the neighborhood without appearing monotonous or repetitive in context with designs on nearby sites.	✓	

9. The proposed exterior materials and their application rely on natural materials and the overall design will add to the variety and diversity along the streetscape.	✓	
10. Design elements such as stonework, skylights, windows, doors, chimneys and garages are consistent with the adopted Design Guidelines and will complement the character of the structure and the neighborhood.	✓	
11. Proposed landscaping, paving treatments, fences and walls are carefully designed to complement the urbanized forest, the approved site design, adjacent sites, and the public right of way. The design will reinforce a sense of visual continuity along the street.	✓	
12. Any deviations from the Design Guidelines are considered minor and reasonably relate to good design principles and specific site conditions.	✓	

COASTAL DEVELOPMENT FINDINGS (CMC 17.64.B.1):

1. Local Coastal Program Consistency: The project conforms with the certified Local Coastal Program of the City of Carmel-by-the Sea.	✓	
2. Public access policy consistency: The project is not located between the first public road and the sea, and therefore, no review is required for potential public access.	✓	

Attachment C – Conditions of Approval

DS 16-306 (Garren)
 November 9, 2016
 Conditions of Approval
 Page 1

Revised Conditions of Approval		
No.	Standard Conditions	
1.	Authorization: This approval of Design Study (DS 16-306) authorizes 1) An addition to the existing residence of 847 square feet, including 340 square feet to the lower floor and 507 square feet to the upper-floor equaling a total square footage of 1,800 square feet; 2) the construction of a front- (west) facing deck accessed from sliding glass doors on the new second-story addition at the rear that will be concealed behind the historic first-story ridge line of the residence; 3) The installation of thin, grey composition shingle roofing on the addition; 4) the replacement of an original wood door on the front elevation with a casement window; 5) the installation of 8 new unclad wood windows and 2 new doors on the addition; 6) the replacement of two vertical non-historic sections of sandstone veneer from the sides of the garage with board-and-batten wood siding to match existing; and 7) the repair of the altered top of the existing Carmel stone chimney on the south side elevation, 8) the installation of a new permeable paver driveway and a new patio at the rear of the residence; 9) the demolition of the existing 4 to 5 foot high stone wall in the rear yard and its replacement with a stucco wall measuring 6 feet and 6 inches to 7 feet and 6 inches; 10) new exterior lighting.	✓
2.	The project shall be constructed in conformance with all requirements of the local R-1 zoning ordinances. All adopted building and fire codes shall be adhered to in preparing the working drawings. If any codes or ordinances require design elements to be changed, or if any other changes are requested at the time such plans are submitted, such changes may require additional environmental review and subsequent approval by the Planning Commission.	✓
3.	This approval shall be valid for a period of one year from the date of action unless an active building permit has been issued and maintained for the proposed construction.	✓
4.	All new landscaping, if proposed, shall be shown on a landscape plan and shall be submitted to the Department of Community Planning and Building and to the City Forester prior to the issuance of a building permit. The landscape plan will be reviewed for compliance with the landscaping standards contained in the Zoning Code, including the following requirements: 1) all new landscaping shall be 75% drought-tolerant; 2) landscaped areas shall be irrigated by a drip/sprinkler system set on a timer; and 3) the project shall meet the City's recommended tree density standards, unless otherwise approved by the City based on site conditions. The landscaping plan shall show where new trees will be planted when new trees are required to be planted by the Forest and Beach	✓

	Commission or the Planning Commission.	
5.	Trees on the site shall only be removed upon the approval of the City Forester or Forest and Beach Commission as appropriate; and all remaining trees shall be protected during construction by methods approved by the City Forester.	✓
6.	All foundations within 15 feet of significant trees shall be excavated by hand. If any tree roots larger than two inches (2") are encountered during construction, the City Forester shall be contacted before cutting the roots. The City Forester may require the roots to be bridged or may authorize the roots to be cut. If roots larger than two inches (2") in diameter are cut without prior City Forester approval or any significant tree is endangered as a result of construction activity, the building permit will be suspended and all work stopped until an investigation by the City Forester has been completed. Twelve inches (12") of mulch shall be evenly spread inside the dripline of all trees prior to the issuance of a building permit. No construction equipment or materials may be left within 6 feet of any tree.	✓
7.	Approval of this application does not permit an increase in water use on the project site. Should the Monterey Peninsula Water Management District determine that the use would result in an increase in water beyond the maximum units allowed on a 4,000-square foot parcel, this permit will be scheduled for reconsideration and the appropriate findings will be prepared for review and adoption by the Planning Commission.	✓
8.	The applicant shall submit in writing to the Community Planning and Building staff any proposed changes to the approved project plans prior to incorporating changes on the site. If the applicant changes the project without first obtaining City approval, the applicant will be required to either: a) submit the change in writing and cease all work on the project until either the Planning Commission or staff has approved the change; or b) eliminate the change and submit the proposed change in writing for review. The project will be reviewed for its compliance to the approved plans prior to final inspection.	✓
9.	Exterior lighting shall be limited to 25 watts or less (incandescent equivalent, i.e., 375 lumens) per fixture and shall be no higher than 10 feet above the ground. Landscape lighting shall be limited to 15 watts (incandescent equivalent, i.e., 225 lumens) or less per fixture and shall not exceed 18 inches above the ground.	✓
10.	All skylights shall use non-reflective glass to minimize the amount of light and glare visible from adjoining properties. The applicant shall install skylights with flashing that matches the roof color, or shall paint the skylight flashing to match the roof color.	N/A

11.	The Carmel stone façade shall be installed in a broken course/random or similar masonry pattern. Setting the stones vertically on their face in a cobweb pattern shall not be permitted. Prior to the full installation of stone during construction, the applicant shall install a 10-square foot section on the building to be reviewed by planning staff on site to ensure conformity with City standards.	N/A
12.	The applicant shall install unclad wood framed windows. Windows that have been approved with divided lights shall be constructed with fixed wooden mullions. Any window pane dividers, which are snap-in, or otherwise superficially applied, are not permitted.	✓
13.	The applicant agrees, at his or her sole expense, to defend, indemnify, and hold harmless the City, its public officials, officers, employees, and assigns, from any liability; and shall reimburse the City for any expense incurred, resulting from, or in connection with any project approvals. This includes any appeal, claim, suit, or other legal proceeding, to attack, set aside, void, or annul any project approval. The City shall promptly notify the applicant of any legal proceeding, and shall cooperate fully in the defense. The City may, at its sole discretion, participate in any such legal action, but participation shall not relieve the applicant of any obligation under this condition. Should any party bring any legal action in connection with this project, the Superior Court of the County of Monterey, California, shall be the situs and have jurisdiction for the resolution of all such actions by the parties hereto.	✓
14.	The driveway material shall extend beyond the property line into the public right of way as needed to connect to the paved street edge. A minimal asphalt connection at the street edge may be required by the Superintendent of Streets or the Building Official, depending on site conditions, to accommodate the drainage flow line of the street.	✓
15.	This project is subject to a volume study.	✓
16.	Approval of this Design Study shall be valid only with approval of a Variance.	N/A
17.	A hazardous materials waste survey shall be required in conformance with the Monterey Bay Unified Air Pollution Control District prior to issuance of a demolition permit.	✓
18.	The applicant shall include a storm water drainage plan with the working drawings that are submitted for building permit review. The drainage plan shall include applicable Best Management Practices and retain all drainage on site through the use of semi-permeable paving materials, French drains, seepage pits, etc. Excess drainage that cannot be maintained on site, may be directed into the City's storm drain system after passing through a silt trap to reduce sediment from entering the storm drain. Drainage shall not be directed to	✓

	adjacent private property.	
19a.	An archaeological reconnaissance report shall be prepared by a qualified archaeologist or other person(s) meeting the standards of the State Office of Historic Preservation prior to approval of a final building permit. The applicant shall adhere to any recommendations set forth in the archaeological report. All new construction involving excavation shall immediately cease if materials of archaeological significance are discovered on the site and shall not be permitted to recommence until a mitigation and monitoring plan is approved by the Planning Commission.	N/A
19b.	All new construction involving excavation shall immediately cease if cultural resources are discovered on the site, and the applicant shall notified the Community Planning and Building Department within 24 hours. Work shall not be permitted to recommence until such resources are properly evaluated for significance by a qualified archaeologist. If the resources are determined to be significant, prior to resumption of work, a mitigation and monitoring plan shall be prepared by a qualified archaeologist and reviewed and approved by the Community Planning and Building Director. In addition, if human remains are unearthed during excavation, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and distribution pursuant to California Public Resources Code (PRC) Section 5097.98.	✓
20.	Prior to Building Permit issuance, the applicant shall provide for City (Community Planning and Building Director in consultation with the Public Services and Public Safety Departments) review and approval, a truck-haul route and any necessary temporary traffic control measures for the grading activities. The applicant shall be responsible for ensuring adherence to the truck-haul route and implementation of any required traffic control measures.	✓
21.	All conditions of approval for the Planning permit(s) shall be printed on a full-size sheet and included with the construction plan set submitted to the Building Safety Division.	✓
	<u>Special Conditions</u>	
22.	The applicant shall applicant plant one upper-canopy tree in the rear yard of the property.	
23.	The applicant shall revise the lantern-style light located next to the sliding glass doors on the upper-story west-facing deck to be shielded and down-facing only to decrease excess lighting and glare from the right-of way and from the neighboring property's windows.	

DS 16-306 (Garren)
November 9, 2016
Conditions of Approval
Page 5

*Acknowledgement and acceptance of conditions of approval.

Property Owner Signature

Printed Name

Date

Once signed, please return to the Community Planning and Building Department.

SANTA RITA
3 NE OF GTH

HOME
DECORATORS
COLLECTION

**Small
Exterior
Wall Lantern**
Round Craftsman
Collection

- Dark rubbed bronze finish
- Honey mist glass shade
- Uses a standard bulb up to 60 watts or CFL equivalent (sold separately)
- 9.4" h x 6.5" w x 7.5" d



SANTA RITA
3 NE OF GTH



'ELK PRESTIQUE'
PREMIUM



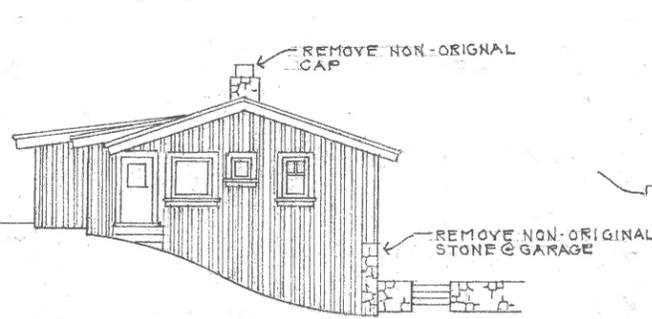
White 52^u

TRIM

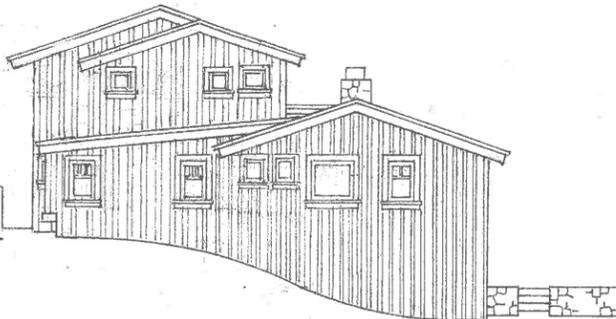


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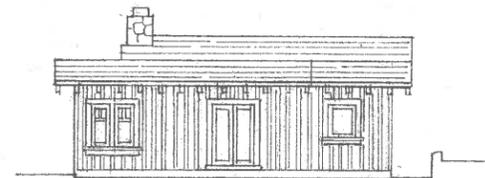
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- A 3'-0" x 6'-8" CUSTOM, EX.
 - B 4'-0" x 5'-0" FIXED, EX.
 - C 2'-6" x 6'-8" DUTCH, OMIT EX.
 - D 2 @ 2'-6" x 3'-6" CASEMENT, EX.
 - E 2 @ 2'-0" x 4'-0" CASEMENT, OMIT EX.
 - F 2'-0" x 6'-8" PAIR, FRENCH, OMIT EX.
 - G 2'-6" x 3'-0" CASEMENT, OMIT EX.
 - H 2'-6" x 6'-8" DUTCH, OMIT EX.
 - J 4'-0" x 4'-0" FIXED, RELO. TO MAS. BA.
 - K 2'-0" x 2'-0" CASEMENT, RELO. TO MAS. BA.
 - L 2'-6" x 3'-6" CASEMENT, EX.
 - M 2'-6" x 3'-6" CASEMENT, NEW.
 - N 2'-6" x 4'-0" CASEMENT, NEW.
 - O 3 @ 2'-0" x 2'-0" CASEMENT, NEW.
 - P 2'-0" x 2'-0" CASEMENT, NEW.
 - Q 3'-0" x 6'-8" FRENCH, NEW.
 - R 6'-0" x 6'-8" SLIDER, NEW.
 - S 4'-0" x 4'-0" FIXED, NEW.
 - T 2 @ 2'-6" x 4'-0" CASEMENT, NEW.
 - U 2'-0" x 2'-0" CASEMENT, NEW.
 - Y 2'-0" x 3'-0" CASEMENT, EX.



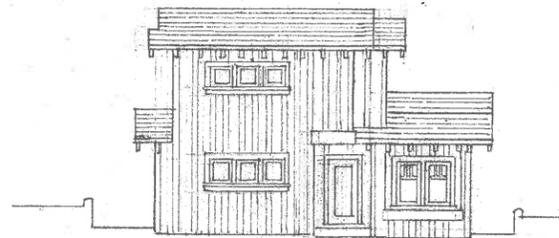
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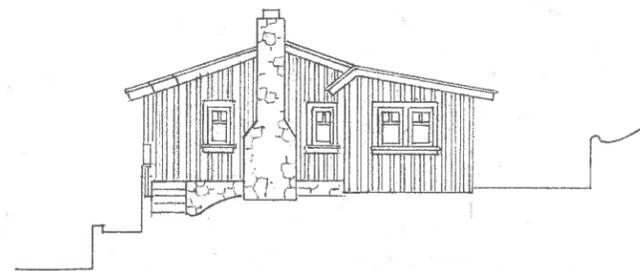
N. NORTH



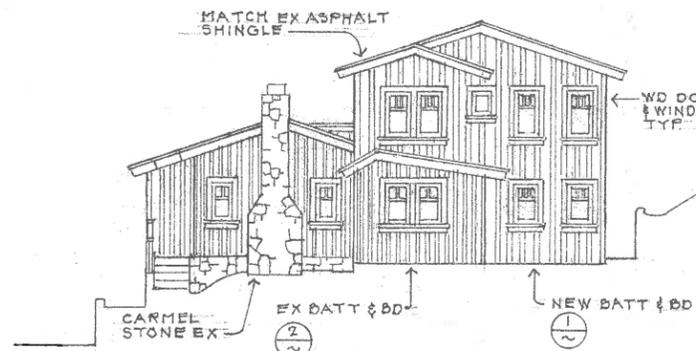
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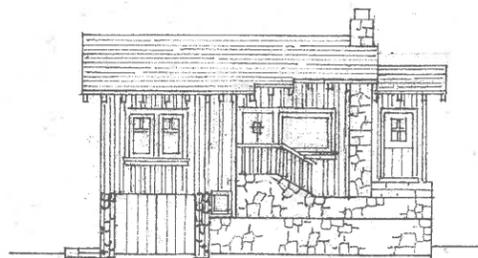
N. EAST



EX. SOUTH



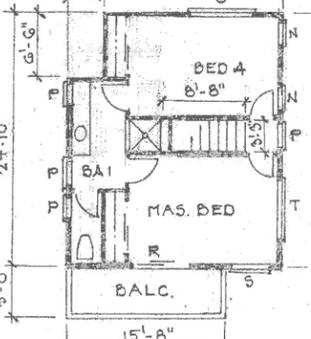
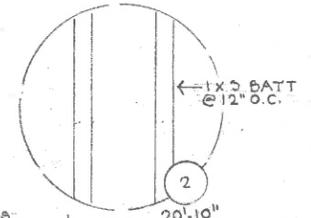
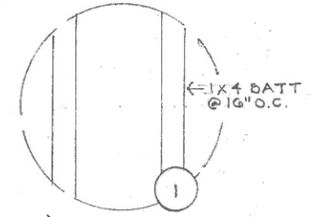
N. SOUTH



EX. WEST

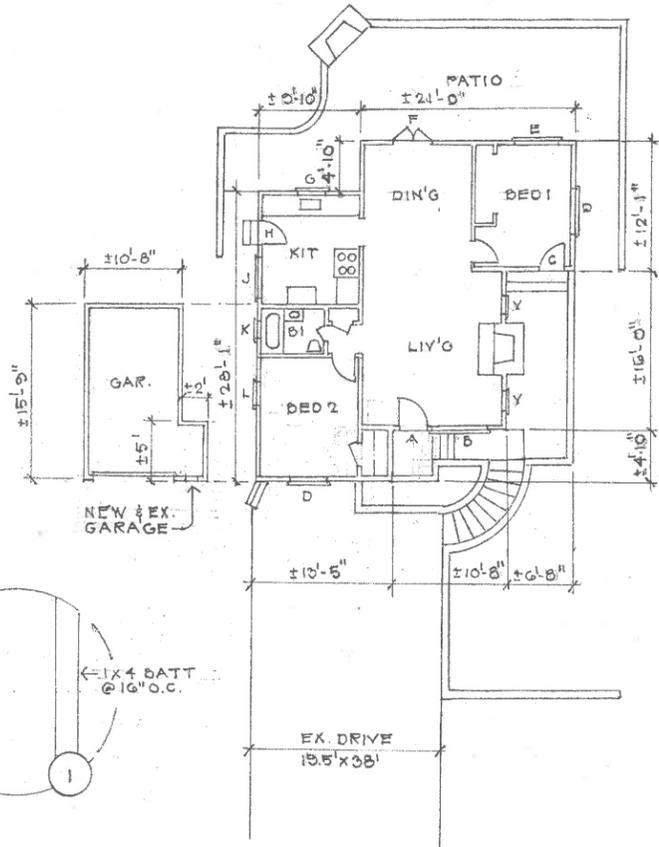


N. WEST

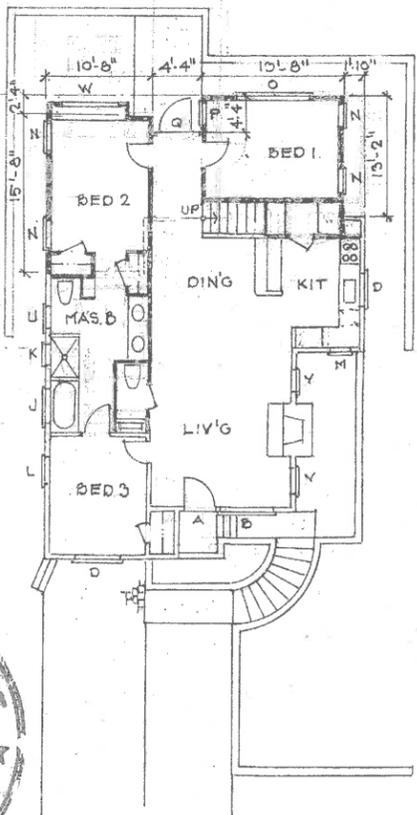


N. UPPER

LEGEND:
 — NEW WALL
 - - - EX. WALL



EX. LOWER



N. LOWER

GLENN WARNER ARCHITECT
 37152 PALO COLORADO RD, CARMEL, CA
 MAILING: PO BOX 22811, CARMEL, CA, 95922
 (831) 625-2862

DONNA GARRIN PLANNING
 5452 GUAL MEADOWS DR
 CARMEL, CA, 95925
 (831) 594-9151

SANTA RITA @ NE OF GTH
 CARMEL, CA.
 APN: 010-035-019

A#2



CITY OF CARMEL-BY-THE-SEA

Planning Commission Report

November 9, 2016

To: Chair Goodhue and Planning Commissioners

From: Marc Wiener, AICP, Community Planning & Building Director

Submitted by: Ashley Hobson, Contract Planner

Subject: Consideration of a Concept Design Study (DS 16-177) and associated Coastal Development Permit for alterations to an existing residence located in the Single-Family Residential (R-1) Zoning District.

Recommendation:

Accept the Concept Design Study (DS 16-177) with a recommendation for changes.

Application:	DS 16-177	APN:	010-279-016
Block:	X	Lot:	2
Location:	SE Corner of San Antonio and 11th		
Applicant:	Claudio Ortiz Design Group	Property Owner:	M&C Kronenberger

Background and Project Description:

The project site consists of a single-family dwelling on a 4,000-square foot lot, located on the southeast corner of San Antonio and 11th Avenues. The existing dwelling is one story and 1,779 square feet in size. A Final Determination of Historic Ineligibility was completed for the residence on June 14, 2013.

The applicant is proposing to raise the ceiling above an existing second story loft area to create a new second story. This application was previously reviewed by the Planning Commission on June 8, 2016. The Planning Commission continued the item with a request for changes. The primary concerns were that the second-story addition impacted the view of the neighbor to the east and that the addition was not architecturally cohesive with the existing residence. In order to address these issues, revised plans have been submitted by a new designer. The proposed second story is 179 square feet and includes a new 45 square foot second story balcony on the south side of the addition.

Staff has scheduled the revised application for conceptual review. The primary purpose of this meeting is to review and consider the site planning, privacy and views, mass and scale related to the project. However, the Commission may provide input on other aspects of the design.

PROJECT DATA FOR A 4,000 SQUARE FOOT SITE:			
Site Considerations	Allowed	Existing	Proposed
Floor Area	1,800 sf	1,779 sf	1800 sf
Site Coverage	556 sf	1080 sf	1080 sf
Trees	3 Upper /1 Lower (recommended)	0	0
Ridge Height	18 ft / 24 ft	17 ft / (n/a)	17 ft / 21.5 ft
Plate Height	12 ft / 18 ft	8 ft / (n/a)	8 ft / 17 ft
Setbacks	Minimum Required	Existing	Proposed
Front	15 ft	15 ft	15 ft
Composite Side Yard	11 ft 3 in (25%)	14 ft 8 in (36%)	14 ft 8 in (36%)
Minimum Side Yard	Street side: 9 ft Interior side: 3 ft	Street side: 6 ft 4 in Interior side: 8 ft 4 in	Street side: 6 ft 4 in Interior side: 8 ft 4 in
Rear	3 ft / 15 ft	9 ft 4 in	9 ft 4 in
*Includes bonus for 50% or more permeable materials			

Staff analysis:

Forest Character: Residential Design Guidelines 1.1 through 1.4 encourage maintaining “a forested image on the site” and for new construction to be at least six feet from significant trees.

The site does not currently contain any trees, and during the Preliminary Site Assessment the City Forester recommended that the applicant plant one lower canopy on the site either on the southeast or the northwest corner of the site. Staff has included a recommendation that the applicant add at least one lower canopy tree at a location approved by the City Forester. While the City Forester has only recommended one new tree, the Planning Commission could require additional trees given that there are currently no trees on the lot.

Privacy & Views: Residential Design Guidelines 5.1 through 5.3 state that *“designs should preserve reasonable solar access to neighboring parcel;”* *“maintain privacy of indoor and outdoor spaces in a neighborhood;”* and *“maintain view opportunities”* for neighboring property owners.

At the June 8, 2016 hearing, the Planning Commission determined that the proposed new second story impacted the eastern neighbor’s ocean views. Staff notes that the Planning Commission had the opportunity to visit the eastern neighbor’s residence during the tour of inspection. As part of the motion to continue the previous submittal, the Planning Commission advised the previous applicant to reduce the impacts to the neighbor’s views.

The revised second-story design is 4 feet lower than the previous proposal. In staff’s opinion, the revised design would protect the majority of the eastern neighbor’s ocean views. A photograph showing the view of the story poles from the adjacent neighbor’s deck is included as Attachment A. Staff notes that the eastern neighbor has contacted the Planning Department and expressed concern with the potential view impact of the redesigned project. The Planning Commission will have the opportunity to evaluate the potential view impacts during the Tour of Inspection. A letter from the adjacent neighbors to the west (Christy and Doug Hollenbeck) is included as Attachment D.

With regard to privacy, staff has concerns with the potential impact that the south-facing balcony could have on the neighboring residence to the south. The deck may allow views into the neighboring residences existing second story windows. The applicant has expressed to staff that the adjacent neighbor to the south is in favor of the deck, however, staff still identifies the deck as a potential privacy concern. Staff notes that the deck could be relocated to the west side of the second-story addition, however, it would be more visible to the public way. The Planning Commission will have the opportunity to evaluate the potential privacy impacts during the tour of inspection.

Mass & Bulk: Residential Design Guidelines 7.1 through 7.6 encourage a building’s mass to relate *“to the context of other homes nearby”* and to *“minimize the mass of a building as seen from the public way or adjacent properties.”* Further, these guidelines state that *“a building should relate to a human scale in its basic forms.”*

At the June 8, 2016 meeting, the Planning Commission noted that the previously proposed addition appeared prominent due to its location on the building and design. In staff’s opinion, the revised second-story addition appears subordinate to the existing residence and does not significantly increase the mass of the residence. The original proposed elevations are included as Attachment E for comparison.

Building & Roof Form: Residential Design Guidelines 8.1 through 8.3 state that *"Shallow to moderately pitched roofs are appropriate on one-story buildings. More steeply pitched roof with low plate lines can be used on two-story buildings."* The Guidelines emphasize using *"restraint"* and *"simplicity"* in building forms, which should not be complicated, and roof lines, which should *"avoid complex forms."*

Currently, the residence has an east-west roofline that runs the length of the house and has three small steps visible from the north elevation. The new second story addition would be located in the center of the house with a 6:12 pitch. One of the Planning Commission's primary concerns with the original proposal is the addition would have added too much complexity to the roof design and was not cohesive with the existing residence. In staff's opinion, the revised second-story design is a substantial improvement over the original, but does complicate the roofline to some extent. A three-dimensional sketch is included on Sheet 1 of the plan set (Attachment F) and can assist the Planning Commission with its analysis.

Finish Materials: Finish details are not typically reviewed at the Concept stage; however, the Planning Commission can provide input during the concept review. The existing finish materials include a brick façade on the north elevation and cement plaster siding on all other elevations. The roof is currently light weight slate roofing. All existing finish materials are proposed to remain and the applicant is proposing horizontal wood siding on the new second story addition with a wood shingle roof to match existing. (The previous submittal included stucco siding and a copper standing seam roof).

Fences/Walls: The site is currently surrounded by wood fencing around the west, south, and east property lines ranging from 3 feet to 6 feet in height. The applicant is proposing to maintain all of the existing fences.

Site Coverage/Landscaping: The existing site coverage consists of various walkways, steps and porches and exceeds the allowed coverage for a 4,000 square foot lot by 524 square feet. Per Municipal Code Section 17.10.030.C, nonconforming site coverage is required to be reduced at a rate equal to two times the amount of floor area added to the site, or to an amount that complies with the site coverage limits, whichever is less. The applicant has not included a proposal to reduce any of the site coverage, so therefore a condition of approval is recommended that the applicant reduce the coverage by 42 square feet to account for the additional 21 square feet of floor area.

Public ROW: The unimproved portion of the City Right-of-Way (ROW) between the front property line and edge of pavement is approximately 25-feet in width at the largest point and includes multiple trees, an existing driveway, and existing walkways. The existing driveway is 16-feet in width through a portion of the Right of Way, which exceeds the allowed width of a driveway by 2-feet. The applicant is not proposing to change the driveway, so therefore staff is recommending that the nonconformity may remain.

Environmental Review: The proposed project is categorically exempt from CEQA requirements, pursuant to Section 15301 (Class 1) – Existing Facilities. The project includes a minor addition to an existing single family residence, and therefore qualifies for a Class 1 exemption. The proposed alterations to the residence do not present any unusual circumstances that would result in a potentially significant environmental impact.

ATTACHMENTS:

- Attachment A – Site Photographs
- Attachment B – Concept Findings
- Attachment C – Recommendations/Draft Conditions
- Attachment D – Correspondence Received, 11/2/2016
- Attachment E – Original Elevations and Floorplan (8.5"x11")
- Attachment F – Project Plans

Attachment A – Site Photographs



Attachment A – Site Photographs



Story Pole netting viewed from adjacent neighbor's deck

Attachment B – Findings for Concept Acceptance

DS 16-397 (Carr)
November 9, 2016
Concept Findings
Page 1

<u>FINDINGS REQUIRED FOR CONCEPT DESIGN STUDY ACCEPTANCE (CMC 17.64.8 and LUP Policy P1-45)</u>		
For each of the required design study findings listed below, staff has indicated whether the submitted plans support adoption of the findings. For all findings checked "no" the staff report discusses the issues to facilitate the Planning Commission decision-making. Findings checked "yes" may or may not be discussed in the report depending on the issues.		
Municipal Code Finding	YES	NO
1. The project conforms with all zoning standards applicable to the site, or has received appropriate use permits and/or variances consistent with the zoning ordinance.	✓	
2. The project is consistent with the City's design objectives for protection and enhancement of the urbanized forest, open space resources and site design. The project's use of open space, topography, access, trees and vegetation will maintain or establish a continuity of design both on the site and in the public right of way that is characteristic of the neighborhood.	✓	
3. The project avoids complexity using simple/modest building forms, a simple roof plan with a limited number of roof planes and a restrained employment of offsets and appendages that are consistent with neighborhood character, yet will not be viewed as repetitive or monotonous within the neighborhood context.	✓	
4. The project is adapted to human scale in the height of its roof, plate lines, eave lines, building forms, and in the size of windows doors and entryways. The development is similar in size, scale, and form to buildings on the immediate block and neighborhood. Its height is compatible with its site and surrounding development and will not present excess mass or bulk to the public or to adjoining properties. Mass of the building relates to the context of other homes in the vicinity.	✓	
5. The project is consistent with the City's objectives for public and private views and will retain a reasonable amount of solar access for neighboring sites. Through the placement, location and size of windows, doors and balconies the design respects the rights to reasonable privacy on adjoining sites.	TBD	
6. The design concept is consistent with the goals, objectives and policies related to residential design in the general plan.	TBD	
7. The development does not require removal of any significant trees unless necessary to provide a viable economic use of the property or protect public health and safety. All buildings are setback a minimum of 6 feet from significant trees.	✓	
8. The proposed architectural style and detailing are simple and restrained in character, consistent and well integrated throughout the building and	✓	

complementary to the neighborhood without appearing monotonous or repetitive in context with designs on nearby sites.		
9. The proposed exterior materials and their application rely on natural materials and the overall design will add to the variety and diversity along the streetscape.	✓	
10. Design elements such as stonework, skylights, windows, doors, chimneys and garages are consistent with the adopted Design Guidelines and will complement the character of the structure and the neighborhood.	✓	
11. Proposed landscaping, paving treatments, fences and walls are carefully designed to complement the urbanized forest, the approved site design, adjacent sites, and the public right of way. The design will reinforce a sense of visual continuity along the street.	✓	
12. Any deviations from the Design Guidelines are considered minor and reasonably relate to good design principles and specific site conditions.	✓	

COASTAL DEVELOPMENT FINDINGS (CMC 17.64.B.1):

1. Local Coastal Program Consistency: The project conforms with the certified Local Coastal Program of the City of Carmel-by-the Sea.	✓	
2. Public access policy consistency: The project is not located between the first public road and the sea, and therefore, no review is required for potential public access.	✓	

Attachment C – Recommendations/Draft Conditions

DS 16-177 (Kronenberger)

November 9, 2016

Recommendations/Draft Conditions

Page 1

Recommendations/Draft Conditions		
No.		
1.	The plans shall be revised to address the privacy impacts, specifically from the proposed 2 nd -story deck, if identified by the Planning Commission.	
2.	The applicant shall submit a landscape plan prior to final approving showing the addition of one lower-canopy tree in a location approved by the City Forester.	
3.	The applicant shall reduce the non-conforming site coverage at a rate of two square feet of site coverage for every added square foot of floor area.	

RECEIVED
NOV 02 2016
City of Carmel-by-the-Sea
Planning & Building Dept.

Christy & Doug Hollenbeck

SW Corner Carmelo & 11th
Carmel, CA 93921
831.620.1657

October 28, 2016

Carmel City Planning Commission
City Hall
Carmel, CA 93921

Reference Planning Case: DS 16-177 (SE Corner San Antonio & 11th)

Dear Planning Commission,

Thank you for your time and service. We own the property directly to the east of the Kronenberger residence. We are full-time residents of Carmel. **The proposed second story addition impacts our ocean and tree views. The proposed deck on the second story addition affects the privacy of three neighbors.**

From our living room you can see the horizon and ocean framed by the Cypress trees. We would no longer have this view if this project is approved as planned. Even though our best view lane is through the south part of the Kronenberger property, the proposed new addition blocks our center and north view lanes. The north view lane has potentially great ocean views, but it is partially blocked by a Holly tree on the adjacent property just west of the Kronenberger's.

A previous plan for this property was rejected by the planning commission on June 8, 2016. From the transcript of the meeting commissioner Michael LaPage stated, "I cannot accept this (plan)...This has significant impacts to the neighbors". Gail Lehman stated, "I am also concerned with the impact on the neighbors". The planning commission unanimously voted to reject the plan. **The current proposed plan has an even bigger negative impact than the previous plan because the new design is much wider.**

The height and width of the proposed addition will decrease our views by 79%. If tall plants or some type of screen was placed on the proposed deck, our views will decrease by 96%.

On the proposed deck , a person over 4 ft. 9 in. will be able to look directly into our bathroom, bedroom , and kitchen.

Five years ago we lovingly restored our dream home, a historic 1926 Spanish-style home designed by Robert Stanton, in accordance with the historic board and planning commission guidelines. We took special care to ensure our new addition would not impact our neighbors. Our home has had the same unencumbered view for ninety years. **Since our home is historic, it would be difficult to reclaim any views that are lost.**

We would prefer the Kronenberger's find a way to maximize their square footage and views without taking away our ocean and tree views. When the Kronenberger's, who live and work in Texas, bought the property as a vacation home in March 2014 they knew it had one story with a loft.

There are viable options for an addition that have not been explored. The single-story could be expanded to maximize the square footage, the trees and bushes on the adjacent property to the west could be thinned to open up the views. We hired an architect to help find potential solutions for all parties.

The proposed deck is a serious privacy issue. The proposed south facing deck is a privacy issue for three neighbors. The deck faces directly into a large window on the neighbor's house to the south. The designer said the deck would be hidden, however any person over 4 ft. 9 in. tall would be able to look directly into the back of our home, consisting of the most private parts of our house. Additionally, the current or a future owner could grow tall bushes on the deck that would block our views.

Waive new tree placement. The property currently has three large city trees. Our architect confirmed that there really is not a good place to put a tree without impacting our views. A tree in the south view lane will have a significant impact to our views.

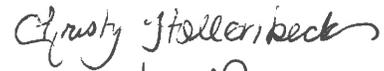
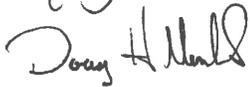
Carmel has an ever changing landscape. Trees that are present for one generation give way to new trees creating different views. Much of our current view is blocked by some trees that have not been trimmed in a long time. However, once a man-made structure is erected, the footprint of that structure is passed on for generations. **Once the Kronenberger's house footprint is allowed to rise vertically, we have forever lost our present views and the potential views of a changing landscape.**

Therefore, if this plan is approved as proposed, we lose an ocean view from our living room, and we lose any chance of having a great view from our north view lane that is now partially obscured by trees, and we lose a lot of our privacy from the neighbor's new deck.

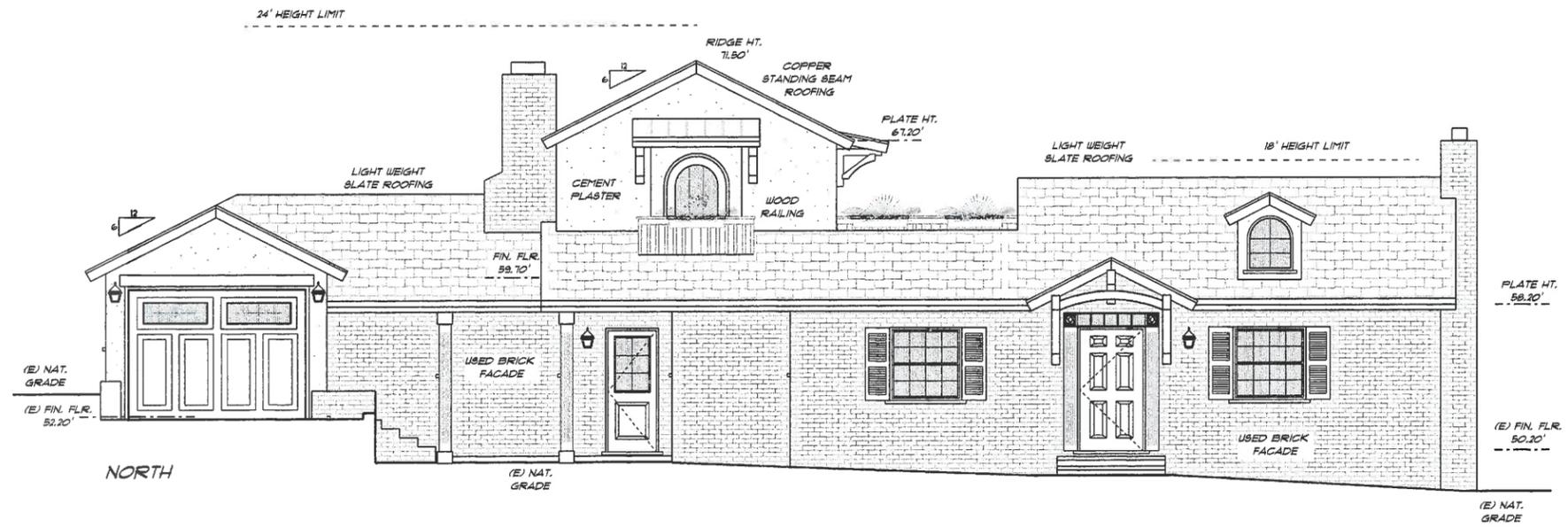
If a second story addition is allowed, we would request that the structure be limited to the north of the current chimney. **Because the view is so important to us, we request as a condition of approval that the Kronenberger's hire a surveyor after framing is up to make sure the dimensions are correct.**

We know a good solution will be reached. If the proposed addition is approved it will increase the value of their home and decrease the value of our home. We are full-time residents of Carmel and we hope to never leave. Thank you again for your consideration.

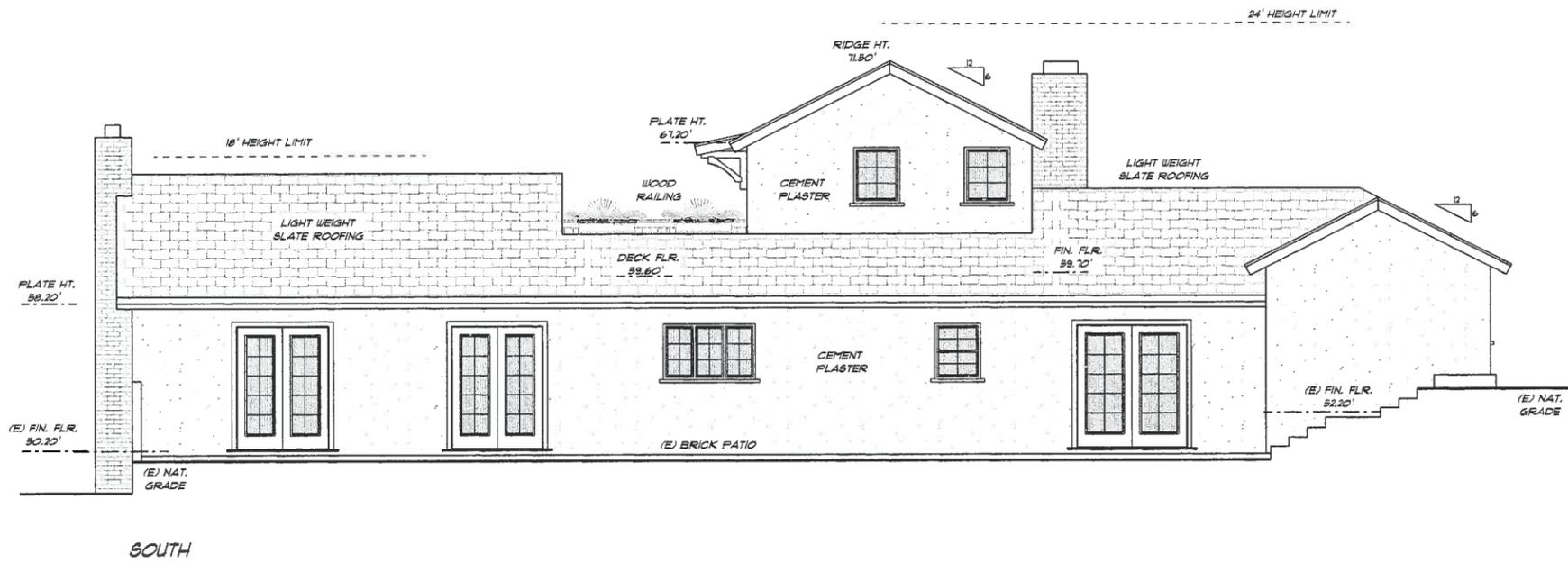
Sincerely yours,

Handwritten signature of Christy Hollenbeck in cursive script.Handwritten signature of Doug Hollenbeck in cursive script.

Christy & Doug Hollenbeck



**PROPOSED
EXTERIOR ELEVATIONS**
SCALE 1/4" = 1'-0"



REVISIONS	BY

MARK THOMPSON DESIGN
P.O. BOX 2171, MONTEREY CA 93942
(831) 659 7981 PH (831) 659 7800 FAX
markthompsondesign@icgglobal.net

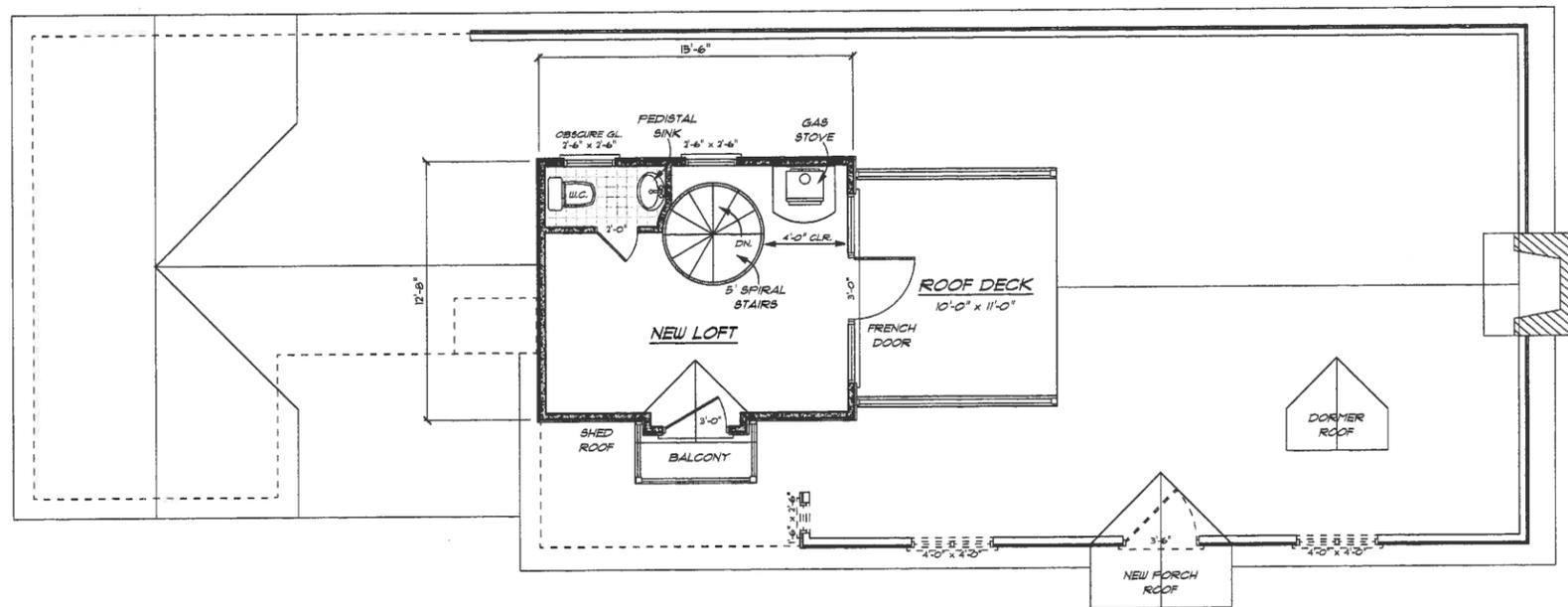


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City of Carmel-by-the-Sea
Planning & Building Dept.

KRONENBERGER RESIDENCE
SAN ANTONIO # 11TH
CARMEL, CALIFORNIA
APN: 010-279-016-000

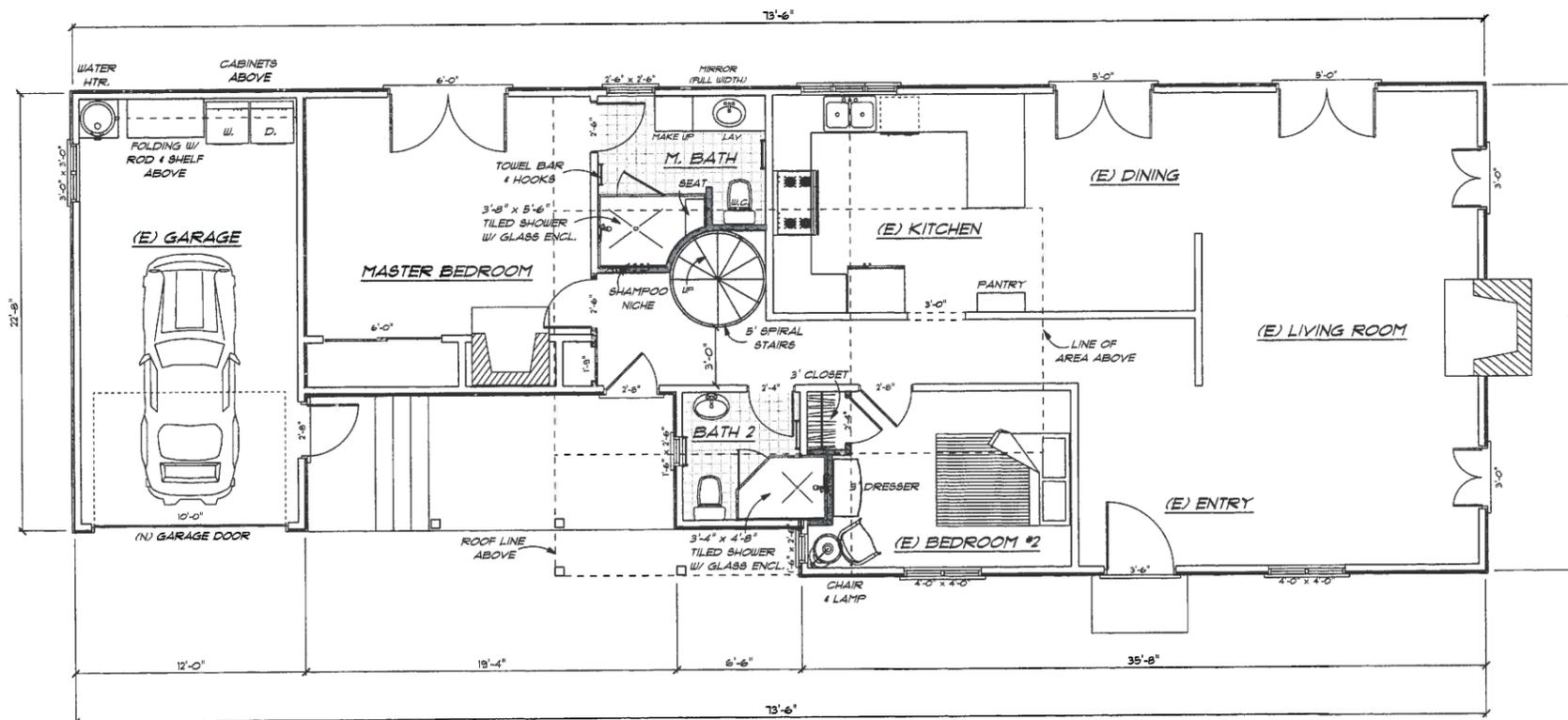
DRAWN BY:
M. THOMPSON
CHECKED BY:
M. T.
DATE:
2 MAY, 2016
SCALE:
AS NOTED
JOB No.:

SHEET No.
45
OF 8 SHEETS



NEW UPPER LOFT 173.3 SQ. FT.

UPPER STAIR AREA = 25 SQ. FT.
(NOT COUNTED ON 2ND LEVEL)



(E) MAIN LEVEL

NEW DOORS & WINDOWS

(N) DOORS, TO BE SOLID CORE WOOD TO MATCH EXISTING SOLID WOOD FRENCH DOORS AND DUTCH STYLE DOORS. NEW GARAGE DOOR TO BE CARRIAGE STYLE WOOD 4 PANEL.

ALL NEW WINDOWS TO BE WOOD WINDOWS WITH TRUE DIVIDED LITES TO MATCH EXISTING WOOD WINDOWS.

NEW FLOOR PLAN

SCALE: 1/4" = 1'-0"

(E) MAIN LEVEL = 1353.3 SQ.FT.

(E) GARAGE = 270 SQ. FT.



REVISIONS	BY

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markthompsondesign@earthlink.net



RECEIVED

MAY 15 2016
City of Carmel-by-the-Sea
Planning & Building Dept.

KRONENBERGER RESIDENCE
SAN ANTONIO # 11TH
CARMEL, CALIFORNIA
APN: 010-279-016-000

DRAWN BY:	M. THOMPSON
CHECKED BY:	
DATE:	2 MAY 2016
SCALE:	AS NOTED
	25% Red.

SHEET No.

A3

OF 8 SHEETS

Kronenberger Residence

New Loft Remodel
 Carmel-by-the-Sea, California
 APN: 010-279-016-000
 BLOCK: X LOT: 2



PROJECT DATA

LOT SIZE	4,000 S.F.	
ZONING	R-1	
A.P.N.	010-279-016	
ADDRESS	BLOCK: X LOTS: 2	
FLOOR AREA		
FAR ALLOWED	1,180.0 S.F.	45.0%
EXISTING		
MAIN LEVEL	1,366.0 SQ.FT.	
ATTACHED GARAGE	270.0 SQ.FT.	
LOFT	143.0 SQ.FT.	
TOTAL (E) GROSS FLOOR AREA:	1,779.0 SQ.FT.	44.2%
PROPOSED		
MAIN LEVEL	1,366.0 SQ.FT.	
ATTACHED GARAGE	255.0 SQ.FT.	
LOFT	179.0 SQ.FT.	
TOTAL (P) GROSS FLOOR AREA:	1,800.0 SQ.FT.	45.0%

SHEET INDEX

1. COVER PAGE
2. PROPOSED SITE PLAN
3. MAIN LEVEL & LOFT DEMO PLAN
4. EXISTING FLOOR PLANS
5. EXISTING ELEVATIONS
6. PROPOSED MAIN LEVEL & LOFT FLOOR PLANS
7. PROPOSED ELEVATIONS
8. PROPOSED & EXISTING ROOF PLANS AND WINDOW & DOOR SCHEDULES

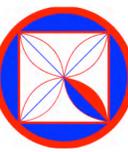
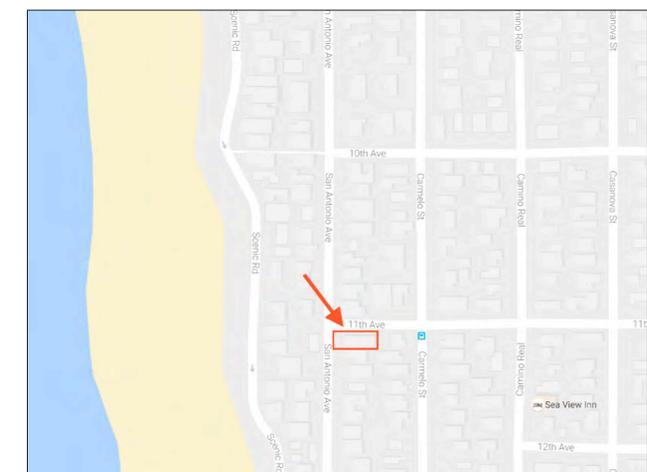
SCOPE OF WORK

1. EXISTING 2nd. FLOOR LOFT (143.0 SQ.FT.) TO BE REMOVED, REPLACE WITH NEW 2nd. FLOOR LOFT (179.0 SQ.FT.) AND A NEW BALCONY (45.0 SQ.FT.).
2. NEW LOFT ROOF TO MATCHED EXISTING ROOF IN MATERIAL AND PITCH 6:12.
3. NEW SHIP-LAP SIDING ON THE 2nd. FLOOR LOFT & CEMENT PLASTER FOR NEW BALCONY WALL WITH 8-INCH RAILING.
4. NEW LOFT WINDOW ON THE NORTH ELEVATION & FRENCH DOOR ON THE SOUTH ELEVATION.
5. NEW WINDOWS ON THE EAST & SOUTH ELEVATION ON MAIN LEVEL ON THE.

EXTERIOR LIGHTING NOTES

1. ALL EXTERIOR LIGHTING ATTACHED TO THE MAIN BUILDING OR ANY ACCESSORY BUILDING MAY NOT BE HIGHER THAN 10- FEET ABOVE THE GROUND AND MAY NOT EXCEED 25-WATTS (INCANDESCENT EQUIVALENT; I.E., APPROXIMATELY 375 LUMENS)
2. LANDSCAPE LIGHTING MAY NOT EXCEED 18-INCHES ABOVE THE GROUND NOR MORE THAN 15 WATTS (INCANDESCENT EQUIVALENT; I.E., APPROXIMATELY 225 LUMENS) PER FIXTURE AND MAY NOT BE SPACED CLOSER THAN 10- FEET APART. LANDSCAPE LIGHTING MAY NOT BE USED FOR TREE, WALL, FENCE OR ACCENT LIGHTING OF ANY TYPE. THE PURPOSE OF LANDSCAPE LIGHTING IS TO SAFELY ILLUMINATE WALKWAYS AND ENTRANCES TO THE SUBJECT PROPERTY.

VICINITY MAP NOT TO SCALE



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REVISIONS:

PROJECT:
 Kronenberger Residence
 S/E Corner of San Antonio and 11th Ave.
 BLOCK: X LOTS: 2
 APN: 010-279-016-000
 PROJECT NO.
 16-12

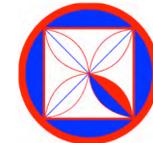
ISSUE:
 9-27-16

DRAWN BY:
 A.J.Ortiz

COVER PAGE

SCALE: 1/4" = 1'

1



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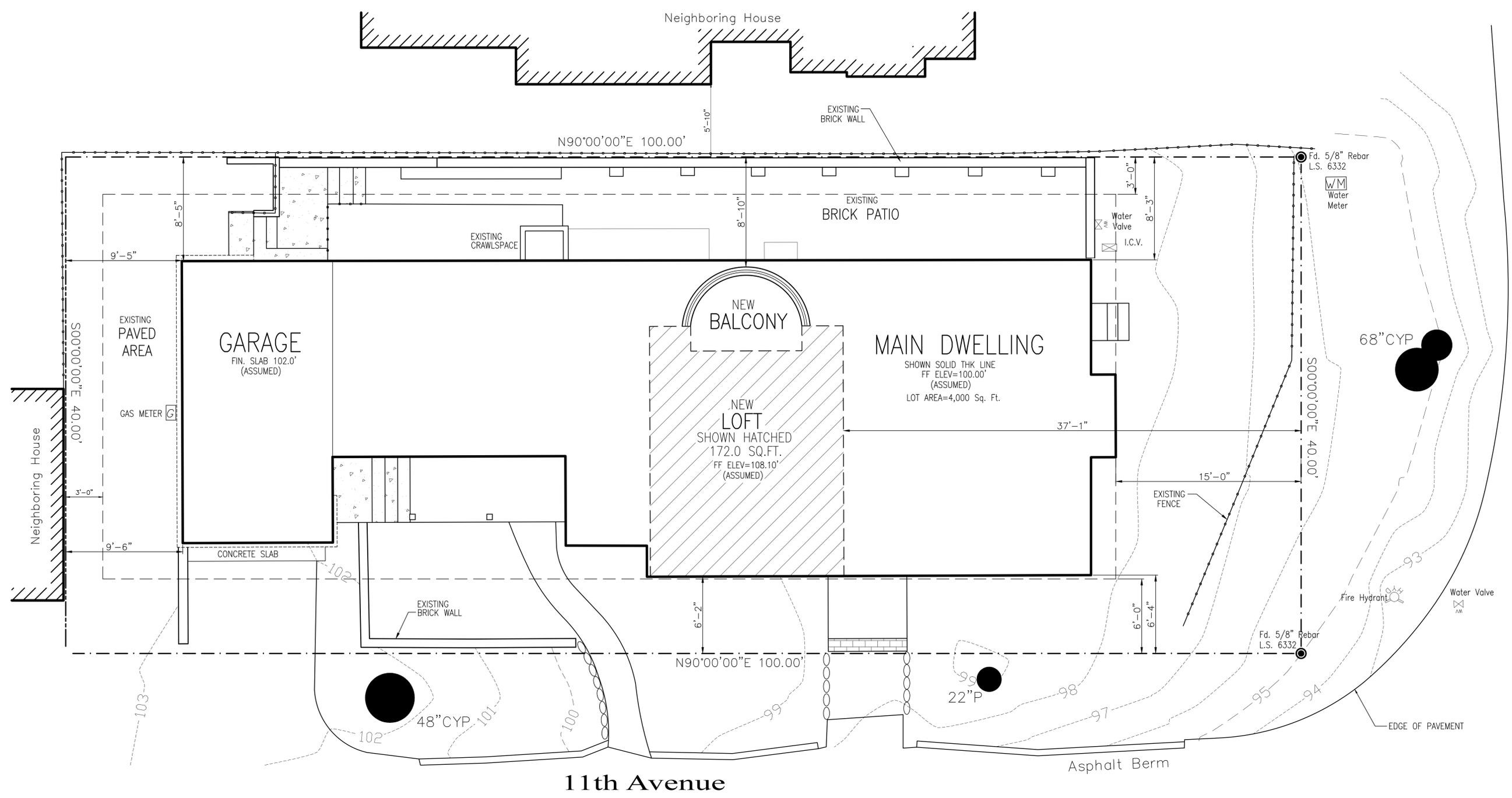
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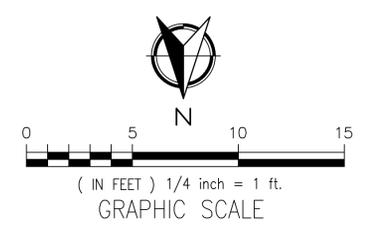
ISSUE: 9-27-16
 DRAWN BY: A.J.Ortiz

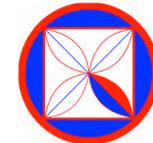
SITE PLAN
 SCALE: 1/4" = 1'
2



LEGEND

	FENCE, SEE SITE PLN FOR HEIGHTS		NEW TREES
	PROPERTY LINE		HOSE BIB
	MIN. SETBACKS		LIGHT FIXTURE, SEE SHEET 8 FOR SPEC'S
	BUILDINGS TO BE REMOVED		LIGHT FIXTURE, SEE SHEET 8 FOR SPEC'S
	EXISTING TREES TO REMAIN		
	EXISTING TREES TO BE REMOVED		



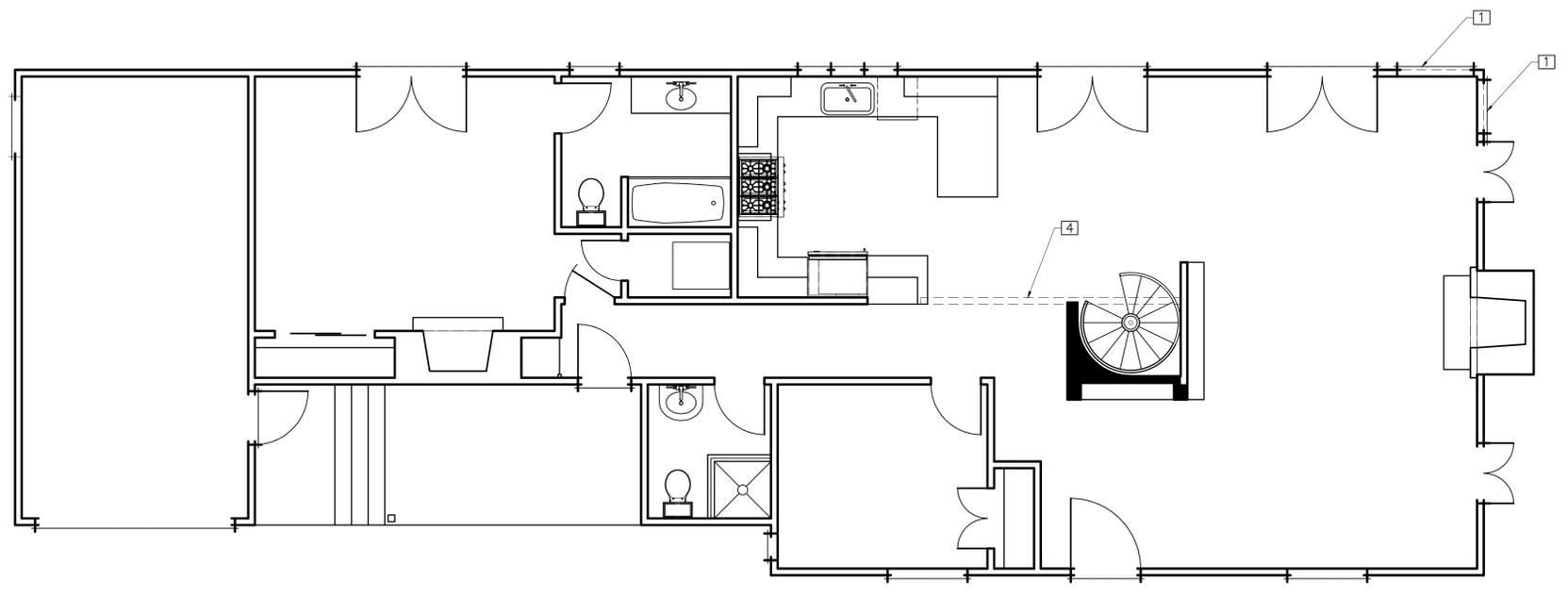


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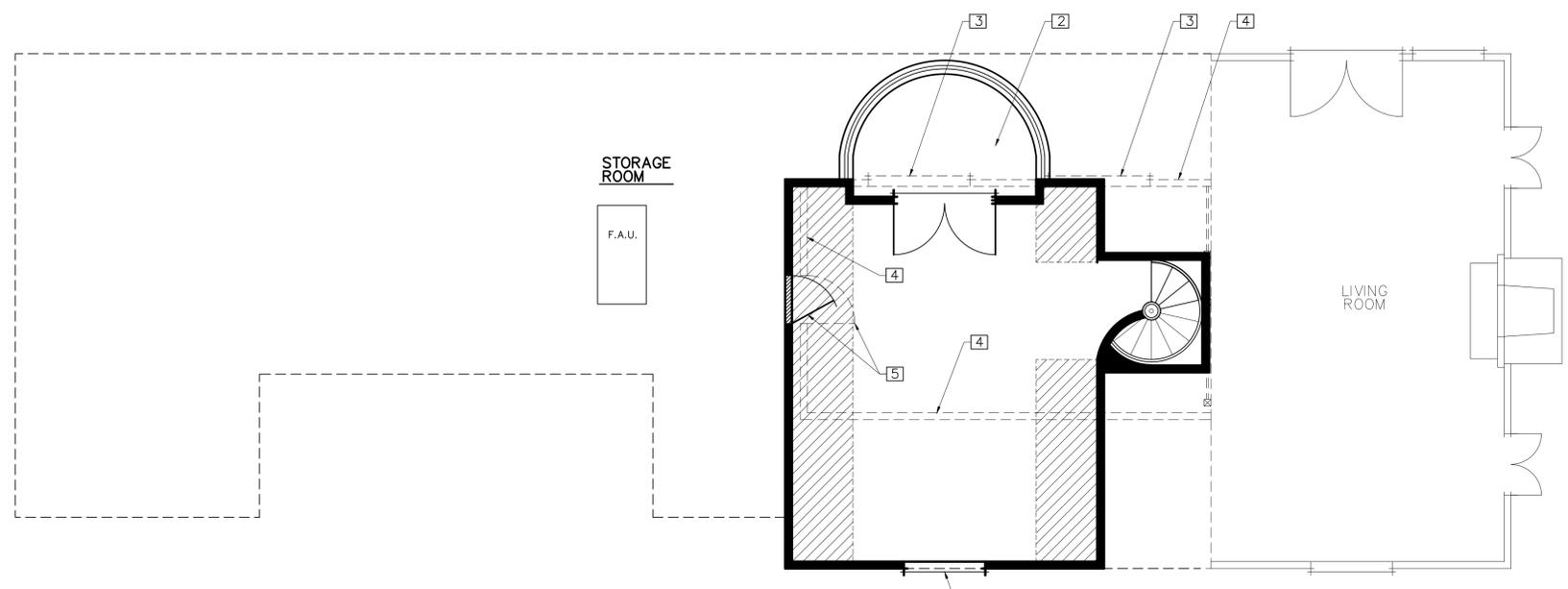
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KEYNOTES

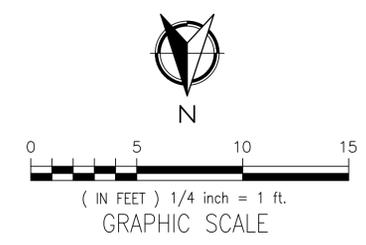
- 1 PREPARE AREA FOR NEW WINDOWS
- 2 PREPARE AREA FOR NEW DOORS
- 3 (E) DOORS & WINDOWS TO BE REMOVED
- 4 (E) WALLS TO BE REMOVED
- 5 (E) DOOR TO BE REMOVED & RELOCATED



MAIN FLOOR



UPPER LOFT



WALL LEGEND

- 2x ALL INTERIOR AND EXTERIOR WALLS TO REMAIN
- - - - EXISTING WALLS TO BE REMOVED
- 2x NEW WALLS

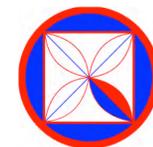
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 BLOCK: X LOTS: 2
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PROJECT NO. 16-12

ISSUE: 9-27-16
 11-2-16
DRAWN BY: A.J.Ortiz

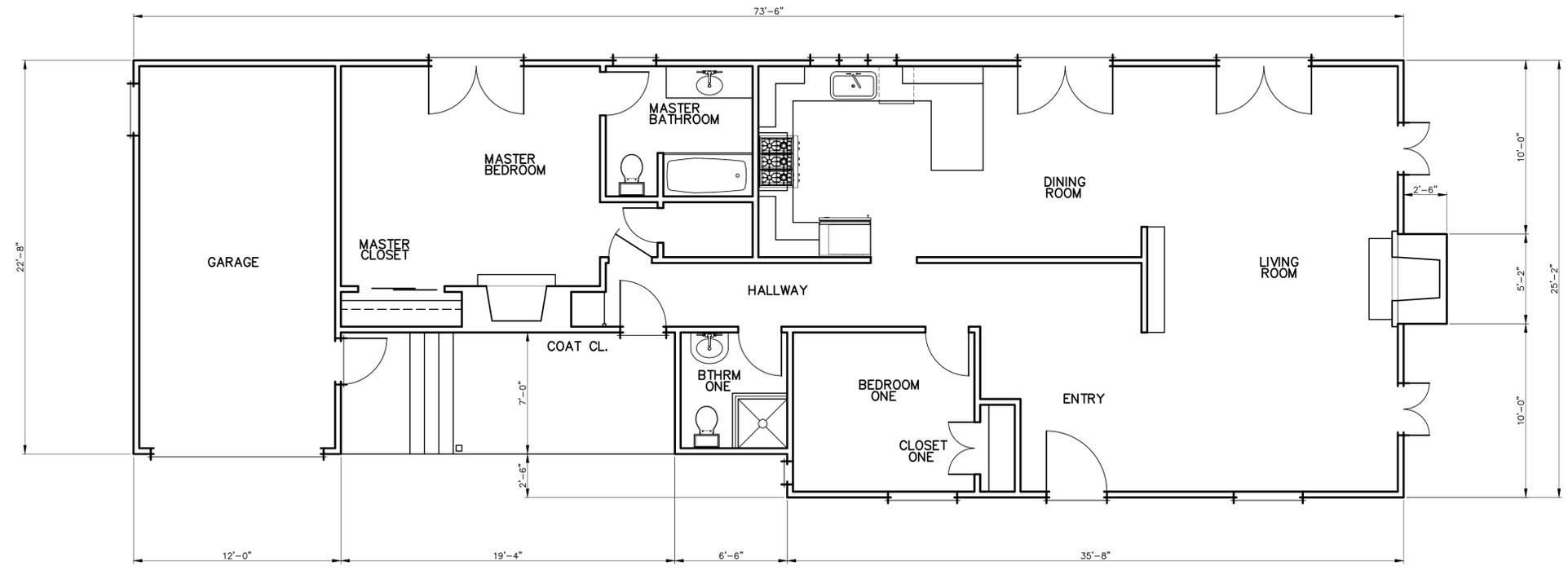
MAIN LEVEL AND LOFT DEMOLITION PLANS

SCALE: 1/4" = 1'

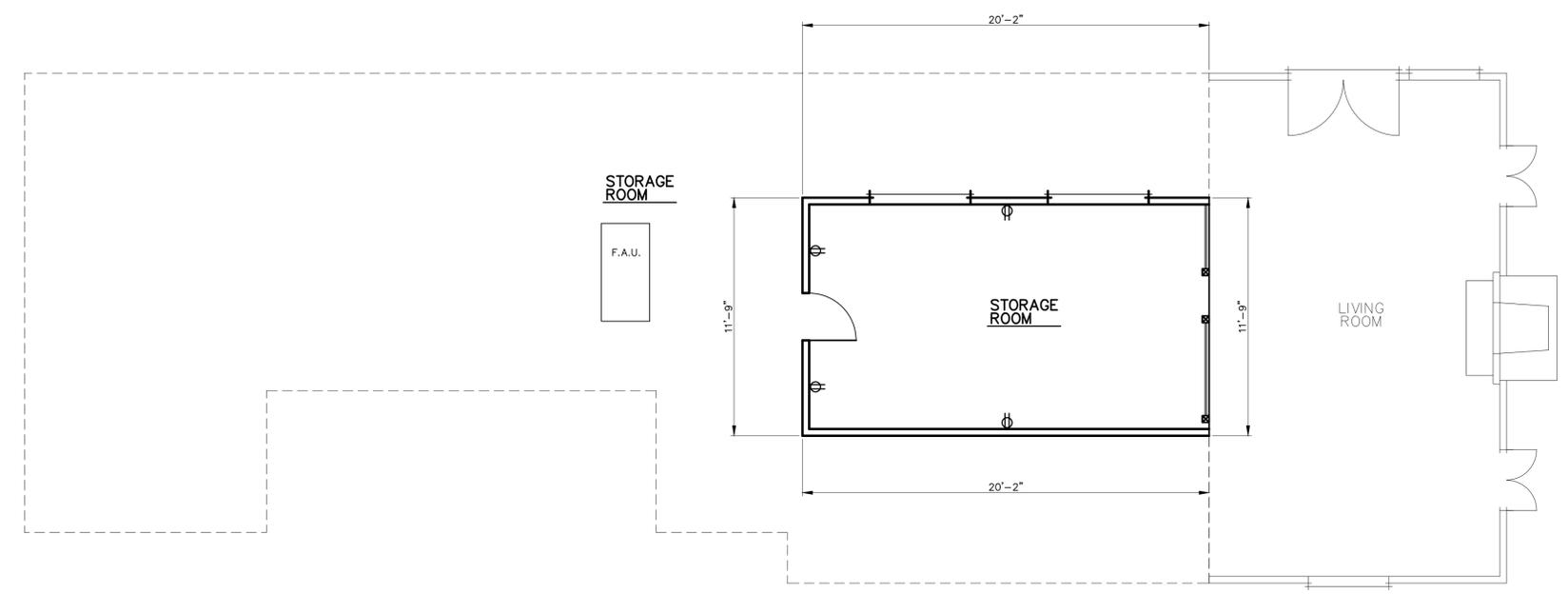


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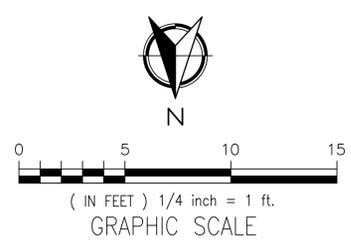
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MAIN FLOOR



UPPER LOFT



Existing Floor Area

MAIN LEVEL	1,366.0 SQ.FT.
GARAGE (ATTACHED)	270.0 SQ.FT.
GARAGE (ATTACHED)	143.0 SQ.FT.
TOTAL	1,779.0 SQ.FT.

REVISIONS:

PROJECT: Kronenberger Residence
 S/E Corner of San Antonio and 11th Ave.
 BLOCK: X LOTS: 2
 APN: 010-279-016-000
PROJECT NO. 16-12

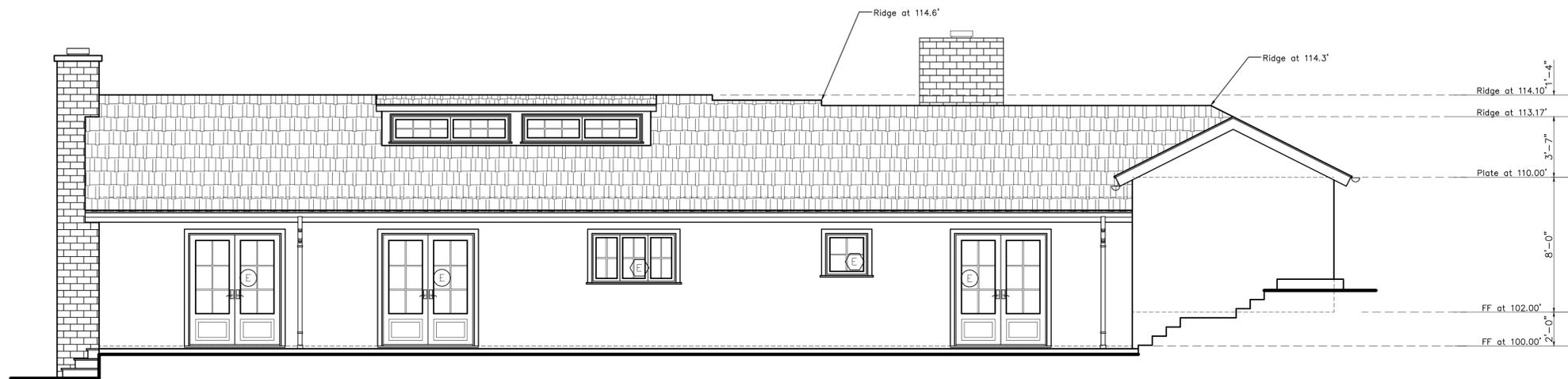
ISSUE: 9-27-16
DRAWN BY: A.J.Ortiz

EXISTING MAIN LEVEL AND LOFT FLOOR PLANS

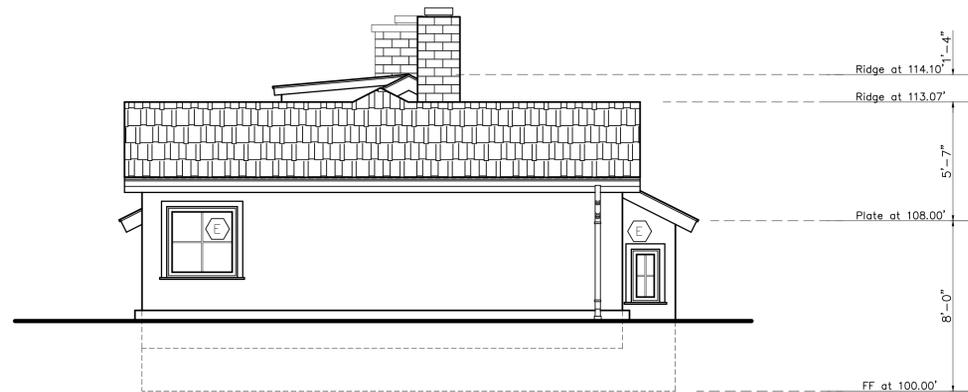
SCALE: 1/4" = 1'



NORTH ELEVATION



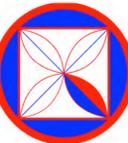
SOUTH ELEVATION



EAST ELEVATION



WEST ELEVATION



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 Kronenberger Residence
 S/E Corner of San Antonio and 11th Ave.
 BLOCK: X - LOTS: 2
 APN: 010-279-016-000
 PROJECT NO.
 16-12

ISSUE:
 9-27-16

DRAWN BY:
 A.J.Ortiz

EXISTING
 ELEVATIONS

SCALE: 1/4" = 1'



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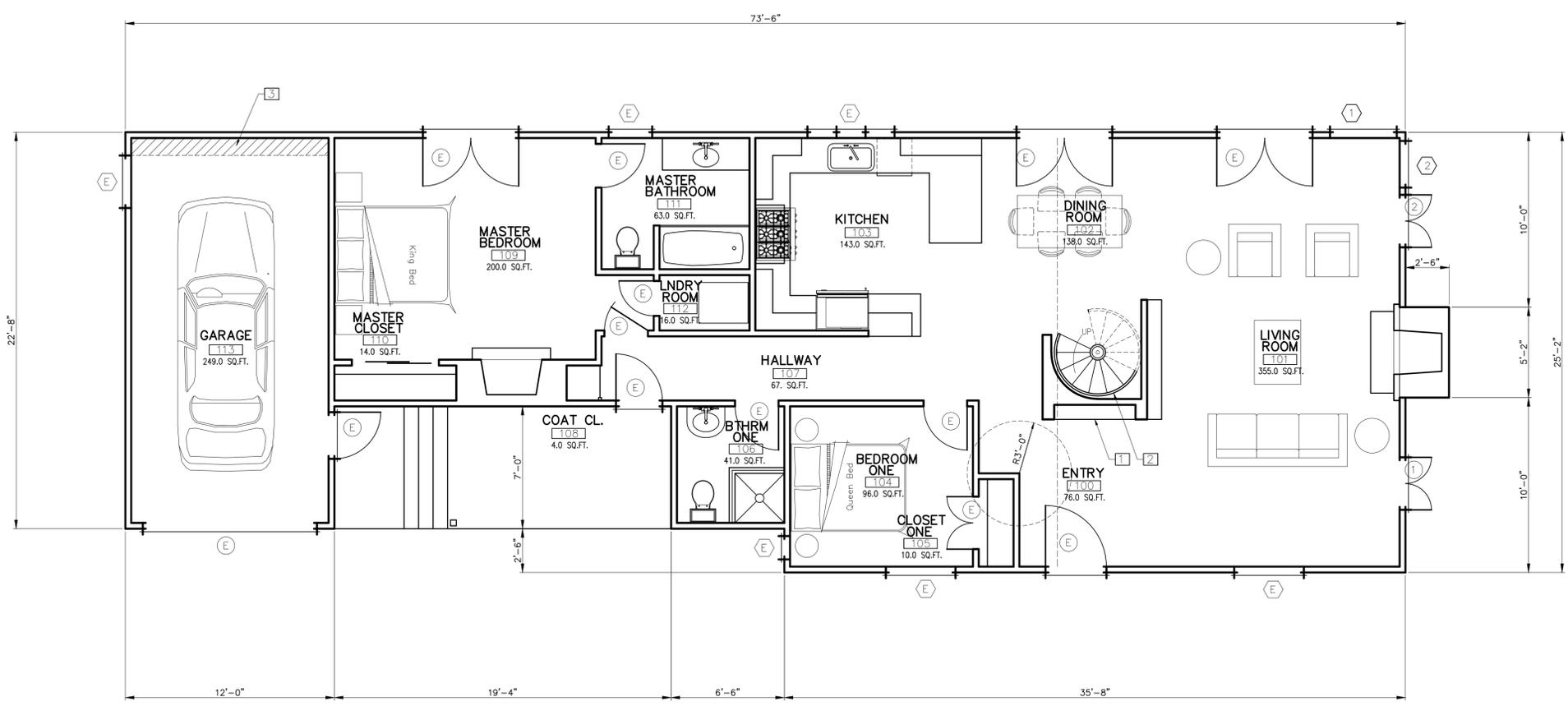
REVISIONS:

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PROJECT NO. 16-12

ISSUE: 9-27-16
 11-2-16
DRAWN BY: A.J. Ortiz

PROPOSED MAIN LEVEL AND LOFT FLOOR PLANS

SCALE: 1/4" = 1'

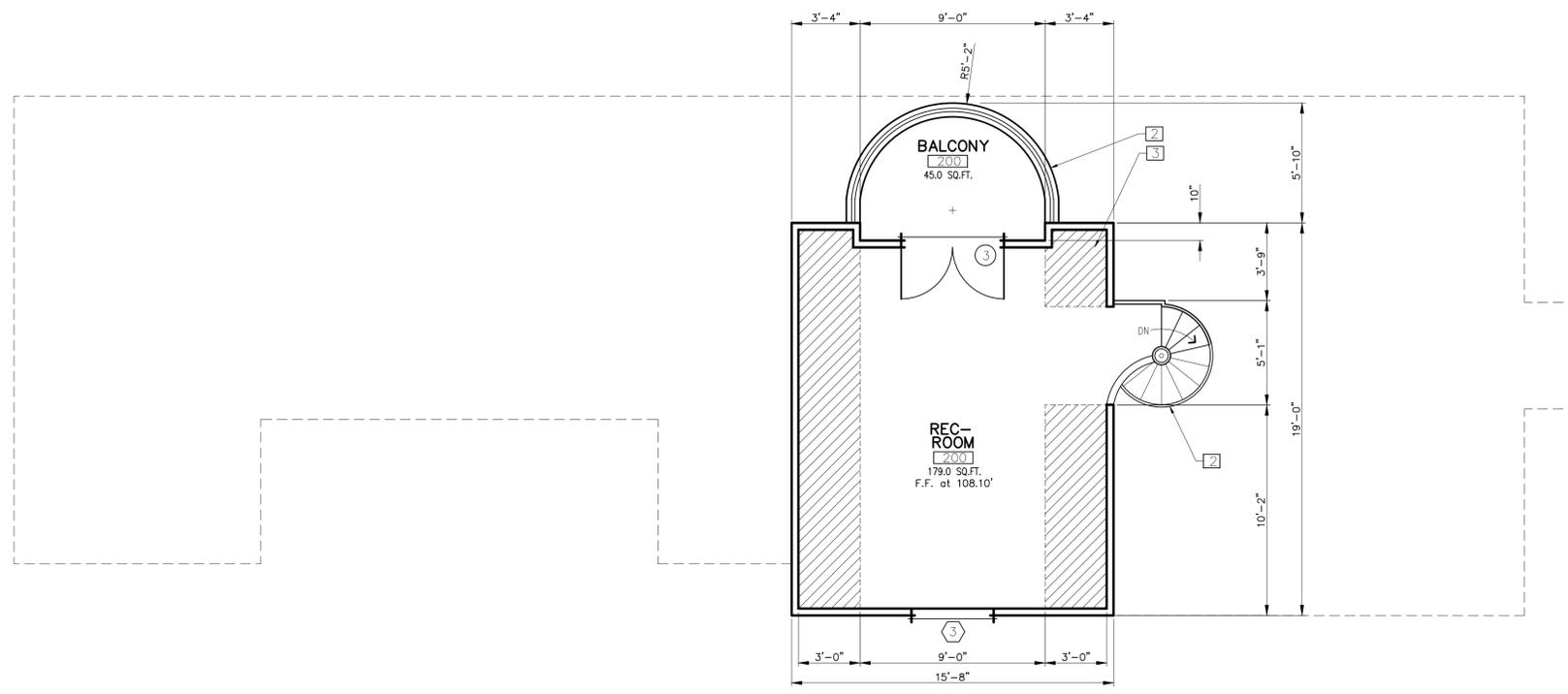


ROOM NOTES

- 100 ENTRY 9'-4" X 9'-3"
- 101 LIVING ROOM 14'-6" X 24'-6"
- 102 DINING ROOM 9'-2" X 15'-0"
- 103 KITCHEN 11'-0" X 13'-0"
- 104 BEDROOM ONE 9'-2" X 10'-6"
- 105 CLOSET ONE 2'-0" X 5'-0"
- 106 BATHROOM ONE 6'-2" X 6'-8"
- 107 HALLWAY 3'-8" X 14'-8"
- 108 COATS CLOSET 2'-0" X 2'-0"
- 109 MASTER BEDROOM 12'-8" X 15'-0"
- 110 MASTER CLOSET 2'-0" X 7'-0"
- 111 MASTER BATHROOM 7'-6" X 8'-6"
- 112 LAUNDRY ROOM 3'-2" X 5'-2"
- 113 GARAGE 11'-4" X 22'-0"
- 200 REC-ROOM 9'-4" X 9'-3"
- 201 BALCONY 14'-6" X 24'-6"

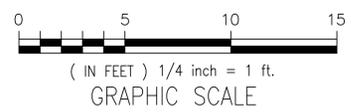
- ⬢ DENOTES WINDOW NUMBER, SEE WINDOW SCHEDULE
- ⊖ DENOTES DOOR NUMBER, SEE DOOR SCHEDULE

KEY NOTES



KEY NOTES

- 1 NEW BUILT-IN BOOK SHELF
- 2 NEW SPIRAL STAIRS
- 3 REMOVE 15.0 SQ.-FT. BY ADDING A PLATFORM AND REDUCING CEILING HEIGHT TO 5 FEET
- 4 HATCHED AREAS UNDER 5 FEET



Proposed Floor Area

MAIN LEVEL	1,366.0 SQ.FT.
GARAGE (ATTACHED)	255.0 SQ.FT.
PROPOSED LOFT	179.0 SQ.FT.
TOTAL	1,800.0 SQ.FT.



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REVISIONS:

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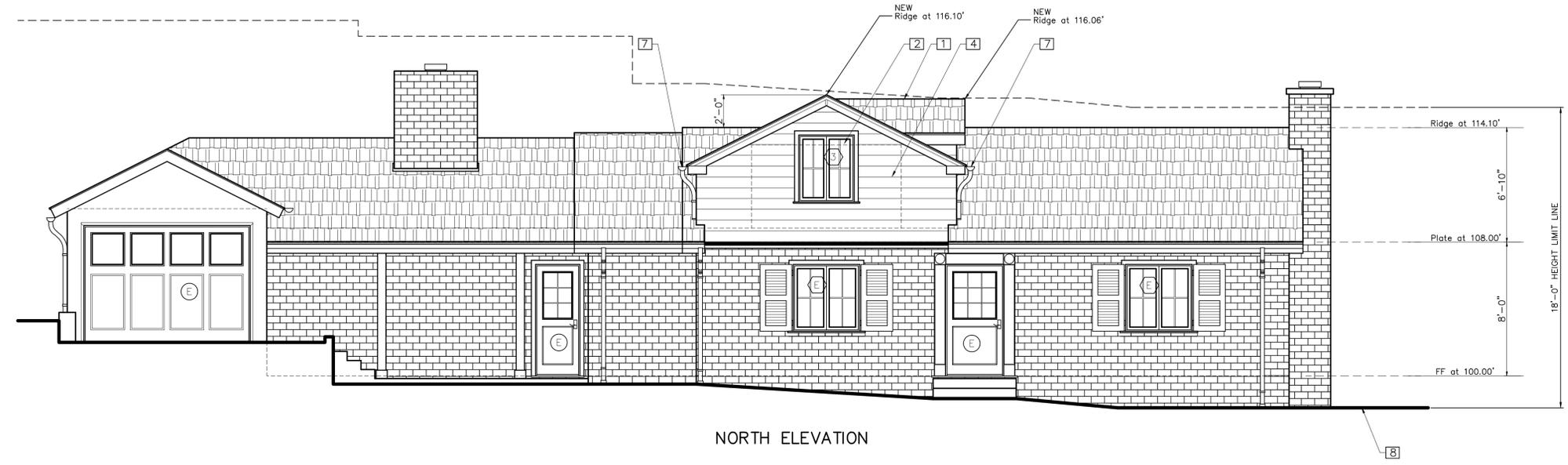
DRAWN BY: A.J.Ortiz

PROPOSED ELEVATIONS

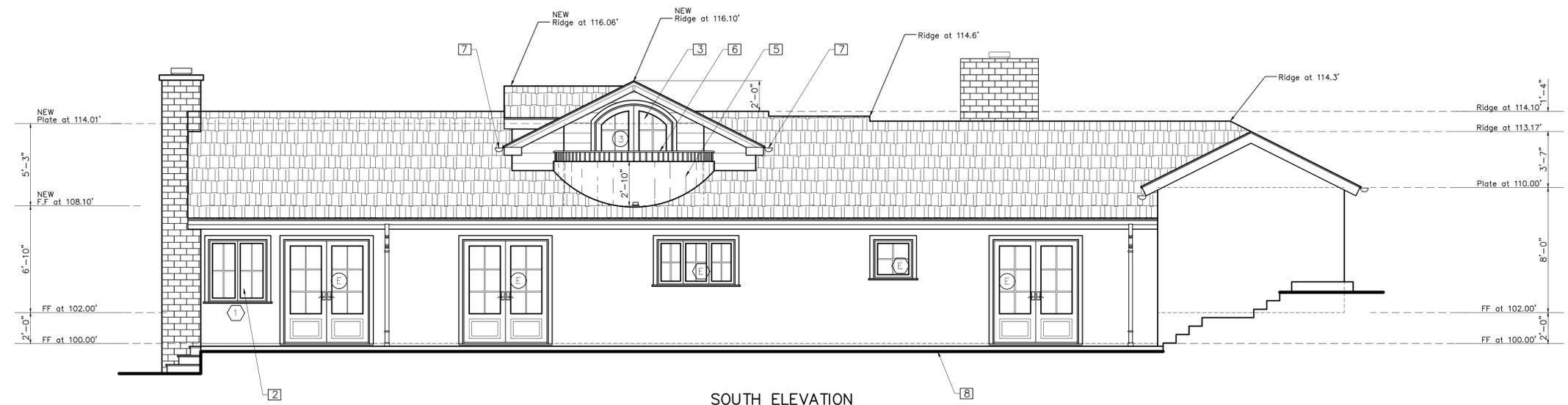
SCALE: 1/4" = 1'

KEY NOTES

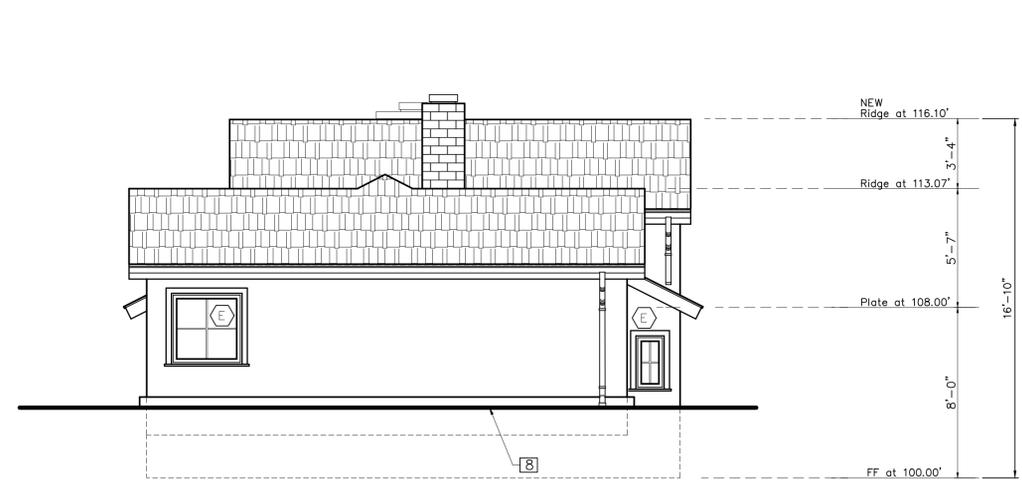
- 1 NEW ROOF: 6:12 PITCH, WOOD CEDAR SHINGLES TO MATCHED EXISTING ROOF MATERIAL & PITCH
- 2 NEW WINDOWS: WOOD-UNCLAD
- 3 NEW DOORS: WOOD
- 4 NEW SIDING: SHIPLAP
- 5 NEW BALCONY SIDING: CEMENT PLASTER
- 6 NEW GUARDRAIL: 8-IN. HEIGHT, ON TP OF 34-IN. HIGH PLASTER WALL
- 7 NEW GUTTERS & DOWN SPOUT
- 8 EXISTING GRADE: WHERE OCCURS
- 9



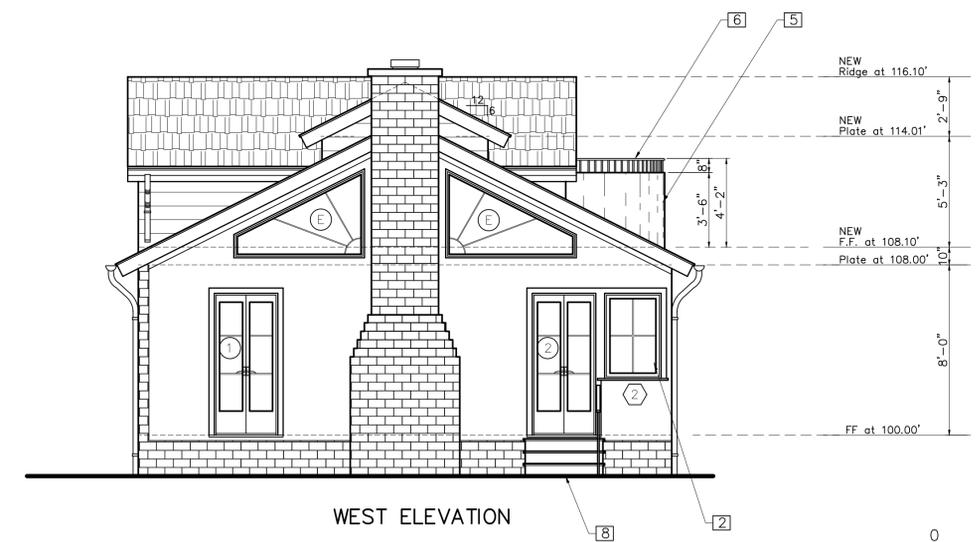
NORTH ELEVATION



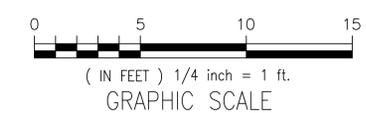
SOUTH ELEVATION



EAST ELEVATION



WEST ELEVATION





CITY OF CARMEL-BY-THE-SEA

Planning Commission Report

November 9, 2016

To: Chair Goodhue and Planning Commissioners

From: Marc Weiner, AICP, Community Planning and Building Director

Submitted by: Ashley Hobson, Contract Planner

Subject: Consideration of Concept Design Study (DS 16-397) and associated Coastal Development Permits for the construction of a new single-family residence located in the Single-Family Residential (R-1) Zoning District.

Recommendation:

Accept the Concept Design Study (DS 16-397) and associated Coastal Development Permits subject to the attached findings and recommendations/draft conditions.

Application:	DS 16-397	APN:	010-103-012
Block:	38	Lot:	E
Location:	Torres St., 5 NE of 4 th Ave.		
Applicant:	Bolton Design Group, Inc.	Property Owner:	Andrea Carr

Background and Project Description:

The project site is a vacant lot located on Torres Street, five parcels northeast of 4th Avenue. The property is 4,000 square feet in size and includes 16 trees. The applicant has obtained water credits from the Malpas Water Company and has submitted plans to build a new 1,795-square foot single-family residence on the vacant lot. The proposed residence includes 1,595 square feet of living space, a 200 square foot garage, and 268 square feet of site coverage. The proposed residence is one-story and will require the removal of eight trees.

Staff has scheduled this application for conceptual review. The primary purpose of this meeting is to review and consider the site planning, privacy and views, mass and scale related to the project. However, the Commission may provide input on other aspects of the design.

PROJECT DATA FOR A 4,000 SQUARE FOOT SITE:			
Site Considerations	Allowed	Existing	Proposed
Floor Area	1,800 sf (45%)	0	1,795 sf (44%)
Site Coverage	396 sf	0 sf	268 sf
Trees	3 Upper /1 Lower (recommended)	16 total	8 total
Ridge Height (1 st /2 nd)	18 ft/24 ft	n/a	Max. 1 st floor: 18 ft
Plate Height (1 st /2 nd)	12 ft/18 ft	n/a	Max 1 st floor: 8.75 ft
Setbacks	Minimum Required	Existing	Proposed
Front	15 ft	n/a	Minimum: 15ft
Composite Side Yard	10 ft (25%)	n/a	Minimum: 10 ft
Minimum Side Yard	3 ft	n/a	Min. North Side: 3 ft Min. South Side: 3 ft
Rear	15 ft / 3ft (if less than 15 ft in height)	n/a	Min: 3 ft

Staff analysis:

Forest Character: Residential Design Guidelines 1.1 through 1.4 encourage maintaining “a forested image on the site” and for new construction to be at least six feet from significant trees.

The site contains sixteen trees, ten of which are classified as a significant. The applicant is proposing to remove eight trees on the site, as shown in the table below and maintain the remaining eight trees on the site. Of the eight trees proposed for removal, two were determined to be significant, one moderately significant, and five insignificant. The Forest & Beach Commission reviewed the tree removal application on July 14, 2016 and approved the removal of seven trees to allow for the construction of a new single-family home (trees #4, #5, #6, #8, #9, #12, and #13). The Forest and Beach Commission approved the removal request with the proviso that all existing trees maintain a 6-foot root protection zone and that the rear oak tree (#14) is substantially untouched. Tree #15 is also proposed for removal, however the tree is considered insignificant and therefore the removal does not require Forest and Beach Commission review. The trees proposed for removal are clearly shown on the Site Plan on sheet A-0.1 of the Plan Sets, included as Attachment E.

Tree #	Tree Type	Tree Diameter	Significant Status?	Proposed for Removal?
1	Coast Live Oak	7"	Significant	No
2	Coast Live Oak	24"	Significant	No
3	Coast Live Oak	35"	Significant	No
4	Coast Live Oak	6"	Significant	Yes
5	Coast Live Oak	5"	Moderately Significant	Yes
6	Coast Live Oak	15"	Significant	Yes
7	Coast Live Oak	14"	Significant	No
8	Coast Live Oak	5"	Moderately Significant	Yes
9	Coast Live Oak	5"	Moderately Significant	Yes
10	Coast Live Oak	15"	Significant	No
11	Coast Live Oak	7"	Significant	No
12	Coast Live Oak	2"	Moderately Significant	Yes
13	Coast Live Oak	10"	Moderately Significant	Yes
14	Coast Live Oak	15"	Significant	No
15	Toyon	3"	Not Significant	Yes
16	Coast Live Oak	30"	Significant	No
Note: Grey rows indicate trees proposed for removal				

Privacy & Views: Residential Design Guidelines 5.1 through 5.3 state that *“designs should preserve reasonable solar access to neighboring parcels”* and *“maintain privacy of indoor and outdoor spaces in a neighborhood”* and *“maintain view opportunities.”*

Staff has not identified any view impacts that would be created by the new residence. With regard to privacy, staff notes that both neighboring residences to the north and south are located close to the property lines and the northern neighbor has large windows facing the project site. In staff’s opinion, the applicant has appropriately placed the windows on the south side of the residence to adequately protect the privacy of the neighboring residence to the South. Specifically, the applicant is proposing two high windows which will provide light into the house, but will not allow views into the neighboring residence. Also, the four largest windows and glass doors will be located more than 20-feet from the south property line, and a six-foot tall wood fence will help block views between the neighboring windows.

With regard to the north neighbor, staff has identified some concerns with the proposed window placement and the lack of the fencing between the neighboring residences. The applicant is proposing five windows and two doors within 12-feet of the property line, with three windows as close as three feet to the property line. Staff recommends that the Planning Commission review the potential privacy impact during the site visit and determine whether a privacy hedge or fence should be required along the north property line.

Mass & Bulk: Residential Design Guidelines 7.1 through 7.6 encourage a building's mass to relate *"to the context of other homes nearby"* and to *"minimize the mass of a building as seen from the public way or adjacent properties."* Further, these guidelines state that *"a building should relate to a human scale in its basic forms."*

The applicant is proposing to build a new single-family residence on an existing vacant site. In staff's opinion, the single-story residence is appropriate for the site because it complements the neighboring single story residences. Residential Design Guideline 6.1 encourages garages to remain subordinate to the overall character of the site. Specifically, garages should be integrated into the building design and the mass should be subordinate to the house. Additionally, Design Guideline 7.6 encourages low, horizontal building designs. The proposed garage is integrated into the design of the house, but has a height of approximately 17 feet, which is 2 ½ feet taller than ridge height of the main residence. Staff notes that in the elevation drawings included as Attachment E, the garage presents a vertical appearance, but in the renderings included as Attachment D, it does not. The Commission should consider whether the height of the garage should be reduced to be more consistent with the Residential Design Guidelines.

Building & Roof Form: Residential Design Guidelines 8.1 through 8.3 state that *"Shallow to moderately pitched roofs are appropriate on one-story buildings. More steeply pitched roof with low plate lines can be used on two-story buildings."* The Guidelines emphasize using *"restraint"* and *"simplicity"* in building forms, which should not be complicated, and roof lines, which should *"avoid complex forms."*

The proposed design includes a single story residence with an attached garage. The gable and hipped roofs have varied roof pitches, with two rooflines visible from the street. The proposed garage has a steep open-gable roof with a steep pitch of 12:19³/₁₆ with flared eaves, which gives the house a story-book cottage appearance. In staff's opinion, the roof design is simple and complements the building style and neighborhood context.

Site Coverage: The project site is vacant and contains no site coverage. The applicant is proposing add 268 square feet of site coverage, including a driveway and small landing areas at each exterior door. The allowed site coverage for this site is 396 square feet, and therefore the proposal is in compliance.

Cut and Fill Grading: The applicant is proposing a total of 73 cubic yards of cut and 28 cubic yards of fill as part of the project. A condition has been drafted requiring the applicant submit a grading plan for staff's review prior to the issuance of a building permit, which should also include the proposed number of truck haul routes during the construction process.

Public ROW: The unimproved portion of the City Right-of-Way (ROW) between the front property line and edge of paving includes an existing brick retaining wall. The applicant is proposing to maintain this retaining wall, and therefore staff has included a condition of approval that the applicant obtain a permanent encroachment permit or remove the wall.

Environmental Review: The proposed project is categorically exempt from CEQA requirements, pursuant to Section 15303 (Class 3) – New Construction or Conversion of Small Units. The project includes the construction of one single-family residence in a residential zone, and therefore qualifies for a Class 3 exemption. The proposed residence does not present any unusual circumstances that would result in a potentially significant environmental impact.

ATTACHMENTS:

- Attachment A – Site Photographs
- Attachment B – Findings for Concept Acceptance
- Attachment C – Draft Recommendations/Conditions
- Attachment D – Renderings
- Attachment E – Project Plans

Attachment A – Site Photographs



Existing conditions



Adjacent neighbor to the North



Adjacent neighbor to the South

Attachment B – Findings for Concept Acceptance

DS 16-397 (Carr)
November 9, 2016
Concept Findings
Page 1

<u>FINDINGS REQUIRED FOR CONCEPT DESIGN STUDY ACCEPTANCE (CMC 17.64.8 and LUP Policy P1-45)</u>		
For each of the required design study findings listed below, staff has indicated whether the submitted plans support adoption of the findings. For all findings checked "no" the staff report discusses the issues to facilitate the Planning Commission decision-making. Findings checked "yes" may or may not be discussed in the report depending on the issues.		
Municipal Code Finding	YES	NO
1. The project conforms with all zoning standards applicable to the site, or has received appropriate use permits and/or variances consistent with the zoning ordinance.	✓	
2. The project is consistent with the City's design objectives for protection and enhancement of the urbanized forest, open space resources and site design. The project's use of open space, topography, access, trees and vegetation will maintain or establish a continuity of design both on the site and in the public right of way that is characteristic of the neighborhood.	✓	
3. The project avoids complexity using simple/modest building forms, a simple roof plan with a limited number of roof planes and a restrained employment of offsets and appendages that are consistent with neighborhood character, yet will not be viewed as repetitive or monotonous within the neighborhood context.	✓	
4. The project is adapted to human scale in the height of its roof, plate lines, eave lines, building forms, and in the size of windows doors and entryways. The development is similar in size, scale, and form to buildings on the immediate block and neighborhood. Its height is compatible with its site and surrounding development and will not present excess mass or bulk to the public or to adjoining properties. Mass of the building relates to the context of other homes in the vicinity.	✓	
5. The project is consistent with the City's objectives for public and private views and will retain a reasonable amount of solar access for neighboring sites. Through the placement, location and size of windows, doors and balconies the design respects the rights to reasonable privacy on adjoining sites.	✓	
6. The design concept is consistent with the goals, objectives and policies related to residential design in the general plan.	✓	
7. The development does not require removal of any significant trees unless necessary to provide a viable economic use of the property or protect public health and safety. All buildings are setback a minimum of 6 feet from significant trees.	✓	
8. The proposed architectural style and detailing are simple and restrained in character, consistent and well integrated throughout the building and	✓	

complementary to the neighborhood without appearing monotonous or repetitive in context with designs on nearby sites.		
9. The proposed exterior materials and their application rely on natural materials and the overall design will add to the variety and diversity along the streetscape.	✓	
10. Design elements such as stonework, skylights, windows, doors, chimneys and garages are consistent with the adopted Design Guidelines and will complement the character of the structure and the neighborhood.	✓	
11. Proposed landscaping, paving treatments, fences and walls are carefully designed to complement the urbanized forest, the approved site design, adjacent sites, and the public right of way. The design will reinforce a sense of visual continuity along the street.	✓	
12. Any deviations from the Design Guidelines are considered minor and reasonably relate to good design principles and specific site conditions.	✓	

COASTAL DEVELOPMENT FINDINGS (CMC 17.64.B.1):

1. Local Coastal Program Consistency: The project conforms with the certified Local Coastal Program of the City of Carmel-by-the Sea.	✓	
2. Public access policy consistency: The project is not located between the first public road and the sea, and therefore, no review is required for potential public access.	✓	

Attachment C – Recommendations/Draft Conditions

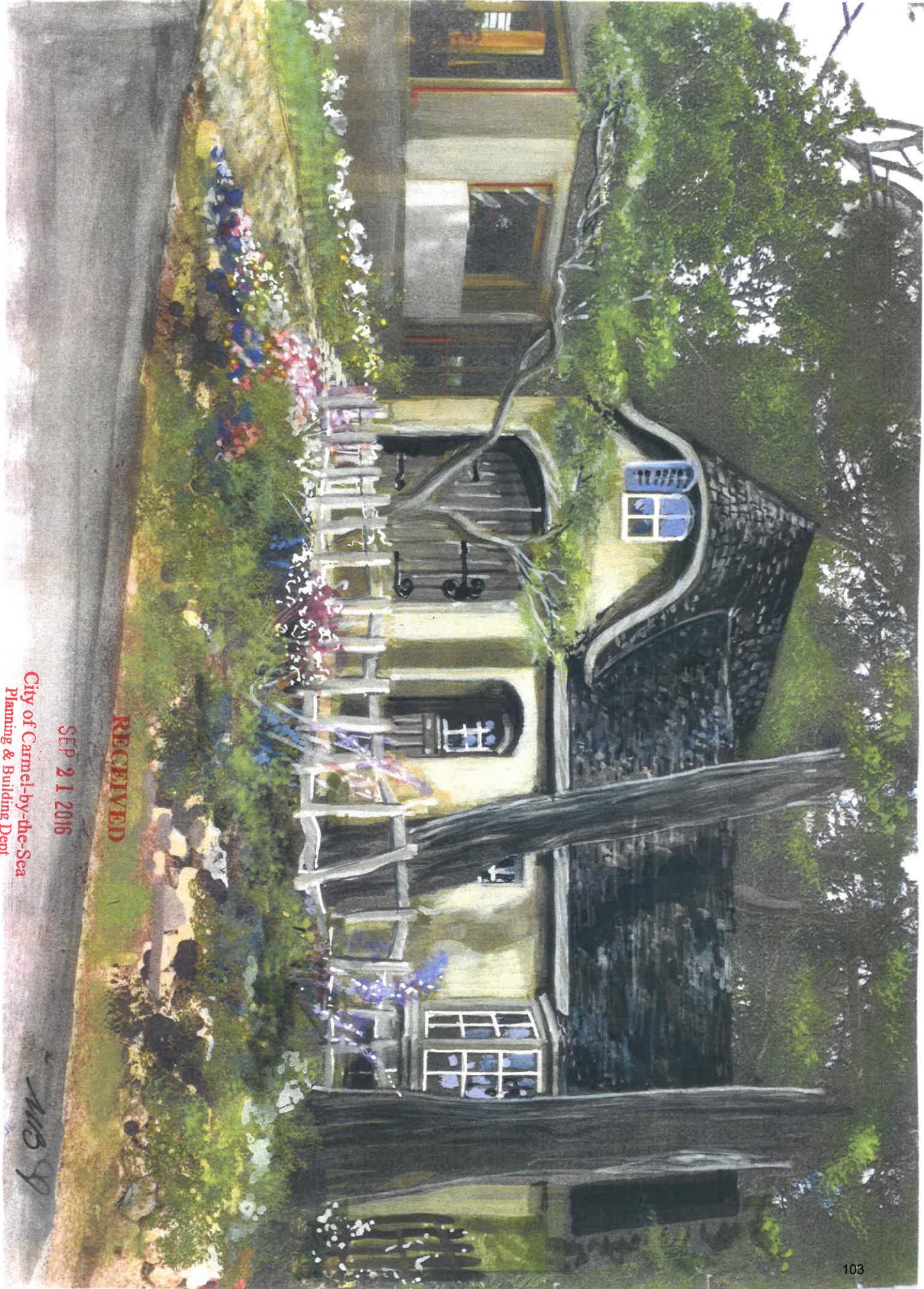
DS 16-397 (Carr)

November 9, 2016

Recommendations/Draft Conditions

Page 1

Recommendations/Draft Conditions		
No.		
1.	The applicant shall apply for and obtain an encroachment permit for the existing retaining wall located in the City Right of Way prior to the issuance of a building permit. If an encroachment permit is not obtained, the wall shall be removed as part of the building permit.	
2.	The applicant submit a grading plan for staff's review prior to the issuance of a building permit that includes the proposed number of truck haul routes during the construction process.	



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City of Carmel-by-the-Sea
Planning & Building Dept.

MS



RECIPIENT

SEP 21 2016

City of Carmel-by-the-Sea
Planning & Building Dept

PROJECT INFORMATION

PROPERTY OWNERS: Noel and Andi Carr
 PO Box 299
 Pebble Beach, California 93953
 Telephone: 916 / 716 - 5670

DESIGNER: BOLTON DESIGN GROUP, INC.
 P.O. Box 5488
 Carmel, California 93921
 Telephone: 831 / 659 - 6200
 Facsimile: 831 / 659 - 0110

PROJECT DESCRIPTION: New One Story Single Family Dwelling
 Track Two Residential Design Study Application for Concept Review

SITE ADDRESS: Torres Street
 5 NE of 4th Avenue
 Carmel-by-the-Sea
 California 93921

APN: 010 - 103 - 012 - 000

ZONING: R-1

PROJECT DATA:

LOT SIZE: 4,000.00 SQ. FT.

EXISTING SITE COVERAGE: 0 SQ. FT.

PROPOSED SITE COVERAGE (House Footprint - 1,800 sq.ft. Allowable): 1,795 SQ. FT.

PROPOSED PERMEABLE SITE COVERAGE: 267.69 SQ. FT.

PROPOSED IMPERMEABLE SITE COVERAGE: 0 SQ. FT.

PROPOSED OPEN SPACE: 1,937.31 SQ. FT.

PROPOSED HEIGHT OF STRUCTURE: NOT TO EXCEED 18'-0"
 (NOT TO EXCEED 15'-0" WITHIN 15' OF REAR SETBACK)

PROPOSED GRADING ESTIMATE: 73 cu. yd. Cut / 28 cu. yd. Fill
 See Civil Sheet C-0.1

PROPOSED TREE REMOVAL: 2 Significant - Tree #4, #6
 (Ref. Preliminary Site Assessment by City of Carmel-by-the-Sea) 1 Moderately Significant - Tree #13
 4 Not-Significant - Trees #5, #8, #9, and #12

SQUARE FOOTAGE CALCULATIONS:

Main Residence: 1,595 SQ. FT.

Garages: 200 SQ. FT.

CONSULTANTS

Structural and Civil Consultant: Central Coast Engineers, Inc.
 21 West Alisal Street, Ste 119
 Salinas, CA 93901
 Telephone: 831 / 757-5554
 Facsimile: 831 / 757-2226

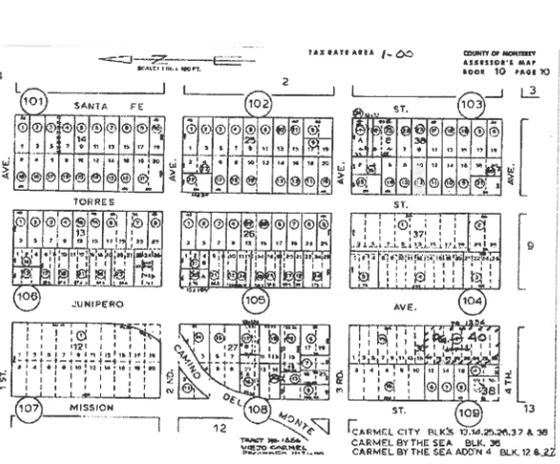
WINDOW SCHEDULE

Symbol	Type	Unit Dimensions Width & Height	Material	Finish	Glazing	Quantity	Remarks
A	Fixed	1'-4" X 2'-2" w/ 2.75" Drop	Wood	Stain	Low E	1	
B	Fixed	1'-0" X 1'-8"	Wood	Stain	Low E	1	Recessed
C	Casement	1'-6" X 3'-6"	Wood	Stain	Low E	2	
D	Fixed	2'-0" X 3'-6"	Wood	Stain	Low E	1	
E	Casement	1'-4" X 2'-2"	Wood	Stain	Low E	10	
F	Fixed	2'-6" X 7'-0"	Wood	Stain	Low E	4	
G	Casement	5'-0" X 4'-4"	Wood	Stain	Low E	1	
H	Casement	2'-0" X 4'-4"	Wood	Stain	Low E	3	
J	Casement	4'-8" X 7'-0"	Wood	Stain	Low E	1	
K	French Casement	5'-0" X 5'-4"	Wood	Stain	Low E	1	

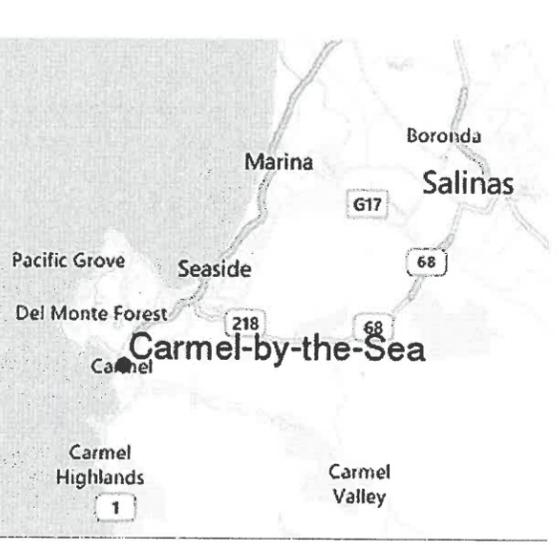
DOOR SCHEDULE

Symbol	Type	Unit Dimensions Width & Height	Thickness	Material	Finish	Frame	Remarks
1	Garage	7'-6" X 7'-9" Segmented Head w/ 1'-1 1/2" Drop	2 1/4"	Wood	Stain	Wood	Garage
2	Entry	3'-2 3/4" X 6'-8" Segmented Head w/ 5.5" Drop	2 1/4"	Wood	Stain	Wood	Custom Entry
3	Pair French	Pair 2'-6" X 6'-8"	2 1/4"	Wood	Stain	Wood	Exterior
4	Pair French	Pair 2'-6" X 6'-8"	2 1/4"	Wood	Stain	Wood	Exterior
5	Pair French	Pair 2'-6" X 6'-8"	2 1/4"	Wood	Stain	Wood	Exterior
6	Pair French	Pair 2'-6" X 6'-8"	2 1/4"	Wood	Stain	Wood	Exterior
7	Single French	3'-0" X 6'-8"	2 1/4"	Wood	Stain	Wood	Exterior
8	Panel	2'-8" X 6'-8"	1 3/4"	Wood	Stain	Wood	Interior
9	Panel	2'-8" X 6'-8"	1 3/4"	Wood	Stain	Wood	Interior
10	Panel	2'-2" X 6'-8"	1 3/4"	Wood	Stain	Wood	Interior
11	Panel	3'-0" X 6'-8"	1 3/4"	Wood	Stain	Wood	Interior
12	Pair Bi-Fold	2x 2'-4" X 6'-8"	1 3/4"	Wood	Stain	Wood	Interior
13	Panel	2'-8" X 6'-8"	1 3/4"	Wood	Stain	Wood	Interior
14	Panel	2'-8" X 6'-8"	1 3/4"	Wood	Stain	Wood	Interior
15	Panel	2'-8" X 6'-8"	1 3/4"	Wood	Stain	Wood	Interior
16	Panel	2'-8" X 6'-8"	1 3/4"	Wood	Stain	Wood	Interior
17	Pocket - Panel	3'-0" X 6'-8"	1 3/4"	Wood	Stain	Wood	Interior

LOCATION MAP

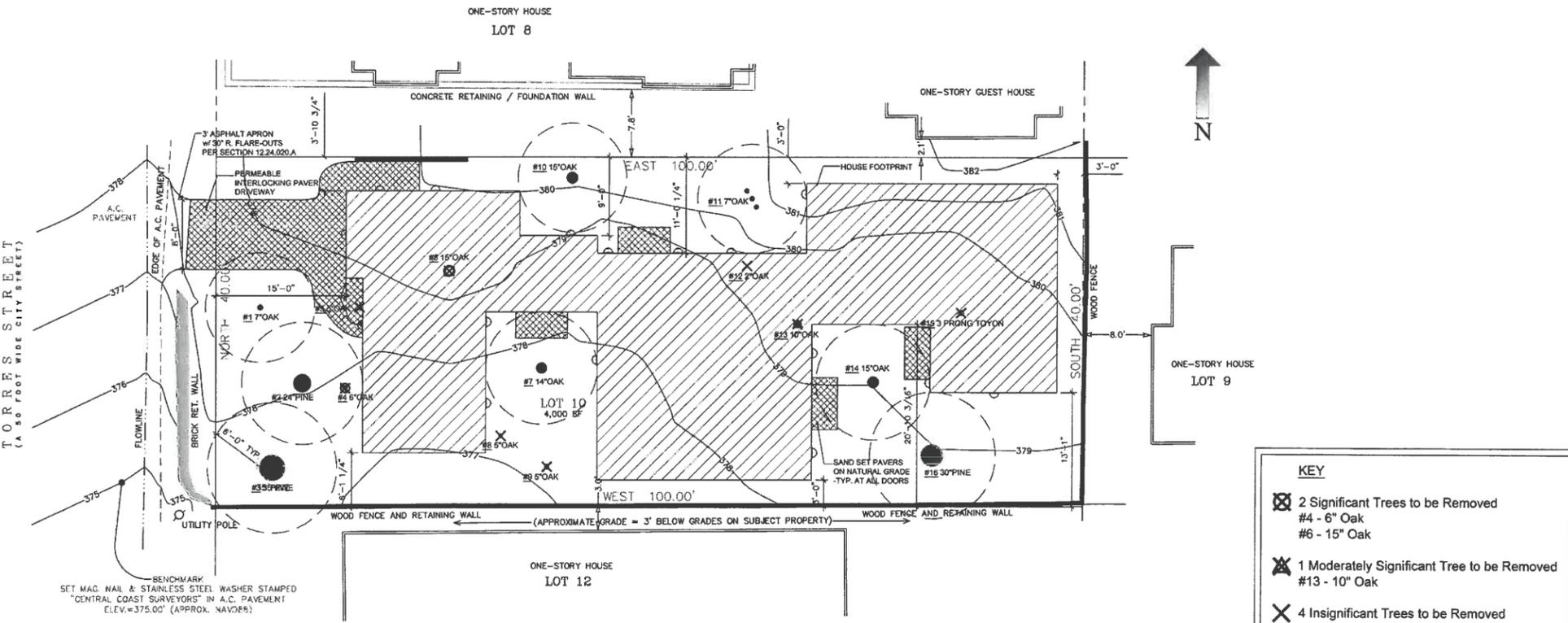


VICINITY MAP



DRAWING SHEET INDEX

- A - 0.1 TITLE SHEET / PROJECT DATA / SCHEDULES / SITE PLAN
- A - 1.0 ROOF PLAN / FLOOR PLAN
- A - 2.1 ELEVATIONS
- A - 2.2 ELEVATIONS
- C - 0.1 CIVIL NOTES
- C - 1.0 GRADING / DRAINAGE / EROSION CONTROL PLAN



KEY

- ☒ 2 Significant Trees to be Removed
 #4 - 6" Oak
 #6 - 15" Oak
- ☒ 1 Moderately Significant Tree to be Removed
 #13 - 10" Oak
- ✕ 4 Insignificant Trees to be Removed
 #5 - 5" Oak
 #8 - 5" Oak
 #9 - 5" Oak
 #12 - 2" Oak

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City of Carmel-by-the-Sea
 Planning & Building Dept.

SITE PLAN

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

BOLTON
 DESIGN
 GROUP
 INC.
 831 659 6200

Torres Street

New Single Family Dwelling

Torres Street
 5 NE of 4th Avenue
 Carmel-by-the-Sea
 California
 93921

APN: 010-103-012-000

DATE: 16 SEPT 2016

REVISIONS:

TITLE SHEET / PROJECT DATA / SCHEDULES / SITE PLAN

SCALE: N/A

DRAWN BY:

CHECKED BY:

JOB NO.: 16.02

SHEET NO.: A - 0.1

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Torres Street

**New Single
Family Dwelling**

Torres Street
Between 3rd and 4th
Carmel-by-the-Sea
California
93921

APN: 010-103-012-000

DATE: 16 SEPT 2016

REVISIONS:

**ROOF PLAN /
FLOOR PLAN**

SCALE: N/A

DRAWN BY:

CHECKED BY:

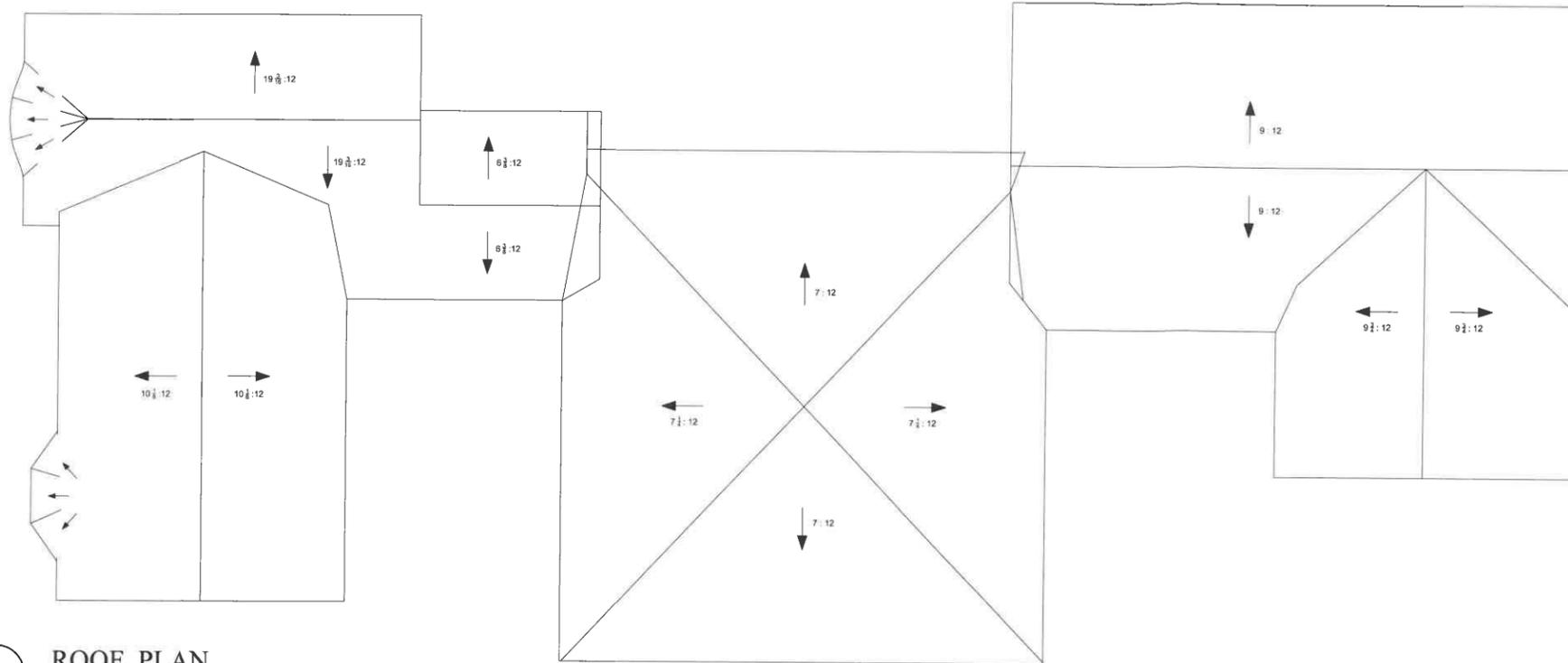
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SHEET NO.: **A - 1.0**

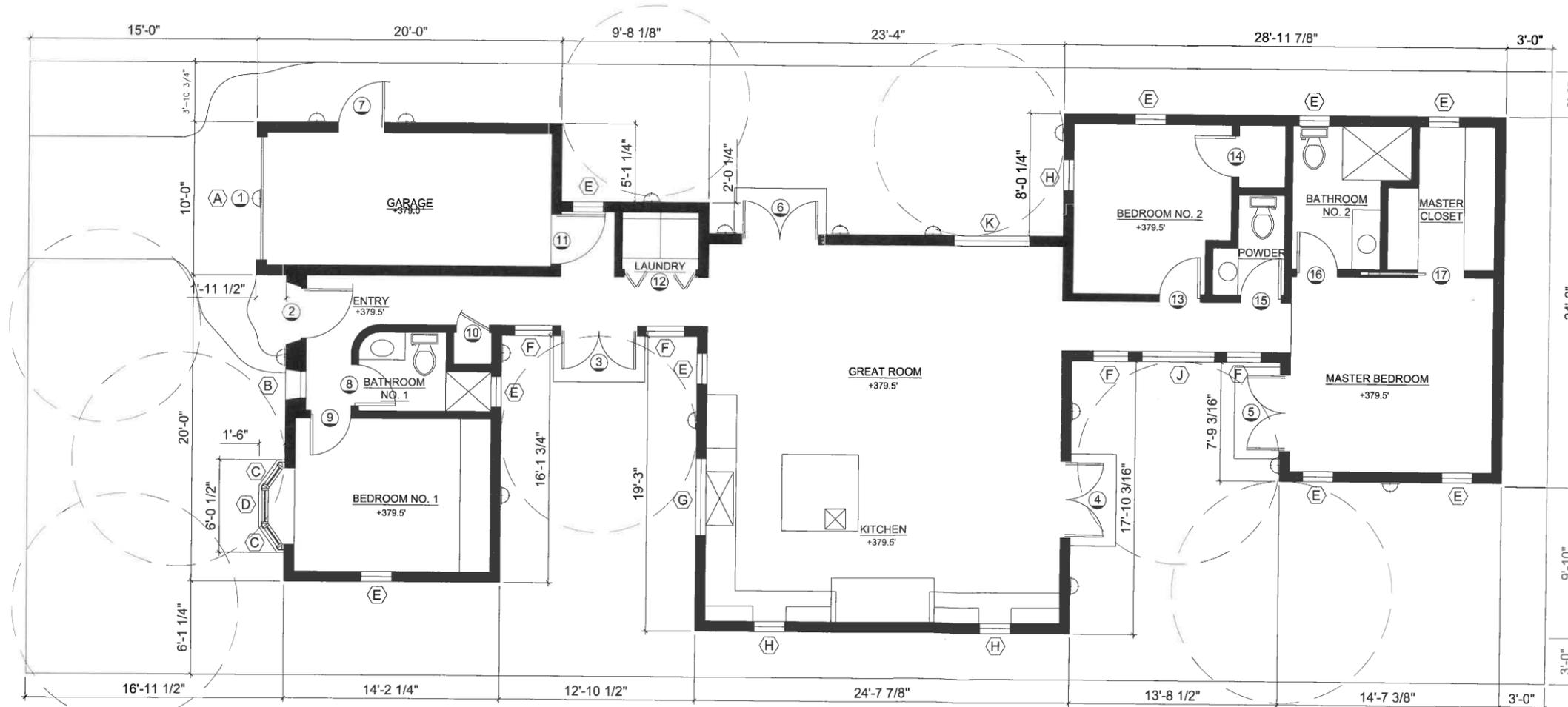
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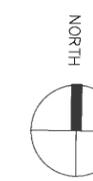
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1
ROOF PLAN
SCALE: 1/4" = 1'-0"



2
FLOOR PLAN
SCALE: 1/4" = 1'-0"



Torres Street

**New Single
Family Dwelling**

Torres Street
Between 3rd and 4th
Carmel-by-the-Sea
California
93921

APN: 010-103-012-000

DATE: 16 SEPT 2016

REVISIONS:

ELEVATIONS

SCALE: N/A

DRAWN BY:

CHECKED BY:

JOB NO.: 16.02

SHEET NO.: **A - 2.1**

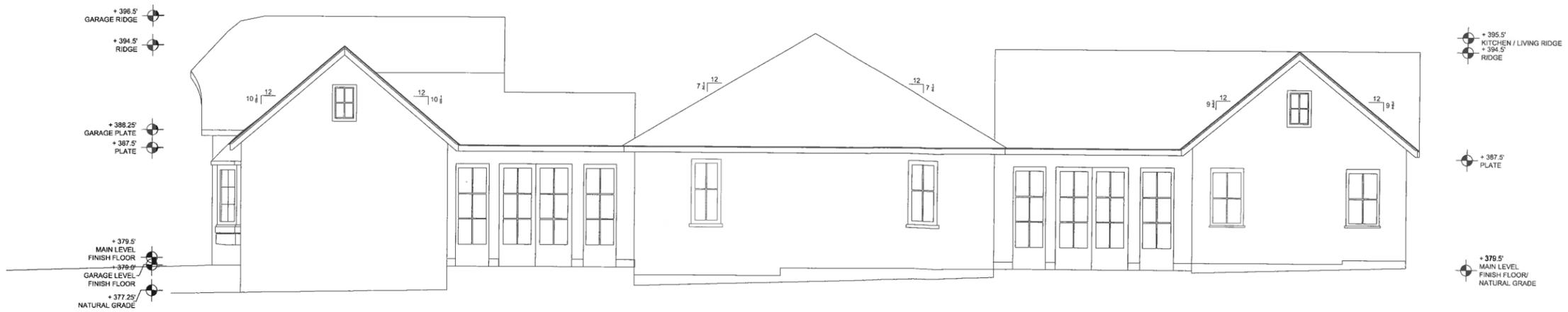
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1 EXTERIOR ELEVATION - EAST
SCALE: 1/4" = 1'-0"



2 EXTERIOR ELEVATION - NORTH
SCALE: 1/4" = 1'-0"

Torres Street

**New Single
Family Dwelling**

Torres Street
Between 3rd and 4th
Carmel-by-the-Sea
California
93921

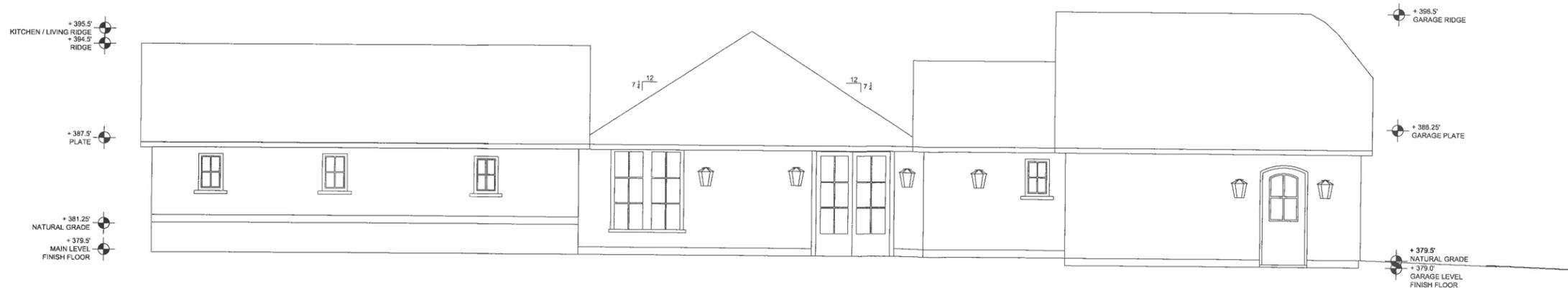
APN: 010-103-012-000

DATE: 16 SEPT 2016

REVISIONS:



1 EXTERIOR ELEVATION - EAST
SCALE: 1/4" = 1' - 0"



2 EXTERIOR ELEVATION - NORTH
SCALE: 1/4" = 1' - 0"

ELEVATIONS

SCALE: N/A

DRAWN BY:

CHECKED BY:

JOB NO.: 16.02

SHEET NO.: **A - 2.2**

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NEW SINGLE FAMILY DWELING

GENERAL NOTES

GENERAL NOTES

- 1.1.0 ALL WORK SHALL CONFORM TO THE CALIFORNIA BUILDING CODE, LATEST REVISION, THE CITY OF CARMEL STANDARDS AND SPECIFICATIONS, THE STATE DEPARTMENT OF TRANSPORTATION, CALTRANS STANDARD PLANS & SPECIFICATIONS, 2010 EDITION, THESE PLANS, AND THE SOILS REPORT PREPARED BY: GRICE ENGINEERING, INC. REPORT NO.: J000X-XX.XX. DATED: MARCH XX, 201X. RESPECTIVELY, IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO OBTAIN AND IMPLEMENT ALL GEOTECHNICAL REQUIREMENTS FROM THE REPORT. THIS REPORT SHALL BE CONSIDERED TO BE INCORPORATED AS PART OF THE CONSTRUCTION DOCUMENTS. WHERE THE GEOTECHNICAL REPORT RECOMMENDATIONS AND REQUIREMENTS CONFLICTS WITH OTHER STANDARDS, THE GEOTECHNICAL REPORT SHALL GOVERN PROVIDED THE RECOMMENDATION/REQUIREMENT IS MORE CONSERVATIVE. ALL STANDARDS SHALL BE PURCHASED BY THE CONTRACTOR FROM THE STATE AND THE CITY.
- 1.1.1 NO CONSTRUCTION SHALL COMMENCE WITHOUT PLANS APPROVED BY THE CITY OF CARMEL ENGINEERING DEPARTMENT. ANY CONSTRUCTION DONE WITHOUT APPROVED PLANS OR PRIOR NOTIFICATION TO THE CITY ENGINEER WILL BE REJECTED AND MAY BE AT THE CONTRACTOR'S RISK.
- 1.1.2 A PERMIT SHALL BE OBTAINED FROM CITY OF CARMEL DEPARTMENT OF PUBLIC WORKS AND CALTRANS FOR WORK TO BE DONE IN THE CITY STREET OR STATE RIGHT-OF-WAY.
- 1.1.3 THE CONTRACTOR SHALL BE RESPONSIBLE FOR WORK AND PERMITS IN CONNECTION WITH THE REMOVAL OF EXCESS EARTH MATERIALS AND WASTE.
- 1.1.4 THE CONTRACTOR SHALL EMPLOY ALL LABOR, EQUIPMENT AND METHODS REQUIRED TO PREVENT HIS OPERATION FROM PRODUCING DUST IN AMOUNTS DAMAGING TO PROPERTY AND DOMESTIC ANIMALS OR CAUSING A NUISANCE TO PERSONS OCCUPYING BUILDINGS IN THE VICINITY OF THE JOBSITE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE CAUSED BY DUST RESULTING FROM HIS OPERATIONS. THE CONTRACTOR SHALL ARRANGE FOR AGENCY WATER IF REQUIRED. DUST ABATEMENT MEASURES SHALL BE CONSISTENT WITH THE STANDARDS OF THE REGIONAL AIR QUALITY CONTROL BOARD AND SHALL BE CONTINUED UNTIL RELIEF IS GRANTED BY THE GRADING INSPECTOR.
- 1.1.5 MUD, SILT, SAND, GRAVEL OR ANY KIND OF DIRT DELIVERED TO THE STREET BY TRUCKS GETTING IN AND OUT OF THE JOB SHALL BE REMOVED BY THE CONTRACTOR.
- 1.1.6 THESE PLANS DO NOT AUTHORIZE SITE DISTURBANCE BEYOND THE LIMITS OF GRADING SHOWN.
- 1.1.7 THE CONTRACTOR IS RESPONSIBLE FOR THE PROTECTION OR PROPER RESETTING OF ALL EXISTING MONUMENTS AND OTHER SURVEY MARKERS. ANY SURVEY MONUMENTS DESTROYED BY THE CONTRACTOR SHALL BE REPLACED IN ACCORDANCE WITH THE STATE LAND SURVEYOR'S ACT AT THE CONTRACTOR'S EXPENSE.
- 1.1.8 THE LOCATIONS OF EXISTING UTILITIES AND UNDERGROUND PIPELINES ARE SHOWN IN AN APPROXIMATE WAY ONLY. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION AND DEPTH OF ALL EXISTING UTILITIES AND UNDERGROUND PIPELINES BEFORE COMMENCING WORK. THE CONTRACTOR AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY FAILURE TO EXACTLY LOCATE EXISTING UTILITIES. PRESERVE AND PROTECT ANY AND ALL UNDERGROUND UTILITIES AND PIPELINES. THE CONTRACTOR SHALL CALL U.S.A. (UNDERGROUND SERVICE ALERT) AT 811 TWO WORKING DAYS PRIOR TO ANY CONSTRUCTION OR EXCAVATION.
- 1.1.9 ALL EXISTING IMPROVEMENTS (CURB, GUTTER, SIDEWALK, CROSS-GUTTER, FENCING, ETC.) THAT ARE REMOVED, DAMAGED, OR UNDERCUT SHALL BE REPAIRED OR REPLACED AS DIRECTED BY THE CITY ENGINEER.
- 1.1.10 PROVIDE APPROVED TRAFFIC CONTROL DURING COURSE OF CONSTRUCTION IN ACCORDANCE WITH THE STATE OF CALIFORNIA MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (MUTCD) LATEST EDITION.
- 1.1.11 THE CITY INSPECTOR ACTING ON BEHALF OF THE CITY DEPARTMENT OF PUBLIC WORKS MAY REQUIRE REVISIONS IN THE PLANS TO SOLVE UNFORESEEN PROBLEMS THAT MAY ARISE IN THE FIELD. ALL REVISIONS SHALL BE SUBJECT TO THE APPROVAL OF THE ENGINEER OF RECORD AND THE OWNER.
- 1.1.12 CENTRAL COAST ENGINEERS, INC. SHALL NOT BE RESPONSIBLE OR LIABLE FOR UNAUTHORIZED CHANGES TO, OR USES OF, THESE PLANS. ALL CHANGES TO THESE PLANS MUST BE APPROVED IN WRITING BY CENTRAL COAST ENGINEERS, INC.
- 1.1.13 IF A PROBLEM SHOULD ARISE DURING THE COURSE OF CONSTRUCTION. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO NOTIFY THE COUNTY AND THE ENGINEER OF RECORD IMMEDIATELY PRIOR TO ANY FURTHER WORK.
- 1.1.14 IF THE CONTRACTOR IS IN DOUBT AS TO THE MEANING OF ANY PART OF THE PLAN AND SPECIFICATIONS OR FINDS DISCREPANCIES IN OR OMISSIONS FROM THE DRAWINGS. HE SHALL SUBMIT A WRITTEN REQUEST FOR AN INTERPRETATION OR A CORRECTION THEREOF.
- 1.1.15 THE CONTRACTOR SHALL MAINTAIN A CURRENT, COMPLETE, AND ACCURATE RECORD OF ALL APPROVED CHANGES WHICH DEVIATE FROM THE CONSTRUCTION AS PROPOSED IN THESE CONTRACT DOCUMENTS FOR THE PURPOSE OF PROVIDING THE ENGINEER WITH A BASIS FOR RECORD DRAWINGS. NO CHANGES SHALL BE MADE WITHOUT PRIOR APPROVAL OF THE COUNTY ENGINEER, THE ENGINEER OF RECORD, AND THE OWNER.
- 1.1.16 CONSTRUCTION GRADE STAKES AND PROPERTY LOT LINES SHALL BE SET BY A LICENSED SURVEYOR IN THE STATE OF CALIFORNIA.
- 1.1.17 NEITHER THE OWNER, NOR THE ENGINEER OF RECORD WILL ENFORCE SAFETY MEASURES OR REGULATIONS AS THEY PERTAIN TO THE CONTRACTOR. THE CONTRACTOR SHALL DESIGN, CONSTRUCT AND MAINTAIN ALL SAFETY DEVICES, INCLUDING SHORING AND SHALL BE SOLELY RESPONSIBLE FOR CONFORMING TO ALL LOCAL, STATE AND FEDERAL SAFETY AND HEALTH STANDARDS, LAWS AND REGULATIONS. THE APPROVAL OF THESE PLANS SHALL NOT BE TAKEN AS CONCURRENCE BY THE COUNTY THAT THE CONTRACTORS OR THEIR AGENTS HAVE BEEN ABSOLVED TO ENFORCE APPLICABLE SAFETY REGULATIONS.
- 1.1.18 THE USE OF PLANS BY ANY CONTRACTOR SHALL HOLD TRUE THAT THE CONTRACTOR AGREES THAT HE SHALL ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING SAFETY OF ALL PERSONS AND PROPERTY, THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS, THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE OWNER AND CENTRAL COAST ENGINEERS, INC. HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT.
- 1.1.19 ALL WORK SHALL CONFORM WITH THE AMERICANS WITH DISABILITIES ACT ACCESSIBILITY GUIDELINES.
- 1.1.20 IN THE EVENT CONSTRUCTION STAKING BASED ON THESE PLANS, DRAWINGS OR OTHER DOCUMENTS IS ACCOMPLISHED BY OTHER THAN CENTRAL COAST ENGINEERS, INC. OR THEIR SUBCONSULTANT, OWNER AND CONTRACTOR AGREE TO HOLD CENTRAL COAST ENGINEERS, INC. HARMLESS AND RELEASE ALL LIABILITY ARISING FROM THE USE OF SAID PLANS, DRAWINGS OR OTHER DOCUMENTS.

UNDERGROUND UTILITIES

- 1.2.0 NO GUARANTEE IS INTENDED THAT UNDERGROUND OBSTRUCTIONS NOT SHOWN ON THESE PLANS MAY BE ENCOUNTERED. THOSE SHOWN ARE BASED ON THE BEST INFORMATION AVAILABLE AND THE CONTRACTOR IS CAUTIONED THAT THE COUNTY AND THE ENGINEER ASSUME NO RESPONSIBILITY FOR ANY OBSTRUCTIONS EITHER SHOWN OR NOT SHOWN ON THESE PLANS. THE CONTRACTOR SHALL COOPERATE WITH ALL UTILITY COMPANIES WORKING WITHIN THE LIMITS OF THIS PROJECT.
- 1.2.1 CONTRACTOR SHALL NOT BEGIN EXCAVATION UNTIL ALL EXISTING UTILITIES HAVE BEEN MARKED IN THE FIELD BY THE APPLICABLE ENTITY RESPONSIBLE FOR THAT PARTICULAR UTILITY. THE CONTRACTOR SHALL NOTIFY EACH APPLICABLE ENTITY AT LEAST 24 HOURS BEFORE STARTING WORK.
- 1.2.2 UNDERGROUND SERVICE ALERT: CALL 811 48 HOURS PRIOR TO EXCAVATION.
- 1.2.3 CONTRACTOR SHALL UNCOVER EXISTING BURIED UTILITIES WITH UTILITY OWNER(S) TO VERIFY LOCATIONS AND ELEVATIONS OF UTILITIES. BURIED UTILITIES INCLUDE BUT ARE NOT LIMITED TO WATER MAINS AND LATERALS, SEWER LINES, STORM DRAINS, GAS MAINS AND LATERALS, ELECTRICAL DISTRIBUTION LINES AND TELEPHONE LINES. UTILITIES CONFLICTING WITH THE PROPOSED CONSTRUCTION SHALL BE ADDRESSED IN ACCORDANCE WITH THE SPECIFICATIONS.

GRADING AND DRAINAGE NOTES

- 2.1.0 ALL UNSUITABLE SOIL MATERIALS: ASPHALT, CONCRETE, RUBBISH AND DEBRIS RESULTING FROM GRADING OPERATIONS SHALL BE REMOVED FROM THE JOB SITE, TRANSPORTED TO A SUITABLE LOCATION, AND DISPOSED OF IN ACCORDANCE WITH APPLICABLE REGULATIONS AND THESE CONSTRUCTION DOCUMENTS.
- 2.1.1 ALL FILLS USED TO SUPPORT THE FOUNDATIONS OF ANY BUILDING OR STRUCTURE SHALL BE PLACED UNDER THE DIRECTION OF A GEOTECHNICAL ENGINEER OR THEIR DESIGNATED REPRESENTATIVE, AND THE PLACEMENT OF THE FILL SHALL BE INSPECTED BY THE GEOTECHNICAL ENGINEER OR HIS QUALIFIED REPRESENTATIVE. A REPORT OF SATISFACTORY PLACEMENT OF FILL, ACCEPTABLE TO THE BUILDING OFFICIAL, SHALL BE SUBMITTED TO THE ENGINEER OF RECORD.
- 2.1.2 THE SOILS ENGINEER SHALL INSPECT AND TEST ALL GRADING IN THE FIELD AND SHALL DECLARE THAT ALL EARTHWORK WAS PROPERLY DONE AND IN CONFORMANCE WITH ALL REQUIREMENTS SPECIFIED HEREWITH.
- 2.1.3 THE CONTRACTOR SHALL SUBMIT COMPACTION REPORTS PREPARED BY AN APPROVED TESTING AGENCY FOR ALL FILLS, TO THE COUNTY AND THE ENGINEER OF RECORD.
- 2.1.4 COMPACTION TESTS SHALL BE MADE ON SUB-GRADE MATERIAL, FILL AND COMPACTED MATERIAL UNDER ALL STRUCTURES AND PAVEMENT, AND MATERIAL AS SPECIFIED BY THE ENGINEER OF RECORD OR THE COUNTY. SAID TESTS SHALL BE MADE PRIOR TO THE PLACING OF THE NEXT MATERIAL. CONTRACTOR SHALL OBTAIN AND MAINTAIN THE PROPER MOISTURE CONDITIONING OF SOILS UNDER CONCRETE SLABS PER THE GEOTECHNICAL REPORT IMMEDIATELY PRIOR TO VAPOR RETARDING MEMBRANE AND CONCRETE PLACEMENT.
- 2.1.5 COMPACTION TESTS SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR. THE NUMBER AND LOCATION OF REQUIRED TESTS SHALL BE DETERMINED BY THE GEOTECHNICAL ENGINEER.
- 2.1.6 BENCHING IS REQUIRED ON ALL SLOPES GREAT THAN 5:1. BENCH WIDTH SHALL BE 2-FOOT MINIMUM AND 1-FOOT VERTICAL MINIMUM, A KEYS TOE BENCH OF 2-FOET WIDE BY 1-FOOT VERTICAL SHALL BE USED.
- 2.1.7 IN THE EVENT THAT THE CONTRACTOR OR THEIR SUBCONTRACTORS NOTICES IRREGULARITIES IN THE LINE OR GRADE HE SHALL BRING IT TO THE IMMEDIATE ATTENTION OF THE ENGINEER OF RECORD. IF HE FAILS TO DO SO, THE CONTRACTOR SHALL BE RESPONSIBLE FOR RECONSTRUCTION TO CORRECT SUCH ERROR.
- 2.1.8 FLOODING OR WATERETING SHALL NOT BE USED FOR BACKFILL COMPACTION.
- 2.1.9 THE SLOPE GRADIENT AWAY FROM THE BUILDING PAD SHALL BE TWO PERCENT (2%) OR MORE (IN PAVED AREAS) AND FIVE PERCENT (5%) OR MORE (IN UNPAVED AREAS) FOR A MINIMUM DISTANCE OF TEN FEET (10') PER CBC CODE.
- 2.1.10 ALL NON-PAVED FINISHED GRADE ELEVATIONS SHALL BE A MINIMUM OF EIGHT INCH (8") BELOW FINISHED FLOOR AND 2" BELOW FINISH FLOOR WHERE CONCRETE IS IMMEDIATELY OUTSIDE THE BUILDING (LNO), EXCEPT AT DOOR LANDINGS AND TRANSITIONS THERETO.
- 2.1.11 FOR ADDITIONAL GRADING REQUIREMENTS SEE THE GEOTECHNICAL REPORT PREPARED BY GRICE ENGINEERING, INC. SERVICE REPORT NO. J000X-XX.XX. AND CHAPTER 18 SECTION OF THE 2013 CBC.
- 2.1.12 ALL UNSUITABLE SOIL MATERIALS: ASPHALT, CONCRETE, RUBBISH AND DEBRIS RESULTING FROM GRADING OPERATIONS SHALL BE REMOVED FROM THE JOB SITE, TRANSPORTED TO A SUITABLE LOCATION, AND DISPOSED OF IN ACCORDANCE WITH APPLICABLE REGULATIONS. THE SITE SHALL BE STRIPPED TO A MINIMUM DEPTH OF 1 TO 2 INCHES. ALL EXISTING FILL SOILS WHICH WERE NOT PROPERLY COMPACTED AND CERTIFIED SHALL BE EXCAVATED AND STOCKPILED SO THAT THE NATIVE SOIL CAN BE PROPERLY PREPARED.
- 2.1.13 FOLLOWING STRIPPING, FILL REMOVAL, TREE REMOVAL AND DEMOLITION ACTIVITY AND PRIOR TO BACKFILLING, THE EXPOSED SUBGRADE WITHIN THE BLDG & EXTERIOR FLATWORK AND PAVED AREAS SHALL BE SCARIFIED TO A DEPTH OF AT LEAST 8 INCHES, WORKED UNIFORM, MOISTURE CONDITION AND RECOMPACTED TO AT LEAST 90% RELATIVE COMPACTION FOR 5' BEYOND THE WORK LIMITS.
- 2.1.14 ALL FILLS USED TO SUPPORT THE FOUNDATIONS OF ANY BUILDING, FLATWORK OR PAVEMENTS SHALL BE PLACED IN 8" LIFTS AND COMPACTED TO 90% RELATIVE COMPACTION AND 95% RELATIVE COMPACTION FOR PAVEMENTS. A REPORT OF SATISFACTORY PLACEMENT OF FILL, BOTH ACCEPTABLE TO THE GEOTECHNICAL ENGINEER AND TO THE BUILDING OFFICIAL, SHALL BE SUBMITTED.
- 2.1.15 ALL IMPORT FILL OR ENGINEERED FILL (NATIVE) SHALL MEET THE CRITERIA FOR IMPORT FILL PER TABLE 5.4.1 OF THE GEOTECHNICAL REPORT.

PROJECT DATA

PROJECT: CARR RESIDENCE
 APN: 010-103-012-000
 ADDRESS: TORRES STREET 5 NE of 4th AVE.
 Carmel-by-the-Sea, California 93923

APN: 010-103-012-000

DATE: 9-15-2016

REVISIONS:



CCE
 CENTRAL COAST
 ENGINEERS, INC.
 STRUCTURAL
 DESIGN
 P.O. BOX 2503
 SALINAS, CA 93902
 P 831.757.5554
 F 831.757.2226

ESTIMATED QUANTITIES

AREA OF DISTURBED = 1,990 SF/0.046 ACRE
 CUT = 73 CY
 FILL = 28 CY
 NET EXPORT = 45 CY

QUANTITIES ESTIMATED IN THE SUBJECT AREA FOR PERMIT PURPOSES ONLY. ALL CONTRACTORS BIDDING THE PROJECT SHALL MAKE THEIR OWN DETERMINATION OF THE QUANTITIES.

CIVIL NOTES

SCALE: as shown

DRAWN BY:

CHECKED BY:

JOB NO.: CCE 16-056

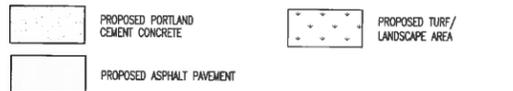
SHEET NO.: CO.1

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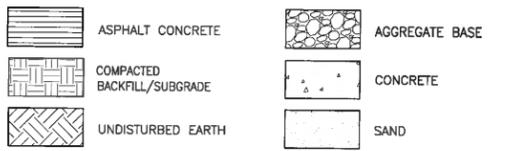
ABBREVIATIONS

AC	ASPHALTIC CONCRETE	GR	GRATE
BC	BEGIN CURVATURE	IE	INVERT ELEVATION
BVCS	BEGIN VERTICAL CURVATURE STATION	LG	LIP OF GUTTER
BVCE	BEGIN VERTICAL CURVATURE ELEVATION	MH	MANHOLE
BM	BENCHMARK	OD	OUTSIDE DIAMETER
C/CONC	CONCRETE	OG	ORIGINAL GROUND
CL	CENTERLINE	P	PAVEMENT
DI	DRAIN INLET	PL	PROPERTY LINE
DS	DOWN SPOUT	PVI	POINT OF VERTICAL INTERSECTION
EC	END CURVATURE	ROW	RIGHT-OF-WAY
EP	EDGE OF PAVEMENT	S	SLOPE
EVCS	END VERTICAL CURVATURE STATION	SD	STORM DRAIN
EX	EXISTING	SS	SANITARY SEWER
FC	FINISHED CONCRETE	SPR	SPRINKLER
FEC	FLARED END SECTION	TC	TOP OF CURB
FF	FINISHED FLOOR	TCC	TOP OF CONCRETE
FG	FINISHED GRADE	UP	UTILITY POLE
FH	FIRE HYDRANT	VG	VALLEY GUTTER
FL	FLOW LINE	WM	WATER METER
FS	FINISHED SURFACE	WV	WATER VALVE
G	GUTTER	WCR	WHEELCHAIR RAMP
GB	GRADE BREAK		

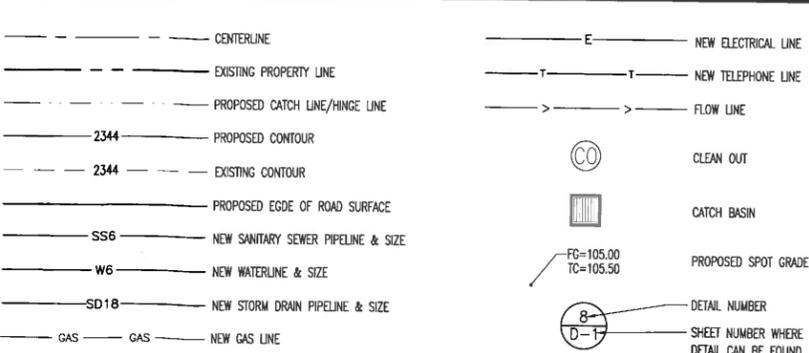
TYPICAL HATCHING (PLAN VIEW)



TYPICAL HATCHING (SECTION)



LEGEND



SHEET INDEX

CO.1 - CIVIL NOTES
 C1.0 - GRADING, DRAINAGE & EROSION CONTROL PLAN

CITY OF CARMEL NOTES

- GRADING SHALL BEGIN WITHIN 30 DAYS OF VEGETATION REMOVAL OR THAT AREA SHALL BE PLANTED UNDER THE PROVISIONS OF SECTION 16.08.340 TO CONTROL EROSION. (MCC 16.08.300 C.1)
- NO VEGETATION REMOVAL OR GRADING WILL BE ALLOWED WHICH WILL RESULT IN SILTATION OF WATER COURSES OR UNCONTROLLABLE EROSION. (MCC 16.08.300 C.2)
- DUST FROM GRADING OPERATIONS MUST BE CONTROLLED. THE OWNER OR CONTRACTOR MAY BE REQUIRED TO KEEP ADEQUATE EQUIPMENT ON THE GRADING SITE TO PREVENT DUST PROBLEMS.
- RUNOFF FROM ACTIVITIES SUBJECT TO A DEVELOPMENT PERMIT SHALL BE PROPERLY CONTROLLED TO PREVENT EROSION. THE FOLLOWING MEASURES SHALL BE USED FOR RUNOFF CONTROL AND SHALL BE ADEQUATE TO CONTROL RUNOFF FROM A TEN YEAR STORM:
 - ON SOILS HAVING HIGH PERMEABILITY (MORE THAN 2 INCHES/HOUR), ALL RUNOFF IN EXCESS OF PREDEVELOPMENT LEVELS SHALL BE RETAINED ON THE SITE. THIS MAY BE ACCOMPLISHED THROUGH THE USE OF INFILTRATION BASINS, PERCOLATION PITS OR TRENCHES, OR OTHER SUITABLE MEANS. THIS REQUIREMENT MAY BE WAIVED WHERE THE DIRECTOR OF BUILDING INSPECTION UPON RECOMMENDATION OF THE HEALTH DEPARTMENT DETERMINES THAT HIGH GROUNDWATER, SLOPE STABILITY PROBLEMS, OR OTHER CONDITIONS WOULD INHIBIT OR BE AGGRAVATED BY ONSITE RETENTION, OR WHERE RETENTION WILL PROVIDE NO BENEFITS FOR GROUND WATER RECHARGE OR EROSION CONTROL.
 - ON PROJECTS WHERE ONSITE PERCOLATION IS NOT FEASIBLE, ALL RUNOFF MUST BE DETAINED OR DISPERSED OVER NON-ERODIBLE VEGETATED SURFACES SO THAT THE RUNOFF RATES DOES NOT EXCEED THE PREDEVELOPMENT LEVEL. ONSITE DETENTION MAY BE REQUIRED WHERE EXCESSIVE RUNOFF WOULD CONTRIBUTE TO DOWNSTREAM EROSION OR FLOODING. ANY POLICES AND REGULATIONS FOR ANY DRAINAGE ZONES WHERE THE PROJECT IS LOCATED WILL ALSO APPLY.
 - ANY CONCENTRATED RUNOFF WHICH CANNOT BE EFFECTIVELY DETAINED OR DISPERSED WITHOUT CAUSING EROSION, SHALL BE CARRIED IN NON-ERODIBLE CHANNELS OR CONDUITS TO THE NEAREST DRAINAGE COURSE DESIGNATED FOR SUCH PURPOSE OR TO ONSITE PERCOLATION DEVICES. WHERE WATER WILL BE DISCHARGED TO NATURAL GROUND OR CHANNELS, APPROPRIATE ENERGY DISSIPATORS SHALL BE INSTALLED TO PREVENT EROSION AT THE POINT OF DISCHARGE.
 - RUNOFF FROM DISTURBED AREAS SHALL BE DETAINED OR FILTERED BY BERMS, VEGETATED FILTER STRIPS, CATCH BASINS, OR OTHER MEANS AS NECESSARY TO PREVENT THE ESCAPE OF SEDIMENT FROM THE DISTURBED AREA.
 - NO EARTH OR ORGANIC MATERIAL SHALL BE DEPOSITED OR PLACED WHERE IT MAY BE DIRECTLY CARRIED INTO A STREAM, MARSH, SLOUGH, LAGOON OR BODY OF STANDING WATER.
- LAND CLEARING SHALL BE KEPT TO A MINIMUM. VEGETATION REMOVAL SHALL BE LIMITED TO THAT AMOUNT NECESSARY FOR BUILDING ACCESS, AND CONSTRUCTION AS SHOWN ON THE APPROVED EROSION CONTROL PLAN. THE FOLLOWING PROVISIONS SHALL APPLY:
 - NO LAND CLEARING SHALL TAKE PLACE PRIOR TO APPROVAL OF THE EROSION CONTROL PLAN. VEGETATION REMOVAL BETWEEN OCTOBER 15 AND APRIL 15 SHALL NO PRECEDE SUBSEQUENT GRADING OR CONSTRUCTION ACTIVITIES BY MORE THAN 15 DAYS. DURING THIS PERIOD, EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IN PLACE AT THE END OF EACH WORKING DAY.

- ALL DISTURBED SURFACES SHALL BE PREPARED AND MAINTAINED TO CONTROL EROSION AND TO ESTABLISH NATIVE OR NATURALIZED VEGETATION GROWTH COMPATIBLE WITH THE AREA. THIS CONTROL SHALL CONSIST OF:
 - EFFECT TEMPORARY PLANTING SUCH AS RYE GRASS, SOME OTHER FAST GERMINATION SEED, AND MULCHING WITH STRAW AND/OR OTHER SOPE STABILIZATION MATERIAL.
 - PERMANENT PLANTING OF NATIVE OR NATURALIZED DROUGHT RESISTANT SPECIES OF SHRUBS, TREES, OR OTHER VEGETATION, PURSUANT TO THE COUNTY'S LANDSCAPE CRITERIA. WHEN THE PROJECT IS COMPLETED.
 - MULCHING, FERTILIZING, WATERING OR OTHER METHODS MAY BE REQUIRED TO ESTABLISH NEW VEGETATION, ON SLOPES LESS THAN 20%, TOP SOIL SHOULD BE STOCKPILED AND REAPPLIED.
- IT SHALL BE THE RESPONSIBILITY OF THE OWNER AND THE PERMITEE TO ENSURE THAT EROSION DOES NOT OCCUR FROM AN ACTIVITY DURING OR AFTER PROJECT CONSTRUCTION. ADDITIONAL MEASURES, BEYOND THOSE SPECIFIED, MAY BE REQUIRED AS DEEMED NECESSARY TO CONTROL ACCELERATED EROSION. (MCC 16.12.100)
- CONTRACTOR: --- CONSTRUCTION - ----
CARMEL, CA 93922 (831) -
SHALL BE RESPONSIBLE FOR EROSION AND SEDEMENT CONTROL BMP INSTALLATION AND MAINTENANCE.
- THE DIRECTOR OF BUILDING INSPECTION (BUILDING OFFICIAL) SHALL STOP OPERATIONS DURING PERIODS OF INCLEMENT WEATHER IF HE OR SHE DETERMINES THAT EROSION PROBLEMS ARE NOT BEING CONTROLLED ADEQUATELY. (MCC 16.12.090 b 5)
- ALL GRADING SHALL CONFORM TO THE CITY OF CARMEL GRADING ORDINANCE, EROSION CONTROL ORDINANCE, AND CALIFORNIA BUILDING CODE.
- PRIOR TO COMMENCEMENT OF ANY LAND DISTURBANCE, THE OWNER/APPLICANT SHALL SCHEDULE AN INSPECTION WITH RMA-ENVIRONMENTAL SERVICES TO ENSURE ALL NECESSARY SEDIMENT CONTROLS ARE IN PLACE AND THE PROJECT IS COMPLIANT WITH CITY OF CARMEL GRADING AND EROSION CONTROL REGULATIONS.
- DURING CONSTRUCTION THE OWNER/APPLICANT SHALL SCHEDULE AN INSPECTION WITH CITY OF CARMEL TO UPDATE COMPACTION TEST RECORDS, INSPECT DRAINAGE DEVICE INSTALLATION, REVIEW THE MAINTENANCE AND EFFECTIVENESS OF BMPs INSTALLED, AS WELL AS, TO VERIFY THAT POLLUTANTS OF CONCERN ARE NOT DISCHARGED FROM THE SITE.
- PRIOR TO FINAL INSPECTION, THE OWNER/APPLICANT SHALL SCHEDULE AN INSPECTION WITH CITY OF CARMEL TO CONDUCT A FINAL GRADING INSPECTION, COLLECT FINAL GEOTECHNICAL LETTER OF CONFORMANCE, ENSURE THAT ALL DISTURBED AREAS HAVE BEEN STABILIZED AND THAT ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES THAT ARE NO LONGER NEEDED HAVE BEEN REMOVED.

EROSION PROTECTION NOTES

- THE CONTRACTOR SHALL CONDUCT HIS OPERATIONS IN SUCH A MANNER THAT STORM RUNOFF SHALL BE CONTAINED WITHIN THE PROJECT OR CHANNELLED INTO THE STORM DRAIN SYSTEM WHICH SERVES THE RUNOFF AREA. STORM RUNOFF FROM ONE AREA SHALL NOT BE ALLOWED TO DIVERT TO ANOTHER RUNOFF AREA.
- CONFORMANCE WITH THE REQUIREMENTS OF THESE PLANS SHALL IN NO WAY RELIEVE THE CONTRACTOR FROM HIS RESPONSIBILITIES TO THIS PROJECT AND ADJACENT PROPERTIES. TEMPORARY EROSION CONTROL SHALL CONSIST OF, BUT NOT BE LIMITED TO, CONSTRUCTING SUCH FACILITIES AND TAKING SUCH MEASURES AS ARE NECESSARY TO PREVENT, CONTROL AND ABATE WATER, MUD AND EROSION DAMAGE TO PUBLIC AND PRIVATE PROPERTY AS A RESULT OF THE PROJECT.
- QUY APPROVAL OF PLANS DOES NOT RELIEVE THE DEVELOPER FROM RESPONSIBILITY FOR THE CORRECTION OF ERROR AND OMISSION DISCOVERED DURING CONSTRUCTION. UPON REQUEST, THE REQUIRED PLAN REVISIONS SHALL BE PROMPTLY SUBMITTED TO THE CITY ENGINEER FOR APPROVAL.
- SEDIMENT CONTROL BEST MANAGEMENT PRACTICES (BMPs) SHALL BE IMPLEMENTED AND MAINTAINED TO PREVENT AND/OR MINIMIZE THE TRANSPORT OF SOIL FROM THE CONSTRUCTION SITE. A STORM WATER POLLUTION PREVENTION PLAN HAS BEEN PREPARED FOR THIS SITE, IT IS THE CONTRACTORS RESPONSIBILITY TO REVIEW, MAINTAIN, AND IMPLEMENT THE REQUIREMENTS OF THE PLAN.
- CONSTRUCTION SITES SHALL BE MAINTAINED IN SUCH A CONDITION THAT WIND OR RUNOFF DOES NOT CARRY WASTES OR POLLUTANTS OFF THE SITE TO STREETS, DRAINAGE FACILITIES OR ADJOINING PROPERTIES. DISCHARGES OTHER THAN STORMWATER (NON-STORMWATER DISCHARGES) ARE PROHIBITED, EXCEPT AS AUTHORIZED BY AN INDIVIDUAL PROPERTIES PERMIT OR THE STATEWIDE GENERAL PERMIT FOR STORMWATER DISCHARGES ASSOCIATED WITH CONSTRUCTION ACTIVITY. POTENTIAL POLLUTANTS INCLUDE BUT ARE NOT LIMITED TO: SOLID OR LIQUID CHEMICAL SPILLS; WASTES FROM PAINTS, STAINS, SEALANTS, SOLVENTS, DETERGENTS, GLUES, LIME, PESTICIDES, HERBICIDES, FERTILIZERS, WOOD PRESERVATIVES, AND ASBESTOS FIBERS, PAINT FLAKES OR STUCCO FRAGMENTS; FUELS, OILS, LUBRICANTS, AND HYDRAULIC FLUIDS; BATTERY FLUIDS; CONCRETE AND RELATED CUTTING OR CURING RESIDUES; FLOATABLE WASTES; WASTES FROM ENGINE/EQUIPMENT STEAM CLEANING OR CHEMICAL DEGREASING; WASTES FROM STREET CLEANING; SUPER-CHLORINATED POTABLE WATER FROM LINE FLUSHING AND TESTING; AND RUNOFF FROM EQUIPMENT AND VEHICLE WASHING. DURING CONSTRUCTION, DISPOSAL OF SUCH MATERIALS SHOULD OCCUR IN A SPECIFIED AND CONTROLLED TEMPORARY AREA ON-SITE. PHYSICALLY SEPARATED FROM POTENTIAL STORMWATER RUNOFF, WITH ULTIMATE DISPOSAL IN ACCORDANCE WITH LOCAL, STATE AND FEDERAL REQUIREMENTS. AT THE END OF EACH DAY OF CONSTRUCTION ACTIVITY ALL CONSTRUCTION DEBRIS AND WASTE MATERIALS SHALL BE COLLECTED AND PROPERLY DISPOSED IN TRASH OR RECYCLE BINS.
- ALL CONSTRUCTION CONTRACTOR AND SUBCONTRACTOR PERSONNEL ARE TO BE MADE AWARE OF THE REQUIRED BEST MANAGEMENT PRACTICES AND GOOD HOUSEKEEPING MEASURES FOR THE PROJECT SITE AND ANY ASSOCIATED CONSTRUCTION STAGING AREAS. STAGING AREAS SHALL BE SELECTED BY THE CONTRACTOR WITH INCORPORATION OF THE APPROPRIATE BMPs.
- BMPs SHALL BE MAINTAINED AT ALL TIMES. IN ADDITION, BMPs SHALL BE INSPECTED PRIOR TO PREDICTED STORM EVENTS AND FOLLOWING STORM EVENTS. SEE THE PROJECT STORM WATER POLLUTION PREVENTION PLAN FOR BMP DETAILS.
- SPECIFIC LOCATIONS OF BMP'S SUCH AS SILT FENCING, MATERIALS STORAGE AREA AND STABILIZED ROAD CONSTRUCTION ARE TO BE ADJUSTED TO REFLECT ACTUAL CONSTRUCTION EQUIPMENT & CONTRACTORS 'MEANS AND METHODS'.
- STRAW MULCH OR SOIL BINDER SHALL BE APPLIED TO ALL INACTIVE DISTURBED AREAS. STRAW MULCH SHALL BE RE-APPLIED AS NEEDED TO MAINTAIN EFFECTIVENESS.
- LINEAR SEDIMENT CONTROLS (SILT FENCING, FIBER ROLLS, ETC) SHALL BE DEPLOYED ON DISTURBED SLOPES (IF ANY). LINEAR SEDIMENT CONTROLS WILL ALSO BE USED AS A PERIMETER CONTROL TO CONTAIN SEDIMENT WITHIN THE PROJECT AREA. IT IS NOT NECESSARY TO DEPLOY PERIMETER CONTROLS AT LOCATIONS WHERE SEDIMENT IS UNABLE TO LEAVE THE PROJECT SITE (SUCH AS AREAS THAT SLOPE INWARD)
- THE CONTRACTOR SHALL INSPECT ALL IMMEDIATE ACCESS ROADS DAILY. THE CONTRACTOR SHALL REMOVE ANY SEDIMENT OR OTHER CONSTRUCTION ACTIVITY RELATED MATERIALS THAT ARE DEPOSITED ON THE ROADS BY VACUUMING OR SWEEPING ON A DAILY BASIS (WHEN NECESSARY) AND PRIOR TO ANY RAIN EVENT.
- STORM DRAIN INLETS DOWNGRADIENT OF DISTURBED SOIL AREAS SHALL BE PROTECTED.
- A STABILIZED CONSTRUCTION ENTRANCE/EXIT SHALL BE CONSTRUCTED IF EXISTING PAVEMENTS DO NOT EXIST. ADDITIONAL ENTRANCES/EXITS SHALL BE CONSTRUCTED AS NEEDED. CONSTRUCTION ACTIVITY TRAFFIC TO AND FROM THE PROJECT SHALL BE LIMITED TO THESE STABILIZED CONSTRUCTION ENTRANCES/EXITS.
- A STAGING AREA SHALL BE DESIGNATED AT THE PROJECT. BMPs SELECTED FOR THE CONSTRUCTION SITE SHALL ALSO BE IMPLEMENTED AT THE STAGING AREA. SPECIAL ATTENTION TO THE FOLLOWING BMPs SHALL BE TAKEN AT THE PROJECT: NS-8, NS-9, NS-10, WM-1, WM-3, WM-4, WM-5, WM-8 & WM-9
- WATER SHALL BE APPLIED TO DISTURBED AREAS AND STOCKPILES AS NECESSARY TO PREVENT OR ALLEVIATE EROSIONS BY THE FORCES OF WIND.
- ANY STOCKPILES SHALL BE LOCATED A MINIMUM OF 50 FEET AWAY FROM CONCENTRATED FLOWS OF STORM WATER, DRAINAGE COURSES, AND INLETS. ALL STOCKPILES SHALL BE BERMED. ADDITIONALLY, STOCKPILES SHALL BE COVERED AT ALL TIMES (TO PROTECT THEM FROM THE WIND AND THE RAIN) WHEN THEY ARE NOT ACTIVELY BEING USED. STOCKPILES THAT ARE UNSTABILIZED DURING CONSTRUCTION ACTIVITIES SHALL BE SPRAYED WITH WATER AS NEEDED FOR DUST CONTROL.
- AN ABOVE GRADE OR MOBILE CONCRETE WASHOUT SHALL BE CONSTRUCTED OR PLACED ONSITE IF CONCRETE TRUCKS OR CONCRETE EQUIPMENT SHALL BE WASHED ON-SITE. THE WASHOUT SHALL BE LOCATED A MINIMUM OF 50 FEET AWAY FROM CONCENTRATED FLOWS OF STORM WATER, DRAINAGE COURSES, AND INLETS. ADDITIONAL WASHOUTS SHALL BE UTILIZED AS NEEDED.
- IF NEEDED, A LICENSED SERVICE SHALL DELIVER AND MAINTAIN PORTABLE RESTROOMS TO THE PROJECT AREA. THE RESTROOMS SHALL BE LOCATED AWAY FROM TRAFFIC AND DRAINAGE FACILITIES ON LEVEL HAND-PAKED OR PAVED SURFACES.

BOLTON
DESIGN
GROUP
INC.

831 659 6200

Torres Street

New Single
Family Dwelling

Torres Street
5 NE of 4th Avenue
Carmel-by-the-Sea
California
93921

APN: 010-103-012-000

DATE: 9-15-2016

REVISIONS:



CCE
CENTRAL COAST
ENGINEERS, INC.
STRUCTURAL
DESIGN
P.O. BOX 2503
SALINAS, CA 93902
P 831.757.5554
F 831.757.2226

GRADING
DRAINAGE &
EROSION
CONTROL PLAN

SCALE: as shown

DRAWN BY:

CHECKED BY:

JOB NO.: CCE 16-056

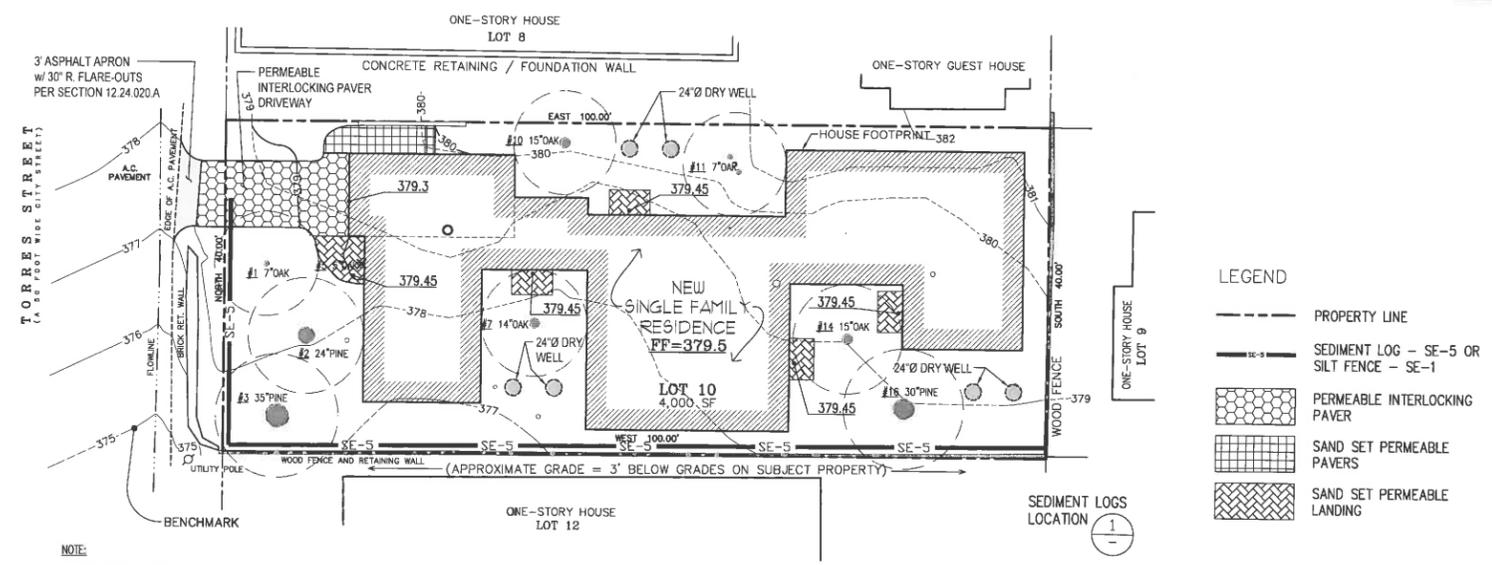
SHEET NO.: C1.0

Do not scale drawings. Verify dimensions, measurements and data at building or site. Report errors and questions to BDG, INC.

The use of these plans and specifications is restricted to the original site for which they were prepared.

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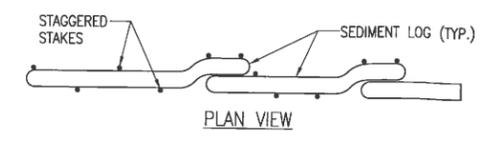
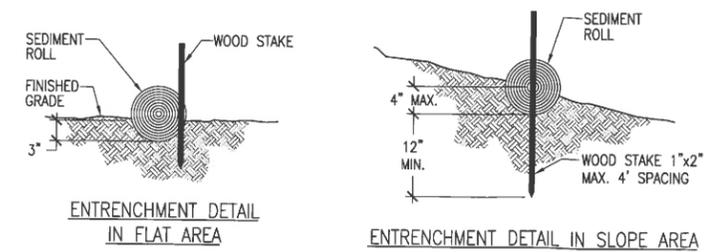
110
© BOLTON DESIGN GROUP, INC.



NOTE:
AS DISTURBED SURFACES SHALL BE PROTECTED AFTER DISTURBANCE AND HAVE POST-CONSTRUCTION BMP'S IN PLACE SUCH AS HYDROSEED OR OTHER ACCEPTABLE METHOD.

GRADING-DRAINAGE & EROSION CONTROL PLAN
SC: 1"=10'

- NOTES:
- PRIOR TO ROLL INSTALLATION, CONTOUR A CONCAVE KEY TRENCH THREE (3) INCHES MIN. TO FOUR (4) INCHES MAX. DEEP ALONG THE PROPOSED INSTALLATION ROUTE.
 - SOIL EXCAVATED IN TRENCHING SHOULD BE REPLACED ON THE UPHILL OR FLOW SIDE OF THE ROLL TO PREVENT WATER FROM UNDER CUTTING THE ROLL.
 - PLACE SEDIMENT ROLL INTO KEY TRENCH AND STAKE ON BOTH SIDES OF THE ROLL TO WITHIN THREE (3) FEET OF EACH END AND THEN EVERY THREE (3) FEET WITH 1"x2"x23" WOOD OR METAL STAKES.
 - STAKES ARE TYPICAL DRIVEN IN ON ALTERNATING SIDES OF THE ROLL. WHEN MORE THAN ONE (1) SEDIMENT ROLL IS PLACED IN A ROW, THE ROLL SHOULD BE OVERLAPPED TWELVE (12) INCHES MIN. TO PROVIDE TIGHT JOINT, NOT ABUTTED TO ONE ANOTHER.
 - SEDIMENT LOGS ARE TO BE INSTALLED FOLLOWING TOPOGRAPHIC CONTOURS.



1 SEDIMENT LOG DETAIL
N.T.S.

Staff has scheduled this application for conceptual review. The primary purpose of this meeting is to review and consider the site planning, privacy and views, mass and scale related to the project. However, the Commission may provide input on other aspects of the design.

PROJECT DATA FOR A 4,000 SQUARE FOOT SITE:			
Site Considerations	Allowed	Existing	Proposed
Floor Area	1,800 sf	NA	1,800 sf
Site Coverage	556 sf	NA	556 sf
Trees	3 Upper /1 Lower (recommended)	3 Acacia 3 Coast live oak	N/A
Ridge Height (1 st /2 nd)	18'/24'	NA	Max. 1 st floor: 16' Max. 2 nd floor: 22'
Plate Height (1 st /2 nd)	12'/ 18'	NA	Max. 1 st floor: 11' Max. 2 nd floor: 20'
Setbacks	Minimum Required	Existing	Proposed
Front	10' ¹	NA	27' (residence) 3' (detached garage)
Composite Side Yard	10' (25%)	NA	Min: 14'
Minimum Side Yard (@ Residence)	3'	NA	Min. West Side: 6' – 6" Min. East Side: 7'
Rear	15'	NA	Min: 5' – 6"

Staff analysis:

Forest Character: Residential Design Guidelines 1.1 through 1.4 encourage maintaining “a forested image on the site” and for new construction to be at least six feet from significant trees.

The site currently contains three Acacia trees that will be removed, and two Coast live oaks (18” and 44” diameter at breast height (DBH)). Oaks are protected and the proposed residence is setback a minimum of 6 feet from these trees. It does not appear that these trees will need to be pruned to accommodate the new residence. One 26-inch Eucalyptus and one 42-inch Cypress are located in the Casanova Street right-of-way.

¹ 10-foot setback for “Re-subdivided Corner Site” – CMC 17.06.020.J and Table 17.10 – *Setback Standards for R-1 District*.

City code (CMC Section 17.34.070 - *Landscaping Standards for Residential Districts*) requires that upper and lower canopy trees be planted as a component of development projects, if needed. The City Forester does not recommend that additional trees be planted in this case. However, staff will confer with the City Forester regarding the potential to add an additional upper or lower canopy tree on the site.

Privacy & Views: Residential Design Guidelines 5.1 through 5.3 state that *“designs should preserve reasonable solar access to neighboring parcels”* and *“maintain privacy of indoor and outdoor spaces in a neighborhood”* and *“maintain view opportunities.”*

Staff has not identified any view impacts that would be created by the new residence. However, with regard to privacy, on the south side of the subject property is a residence with windows and sliding door facing north towards the subject property. Of concern is the proposed second floor Juliet balcony that will overlook the adjacent residence to the south. Potential privacy issues can be partially resolved by planting trees at the south boundary line. It remains to be seen if there will be a privacy issue that the neighbor will address. Staff notes that the adjacent neighbor to the west has no windows facing east towards the subject property and so privacy issues do not appear to be an issue at this elevation.

With regard to privacy and views, in staff’s opinion, the proposed residence meets the objectives of Residential Design Guidelines 5.1 through 5.3.

Mass & Bulk: Residential Design Guidelines 7.6 states an objective to *“avoid design treatment that produce a top-heavy appearance such as large cantilevered building elements”* and *“low, horizontal building forms that appear to hug the ground are encouraged.”*

The subject parcel is located on a corner and so is highly visible from two public rights-of-way. The neighborhood has a mix of one- and two-story residences and a two-story residence at the subject location is appropriate. However, in staff’s opinion the proposed design may present a top-heavy appearance. Staff notes that the proposed second story is 644 square feet in size and constitutes approximately 36% of the total floor area. The second story includes two bedrooms and two bathrooms. Contributing to the top-heavy appearance is the proposed two-story plate height, which is at a maximum of 20 feet and must be lowered to 18 feet in order to meet code requirements. In addition, the east side of the second story and staircase is cantilevered, which is discouraged by the Design Guidelines. If the Commission has concerns with the mass of the building, it could require that in addition to reducing the plate height, that the second story be reduced in size and/or that the cantilevered elements be eliminated.

Building & Roof Form: Residential Design Guidelines 8.1 through 8.3 state that *"Shallow to moderately pitched roofs are appropriate on one-story buildings. More steeply pitched roof with low plate lines can be used on two-story buildings."* The Guidelines emphasize using *"restraint"* and *"simplicity"* in building forms, which should not be complicated, and roof lines, which should *"avoid complex forms."*

The proposed design includes a two-story residence with an attached garage. The gable roof system incorporates two pitches: 5:12 and 3:12, with six rooflines on the east elevation, and five rooflines on the north side elevation, inclusive of the detached garage. In staff's opinion, the roof design is simple and complements the building style and neighborhood context.

Site Coverage: Per Municipal Code Section 17.10.030.C, site coverage shall be limited to a maximum of 22 percent of the base floor area allowed for the site (Note: on a 4,000 square-foot site this equals 396 square feet or 10 percent of the site). In addition, if at least 50 percent of all site coverage on the property is made of permeable or semi-permeable materials, an additional amount of site coverage of up to four percent of the site area may be allowed. For this 4,000 square foot lot the total amount of coverage is allowed to be 396 square feet; the project plans indicate there is 204.5 square feet of impervious surfacing and 164 square feet of pervious surfacing, for a total of 368.5 square feet of site coverage. Note that 556 square feet of site coverage is allowed but only if 50% of the 396 square feet of impervious site coverage is reduced by 50% - i.e., 198 square feet. The applicant is not requesting more than 396 square feet of site coverage.

Garage & Driveway: Design Guideline 6.3 states, *"...consider using paving strips, or "tire tracks", for a driveway, and that driveways should not be over nine feet wide..."*. Design Guidelines 6.5 and 6.6 states, *"Position a garage to maximize opportunities for open space, views and privacy"*, and *"Locate a garage to minimize its visual impacts"*. Locating a garage under a house or detached at the back of the lot is encouraged. Also, Design Guideline 6.7 states that *"in limited circumstances a garage may be located under a structure when the visual impacts will be minimized"* and *"the driveway may not dominate the front garden and may not create a ramp effect or introduce tall or massive retaining walls. A sense of front yard must be maintained."*

In staff's opinion, the proposal to place a detached garage at the front of the residence is appropriate for the topography and the garage would appear subordinate to the main residence as encouraged by the aforementioned guideline. Landscape areas would not be intruded upon.

Finish Details: Finish details are not typically reviewed at the Concept stage; however, the Planning Commission can provide input during the concept review. The most prominent features of the proposed finish details include white stucco walls and red clay tile roofing. In addition, the design incorporates faux horizontal lentils above doors and windows that will consist of stucco rather than wood. Design Guideline 9.5 encourages to use natural materials such as wood in conjunction with stucco and Guideline 9.4 states, “*Architectural details should appear to be authentic, integral elements of the overall building design concept*”; specifically, “*details that appear to be applied as superficial elements should be avoided.*” In staff’s opinion, the applicant’s proposal to use stucco accents above the doors and windows that matches the proposed stucco is not ‘true’ to the Spanish-colonial style of architecture. Staff recommends that the lentils consist of wood in order to be consistent with the above noted guidelines.

Staff recommends that the Planning Commission also review the proposed roofing, which consists of flat-shaped red tiles. The Commission may consider requiring an S-shaped tile, which is more consistent with Spanish Revival architecture.

Public ROW: The portion of the City Right-of-Way (ROW) between the property line on Casanova Street and edge of paving is approximately 12 feet wide. Therein are concrete steps and two sections of low landscape walls (18 feet and 24 foot sections). The applicant proposes to remove these walls and steps.

Alternatives: Staff has included draft findings that the Commission can adopt if the Commission accepts the overall design concept, including the architectural style of the building. However, if the Commission does not support the design, then the Commission could continue the application with specific direction given to the applicant.

Environmental Review: The proposed project is categorically exempt from CEQA requirements, pursuant to Section 15303 (Class 3) – New Construction or Conversion of Small Units. The project includes the construction of one single-family residence in a residential zone, and therefore qualifies for a Class 3 exemption. The proposed residence does not present any unusual circumstances that would result in a potentially significant environmental impact.

ATTACHMENTS:

- Attachment A – Site Photographs
- Attachment B – Draft Recommendations/Conditions
- Attachment C – Project Plans

ATTACHMENT A – SITE PHOTOGRAPHS



Attachment B – Recommendations/Draft Conditions

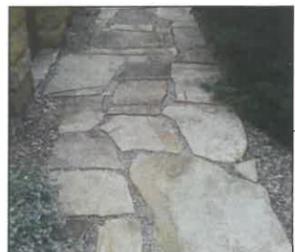
DS 16-403 (Mussallem)

November 9, 2016

Recommendations/Draft Conditions

Page 1

Recommendations/Draft Conditions		
No.		
1.	The applicant shall reduce the two-story plate height to 18 feet as required by code.	
2.	The applicant shall revised the second story as determined by the Planning Commission.	
3.	The applicant shall revise the lentils above the window to consist of natural wood.	
4.	The applicant shall apply for a Tree Removal permit to remove three existing Acacia trees prior to Final Design Review.	
5.	A landscape plan that includes plant species compatible with the canopy trees is required as a condition of approval and shall be included on plans for Final Design Review.	



FLAGSTONE: MOUNTAIN BLEND



TILE PAVERS: CAL STONE ANTIQUED MISSION - GRAY CHARCOAL TAN

SURVEY
 RASMUSSEN LAND SURVEYING
 PO BOX 3135
 MONTEREY, CA. 93942
 (831) 375 - 3240

OWNER
 GREG MUSSALLEM
 PO BOX 8305
 SAN JOSE, CA. 95155
 (408) 265 - 4200

PROJECT DATA
 LOT SIZE: 4000 S.F.
 ZONING: R-1
 APN: 010-272-017
 ADDRESS: BLOCK K, LOTS 1 AND 3

SHL ARCHITECTURE
 ARCHITECTURE AND PLANNING
 10000 TOWN CENTER DRIVE
 SUITE 200
 SAN JOSE, CA 95138
 T: 415.235.2034
 EMAIL: samuel@shl.com

ARCHITECTURAL SEAL
 SAMUEL H. LEE
 LICENSED PROFESSIONAL ARCHITECT
 NO. C-29476
 CA, U.S.A.
 EXP. 04-30-2017

FLOOR AREA

FAR ALLOWED	1800 SF	45%
PROPOSED		
MAIN HOUSE - 1st	956 SF	
MAIN HOUSE - 2nd	644 SF	
DETACHED GARAGE	200 SF	
TOTAL GROSS FLOOR AREA	1800 SF	45%

SITE COVERAGE

ALLOWED	556 SF
PROPOSED IMPERVIOUS COVERAGE	
LANDING 1	24 SF
LANDING 2	65 SF
LANDING 3	21 SF
LANDING 4	82.5 SF
LANDING 5	15 SF
TOTAL IMPERVIOUS COVERAGE	204.5 SF
PROPOSED PERVIOUS COVERAGE	
WALKWAY 1	105 SF
WALKWAY 2	32 SF
DRIVEWAY	27 SF
TOTAL PERVIOUS COVERAGE	164 SF
PROPOSED SITE COVERAGE	368.5 SF

SCOPE OF WORK

- CONSTRUCTION OF A NEW 2 STORY S.F.D. 1600 S.F. WITH A DETACHED GARAGE 200 S.F. AND 353.5 S.F. OF HARDSCAPE

SHEET INDEX

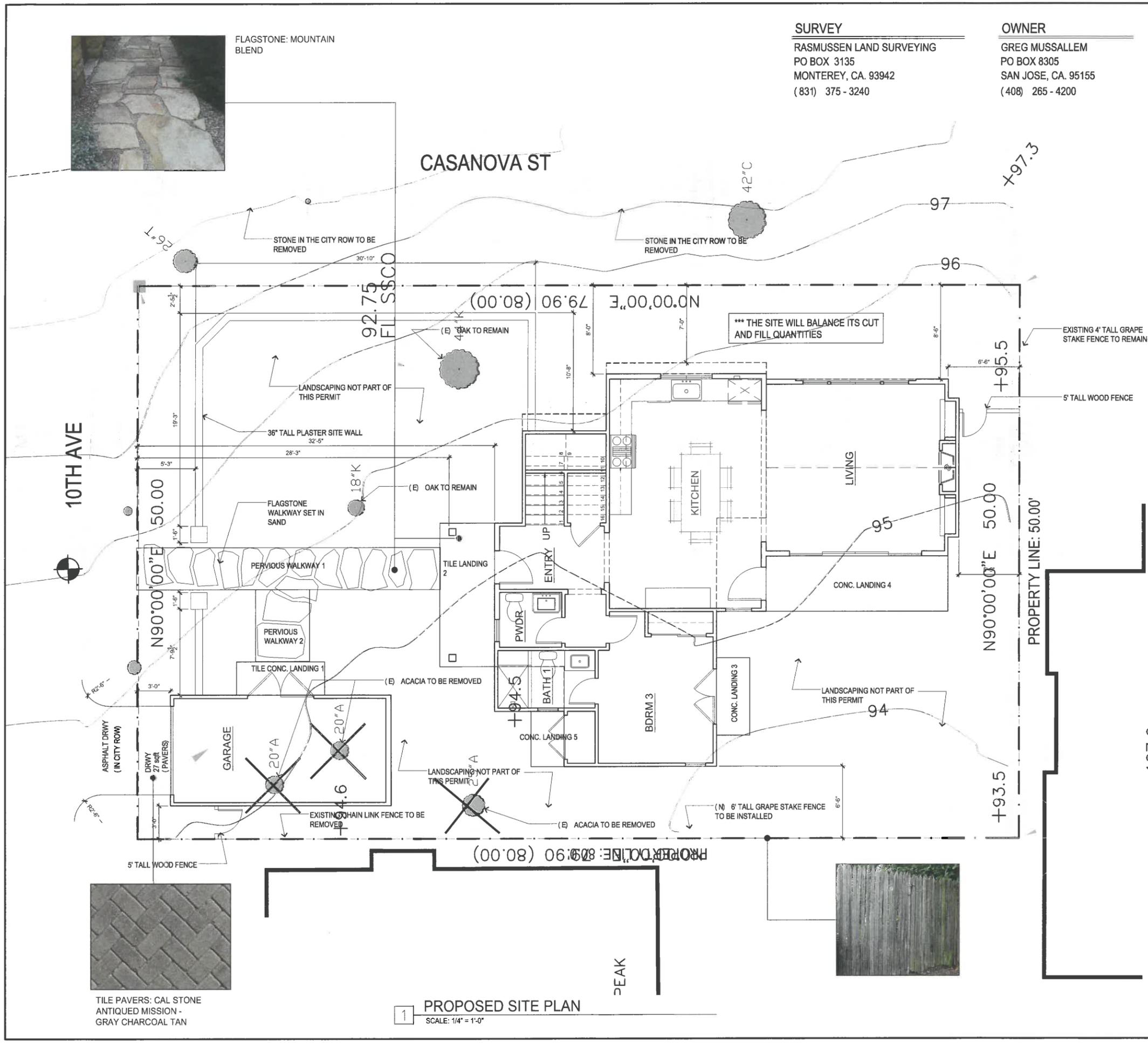
A1.01 - SITE PLAN
A1.02 - SITE DEMOLITION/WALL REMOVAL PLAN
A2.01 - FIRST FLOOR PLAN
A2.02 - SECOND FLOOR PLAN
A2.03 - ROOF PLAN
A3.01 - STREET ELEVATIONS
A3.02 - BUILDING ELEVATIONS
A7.01 - FLOOR LEVEL MAP / DOOR AND WINDOW SCHEDULE

107 9

RECEIVED
 OCT 27 2016
 City of Carmel-by-the-Sea
 Planning & Building Dept.

SITE PLAN

REFERENCE



1 PROPOSED SITE PLAN
 SCALE: 1/4" = 1'-0"

G. B. MUSSALLEM
 RESIDENCE
 SW CASANOVA AND 10TH
 CARMEL BY THE SEA, CA. 93923

DATE	ISSUE
09/27/16	PLANNING SUBMITTAL
10/19/16	PLANNING RE-SUBMITTAL

PROJECT #:	16-09
DRAWN BY:	LS
CHECKED BY:	SL

SHEET NUMBER:
A18.01

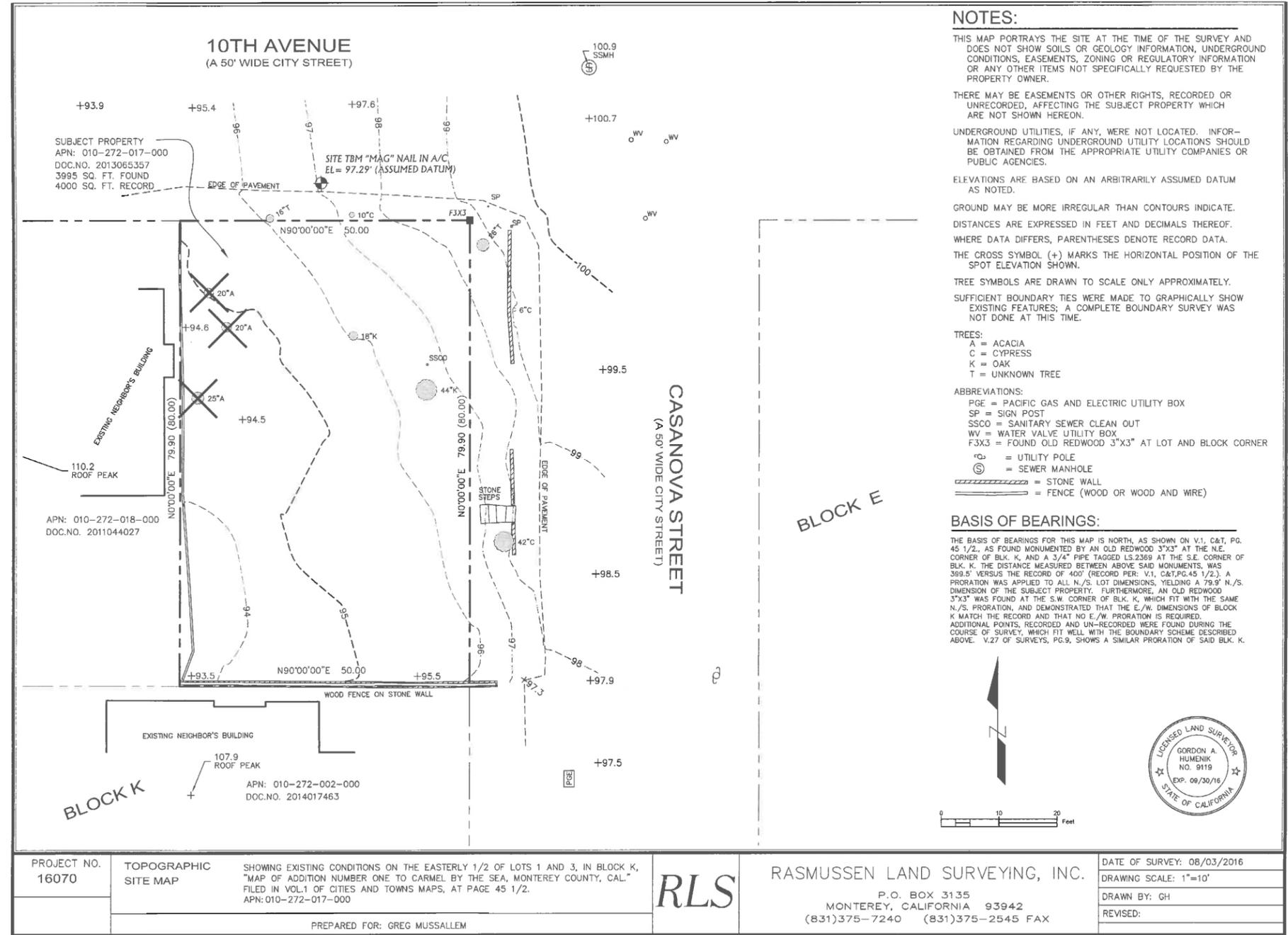


G. B. MUSSALLEM
 RESIDENCE
 SW CASANOVA AND 10TH
 CARMEL BY THE SEA, CA. 93923

DATE	ISSUE
09/27/16	PLANNING SUBMITTAL
10/19/16	PLANNING RE-SUBMITTAL

PROJECT #:	16-09
DRAWN BY:	LS
CHECKED BY:	SL

SHEET TITLE:
SURVEY
SHEET NUMBER:
119
A1.02



NOTES:

THIS MAP PORTRAYS THE SITE AT THE TIME OF THE SURVEY AND DOES NOT SHOW SOILS OR GEOLOGY INFORMATION, UNDERGROUND CONDITIONS, EASEMENTS, ZONING OR REGULATORY INFORMATION OR ANY OTHER ITEMS NOT SPECIFICALLY REQUESTED BY THE PROPERTY OWNER.

THERE MAY BE EASEMENTS OR OTHER RIGHTS, RECORDED OR UNRECORDED, AFFECTING THE SUBJECT PROPERTY WHICH ARE NOT SHOWN HEREON.

UNDERGROUND UTILITIES, IF ANY, WERE NOT LOCATED. INFORMATION REGARDING UNDERGROUND UTILITY LOCATIONS SHOULD BE OBTAINED FROM THE APPROPRIATE UTILITY COMPANIES OR PUBLIC AGENCIES.

ELEVATIONS ARE BASED ON AN ARBITRARILY ASSUMED DATUM AS NOTED.

GROUND MAY BE MORE IRREGULAR THAN CONTOURS INDICATE. DISTANCES ARE EXPRESSED IN FEET AND DECIMALS THEREOF. WHERE DATA DIFFERS, PARENTHESES DENOTE RECORD DATA. THE CROSS SYMBOL (+) MARKS THE HORIZONTAL POSITION OF THE SPOT ELEVATION SHOWN.

TREE SYMBOLS ARE DRAWN TO SCALE ONLY APPROXIMATELY. SUFFICIENT BOUNDARY TIES WERE MADE TO GRAPHICALLY SHOW EXISTING FEATURES; A COMPLETE BOUNDARY SURVEY WAS NOT DONE AT THIS TIME.

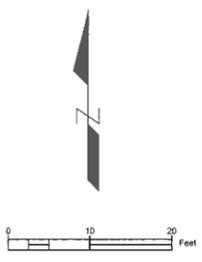
TREES:
 A = ACACIA
 C = CYPRESS
 K = OAK
 T = UNKNOWN TREE

ABBREVIATIONS:
 PGE = PACIFIC GAS AND ELECTRIC UTILITY BOX
 SP = SIGN POST
 SSCO = SANITARY SEWER CLEAN OUT
 WV = WATER VALVE UTILITY BOX
 F3X3 = FOUND OLD REDWOOD 3"x3" AT LOT AND BLOCK CORNER

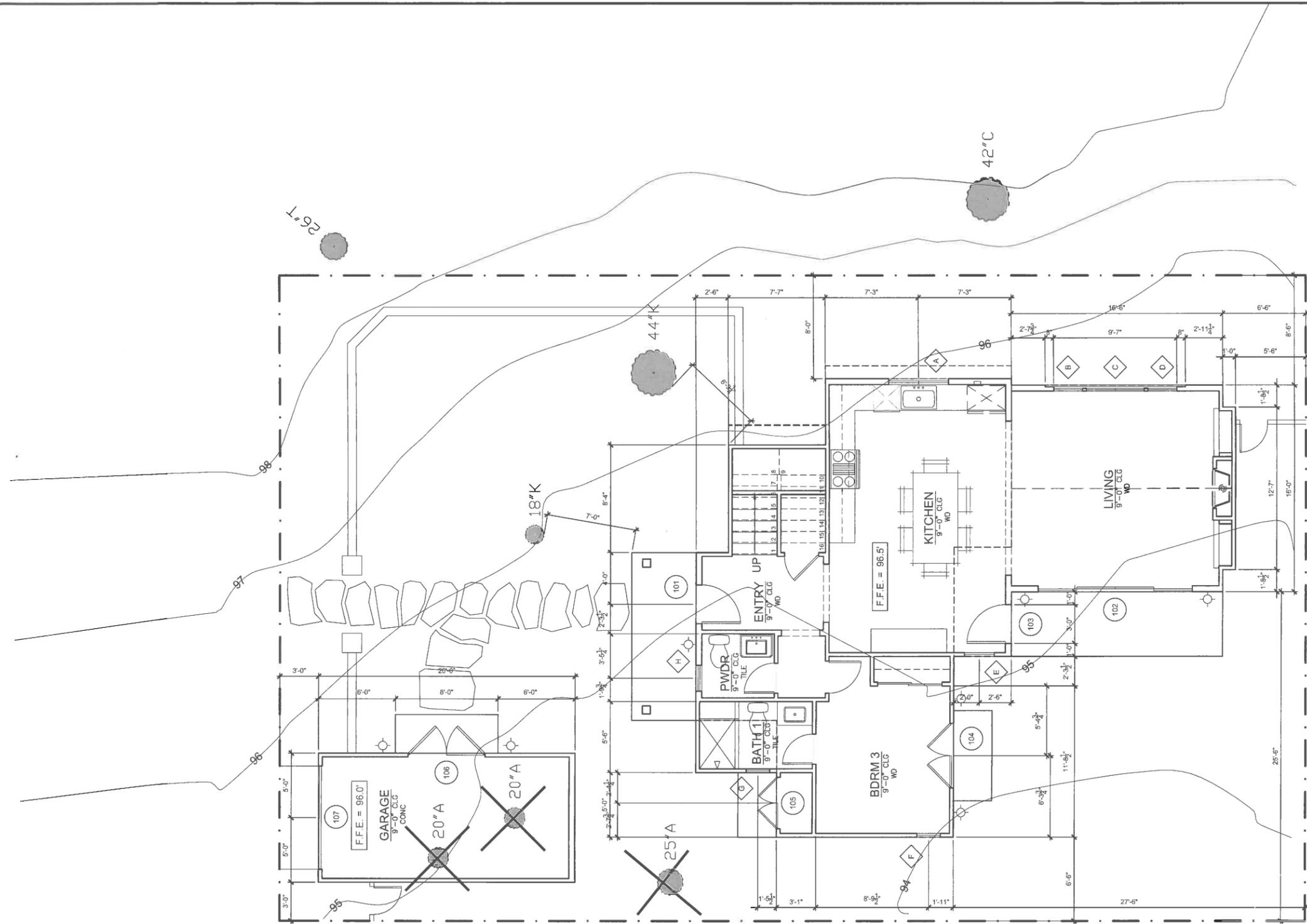
⊕ = UTILITY POLE
 ⊙ = SEWER MANHOLE
 ——— = STONE WALL
 ——— = FENCE (WOOD OR WOOD AND WIRE)

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS MAP IS NORTH, AS SHOWN ON V.1, C&T, PG. 45 1/2, AS FOUND MONUMENTED BY AN OLD REDWOOD 3"x3" AT THE N.E. CORNER OF BLK. K, AND A 3/4" PIPE TAGGED LS.2369 AT THE S.E. CORNER OF BLK. K. THE DISTANCE MEASURED BETWEEN ABOVE SAID MONUMENTS, WAS 389.5' VERSUS THE RECORD OF 407' (RECORD PER: V.1, C&T PG. 45 1/2). A PRORATION WAS APPLIED TO ALL N./S. LOT DIMENSIONS, YIELDING A 79.9' N./S. DIMENSION OF THE SUBJECT PROPERTY. FURTHERMORE, AN OLD REDWOOD 3"x3" WAS FOUND AT THE S.W. CORNER OF BLK. K, WHICH FIT WITH THE SAME N./S. PRORATION, AND DEMONSTRATED THAT THE E./W. DIMENSIONS OF BLOCK K MATCH THE RECORD AND THAT NO E./W. PRORATION IS REQUIRED. ADDITIONAL POINTS, RECORDED AND UN-RECORDED WERE FOUND DURING THE COURSE OF SURVEY, WHICH FIT WELL WITH THE BOUNDARY SCHEME DESCRIBED ABOVE. V.27 OF SURVEYS, PG.9, SHOWS A SIMILAR PRORATION OF SAID BLK. K.



PROJECT NO. 16070	TOPOGRAPHIC SITE MAP	SHOWING EXISTING CONDITIONS ON THE EASTERLY 1/2 OF LOTS 1 AND 3, IN BLOCK K, "MAP OF ADDITION NUMBER ONE TO CARMEL BY THE SEA, MONTEREY COUNTY, CAL." FILED IN VOL.1 OF CITIES AND TOWNS MAPS, AT PAGE 45 1/2. APN: 010-272-017-000	RLS	RASMUSSEN LAND SURVEYING, INC. P.O. BOX 3135 MONTEREY, CALIFORNIA 93942 (831)375-7240 (831)375-2545 FAX	DATE OF SURVEY: 08/03/2016
		PREPARED FOR: GREG MUSSALLEM			DRAWING SCALE: 1"=10'
					REVISED:



PROPERTY LINE: 80.0'

PROPERTY LINE: 50.00'

1 FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

REFERENCE



S.H.L. ARCHITECTURE
ARCHITECTURE AND PLANNING
100 BOYD AVE.
MOUNTAIN VIEW, CA 94039
T: 415.235.2034
EMAIL: samlearch@gmail.com



**G. B. MUSSALLEM
RESIDENCE**
SW CASANOVA AND 10TH
CARMEL BY THE SEA, CA, 93923

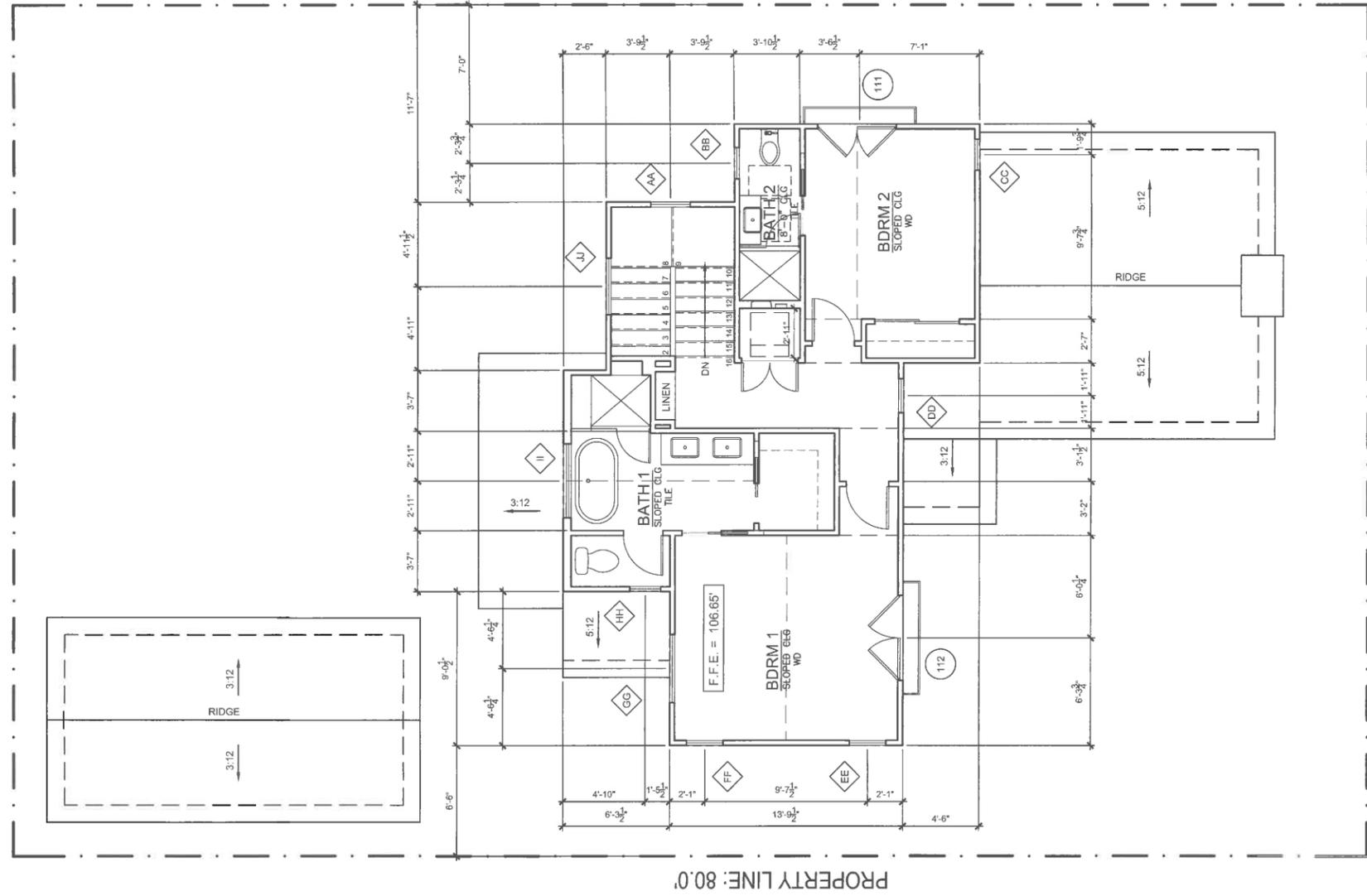
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09/27/16	PLANNING SUBMITTAL
10/19/16	PLANNING RE-SUBMITTAL

PROJECT #:	16-09
DRAWN BY:	LS
CHECKED BY:	SL

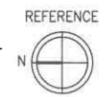
SHEET TITLE:
**FIRST FLOOR
PLAN**

SHEET NUMBER:

A2.101



1 SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"



G. B. MUSSALLEM
RESIDENCE
SW CASANOVA AND 10TH
CARMEL BY THE SEA, CA. 93923

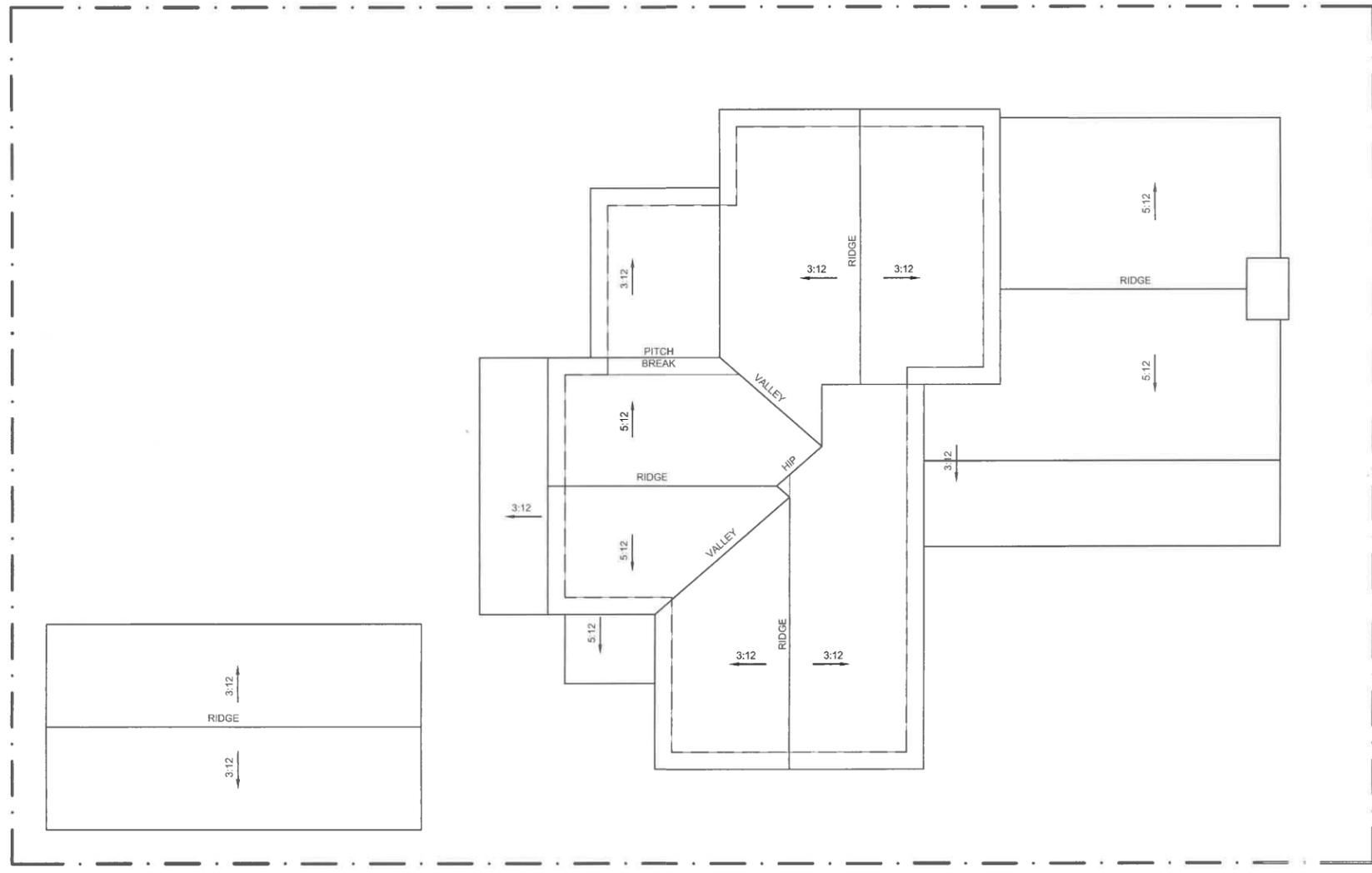
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10/19/16	PLANNING RE-SUBMITTAL

PROJECT #:	16-09
DRAWN BY:	LS
CHECKED BY:	SL

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SECOND FLOOR
PLAN

SHEET NUMBER:

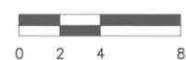
A2.02



PROPERTY LINE: 80.0'

PROPERTY LINE: 50.00'

1 ROOF PLAN
SCALE: 1/4" = 1'-0"



S.H.L. ARCHITECTURE
ARCHITECTURE AND PLANNING
10000 W. 15TH AVE.
MCLENDEN PARK, CA 94043
T: 415.235.2034
EMAIL: samlee@shl.com



G. B. MUSSALLEM
RESIDENCE
SW CASANOVA AND 10TH
CARMEL BY THE SEA, CA. 93923

DATE	ISSUE
09/27/16	PLANNING SUBMITTAL
10/19/16	PLANNING RE-SUBMITTAL

PROJECT #:	16-09
DRAWN BY:	LS
CHECKED BY:	SL

SHEET TITLE:
ROOF PLAN

SHEET NUMBER:
A2.03

G. B. MUSSALLEM
 RESIDENCE
 SW CASANOVA AND 10TH
 CARMEL BY THE SEA, CA. 93923

DATE	ISSUE
09/27/16	PLANNING SUBMITTAL
10/19/16	PLANNING RE-SUBMITTAL

PROJECT #:	16-09
DRAWN BY:	LS
CHECKED BY:	SL

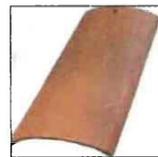
SHEET TITLE:
 STREET ELEVATIONS

SHEET NUMBER:

A3201



2 EAST ELEVATION - CASANOVA
 SCALE: 1/4" = 1'-0"



ROOF: REDLAND 'BAJA MISSION 4000 SERIES' - CAFE ANTIGUA BLEND



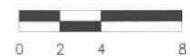
1 NORTH ELEVATION - 10TH AVE
 SCALE: 1/4" = 1'-0"



STUCCO: BENJAMIN MOORE 0C-51 INTENSE WHITE



WINDOWS AND EAVES: BENJAMIN MOORE 2134-30 IRON MOUNTAIN





CITY OF CARMEL-BY-THE-SEA

Planning Commission Report

November 9, 2016

To: Chair Goodhue and Planning Commissioners

From: Marc Wiener, AICP, Community Planning and Building Director

Submitted by: Matthew Sundt, Contract Planner

Subject: Adoption of a Negative Declaration and consideration of a Concept Design Study (DS 16-259 and DS 16-260), associated Coastal Development Permit, a lot merger, and a lot-line adjustment, for the construction of two new residences located in the Single-Family Residential (R-1), Park Overlay (P), Archaeological Significance Overlay (AS), and Beach and Riparian (BR) Overlay Zoning Districts. The parcel is adjacent to the Environmentally Sensitive Habitat Area Overlay Area (ESHA) of Carmel Beach.

RECOMMENDATION

- (1) Adopt the Negative Declaration
- (2) Accept the Concept Design Studies (DS 16-259 and DS 16-260)
- (3) Accept the proposed Lot Merger and Lot-line Adjustment to be approved at the Final Review

Application: DS 16-259 / DS 16-260 **APN:** 010-321-021(DS 16-259) Beach House
010-321-020(DS 16-260) Boardwalk House

Block: SD **Lots:** 7

Location: West terminus of Carmel Way (7 and 9 Carmel Way)

Applicant: Aengus L. Jeffers **Property Owner:** Jeffrey C. Hines, Trustee

BACKGROUND AND PROJECT DESCRIPTION

The project site is located at the west terminus of Carmel Way near the north boundary line of the City of Carmel; the site is accessible via the 17-Mile Drive in Pebble Beach. To the north are the Pescadero Canyon and the Pebble Beach Golf Course. To the west is the Carmel Beach and

to the south the Carmel North Dunes. To the east are residences within the City of Carmel. The proposed residential project involves demolition of two existing residences and one guest house located on three separate parcels, and construction of two new residences. The project also includes merging two of the three existing parcels into one parcel (the 'Beach House parcel') thereby resulting in two parcels, and adjusting the boundaries and increasing slightly the size of the third parcel (the 'Boardwalk House'), thus the Beach House parcel is reduced in size.

The project goals are as follows:

1. Replace three existing residences (The "Beach House", "Boardwalk House", and "Guest House") with two new residences (The "Beach House" and the "Boardwalk House");
2. Merge two of three parcels thereby resulting in two parcels;
3. Adjust the lot-line for Boardwalk House parcel and increase its size from 0.53 ac. to 0.56 ac. thereby decreasing the Beach House parcel size from 0.95 ac. to 0.92 ac.;
4. Maintain Beach House setback from coastal bluff behind the recommended 30-foot setback and increase Beach House setback from the coastal bluff by another 8 feet as compared to the existing residence;
5. Increase Boardwalk House setback from the south property boundary, Carmel North Dunes and ESHA by up to 12 feet;
6. Reduce visibility of the new residences as seen from public view points on Carmel Beach, the North Carmel Dunes and from the adjacent residences to the east; and
7. Comply with the Local Coastal Plan (LCP), Carmel General Plan, Carmel Residential Design Guidelines and Zoning Regulations.

After the proposed demolition the property owner will build two new residences with one residence on one lot adjacent to the bluff (the 7,200 square-foot "Beach House"/APN: 010-321-021) and the second residence (the 5,900 square-foot "Boardwalk House"/APN: 010-321-020) on a separate lot located immediately adjacent and inland. An existing shared driveway on the north side of the property will also be removed and a new shared driveway will be constructed along the south boundary of the properties and connecting to Carmel Way. Refer to Figures in Attachment D showing the Proposed Site Plan, views to the site, and various building elevations.

It is relevant to note that on July 9, 2014, the Planning Commission considered a Concept Review (CR 14-02) for the redevelopment of the subject parcels. Therefore, this project reflects direction from the Planning Commission.

PROJECT DATA FOR A 24,394 SQUARE FOOT PARCEL (0.056 ac.)			
BOARDWALK HOUSE – APN 010-321-020			
Site Considerations	Allowed	Existing	Proposed
Floor Area	6,000 sf	N/A	5,900 sf
Site Coverage	1,320 sf	N/A	3,079 sf ¹
Trees (upper/lower)	4/3 (recommended)	As determined by the Forest and Beach Commission ²	No additional trees required, but one Cypress will be planted
Ridge Height	18 ft ³	N/A	Up to 21 ft
Plate Height	≤ 12 ft ⁴	N/A	N/A
Setbacks⁵	Minimum Required	Existing	Proposed
Front Yard	15 ft	N/A	80 ft
Composite Side Yard	25% of width = 28 ft	N/A	55 ft
Minimum Side Yard	3 ft	N/A	23 ft
Rear Yard	15 ft	N/A	16 ft

¹ Include site coverage bonus of 4% of site area if 50% or more is semi-permeable.

² CMC Section 10.48.080.A.2

³ Properties located in the Beach and Riparian Overlay District. Note that there is no ‘ridge’ on a flat roofed structure.

⁴ The 12-foot maximum does not accommodate structures with flat roofs. The proposed structures have a flat roof and the top plate is not defined.

⁵ The lots are unusual relative to the City Municipal Code in that there is no distinct, front, side or rear setback. Regardless, for purposes of evaluating this project the ‘front’ of both parcels front Carmel Way – i.e., the north property boundary.

PROJECT DATA FOR A 40,075 SQUARE FOOT PARCEL (0.92 ac.)			
BEACH HOUSE – APN 010-321-021			
Site Considerations	Allowed	Existing	Proposed
Floor Area	6,000 sf	N/A	7,200 sf ¹
Site Coverage	1,320 sf	N/A	3,036 sf ²
Trees (upper/lower)	4/3 (recommended)	As determined by the Forest and Beach Commission ³	No additional trees required
Ridge Height	18 ft ⁴	N/A	18 ft
Plate Height	≤ 12 ft ⁵	N/A	N/A
Setbacks⁶	Minimum Required	Existing	Proposed
Front Yard	15 ft	N/A	192 ft
Composite Side Yard	25% of width = 26 ft	N/A	18 ft
Side Yard	3 ft	N/A	8 ft
Rear Yard	15 ft	N/A	116 ft

Overview of Plan Components

Lot Merger – The existing site contains three separate parcels of 0.22 acres (APN 010-321-021), 0.53 acres (APN 010-321-020), and 0.73 acres (APN 010-321-021). The applicant will merge the 0.22 ac. and 0.73 ac. parcels into one parcel - the Beach House parcel, which is the parcel closest to Carmel Beach. This merger qualifies the proposed project for a 3 percent Floor

¹ Include floor area bonus of 3% of site area for lot merger.

² Include site coverage bonus of 4% of site area if 50% or more is semi-permeable and bonus if 2.5% of site area for lot merger.

³ CMC Section 10.48.080.A.2

⁴ Properties located in the Beach and Riparian Overlay District. Note that there is no ‘ridge’ on a flat roofed structure.

⁵ The 12-foot maximum does not accommodate structures with flat roofs. The proposed structures have a flat roof and the top plate is not defined.

⁶ The lots are unusual relative to the City Municipal Code in that there is no distinct, front, side or rear setback. Regardless, for purposes of evaluating this project the ‘front’ of both parcels front Carmel Way – i.e., the north property boundary.

Area Bonus entitlement established by Carmel Municipal Code (CMC) Section 17.10.040.B.2.a. Through merger the applicant is able to design the residences, and the property, with greater flexibility in building and driveway location.

Lot-Line Adjustment – The plans indicate the Boardwalk House parcel will have a new boundary configuration and the acreage will increase by 0.03 ac. - from 0.53 ac. to 0.56 ac. The Beach House acreage is reduced from 0.95 ac. to 0.92 ac.

Bluffs Setback - The geotechnical consultant that advised the applicant on locating the proposed residence recommends that the Beach House residence be setback a minimum of 30 feet from the top of the coastal bluff. The proposed setback would be an additional 2 feet to 10 feet further than this recommended 30 foot setback and is up to 8 feet further inland as compared to the existing residence.

Enhancement of Public and Private Views - The turret element of the existing Beach House is visually prominent from the beach. The proposed Beach House eliminates the turret and brings the height of the Beach House down from 27 feet to 20 feet. In addition, the plans also show the height of the Boardwalk House will be reduced from 21 feet to 18 feet. However, the new two-story wing component of the Boardwalk House that is outside the footprint of the existing Boardwalk House will have an overall height of up to 22 feet, but will still not be seen from the public view area at Carmel North Dunes and is too far removed from the view shed. It is important to note that the property owner's representatives have been working with the neighbors to assure that neighbor's privacy and views are maintained and, or enhanced.

Both the proposed Beach House and the proposed Boardwalk House have been sited and designed to reduce their visibility as seen from adjacent private and public property to include the North Dunes and the Carmel Beach. Refer to in Attachment D for a variety of before and after views of the property from various off-site public viewpoints locations, including an aerial view of the existing and proposed structure locations.

Setback from the 'Environmental Sensitive Habitat Area' (ESHA) - Based upon recommendations presented in the Biological Assessment and ESHA Determination prepared by the project biologist (Thomas K. Moss, Coastal Biologist – this report is incorporated herein by reference), the plans show a re-alignment of the existing shared driveway so that the new driveway will be between the North Dunes area (designated ESHA) and the Boardwalk House, thereby increasing the existing setback as compared to the existing Boardwalk House.

Quitclaim of Beach Area to the City - As a condition of approval, the applicant is willing to quitclaim to the City that portion of the property which comprises the Carmel Beach below the bluff. This portion of the applicant's property has not been exactly defined but the property does extend into the Carmel Beach by approximately 16 to 50 feet in depth depending where measured and approximately 144 feet wide.

Coastal Access

There is currently no public access to the Carmel Beach through the property. However, public access to the beach exists from San Antonio Street via a boardwalk immediately to the south of the subject property and through the Carmel North Dunes area. Additional public access to Carmel Beach exists directly via Ocean Avenue and the Del Mar parking lot. The proposed project will not in any way affect beach access.

STAFF ANALYSIS

Merged Lot Floor Area Bonus: Pursuant to CMC 17.10.030.D.2.c, "the maximum allowed floor area on any building site 22,000 square feet or larger shall not exceed 6,000 square feet." The Boardwalk House is 6,000 square feet and will meet this requirement. However, for the Beach House proposal the applicant is proposing to merge two lots in order to receive bonus floor area (3 percent of site area), which would allow a 7,200-square foot residence.

The incentives for merged lots include:

1. Allowed base floor area may be increased by three percent of site area, beyond the standard specified in CMC 17.10.030(D), Floor Area Ratio and Exterior Volume. A commensurate amount of additional exterior volume also shall be allowed.
2. Guesthouses or subordinate units may be built with 100 square feet more floor area than is specified in CMC 17.08.050(C), Guesthouses and 17.08.050(F), Subordinate Units.
3. Up to 2.5 percent of additional site coverage is allowed if the site complies with the City's tree density standards.
4. One additional accessory structure is allowed for a total of three accessory structures on the site.

With the three percent site area bonus allowed by CMC 17.10.040.B.2.a, the allowed floor area of the 40,075-square foot Beach House parcel would be increased by 1,241 square feet, hence, the applicant is proposing a 7,200-square foot residence, which is 1,200 square feet larger than the maximum allowance of 6,000 square feet.

Setbacks: The subject parcels are located in the Park (PO) Overlay Zoning District, where setbacks may be adjusted by the Planning Commission as determined by the site conditions. With regard to setback in the PO District, CMC 17.20.110.C states:

On those lots that are irregular in shape, or that exceed 8,000 square feet in area, the Planning Commission shall establish setbacks that are appropriate for the property and that are consistent with the purposes of the PO district. Where a large lot size creates an opportunity to establish significantly increased setbacks from adjoining parklands, and the topography or shape of the site allow sufficient area to build away from the park, the Planning Commission may designate larger setbacks for the property that preserve an open space buffer adjacent to the park while providing a reasonable area to build elsewhere on the property.

Boardwalk House Setbacks: The Planning Commission may approve the following proposed setbacks for the Boardwalk House:

SETBACKS FOR BOARD WALK HOUSE -		
	ALLOWED	PROPOSED
Front Yard	15 ft	80 ft
Composite Side Yard	25% of width = 28 ft	55 ft
Minimum Side Yard	3 ft	23 ft
Rear Yard	15 ft	16 ft

Beach House Setbacks: The Planning Commission may approve the following proposed setbacks for the Beach House:

SETBACKS FOR BEACH HOUSE -		
	ALLOWED	PROPOSED
Front Yard	15 ft	192 ft
Composite Side Yard	25% of width = 26 ft	18 ft
Side Yard	3 ft	8 ft
Rear Yard	15 ft	116 ft

The Planning Commission’s objective in determining setbacks in the Park Overlay District is to limit the visibility and impact of private residences from the beach and public way.

Forest Character: Residential Design Guidelines 1.1 through 1.4 encourage maintaining “a forested image on the site” and for new construction to be at least six feet from significant trees.

As reported by the City Forester in the July 28, 2016, Preliminary Site Assessment, the property contains an upper canopy of Monterey pine and cypress trees, a lower canopy of Coast live oak trees, and three types of non-native species to include Norfolk Island pine, flowering cherry and Leyland cypress; a total of 33 trees were counted. Of the total number of trees, 13 are not native; 23 of the trees are determined to be ‘significant’, six ‘moderately significant’ and four ‘not significant’. No trees are proposed to be removed nor are new trees required to be planted. Regardless, the applicant will be planting at least one additional Cypress tree near the Boardwalk House in response to a request from the neighbor.

Privacy & Views: Residential Design Guidelines 5.1 through 5.3 pertain to maintenance of “privacy of indoor and outdoor spaces in a neighborhood” and “organize functions on a site to preserve reasonable privacy for adjacent properties” and maintain “view opportunities.”

Carmel Municipal Code Section 17.10.010.K - *Private Views*, states: “Designs should respect views enjoyed by neighboring parcels. This objective is intended to balance the private rights to views from all parcels that will be affected by a proposed building or addition. No single parcel

should enjoy a greater right than other parcels except the natural advantages of each site's topography. Buildings which substantially eliminate an existing view enjoyed on another parcel should be avoided."

Boardwalk House

The property owner's representatives have been working with the neighbors to assure that neighbor's privacy and views are maintained and, or enhanced. The end result is to create the best possible circumstances for the applicant and neighbors. Recent revisions to the Boardwalk House since circulation of the Initial Study (ending October 17, 2016), include the following:

- Reducing the height of the Boardwalk chimney by a 1'
- Reducing the height of the Boardwalk House trash enclosure by 2'
- Removing most of the east facing window from the Boardwalk House (all but 36").
- A trellis against the East Wall of the Boardwalk was added to support plantings to help screen the house.
- Reducing hardscape coverage in front of the Boardwalk House and closest to the DeBruce Property.
- An additional Cypress planting.

These revisions are presented herein this Staff Report and Attachments.

Beach House

The Beach House residence was designed to be unobtrusive to the public view. For example, the existing turret element of the existing Beach House is visually prominent from the dunes, the beach and neighbor views. The proposed Beach House eliminates the turret and brings the height of the Beach house down from 27 feet to 20 feet.

Both the proposed Beach House and the proposed Boardwalk House have been sited and designed to reduce their visibility as seen from adjacent private and public property to include the North Dunes and the Carmel Beach. Refer to Figures in Attachment D for a variety of before and after views of the property from various off-site public viewpoints locations, including a bird's-eye view of the existing and proposed structure locations.

Mass & Bulk: Residential Design Guidelines 7.1 through 7.6 encourage a building's mass to relate "to the context of other homes nearby", to "minimize the mass of a building as seen from the public way or adjacent properties", and to "Low, horizontal building forms that appear to hug the ground are encouraged".

The modern design of the proposed structures fit well on the parcels and adequately relate to other homes in the area. Furthermore, the design of both residences incorporates flat roofs which minimize the mass and "appear to hug the ground". In staff's opinion, the proposed residence meets the objectives of Residential Design Guidelines 7.1 through 7.6.

Height Determination

The subject property is located in the Beach and Riparian (BR) Overlay District, where all new buildings have a maximum height limit of 18 feet so as to keep the lowest building profile as possible thereby minimizing view impacts.

The proposed new Beach House residence includes a two-story design that has a maximum height of 22 feet as measured from the proposed grade. The applicant has submitted a geological report prepared by a geologist indicating that the site was previously excavated to depths of 6 feet or more (refer to Cap Rock geotechnical study included an attachment to the Initial Study). The applicant is requesting to use the pre-existing grade to determine the height of the residence, which would allow a portion of the structure to exceed height of 18 feet by up to 4 feet (at various locations depending on grade) if given credit for the previous higher grade.

With regard to establishing grade, CMC 17.06.020.F states:

On sites disturbed from previous grading or excavation activities, an approximation of preexisting conditions may be used as a reference for determining average or existing grade using grades on adjacent sites, retaining walls and prior survey maps. All such grade approximations shall require the concurrence of the Department and a determination that the resulting project complies with all requirements of the Zoning Ordinance, avoids large exposed cuts and unnatural topography and is consistent with R-1 design objectives.

The above Municipal Code section indicates that preexisting conditions may be used as a reference point, indicating that there is discretion in the decision. Review of the proposed plans indicates that the proposed structures have a lower profile as seen from public view

points to include Carmel Beach and the Carmel North Dunes Boardwalk area (refer to Figures in Attachment D). Staff will discuss these characteristics at the meeting.

Building & Roof Form: Residential Design Guidelines 8.1 through 8.5 states that *“building forms should be simple”, “...horizontal emphasis is preferred”, “roof forms should be composed of just a few simple planes”, “Use building offsets to achieve specific purposes such as [...] breaking the mass of a large building element”, and “Flat roofs may be used to a limited extent on smaller, one-story structures. They should not be used on large buildings or two-story elements”*. The Guidelines emphasize using *“restraint”* and *“simplicity”* in building forms, which should not be complicated, and roof lines, which should *“avoid complex forms.”*

The proposed two residences represent modern architecture and in this case have flat roofs. The aforementioned Residential Design Guidelines are ‘guidelines’ and are intended to accommodate discretion on the part of the decision makers. In this case modern architecture and flat roofs are ideal for the high visibility location as they result in a low, horizontal profile which results in the least obtrusive design relative to public view points. In staff’s opinion, the proposed residence meets the objectives of Residential Design Guidelines 8.1 through 8.5.

Cut/Fill: Residential Design Guideline Section 3.0 addresses Topography. The objectives associated with these guidelines are to maintain natural topography, preserve natural slopes, tree protection, grade with intent to retain and percolate stormwater on site, minimize run-off, and promote use of natural slopes and stepped floor plans so that buildings hug the land.

Extensive grading and excavation occurred when the existing residences were constructed. Anticipated cut and fill associated with both residences is 222 cubic yards of cut and 155 cubic yards of fill, thereby resulting in a net export of 67 cubic yards of soil. Anticipated truck trips associated with demolition and export of ‘cut’ soil is 96 round-trip truck trips; delivery of engineered soils is an addition 28 round-trip truck trips. In staff’s opinion, the proposed residence meets the objectives of Residential Design Guidelines Section 3.0. to maintain natural topography, preserve natural slopes, protect trees, grade with intent to retain and percolate stormwater on site, minimize run-off, and promote use of natural slopes and stepped floor plans so that buildings will hug the land

Driveway: Residential Design Guideline 6.3 states, *“Minimize the amount of paved surface area of a driveway”* and *“consider using a shared driveway to minimize the amount of paving area.”*

The existing driveway will be removed and a new driveway constructed. This existing driveway is located on the north side of the Boardwalk House. The proposed plans show a new driveway location along the south boundary adjacent to the Boardwalk House. The relocated driveway will be out of the viewshed of both the Boardwalk House and the neighbor’s viewshed to the east. In staff’s opinion, the circumstances of development on these two lots, their location adjacent to ESHA, there being no loss of trees, and addressing the concerns of the neighbors, justifies placing the driveway in the area proposed.

Diversity of Architectural Styles: Design Guideline 9.0 states that *“diversity in building designs and architectural styles are key features of the design traditions in Carmel”* Design Guideline 9.1 encourages that *“a new building should be different in style from buildings on nearby and abutting properties.”* CMC Section 17.08.050 states that *“No proposed single-family dwelling shall be approved that is of substantially similar architecture, building massing, front setback or height as any existing building, or any approved building, located immediately adjacent to the proposed project and facing the street.”*

The architectural character of the Beach and Boardwalk Houses are the same – i.e., modern. The above referenced Design Guideline and code section are specific to comparing new buildings to buildings on abutting properties and buildings facing streets. However, the proposed residences are in a different context as compared to most residences. The difference is that the subject parcels cannot be seen from public viewpoints. Regardless, the Commission should consider whether it would be appropriate to have two similar style residences adjacent to each other in the context of not fronting a street and not being visible to the public.

Environmental Sensitive Habitat Area (ESHA): Based upon the Biological Assessment and ESHA Determination included herein by reference, the area of environmental concern is the North Carmel Dunes area that includes plant and animal life that are rare and easily disturbed by human activities and development. As defined in the Carmel Coastal Land Use Plan, all lands within 30 feet of an ESHA are within what is called an ESHA Buffer. Therefore, a portion of the project site is within the Buffer area. Although development is not prohibited within a buffer there is biological review within this area to insure that development projects are designed not to adversely impact the adjacent ESHA.

Per the Biological Assessment, no special status plants or animals were found on the three properties. In addition, based on an analysis of the natural resource values onsite and offsite in the adjacent North Dunes, including plant surveys, soil sampling, and a review of historic and current photographs, no potential habitat occurs on the properties to be redeveloped that could support viable populations of Tidestrom's Lupine or black legless lizards, both of which comprise the two special status species that occur in this region. The Biological Assessment confirms the property was originally pine forest as opposed to unvegetated dunes consistent with the North Dunes. Therefore, per the Biological Assessment, no part of the properties should be considered or reclassified as ESHA.

Environmental Review: An Initial Study and Draft Negative Declaration was prepared pursuant to the implementing guidelines of the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and pursuant to the CMC Section 17.60. The Initial Study/Draft Negative Declaration did not identify any potential for the project to result in environmental impacts per CEQA Guidelines. Therefore, mitigations are not required.

The Initial Study/Draft Negative Declaration were circulated for a 30-day public review period ending October 17, 2016. Copies were submitted to the Governor's Office of Planning and Research – State Clearinghouse, and directly to the California Coastal Commission staff. In addition, an electronic copy was made available on the City of Carmel web site. Copies of the Notice of Intent were mailed to property owners within 300 feet of the subject parcels. Per the Governor's Office of Planning and Research – State Clearinghouse, "...no state agencies submitted comments" (letter to City of Carmel Planning, dated October 18, 2016) and no comments were received from individuals. The final Negative Declaration proposed for adoption is included in Attachment E.

Adoption of the Negative Declaration and consideration of a Concept Design Study (DS 16-259 and DS 16-260), associated Coastal Development Permit, a lot merger, and a lot-line adjustment, will complete the environmental review process.

ATTACHMENTS:

- Attachment A – Findings for Concept Acceptance
- Attachment B – CEQA Findings
- Attachment C – Project Plans
- Attachment D – Negative Declaration
- Attachment E – Applicant Letter

Attachment A – Findings for Concept Acceptance

DS 16-259 and DS 16-260 (Carmel Way Trust)

November 9, 2016

Findings for Concept Acceptance

Page 1

FINDINGS REQUIRED FOR CONCEPT DESIGN STUDY ACCEPTANCE (CMC 17.64.080 and LUP Policy P1-45)		
For each of the required design study findings listed below, staff has indicated whether the submitted plans support adoption of the findings. For all findings checked "no" the staff report discusses the issues to facilitate the Planning Commission decision-making. Findings checked "yes" may or may not be discussed in the report depending on the issues.		
Municipal Code Finding	YES	NO
1. The project conforms with all zoning standards applicable to the site, or has received appropriate use permits and/or variances consistent with the zoning ordinance.	✓	
2. The project is consistent with the City's design objectives for protection and enhancement of the urbanized forest, open space resources and site design. The project's use of open space, topography, access, trees and vegetation will maintain or establish a continuity of design both on the site and in the public right of way that is characteristic of the neighborhood.	✓	
3. The project avoids complexity using simple/modest building forms, a simple roof plan with a limited number of roof planes and a restrained employment of offsets and appendages that are consistent with neighborhood character, yet will not be viewed as repetitive or monotonous within the neighborhood context.	✓	
4. The project is adapted to human scale in the height of its roof, plate lines, eave lines, building forms, and in the size of windows doors and entryways. The development is similar in size, scale, and form to buildings on the immediate block and neighborhood. Its height is compatible with its site and surrounding development and will not present excess mass or bulk to the public or to adjoining properties. Mass of the building relates to the context of other homes in the vicinity.	✓	
5. The project is consistent with the City's objectives for public and private views and will retain a reasonable amount of solar access for neighboring sites. Through the placement, location and size of windows, doors and balconies the design respects the rights to reasonable privacy on adjoining sites.	✓	
6. The design concept is consistent with the goals, objectives and policies related to residential design in the general plan.	✓	
7. The development does not require removal of any significant trees unless necessary to provide a viable economic use of the property or protect public health	✓	

and safety. All buildings are setback a minimum of 6 feet from significant trees.		
8. The proposed architectural style and detailing are simple and restrained in character, consistent and well integrated throughout the building and complementary to the neighborhood without appearing monotonous or repetitive in context with designs on nearby sites.	✓	
9. The proposed exterior materials and their application rely on natural materials and the overall design will add to the variety and diversity along the streetscape.	✓	
10. Design elements such as stonework, skylights, windows, doors, chimneys and garages are consistent with the adopted Design Guidelines and will complement the character of the structure and the neighborhood.	✓	
11. Proposed landscaping, paving treatments, fences and walls are carefully designed to complement the urbanized forest, the approved site design, adjacent sites, and the public right of way. The design will reinforce a sense of visual continuity along the street.	✓	
12. Any deviations from the Design Guidelines are considered minor and reasonably relate to good design principles and specific site conditions.	✓	

Beach and Overlay District Findings	YES	NO
1. The combined area contained within all setbacks is at least equal to the area of the lot that would be included within setbacks if the special beach setback established in subsection (B)(9) of this section were applied (i.e., achieving no net loss of setback area.	N/A	
2. A minimum width of at least three feet will be maintained for the full length of all setbacks.	✓	
3. By reducing any setbacks the proposed structure will not interfere with safe access to other properties in the neighborhood or otherwise result in damage or injury to the use of other adjoining properties.	N/A	
4. Structures proposed for construction within reduced setback areas will be compatible with the residential character of the neighborhood and will exhibit a human scale without excessive building bulk or visual mass.	N/A	
5. The proposed setbacks afford maximum protection for the adjoining parklands for the benefit of the public while still accommodating reasonable development of the property.	✓	
6. The proposed setbacks are designated on an approved plan attached to the permit or on a scenic easement for purposes of documentation and recordation.	✓	

Park Overlay District Findings	YES	NO
1. The proposed setbacks afford maximum protection for the adjoining parklands for the benefit of the public while still accommodating reasonable development of the property.	✓	
2. That the proposed setbacks are designated on an approved plan attached to the permit or on a scenic easement for purposes of documentation and recordation.	✓	

COASTAL DEVELOPMENT FINDINGS (CMC 17.64.010.B.1):

1. Local Coastal Program Consistency: The project conforms to the certified Local Coastal Program of the City of Carmel-by-the Sea.	✓	
2. Public access policy consistency: The project is located between the first public road and the sea, and therefore, review is required for potential public access.	✓	

Attachment B – CEQA Findings for Concept Acceptance

DS 16-259 and DS 16-260 (Carmel Way Trust)
November 9, 2016
Findings for Concept Acceptance

CEQA Findings and Evidence DS 16-259 and DS 16-260

A. Findings for the Environmental Review Process

- 1. Finding:** The applicant has submitted plans to demolish two residences and a guest house and build two new residences. Adoption of a Negative Declaration and consideration of a Concept Design Study (DS 16-259 and DS 16-260), associated Coastal Development Permit, lot merger, and lot-line adjustment, for the construction of a new residence located in the Single-Family Residential (R-1), Park Overlay (P), Archaeological Significance Overlay (AS), and Beach and Riparian (BR) Overlay Zoning Districts. The parcel is adjacent to the Environmentally Sensitive Habitat Area Overlay Area (ESHA) of Carmel Beach/Dunes

Evidence:

Application materials submitted June 23, 2016 and on subsequent dates via hard-copy and email correspondence between June 23 and October 31, 2016.

- 2. Finding:** The draft Initial Study identified four potentially significant environmental impacts that could arise from implementation of the project; however, no mitigations were required. Therefore, a proposed Negative Declaration (ND) was prepared and circulated.

Evidence:

Draft Initial Study

- 3. Finding:** On September 16, 2016, the Community Planning and Building Department directed that a Notice of Intent (NOI) to adopt the draft Initial Study and proposed ND be released for public review and comment. The Department provided public notice consistent with the requirements of CEQA Guidelines section 15072(a) and (b), as follows:

1. Transmittal to the State Clearinghouse (OPR) for distribution to State agencies,
2. Transmittal to the County Clerk for posting,
3. Transmittal to California Coastal Commission,
4. Mailing of NOI to property owners within 300-feet of project site,
5. First Class mail to Ohlone/Costanoan-Esselen Nation (OCEN) Tribal Leader, and
6. Physical posting near the project on Carmel Way.

Evidence:

- County Clerk return certification
- Response letter from the State Office of Planning and Research
- Comment letter from OCEN Tribal Leader

Attachment B – CEQA Findings for Concept Acceptance

DS 16-259 and DS 16-260 (Carmel Way Trust)
November 9, 2016
Findings for Concept Acceptance

- 300-foot mailing list
- City staff physical posting

- 4. Finding:** The Notice of Intent satisfied the content requirements established by CEQA Guidelines section 15072(g).

Evidence:
Notice of Intent

- 5. Finding:** As a result of circulation of the Initial Study and draft Negative Declaration, a comment letter was received from the OCEN Tribal Leader. Said letter notified Lead Agency (Carmel) that OCEN has concerns with potential impacts to cultural resources during the construction process. After the close of the comment period, the letters were reviewed by the City. It was determined that (1) no new, avoidable, significant effects were identified and, therefore, no additional mitigation measures or project revisions would be needed to address any newly identified, significant environmental impacts. Based on this determination, there was no requirement for substantial project changes.

Evidence:
Comment letter from OCEN Tribal Leader
Staff Report to Planning Commission, dated November 9, 2016

- 6. Finding:** On November 9, 2016, the City's Planning Commission reviewed the Initial Study, proposed ND, and comment letters.

Evidence:
Planning Commission Agenda Packet dated November 9, 2016

Hines : Carmel-by-the-Sea

Concept Review Submittal 2016.06.23

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Project Info

APPLICANT/OWNER:
JEFF & WENDY HINES

PROJECT ADDRESS:
10 CARMEL WAY, CARMEL, CA 93940

ZONING:
R-1 (RESIDENTIAL), P (PARK OVERLAY), BR (BEACH RIPARIAN), AS (ARCHAEOLOGICAL)

PROJECT DESCRIPTION:
1. DEMOLITION AND REMOVAL OF ALL EXISTING STRUCTURES ON THE CURRENT BEACH PARCEL, COTTAGE PARCEL AND BOARDWALK PARCEL.
2. COMBINING THE EXISTING BEACH PARCEL (.52 ACRE) AND COTTAGE PARCEL (.21 ACRE) RESULTING IN AN ENLARGED BEACH PARCEL (.95 ACRE).
3. LOT LINE ADJUSTMENT TO BOARDWALK PARCEL.
4. CONSTRUCTION OF TWO (2) NEW RESIDENCES:

BEACH HOUSE: TWO (2) STORY WOOD FRAMED RESIDENTIAL STRUCTURE WITH ATTACHED GARAGE, GRAVEL ROOF, WOOD AND STONE SIDING
BOARDWALK HOUSE: TWO (2) STORY WOOD FRAMED RESIDENTIAL STRUCTURE WITH GRAVEL ROOF, WOOD AND STONE SIDING

OCCUPANCY:
BEACH HOUSE: R-3
BOARDWALK HOUSE: R-3

CONSTRUCTION TYPE:
BEACH HOUSE: V-B
BOARDWALK HOUSE: V-B

A.P.N.:
EXISTING BEACH PARCEL 010-321-0XX
EXISTING COTTAGE PARCEL 010-321-0YY
EXISTING BOARDWALK PARCEL 010-321-0ZZ

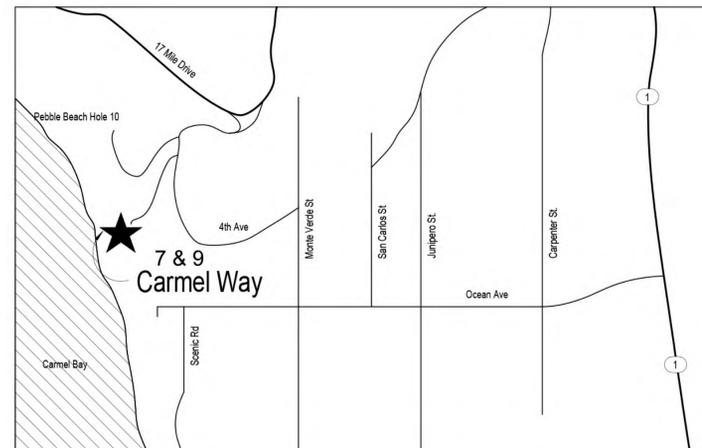
AREA - LOT:
EXISTING BEACH PARCEL .74 ACRE
EXISTING COTTAGE PARCEL .21 ACRE
EXISTING BOARDWALK PARCEL .52 ACRE

AREA - BUILDING SQFT:
BEACH HOUSE
- ALLOWABLE : 6,000 SQFT
+1241 SQFT (FLOOR AREA BONUS)
TOTAL ALLOWABLE : 7,241 SQFT
- PROPOSED : 7,200 SQFT

BOARDWALK HOUSE
- ALLOWABLE : 6,000 SQFT
- PROPOSED : 5,900 SQFT

* THE COMBINING OF THE CURRENT BEACH HOUSE PARCEL(.74 ACRE) WITH THE CURRENT COTTAGE PARCEL (.21 ACRE) ALLOWS FOR A 3% INCREASE OF BUILDING AREA (.74 + .21 = .95 ACRE NEW BEACH PARCEL) RESULTING IN AN ADDITIONAL 1,241 SQFT

Vicinity Map



Project Directory

OWNER:
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MONTEREY, CA 93940
CONTACT : CRAIG HOLDREN
craig@hl-arc.com
T 831.649.8001
F 831.649.8003

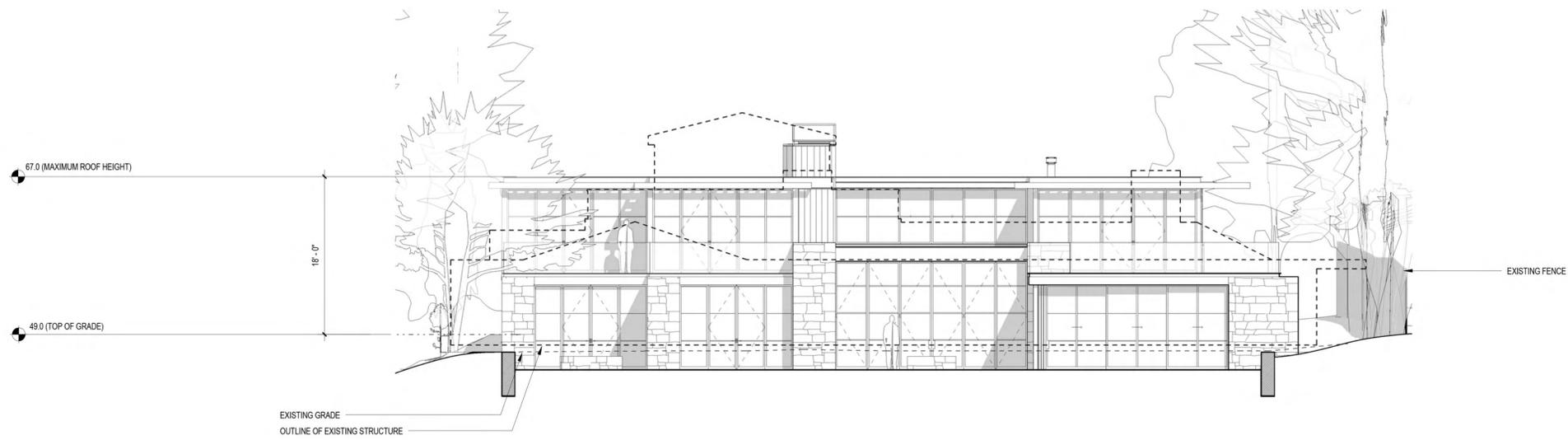
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Hines : Beach House

Concept Review Submittal 2016.06.23

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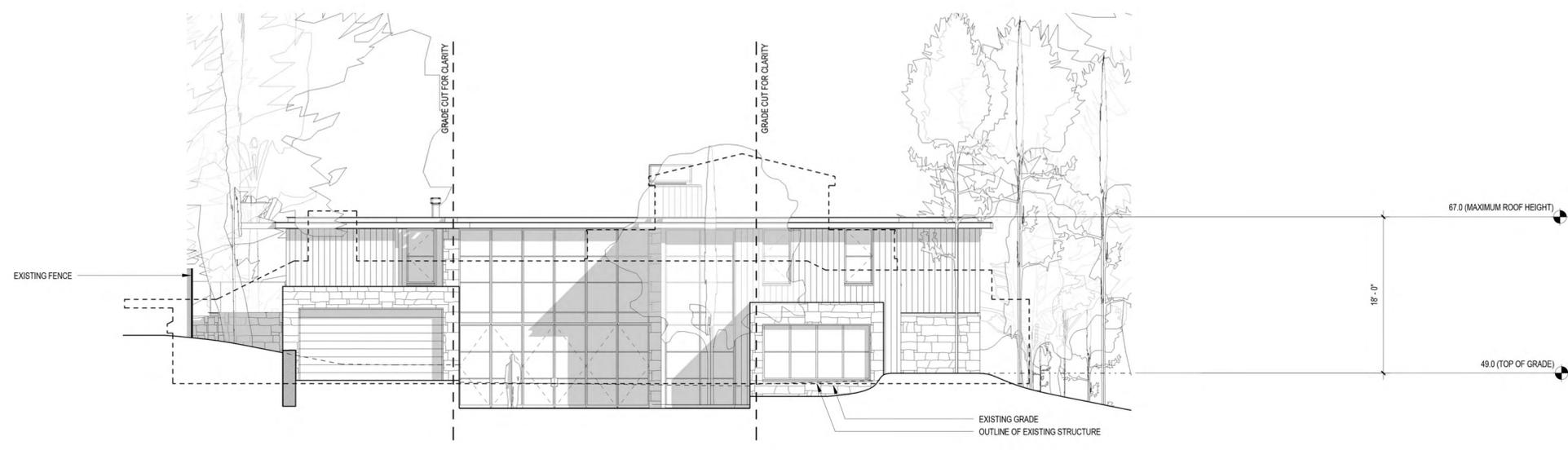


1
P3.01 BUILDING ELEVATION - WEST
SCALE : 1/8" = 1'-0"



Carmel by the Sea : Beach House

Building Elevations

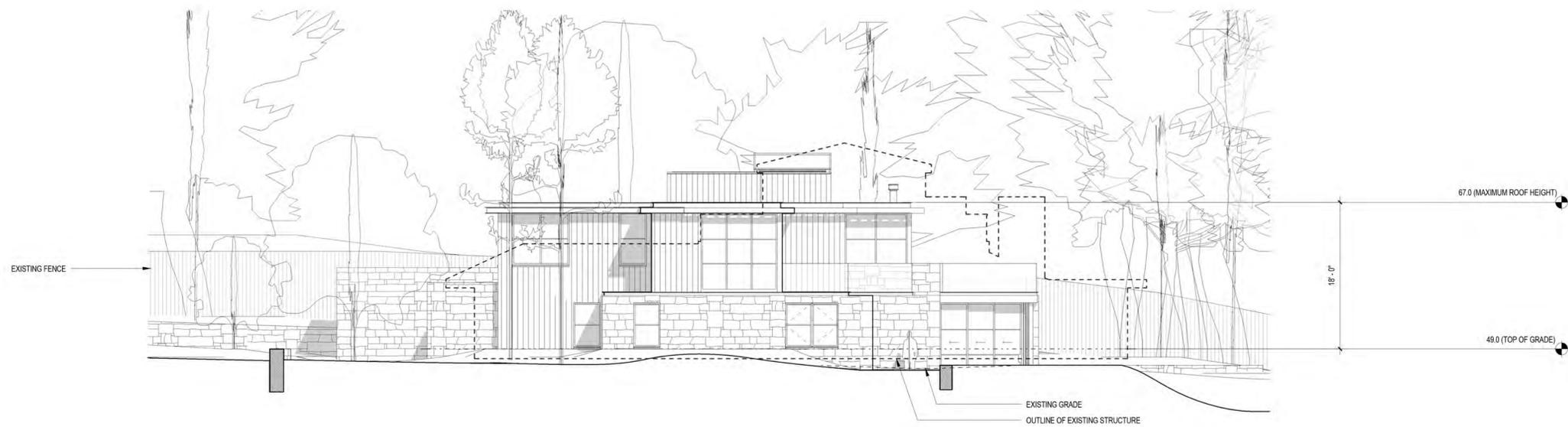


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 P3.02 SCALE : 1/8" = 1'-0"

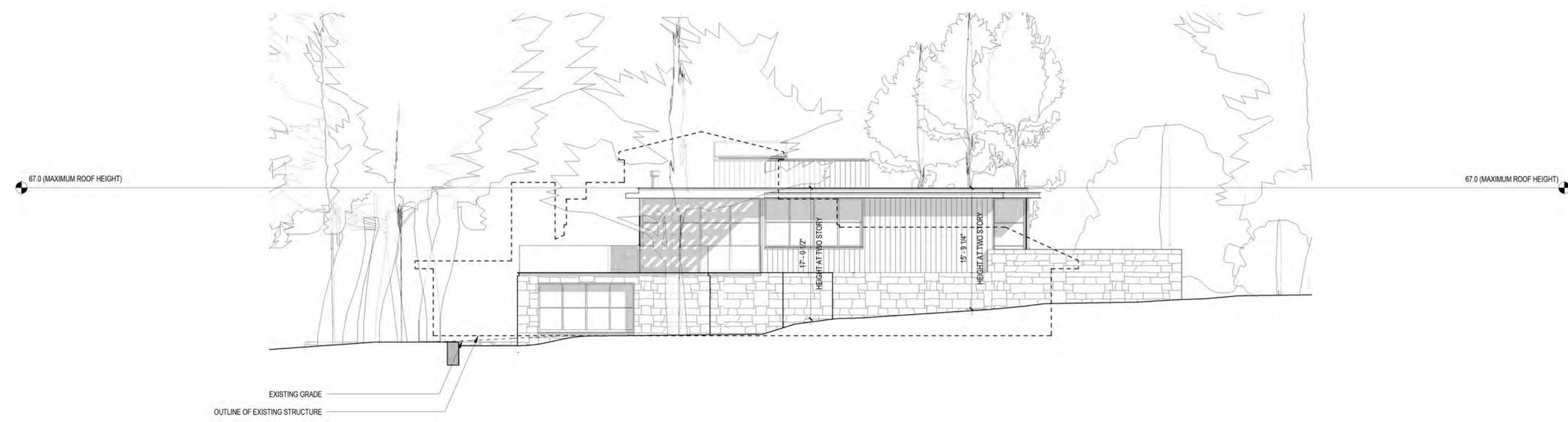


Carmel by the Sea : Beach House

Building Elevations



1 BUILDING ELEVATION - NORTH
 P3.03 SCALE: 1/8" = 1'-0"



2 BUILDING ELEVATION - SOUTH
 P3.03 SCALE: 1/8" = 1'-0"

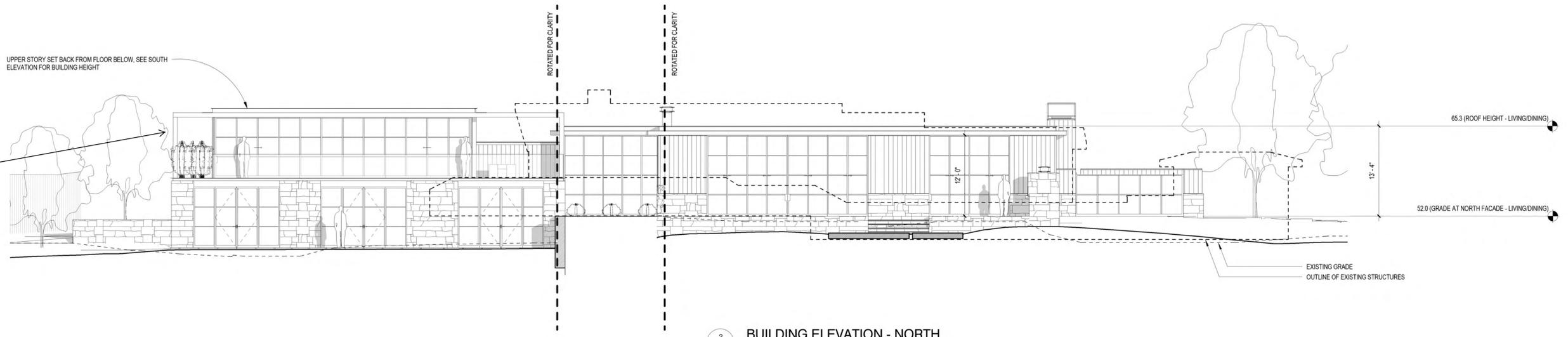
Hines : Boardwalk House

Concept Review Submittal 2016.06.23

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Climbing vines to be planted at base of the second story deck and cover southern 8' of the east facing trellis face to roof

UPPER STORY SET BACK FROM FLOOR BELOW. SEE SOUTH ELEVATION FOR BUILDING HEIGHT



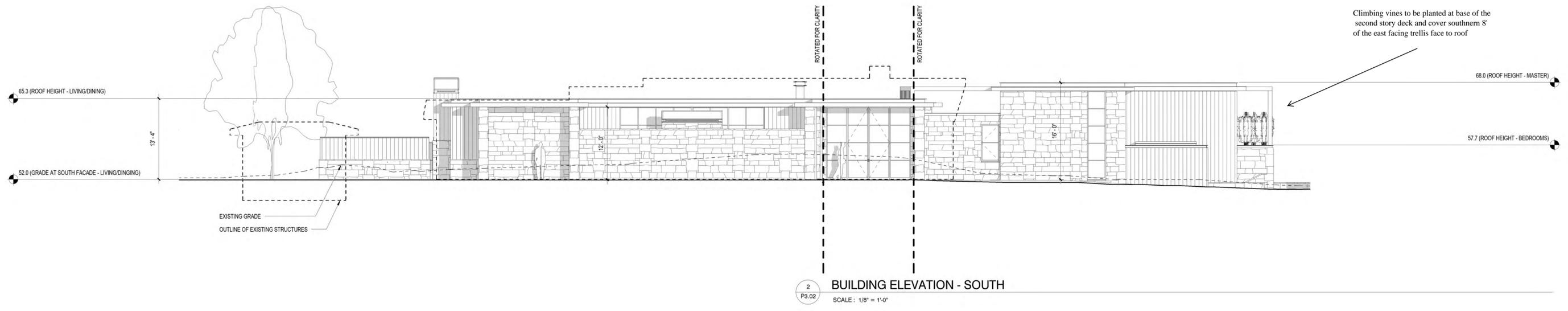
2 BUILDING ELEVATION - NORTH
P3.01 SCALE : 1/8" = 1'-0"



Carmel by the Sea : Boardwalk House

Building Elevations

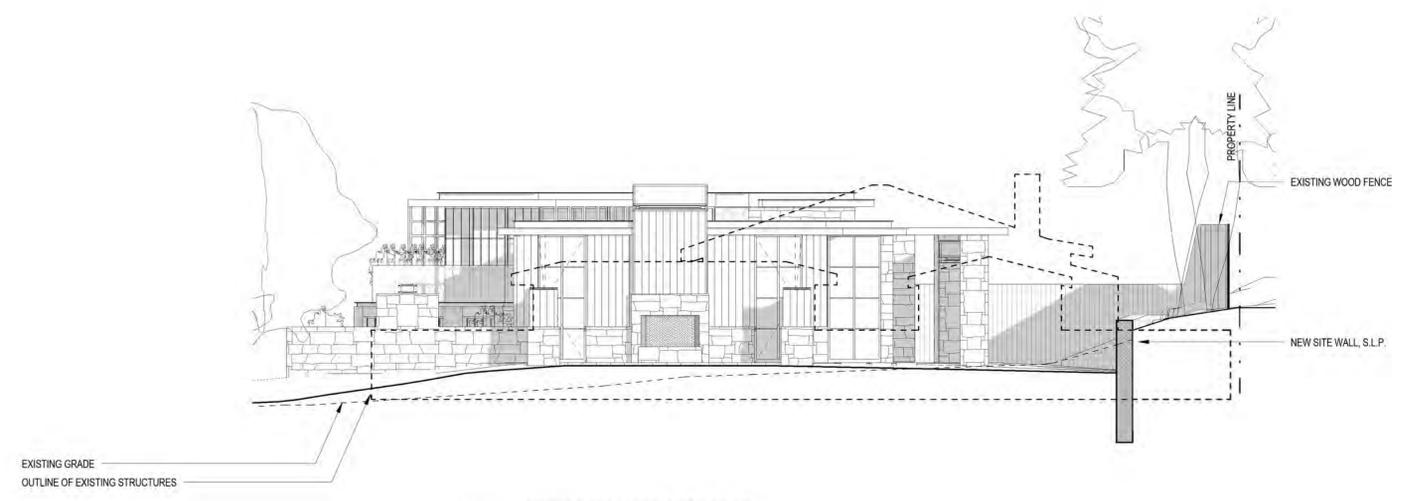
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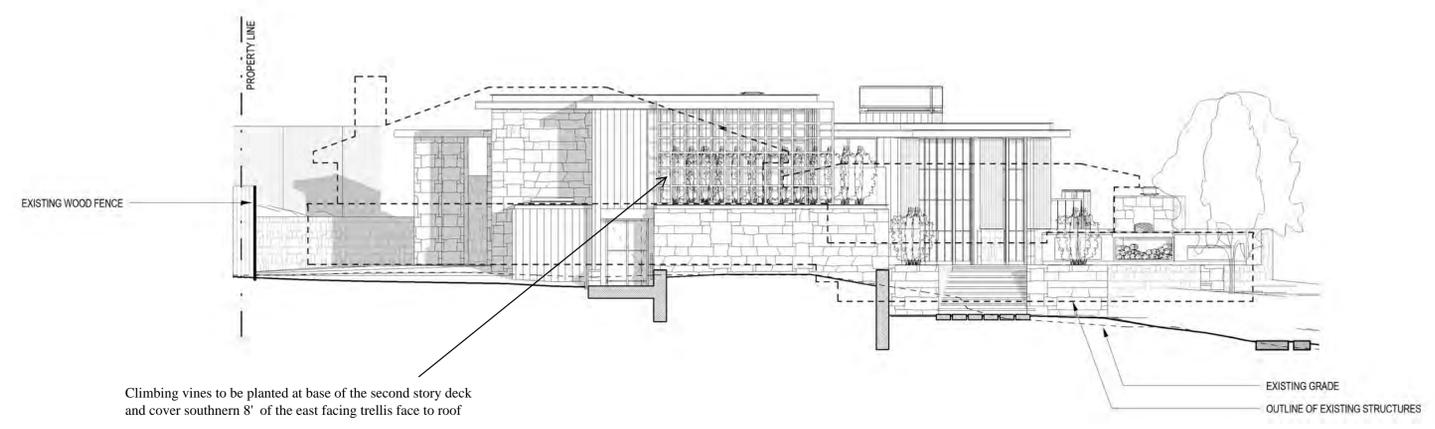
Carmel by the Sea : Boardwalk House

Building Elevations

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

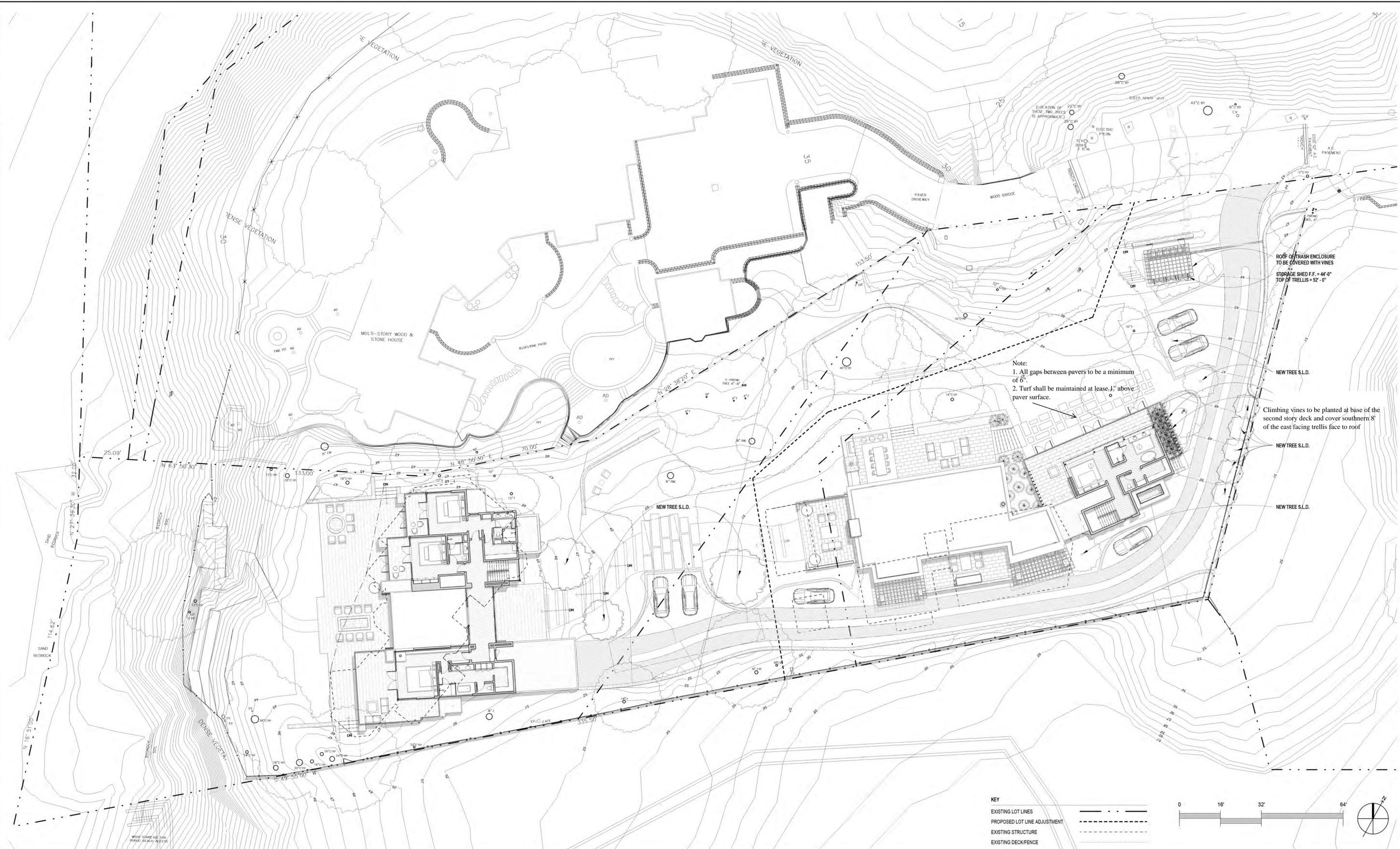


1 WEST @ LIVING/DINING
 P3.03 SCALE: 1/8" = 1'-0"



2 EAST @ BEDROOMS
 P3.03 SCALE: 1/8" = 1'-0"

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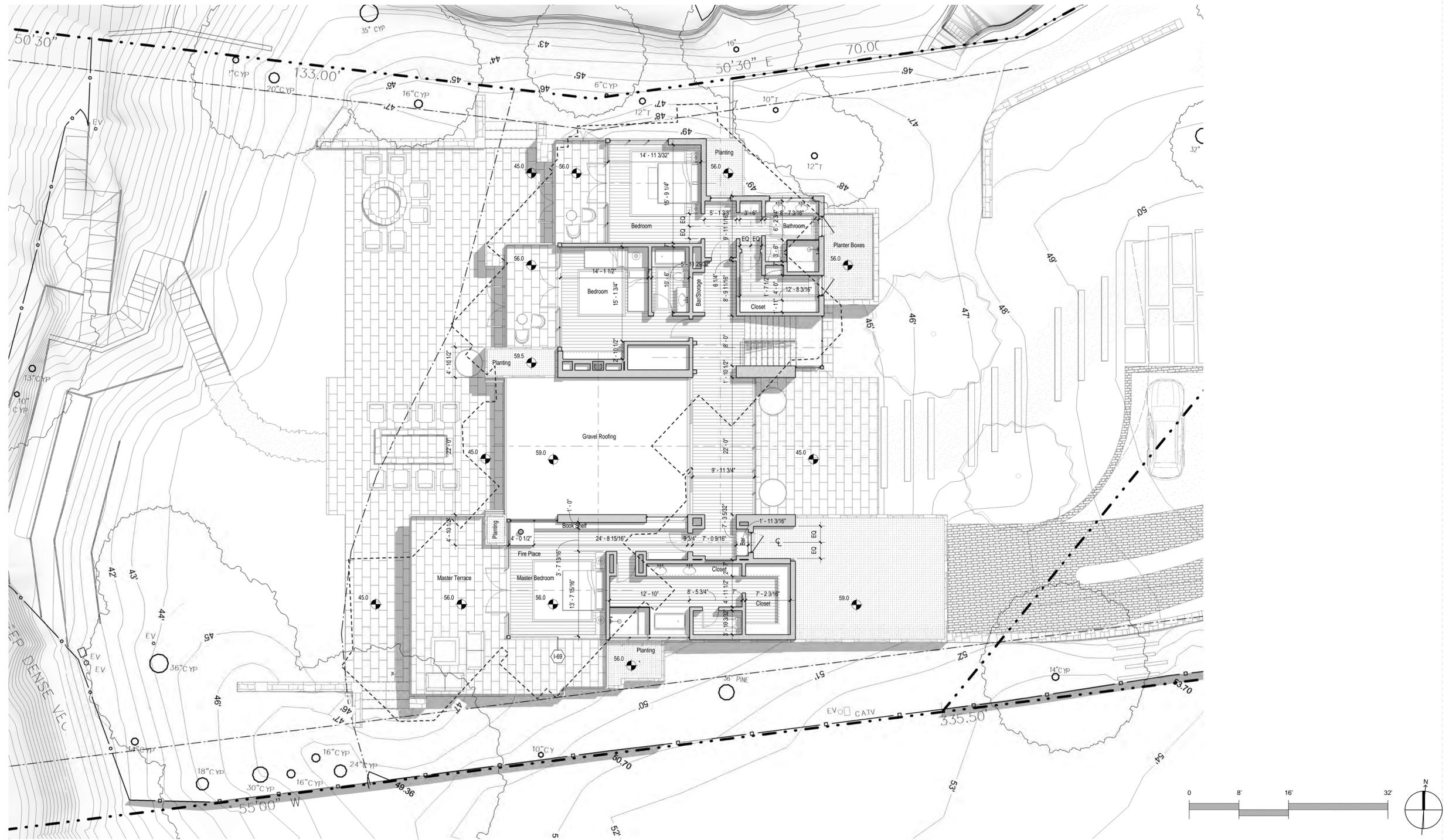
HINES
CARMEL

PROPOSED SITE PLAN, SECOND FLOOR

SCALE: 1/16" = 1'-0"

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1 LEVEL 2.0 - SECOND FLOOR F.F.
P2.02 SCALE: 1/8" = 1'-0"

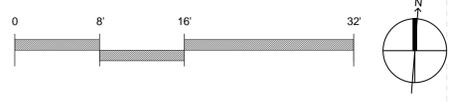
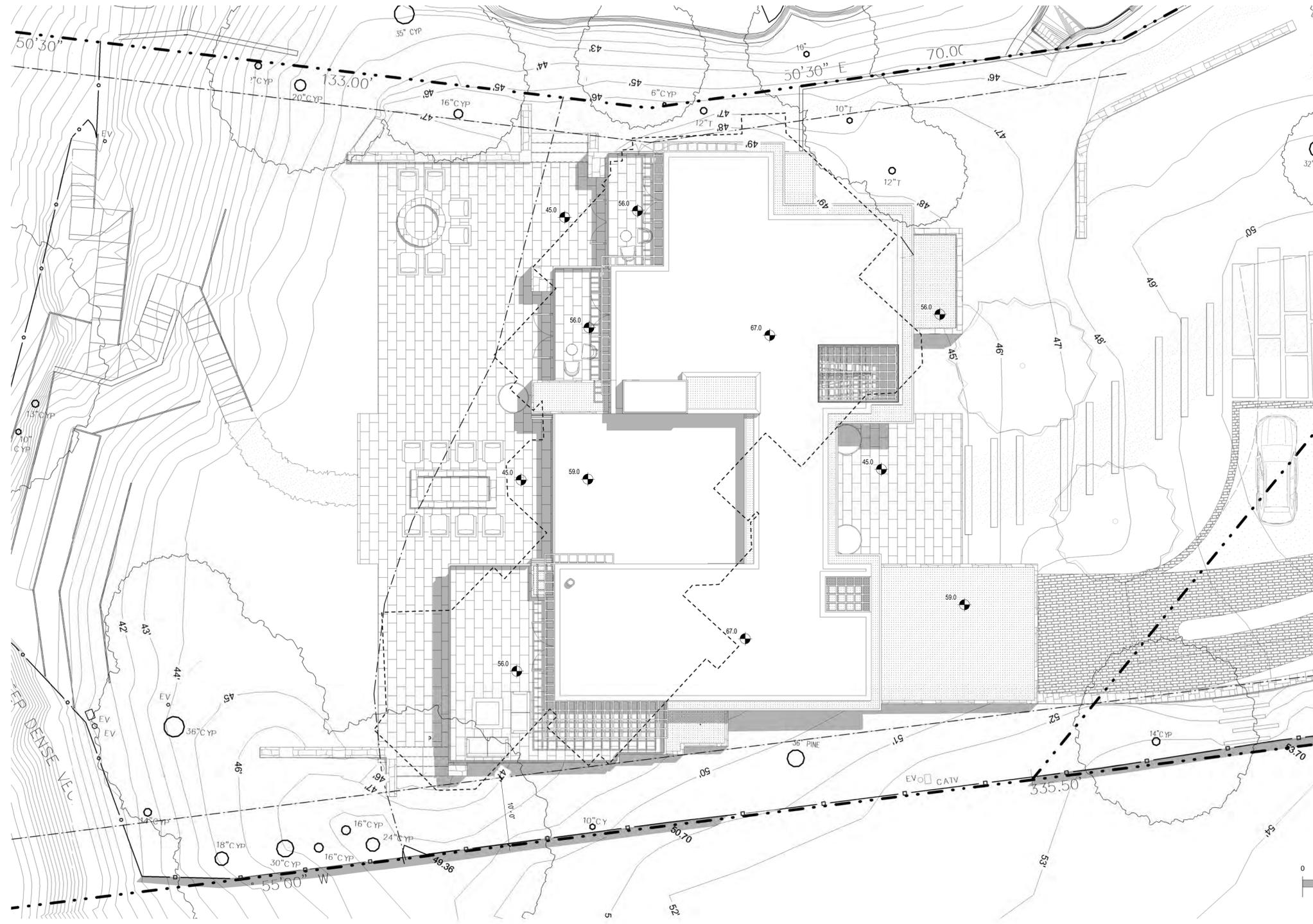
Carmel by the Sea : Beach House

Plan - Second Floor

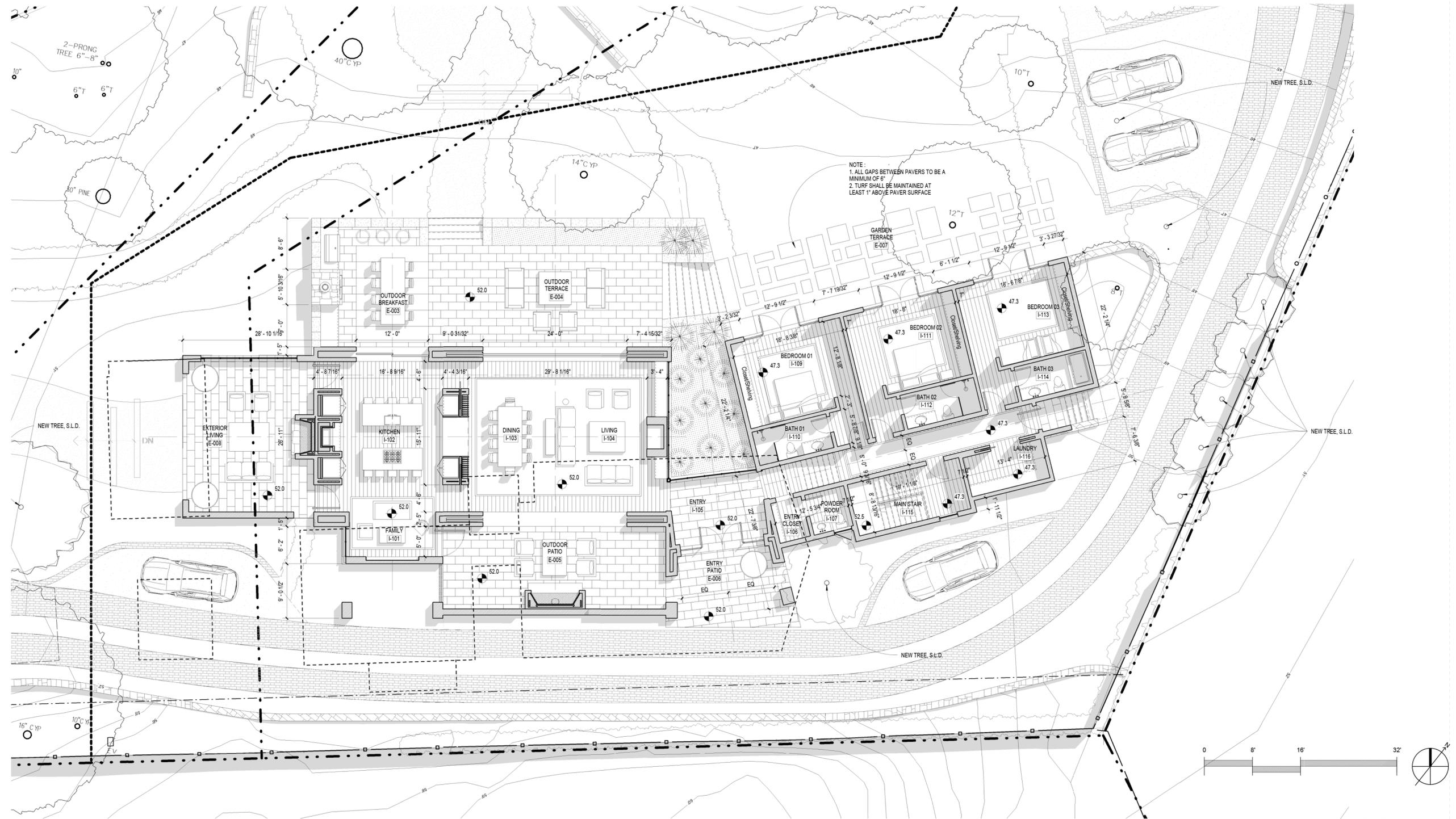
SCALE: 1/8" = 1'-0"

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1 ROOF PLAN
 P2.03 SCALE: 1/8" = 1'-0"

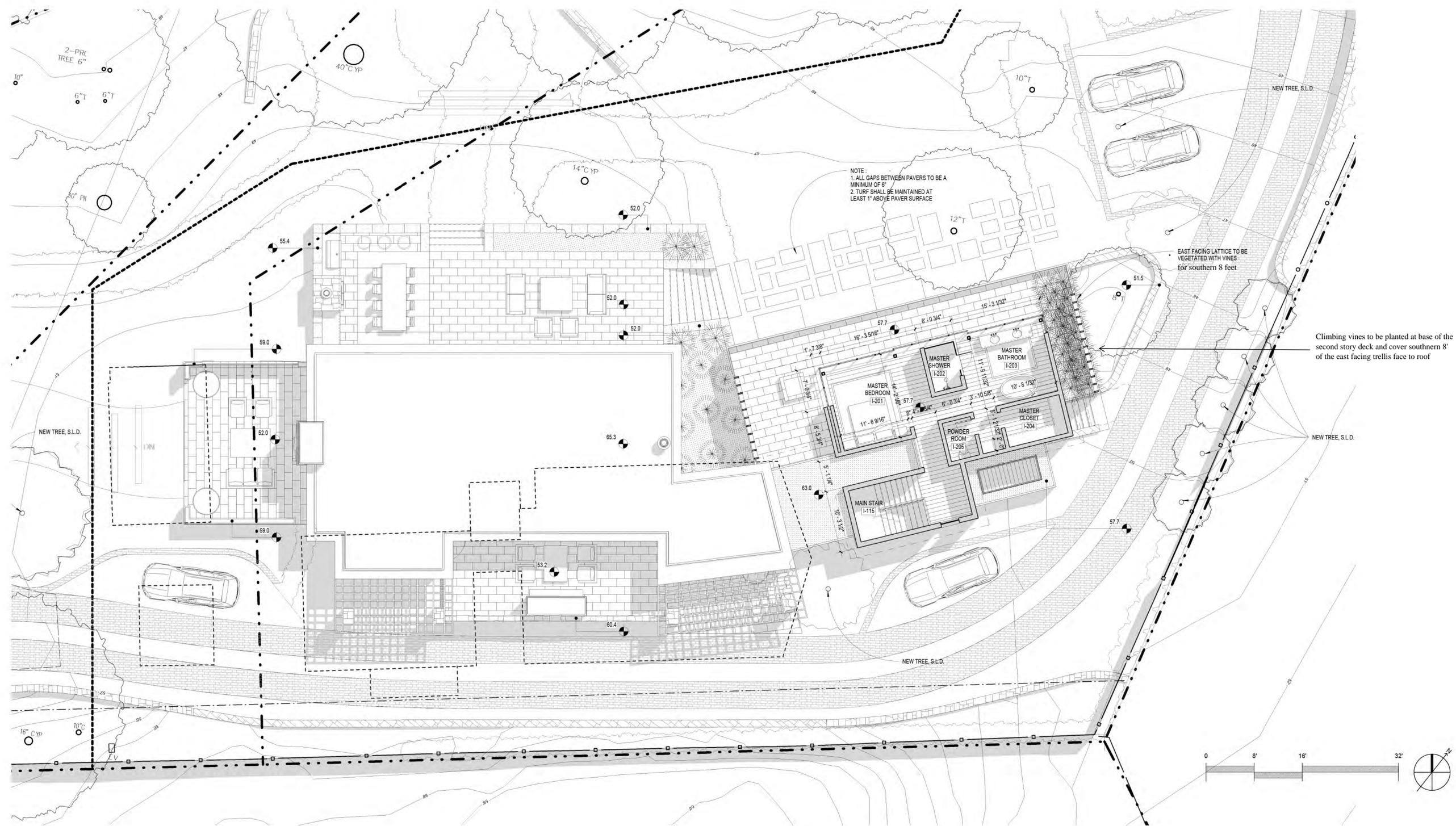


1
P2.01 LEVEL 1.0/1.5 - GROUND FLOOR
SCALE: 1/8" = 1'-0"

Carmel by the Sea : Boardwalk House

Plan - Ground Floor

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

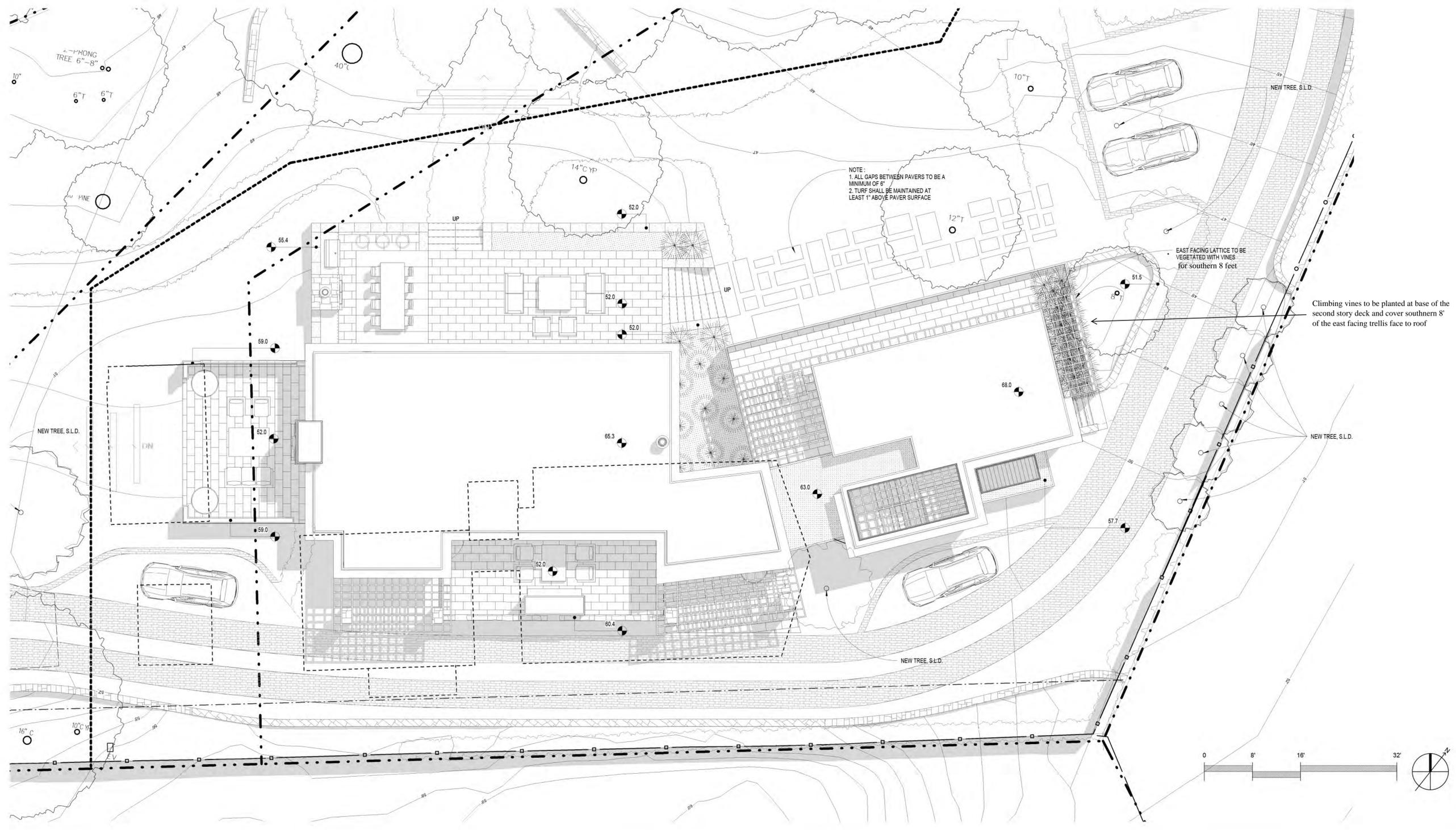


1
P2.02

LEVEL 2.0 - MASTER F.F.

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

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1 ROOF PLAN
P2.03 SCALE: 1/8" = 1'-0"

Carmel by the Sea : Boardwalk House

Plan - Roof

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

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LEGEND

- 1 Cobblestone w/ cobblestone band
- 2 Gravel paving w/ cobblestone band
- 3 Mulch path
- 4 Stone paving on slab - tight joints (by Architect)
- 5 Stone paving on slab - planted joints
- 6 Timber decking
- 7 Stone retaining wall
- 8 Stone steps (by Architect)
- 9 Stone steps
- 10 Stone strip steps
- 11 Outdoor fireplace (by Architect)
- 12 Fire pit (by Architect)
- 13 Outdoor grill + cook counter (by Architect)
- 14 Timber fence
- 15 Pedestrian gate
- 16 Driveway gate
- 17 Intercom
- 18 Mailbox w/ address numbers



Lower canopy branches to be maintained to screen Boardwalk House from DeBruce patios and residence.

Stepping stones with 6" interstitial planted gaps. Planting between gaps to be 1" (min.) above top of stepping stones.

LOCATION OF THESE TWO TREES (IS APPROXIMATE)

Proposed plants to screen to top of Storage Room.

Proposed 6'-0" high screening to transition to 8'-0" high. Screening to not block DeBruce's views toward Stillwater Cove and Pebble Beach Golf Course.

Proposed climbing vines atop Storage Room trellis.

Proposed screening tree to 14' tall (max.). Exact height and location to be reviewed and approved by both Hines' and DeBruce's prior to installation. Lower branch canopies to be encouraged.

Proposed 18'-0" high screening trees.

Proposed climbing vines to be planted at the base of the second story deck and cover the east facing trellis face to roof.

Proposed screening plants to transition to paper from 18'-0" high to 10'-0" high. Proposed screening to not block DeBruce's view towards Point Lobos.

Existing fence to remain, typ.

Existing tree to remain, typ.

FOR PRELIMINARY COORDINATION - NOT FOR CONSTRUCTION

PROJECT NAME
HINES RESIDENCE

7 + 9 Carmel Way
Carmel, CA 93921

APN:

ISSUE SET

ISSUE DATE
11.02.2016

PREVIOUS ISSUE
REV DESCRIPTION DATE

DRAWING TITLE
LANDSCAPE SITE PLAN

SCALE: 1/16"=1'-0"
DRAWN BY: sw

SHEET NUMBER

L1.0



HINES
CARMEL

View from Beach - Existing

4/15/2016 11:03:14 AM

SCALE :

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HINES
CARMEL

View from Beach - Proposed

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SCALE :

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Carmel by the Sea : Beach House

View From Beach at Bluff - Existing

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Carmel by the Sea : Beach House

View From Beach at Bluff - Proposed



HINES
CARMEL

View from Beach at Stair - Existing

SCALE :

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HINES
CARMEL

View from Beach at Stair - Proposed

SCALE :

B A C K E N
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K R O E G E R
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HINES
CARMEL

View from Beach at Stone Wall - Existing

SCALE :



HINES
CARMEL

View from Beach at Stone Wall - Proposed

SCALE :

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HINES
CARMEL

View from Boardwalk - Existing

3/22/2016 3:03:15 PM

SCALE :

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HINES
CARMEL

View from Boardwalk - Proposed

3/22/2016 3:03:15 PM

SCALE :

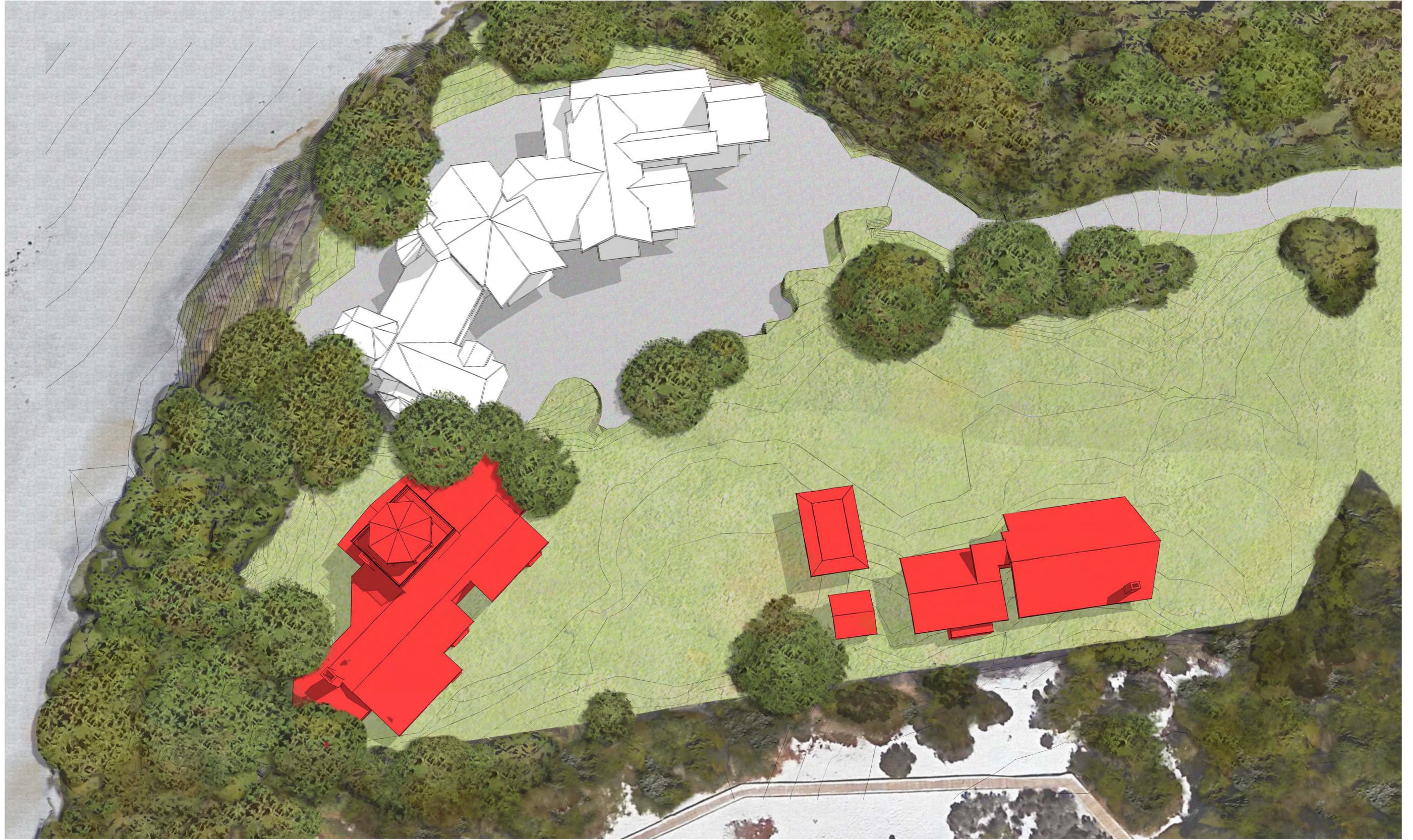
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Carmel by the Sea : Beach House

View from Boardwalk - Existing

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Site - Bird's Eye - Existing Structures

SCALE:

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CARMEL

Site - Bird's Eye - Proposed Structures

SCALE :

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HINES
CARMEL

Site - Bird's Eye - Existing/Proposed Structures

SCALE :

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CARMEL WAY TRUST RESIDENTIAL DEVELOPMENT INITIAL STUDY

1. BACKGROUND INFORMATION

Project Title:	Carmel Way Trust Residential Development
Project Location:	7 and 9 Carmel Way, Carmel, Monterey County
Date Prepared:	September 15, 2016
Lead Agency:	City of Carmel P.O. Box G Carmel, California 93921
Project Sponsor:	Jeff and Wendy Hines
Assessor's Parcel Number(s):	010-321-020 and 010-321-021
Acreage of Property:	Three parcels: 1.48 acres combined (0.53 ac. 0.22 ac. and 0.73)
Zoning District:	R1 Single-Family Residential
General Plan Designation:	Single-Family Residential
Coastal Land Use Plan:	Single-Family Residential
Contact Person:	Matthew Sundt, City Planner (831-620-2023)

Introduction

This is an Initial Study that has been prepared in compliance with the California Environmental Quality Act (CEQA). This document is intended to inform public decision-makers and their constituents of the potential environmental impacts of the proposed project.

CEQA Guidelines section 15063(c) states that the purposes of an initial study are to:

- Provide the lead agency the information to decide whether to prepare an environmental impact report (EIR) or a negative declaration;
- Enable the applicant or lead agency to modify a proposed project by mitigating adverse impacts before an EIR is prepared, thereby allowing the project to qualify for a negative declaration;
- Assist in the preparation of an EIR if one is required;
- Facilitate environmental review early in the design of a proposed project;

- Provide documentation of the factual basis for the finding in a negative declaration that a proposed project will not have a significant effect on the environment;
- Eliminate unnecessary EIRs; and
- Determine whether a previously prepared EIR could be used with the project.

If the proposed project, after revisions through implementation of mitigations, will not result in a significant impact on the environment, then a negative declaration can be prepared. Initial studies provide documentation of the factual basis for the findings of a negative declaration. If the proposed project, after revision, will still result in one or more significant impacts on the environment that cannot be mitigated to a less than significant level, an EIR must be prepared. The Initial Study may be used to focus the EIR on only those significant impacts that may result from the proposed project.

CEQA Guidelines Section 15382 states that a significant impact on the environment means a substantial or potentially substantial adverse change in any of the physical conditions within the area affected by the proposed project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

Per California Public Resources Code (PRC) 21080(c), if a lead agency (i.e., City of Carmel) determines that a proposed project, not otherwise exempt from this division, would not have a significant effect on the environment, the lead agency shall adopt a negative declaration to that effect. The negative declaration shall be prepared for the proposed project in either of the following circumstances:

- (1) There is no substantial evidence, in light of the whole record before the lead agency, that the project may have a significant effect on the environment.
- (2) An initial study identifies potentially significant effects on the environment, but (A) revisions in the project plans or proposals made by, or agreed to by, the applicant before the proposed negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effect on the environment would occur, and (B) there is no substantial evidence, in light of the whole record before the lead agency, that the project, as revised, may have a significant effect on the environment.

This initial study concludes that based on the consultant reports prepared for this project, and discussed and referenced herein, the proposed project does not result in significant impacts to the environment. Therefore, no EIR is required to be prepared and a Negative Declaration will be determined by the lead agency to be appropriate for this project.

Purpose and Document Organization

The purpose of this Initial Study is to evaluate the potential environmental impacts of the proposed project. The document is divided into the following sections:

1. Introduction – This section provides general information regarding the project including the project title, lead agency and address, contact persons, and General Plan land use designation and zoning district,
2. Description of Project and Environmental Setting – This section provides a detailed description of the proposed project
3. Environmental Factors Potentially Affected
4. Evaluation of Environmental Impacts

5. Environmental Discussion – This section described the environmental setting and overview for each of the environmental subject areas, and evaluates a range of impacts classified as “no impact,” “less than significant impact” “less than significant impact with mitigation incorporated” and “potentially significant impact in response to the environmental checklist.

6. Mandatory Findings of Significance

7. Fish and Game Environmental Review

8. Checklist Information References – This section identifies documents, websites, people, and other sources consulted during the preparation of this Initial Study.

9. Persons Contacted

10. Report Preparation

2. DESCRIPTION OF PROJECT AND ENVIRONMENTAL SETTING

PROJECT DESCRIPTION AND PROJECT GOALS

The Carmel Way Trust residential project involves demolition of three residences located on three separate parcels, and construction of two new residences. The project also includes merging two of the three existing parcels into one parcel thereby resulting in two parcels. The subject parcels are located near the north boundary line of the City of Carmel but are only accessible from 17 Mile Drive in Pebble Beach. To the north is the Pescadero Canyon, the Pebble Beach Golf Course and to the west is the Carmel Beach. Refer to Figures 1 and 2 for the project's Regional and Vicinity Maps.

The project goals are as follows:

1. Replace three existing residences (The “Beach House”, “Boardwalk House”, and “Guest House”) with two new residences (The “Beach House” and the “Boardwalk House”);
2. Merge two of three parcels thereby resulting in two parcels;
3. Increase setbacks from the Carmel Beach bluff, the west property boundary and the south property boundary;
4. Reduce visibility of the new residences as seen from public view points on Carmel Beach, the North Carmel Dunes and from the adjacent residences to the east; and
5. Comply with the Local Coastal Plan (LCP), Carmel General Plan, Carmel Residential Design Guidelines and Zoning Regulations.

The three existing residences total 6,612 square feet with one residence (3,883 square feet) located adjacent to the Carmel Beach coastal bluff, one residence (2,142 square feet) situated inland from the coastal bluff and a guest cottage (587 square feet) that is situated between the two aforementioned residences (refer to Figure 3 for proximity of these buildings). After the proposed demolition and merging of lots the property owner will build two new residences with one residence on one lot adjacent to the bluff (The Beach House” – 7,200 square feet) and the second residence (the “Boardwalk House” – 6,000 square feet) on a separate lot situated adjacent and inland. An existing shared driveway on the north side of the property will be removed and a new shared driveway will be constructed on the south and east boundaries of the property connecting to Carmel Way. Refer to Figures 3 thru 8 for the Proposed Site Plan and Landscape Concept Plan, and various building elevations.

Plan Components

Lot Merger – The existing site contains three separate parcels of 0.22 acres (APN 010-321-021), 0.53 acres (APN 010-321-020), and 0.73 acres (APN 010-321-021). The applicant will merge the 0.22 ac.

parcel into what will be called the Beach Parcel (the parcel closest to Carmel Beach) so as to qualify for the 3 percent Floor Area Bonus entitlement established by City Code section 17.10.040(B)(2)(a). Through merger the applicant is able to design the residences and the property in general with greater flexibility in building and driveway location.

Subdivision Deed Restriction – As a condition of project approval, the applicant is also willing to grant a deed restriction prohibiting further subdivision of the entire property. City Code section 17.10.040(C) entitles applicants to utilize the 3 percent Floor Area Bonus in exchange for a permanent deed restriction prohibiting further subdivision. The applicant acknowledges the property is already subject to zoning restrictions prohibiting further subdivision but the deed restriction would remain permanent regardless of any changes to the zoning ordinance that may occur.

Bluff Setback - The plans show that the proposed Beach House will be pulled back from the top of beach bluff from 5 to 8 feet. The proposed setback would be between 2 and 10 feet further than the estimate of bluff retreat over the next 100 years.

Enhancement of Public and Private Views - The turret element of the existing Beach House is visually prominent from the dunes, the beach and neighbor views. The proposed Beach House eliminates the turret and brings the height of the Beach house down from 27 feet to 18 feet. The plans also show the height of the Boardwalk House will be reduced by 2 feet (from 68 to 65 feet) where it is currently visible from the North Dunes Boardwalk. Both the proposed Beach House and the proposed Boardwalk House have been sited and designed to reduce their visibility as seen from adjacent private and public property to include the North Dunes and the Carmel Beach. Refer to Figures 9 thru 21 for a variety of before and after views of the property from various off-site public viewpoints locations, including a bird's-eye view of the existing and proposed structure locations.

Increasing Setbacks from the Environmental Sensitive Habitat Area (ESHA) - Based upon recommendations presented in the Biological Assessment and ESHA Determination prepared by the project biologist (Thomas K. Moss, Coastal Biologist – this report is attached and also available at the City of Carmel Planning Department), the plans show a re-alignment of the existing shared driveway so that the new driveway will be between the North Dunes area and the Boardwalk House thereby tripling the existing setback between the existing residence to the new Boardwalk House from 10.5 feet to 31 feet. Both the Pescadero Canyon and the Dunes are designated Environmental Sensitive Habitat Area (so designated in the Local Coastal Program and the City of Carmel General Plan). However, as the Pescadero Canyon is not directly adjacent to the project site and the project site is not connected directly to Pescadero Canyon by any means such as infrastructure, and as there is an intervening property between Pescadero Canyon and the project site, no environmental concerns are anticipated associated with the Pescadero Canyon.

Quitclaim of Beach Area to the City - As a condition of approval, the applicant is willing to quitclaim to the City that portion of the property which comprises the Carmel Beach below the bluff.

Dune Restoration – The project biologist confirmed the project will not impact dune ESHA and that the Carmel dunes will benefit from the increased setbacks. At the direction of the biologist, the applicant is willing to fund restoration recommendations consistent with the City's Del Mar Master Plan. This includes opportunities to improve the North Dunes by restoring the native plant community, improving protection and enhancement of the Tidestrom's lupine, integrating management of public access to the north dunes, and replacing acacia with native Cypress adjacent to the south property boundary.

Coastal Access

There is currently no public access to the Carmel Beach through the property. However, public access to the coast does exist from San Antonio Street via a boardwalk immediately to the south of the subject property and through the North Dunes area. Additional public access to Carmel Beach exists directly via

Ocean Avenue and Del Mar Parking Lot. The proposed project will not affect in any way the existing access.

Other Public Agencies Whose Approval is Required (e.g., permits, financing approval, or participation agreement): California Coastal Commission.

ENVIRONMENTAL SETTING AND SURROUNDING LAND USES

Site Setting and Surrounding Land Uses

The property is located on the north boundary of the City of Carmel and near to Pescadero Canyon to the north, a riparian habitat, and the North Carmel Dunes area immediately to the south. The setting includes a low density Carmel residential neighborhood to the east and the open space and recreation area of the Carmel North Dunes and Carmel Beach. To the north of Pescadero Canyon is the Pebble Beach Golf Course that is in Monterey County jurisdiction.

Biological Resources

Environmental Sensitive Habitat Area (ESHA)

Based upon the aforementioned Biological Assessment and ESHA Determination prepared by the project biologist, the area of environmental concern is the North Carmel Dunes which includes plant and animal life that are rare and easily disturbed by human activities and development. As defined in the Carmel Coastal Land Use Plan, all lands within 30 feet of an ESHA is within what is called an ESHA Buffer. A portion of the project site is within the Buffer area. Although development is not prohibited within a buffer there is biological review within this area to insure that development projects are designed not to adversely impact the adjacent ESHA.

Per the Biological Assessment, no special status plants or animals were found on the three properties. In addition, based on an analysis of the natural resource values onsite and offsite in the adjacent North Dunes, including plant surveys, soil sampling, and a review of historic and current photographs, no potential habitat occurs on the properties to be redeveloped that could support viable populations of Tidestrom's Lupine or black legless lizards, both of which comprise the two special status species that occur in this region. The Biological Assessment confirms the property was originally pine forest as opposed to unvegetated dunes consistent with the North Dunes. Therefore, per the Biological Assessment, no part of the properties should be considered or reclassified as ESHA.

Forest

As reported by the City Forester in the July 28, 2016, Preliminary Site Assessment, the property contains an upper canopy of Monterey pine and cypress trees, a lower canopy of Coast live oak trees, and three types of non-native species to include Norfolk Island pine, flowering cherry and Leyland Cypress; a total of 33 trees were counted. Of the total number of trees, 13 are not native.

Cultural Resources

As reported in the Preliminary Archaeological Assessment prepared by Archaeological Consulting, dated May 15, 2014 (this report is attached and also available at the City of Carmel Planning Department), the project site lies within the currently recognized ethnographic territory of the Costanoan (often called Ohlone) linguistic group. This group followed a general hunting and gathering subsistence pattern with partial dependence on the natural acorn crop. Habitation is considered to have been semi-sedentary and occupation sites can be expected most often at the confluence of streams, other areas of similar topography along streams, or in the vicinity of springs. These original sources of water may no longer be present or adequate. Resource gathering and processing areas and associated temporary campsites are frequently found on the coast and in other locations containing resources used by the group. Factors that may influence the locations of these sites include the presence of suitable exposures of rock for bedrock mortars or other milling activities, ecotones, the presence of specific resources (oak groves, marshes,

quarries, game trails, trade routes, etc.), proximity to water, and the availability of shelter. None of the materials frequently associated with prehistoric cultural resources in this area (dark midden soil, fragments of weather marine shell, flaked or ground stone, bone fragments, fire-affected rock, etc.) were reported to have been observed during the assessment and no surface evidence of potentially significant historic resources were seen on the surface during the assessment.

Soils and Geology

Soils and geology conditions of the property and environs were evaluated by CapRock, Geology, and the results presented in their June 18, 2014 report (this report is attached and also available at the City of Carmel Planning Department). The property is located atop a gently sloping coastal bluff, approximately 45 to 58 feet above sea level. Earth materials on the site consist of vegetation stabilized dune sand overlying marine terrace deposits that in turn overlie Miocene (approximately 5 to 23 million year old) sandstone. Sandstone bedrock is visible at the base of the bluff on the property. Beach sand overlaps onto the sandstone outcrop. Based on the field work several features suggest that the highest elevation of the property, prior to development, was higher than the maximum elevation on the property today. There are several trees on the southeastern part of the property with thick diameters (30 to 40 inches) and are up to six feet higher in elevation as compared to elsewhere on the property. This would indicate that the property had been graded probably associated with construction. In addition, the Carmel North Dunes immediately to the south of the project are higher than the maximum elevation on the property. Based on field observations, the predevelopment maximum elevation on the property could easily have been six feet higher than it is today.

Another indicator that the pre-development elevation of the property was higher than today was found on USGS 15 minute topographic map of Monterey Quadrangle, 1913, which shows the highest elevation on the subject property as falling between 75 and 100 feet above sea level.

There is also evidence from the record that the bluffs have not eroded significantly since 1939. This is likely the result of vegetated dunes being more stable in general than unvegetated dunes and are also more resistant to erosion from waves.

Coastal Bluffs

Per the CapRock report of June 2014, there is evidence from the record that the bluffs at the project site have not eroded significantly since 1939. This is likely the result of vegetated dunes being more stable in general than unvegetated dunes and are also more resistant to erosion from waves. The coastal bluff erosion study was conducted by analyzing stereographic aerial photos and reviewing published coastal bluff retreat rates in the Carmel Beach area.

The morphology of the cliff has also not changed significantly during the study period, 1939 - 2012. This lack of change in the shape of the cliff suggests that there have been no large scale erosional events on the project site during the study period. This observation is significant, because during the El Nino winter storms of 1982-83, substantial cliff retreat was documented further south along the shore of Carmel Bay. Analyzed maps and aerial photographs spanning a 75-year period (1908-1983) indicated that for the northern section of Carmel Beach the average yearly rate of coastal bluff erosion was 0.4 feet per year, while the erosion rate for the southern portion of Carmel Beach was between 0.3 and 0.7 feet per year.

The most dramatic erosion of coastal bluffs in Carmel during the 1982-83 El Nino storms was along the stretch of land south of the subject property, starting around Eighth Avenue and continuing further south to the area around Eleventh Avenue and Santa Lucia Avenue. Comparing the coastline along this stretch of Carmel Beach as it appears in aerial photographs from 1970 and 1990, it is readily apparent that there has been significant erosion along the section of beach.

The project site lies approximately 1500 feet north of the point where Eighth Avenue would reach the beach (if the street extended that far seaward), putting the project site over a quarter of a mile north of the area that was severely impacted during the 1982-83 winter storms. Comparing the coastal bluffs on the

project site and the adjacent properties to the north and south, there is little evidence of any significant changes from 1970 to 1990, and there is little discernible evidence of change in the bluffs along the project site between aerial photographs taken in 1939 and 2012, or any of the other sets of stereographic aerial photographs analyzed between those years.

There is evidence that shows an erosion rate on the coast along the northern part of Carmel Bay, just down from Pescadero Point, of 3 inches (0.25 feet) per year. Further to the south, along Cypress Point, there is an erosion rate of less than 1 inch (approximately 0.08 feet) per year. Although an erosion rate specific to the area of the project site is not known, the bluffs along the section of Carmel Beach where the project site lies are backed by vegetated dunes. Vegetated dunes are more stable in general than unvegetated dunes and are also more resistant to erosion from waves.

Carmel Beach Sand Budget

Carmel Beach is a “pocket beach”, meaning that it is largely a beach unto itself, separated by headlands on either side of the beach from the rest of the coastline.

Most beaches are less isolated topographically and are participants in the movement of sand along the coast that results from the prevailing winds and wave directions, which serve to transport sand from one beach to another in the direction of flow of the longshore current.

When a succession of waves strikes the shoreline at an angle, sending some of their energy further down the coast, a longshore current is generated. Along the coastline of central California, the longshore current generally flows in a southerly direction, transporting sand along the coast from north to south. Owing to the prominent headlands on the Monterey Peninsula to the north, such as Cypress Point and Pescadero Point, and the presence of Point Lobos to the south, the longshore currents are effectively held some distance away from the shoreline along Carmel Bay. That distance is thought to keep Carmel Bay from receiving significant inputs of sand from beaches and eroding bluffs further north along the coast. It is thought (Rogers Johnson, 1984) that most of the sand on the beaches within Carmel Bay “is probably derived locally from the erosion of sandstone and granitic bedrock.”

One source of locally derived sand is Pescadero Creek, which flows into Carmel Bay a short distance to the north of the subject property. The drainage basin feeding the creek extends inland over a mile and a half and drains slopes that extend as far inland as Huckleberry Hill, in the center of the Monterey Peninsula, and the interchange of Highways 68 and 1 to the northeast of the property.

The sand Pescadero Creek carries down to Carmel Beach is deposited on the beach just north of the property that lies adjacent to the subject property’s northern boundary. This input of sand helps stabilize the beach in the vicinity of the project site and appears to be of sufficient volume that it may have built up an offshore sandbar. Such a sandbar would provide further protection against storm waves for the subject property.

Alternatively, this shallow area may indicate a rocky outcrop under the water. But regardless of whether the shallow bathymetry offshore from the project site indicates a sandbar or a rocky outcrop, the shallowing of the subsurface topography in this area should help dissipate the energy of incoming waves, reducing their impact in the vicinity of the subject property.

The Impacts of Sea Level Rise and Erosion Rates

Sea level is dynamic and has varied greatly over millions of years. In part this variation is caused by the occurrence of ice ages. Our sea level is at or near the maximum for the last few million years. This is because we are in between ice ages. The lower sea level during ice ages is caused by the existence of continental ice sheets that hold much of Earth’s water. The periodic melting and reformation of these ice sheets has caused sea level to rise and fall by as much as 426 feet during the time frame of hundreds of thousands of years.

Rising sea level will increase coastal bluff exposure to storm waves, which will accelerate erosion in coastal areas. A study of the California coast and the potential for increase in erosion in coastal areas caused by sea level change was performed by Philip Williams and Associates (PWA, 2009). This study covered an area that stretched from Santa Barbara to the Oregon border and is the first study of its kind. The study area was large and the scope of the project did not allow for coastal erosion estimates for specific sites. The results of this study were created into GIS shape files where one can distinguish land features and hazard zones. However, because of the large uncertainty the authors do not wish anyone to use these to assess the risk at a specific location.

This study was the first attempt to perform this analysis of sea level change and erosion. As such its methodologies have not yet been validated by observation. There is at the present time no established method for calculating the increase in erosion caused by sea level rise at the project site.

The coastal bluff on the western end of the property at 10 Carmel Way (APN 010-321-021) is to some degree protected from direct wave impact from southerly and northerly swells by the headlands bounding Carmel Bay – Pescadero Point and Cypress Point on the Monterey Peninsula to the north and Carmel Point and Point Lobos to the south. Historically, the area south of Ocean Avenue has been subject to far greater amounts of cliff retreat than has the area north of Ocean Avenue, where the subject properties lie. In addition, the shallowness of the undersea topography immediately offshore from the project site should help dissipate the energy of incoming waves. These protections should help mitigate any increase in erosion rates.

Recommended Setback From Top Edge of Coastal Bluffs

The California Coastal Commission defines the top edge of a coastal bluff as "...the upper termination of a bluff, cliff, or seacliff. In cases where the top edge of the cliff is rounded away from the face of the cliff as a result of erosional processes related to the presence of the steep cliff face, the bluff line or edge shall be defined as that point nearest the cliff beyond which the downward gradient of the surface increases more or less continuously until it reaches the general gradient of the cliff." (California Coastal Commission Memorandum dated 16 January 2014, Mark J. Johnson, Staff Geologist; California Code of Regulations, Title 14 § 13577 (h) (2).)

As one moves seaward from the edge of the present multistory house towards the face of the coastal bluff, the initial slope away from the house is quite gentle. At an elevation of approximately 43 to 44 feet, the land surface begins to slope more noticeably towards the bay and it is approximately along this line of elevation that is interpreted to be the top edge of the bluff. As measured in the field with a tape measure, the distance from the most seaward points of the house to this bluff edge is approximately 30 to 32 feet, although at some points along the edge of the bluff the distance between the house and the bluff edge was determined to be several feet further seaward.

The Carmel Municipal Code section 17.20.160.B.9.a - Bluff Retreat Setback Requirements, states "New structures shall be set back a sufficient distance from any bluff top to be safe from bluff erosion for a minimum of 100 years as determined by a site-specific geology report, prepared in compliance with CMC 17.20.170(B), Geology Report; provided, that in no case shall the minimum setback be less than 25 feet."

To insure the safety of the structures it is necessary to have a safety buffer. Therefore, CapRock recommends that all future construction be setback a minimum of 30 feet from the top of the cliff face, which corresponds to an average erosion rate of 0.3 feet per year (refer to the attached Caprock and Haro, Kasunich Associates reports). Based on the analysis and findings conducted by CapRock, it is entirely possible that the average erosion rate for the project site has been less than 0.3 feet per year over the last 75 years, but in the absence of hard numbers to support that contention and for the sake of providing a sufficient setback incorporating an adequate margin of safety, 0.3 feet per year is the appropriate rate of coastal bluff erosion for the subject property.

It is significant that this study specifically addressed average erosion rates for the coastal bluffs. Average numbers are very useful for long-term planning but the actual process of erosion occurs episodically, not uniformly. This means that a large retreat event could account for most of the erosion in any given area for an interval spanning decades. Such large events do not necessarily invalidate estimates of annual erosion rates.

Land Use

The applicable land use documents include the Carmel General Plan and the Carmel Local Coastal Program (LCP) and its associated Coastal Implementation Plan which governs development in Carmel.

Based on review of the Carmel General Plan/LCP and its Implementation Plan, the proposed project is consistent with the plans, policies, requirements and standards of the LCP. The General Plan designates the properties for single-family residential. The Carmel Zoning Ordinance allows single-family dwellings on each lot with a 3 percent bonus floor area on one of the lots as discussed above. The LCP also allows residential development.

3. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

FACTORS

	Aesthetics		Agricultural and Forestry	X	Air Quality /Greenhouse Gas Emissions
X	Biological Resources	X	Cultural Resources	X	Geology/Soils
	Hazards & Hazardous Materials		Hydrology/Water Quality		Land Use/Planning
	Mineral Resources		Noise		Population/Housing
	Public Services		Recreation		Transportation/Traffic
	Utilities/Service Systems		Mandatory Findings of Significance		

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.

Matthew Sundt 9/15/16
 Signature of Responsible Lead Agency Person and date

4. EVALUATION OF ENVIRONMENTAL IMPACTS

Notes

- 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). Section 8 in this report includes the reference information used throughout the following Environmental Discussion.
- 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, 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.
- 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. This document uses a number of documents as a basis for discussion that was prepared by consultants on behalf of the applicant. These reports are incorporated herein and are identified throughout the Environmental Checklist by a number at the end of most of the issue statements. These numbers are contained in parentheses. Refer to the References section at the end of this environmental document for the list of reports used in preparing this environmental document. Said are also on file at the City of Carmel Planning Department.
 - 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) This environmental document incorporates into the checklist reference information sources (e.g., "Ref. 1" is related to 'Knowledge of the project site and surrounding area'. "Ref. 2" is related to "Carmel General Plan"). 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.

5. ENVIRONMENTAL DISCUSSION

(Note: A brief explanation is provided for all answers except “No Impact” answers that are adequately supported by the information sources cited 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 or is not near an airport). The information sources are found below in Section 8 – Checklist Information References).

1. AESTHETICS: Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|---|
| a) Have a substantial adverse effect on a scenic vista? (ref 1, 2) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |
| b) Substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? (ref 1, 2) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings? (ref 1, 2) | <input type="checkbox"/> | <input 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? (ref 4) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |

Discussion: 3D visualizations were prepared by the project architect and are included herein. These visualizations show that the project’s visual impact, as seen from the public view points at Carmel Beach and North Carmel Dunes, will be less than that of existing conditions. The project would not have an adverse impact on any existing views from the property and the design of the building would be consistent with the surrounding residences and the City of Carmel’s Design Guidelines for Single Family Residences.

2. AGRICULTURAL AND FORESTRY 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 Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|---|
| a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resource Agency, to non-agricultural use? (ref 1, 2) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract? (ref 1, 2) | <input type="checkbox"/> | <input type="checkbox"/> | <input 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? (ref 1, 2) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |
| d) Result in the loss of forest land or conversion of forest land to non-forest use? (ref 1, 2) | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |

conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? (ref 1, 2)

3. AIR QUALITY:

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

a) Conflict with or obstruct implementation of the applicable air quality plan? (ref 1)	<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? (ref 1)	<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 in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursor)? (ref 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations? (ref 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people? (ref 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Generate greenhouse gas emissions, directly or indirectly, that may have a significant impact on the environment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion (b): Soil disturbance associated with demolition of residences, grading and construction will occur over a period of approximately two months and will affect approximately up to one-third acre at a time (David Stocker, project contractor, personal communication, August 25, 2016). This type of work will create airborne dust particulates that may exit the property (called 'fugitive dust') and affect neighboring properties and residents during the construction phase of the project. Per the Monterey Bay Unified Air Pollution Control District (MBUAPC) CEQA Air Quality Guidelines, Table 5-2, the threshold for significance is 2.2 acres per day. The proposed project is not anticipated to reach this threshold as the approximately 1.48 acre project area will be graded in smaller sections at any one time. However, out of respect for the neighbors, the applicant proposes that the project operations be conducted with zero tolerance for fugitive dust that could affect the neighbors. Therefore, the applicant proposes that the project incorporate dust emission controls during demolition and grading by spraying non-potable water during demolition and grading, that truck-loads of exported soils and materials be wetted and covered with a tarp and health (dust particulate matter – PM 10 and PM 2.5 – is known to affect the lungs). This will be cause for mitigation to reduce the impact to a less-than-significant level.

Mitigation incorporated into project: To address this type of impact the MBUAPCD has a universal requirement for all construction projects that involve grading to mitigate the potential for fugitive dust. The applicant is aware of this universal requirement and has agreed to incorporate

this into the project operations to be implemented and administered by the project's general contractor.

4. BIOLOGICAL RESOURCES: Would the project:

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a) <i>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 regulation, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (ref 3)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) <i>Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? (ref 3)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) <i>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? (ref 3)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) <i>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? (ref 3)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) <i>Conflict with any local policies or ordinances protecting biological resources, such as tree preservation policy or ordinance? (ref 4)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| f) <i>Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan. (ref 3)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion (a) and (b): The reader is referred to the Environmental Setting section for a discussion of biological issues.

5. CULTURAL RESOURCES: Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) <i>Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Section 15064.5? (ref. 5)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) <i>Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5? (ref. 5)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) <i>Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? (ref. 5)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- | | | | | |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d) <i>Disturb any human remains, including those interred outside of formal cemeteries. (ref. 5)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project site is located within an Archaeologically Sensitive Area where potentially significant archaeological resources and artifacts may exist. Archaeological sites and resources are protected by Federal and State statutes. Proposed projects that require discretionary permits also require an inspection of the project site and an analysis of the observations and/or finds by a qualified archaeologist with local expertise. Archaeological Consulting completed a Preliminary Archaeological Assessment on May 15, 2014 in accordance with Section 15063(a)(2) and (3) of the CEQA Guidelines.

6. GEOLOGY AND SOILS: Would the project:

- a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving ...

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| 1) <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? Refer to Division of Mines and Geology Special Publication 42. (ref 2)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2) <i>Strong seismic ground shaking? (ref 2)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3) <i>Seismic-related ground failure, including liquefaction? (ref 2)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4) <i>Landslides? (ref 6)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) <i>Result in substantial soil erosion or the loss of topsoil? (ref 1)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) <i>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? (ref 6)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) <i>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? (ref 1)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) <i>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? (ref 1)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion: California is situated in a seismically active area that lies within the California Coast Ranges geomorphic and physiographic province. The entire California Coast and Coast Range area is prone to earthquakes. The faults that could present a hazard to Carmel during an earthquake event include the following active or potentially active faults: San Andreas, San Gregorio-Palo Colorado, Chupines, Navy, and Cypress Point.

7. HAZARDS AND HAZARDOUS MATERIALS: Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|---|
| a) <i>Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials? (ref. 1)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |
| b) <i>Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment? (ref. 1)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |
| c) <i>Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school? (ref. 1)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |
| d) <i>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 create a significant hazard to the public or the environments? (ref. 1, 2)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |
| e) <i>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? (ref. 1, 2)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |
| f) <i>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? (ref. 1, 2)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |
| g) <i>Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan? (ref. 1, 2)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |
| h) <i>Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands? (ref. 1, 2)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |

Discussion: Construction of the proposed project would involve the use of limited amounts of routine hazardous materials, such as gasoline, diesel fuel, oils, and solvents. Contractors would be required to use, store, and dispose of any hazardous materials in accordance with all applicable federal, state, and local regulations. Compliance with existing regulations would minimize potential risks to the public and the environment associated with the proposed project. The proposed project would not use any hazardous materials as part of the project operation.

8. HYDROLOGY AND WATER QUALITY: Would the project:

a) <i>Violate any water quality standards or waste discharge requirements? (ref. 1)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
b) <i>Substantially deplete groundwater supplies or interfere substantially with ground water 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)? (ref. 1)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
c) <i>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? (ref. 1)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
d) <i>Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site? (ref. 1)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
e) <i>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? (ref. 1)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
f) <i>Otherwise substantially degrade water quality? (ref. 1)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
g) <i>Place housing within a 100-year flood hazard area as mapped on federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map? (Ref. 1)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
h) <i>Place within a 100-year flood hazard area structures that would impede or redirect flood flows? (ref. 1, 2)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
i) <i>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? (Ref. 1, 2)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
j) <i>Inundation by seiche, tsunami, or mudflow? (ref. 1, 2)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

Discussion: The proposed project would require some use of water during the construction phase, such as for dust control, but the quantities would be incidental. The existing use of the project site is consistent with the density requirements and allowable uses in the Single Family Residential zone and the proposal will have no effect on any water quality standards of water discharge requirements. The project site is not located in the Federal Emergency Management Agency (FEMA) 100-year floor zone.

9. LAND USE AND PLANNING: Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|---|
| a) <i>Physically divide an established community? (ref. 1, 2)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |
| b) <i>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? (ref. 1, 2)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |
| c) <i>Conflict with any applicable habitat conservation plan or natural community conservation plan? (ref. 1, 2, 3)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |

10. MINERAL RESOURCES: Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|---|
| a) <i>Result in loss of availability of a known mineral resource that would be of value to the region and the residents of the state? (ref. 1, 2)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |
| b) <i>Result in the loss availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? (ref. 1, 2)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |

11. NOISE: Would the project result in:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|---|
| a) <i>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? (ref. 1, 2)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |
| b) <i>Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? (ref. 1)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |
| c) <i>A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? (ref. 1, 2)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |
| d) <i>A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? (ref. 1)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |
| e) <i>For a project located within an airport land use plan or, where such a plan has not been adopted, within two</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | ✓ |

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? (ref. 1, 2)

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) <i>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? (ref. 1, 2)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: Noise impacts will occur associated with demolition, grading and construction. Heavy equipment of the type used in demolition and grading will generate the greatest amount of noise and will exceed the max dBA of 45 for residential areas. However, said noise will be short-term and intermittent during the estimated one month period when demolition and grading occurs. Construction noise is the type of noise associated with delivery of construction materials, removal of construction debris, delivery and the pouring concrete, delivery of landscape materials and plants, and building structures – i.e., noise associated with construction workers conversing, the use of nail guns, hammers, saws, etc. Following construction will be the landscaping operation, which will also generate noise but not at the level associated with construction because planting is generally a quieter operation. Although demolition, grading, construction, and landscaping operations creates noise the fact that it is short-term and intermittent and is controlled by the City of Carmel’s noise ordinance that limits construction activities between the hours of 8:00 a.m. and 6:30 p.m., Monday thru Saturday, results in noise impacts being less-than-significant.

12. POPULATION AND HOUSING: Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) <i>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)? (ref. 1)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) <i>Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? (ref. 1)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) <i>Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? (ref. 1)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

13. PUBLIC SERVICES:

Would the project result in 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:

- | | | | | |
|---------------------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 1) <i>Fire protection? (ref. 1)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 2) <i>Police protection? (ref. 1)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 3) <i>Schools? (ref. 1)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 4) <i>Parks? (ref. 1)</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

5) Other public facilities? (ref. 1) ✓

14. RECREATION:

a) Would the project 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? (ref. 1) ✓

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? (ref. 1) ✓

15. TRANSPORTATION/TRAFFIC: Would the project:

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)? (ref. 1) ✓

b) Exceed, either individually or cumulatively, a level or service standard established by the county congestion management agency for designated roads or highways? (ref. 1) ✓

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? (ref. 1) ✓

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? (ref. 1) ✓

e) Result in inadequate emergency access? (ref. 1) ✓

f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)? (ref. 1) ✓

Discussion: The proposed project consists of two new single-family residences that would replace two existing residences and one guest house. Therefore, traffic impacts associated with the new residences are expected to be approximately the same as existing conditions. Traffic impacts associated with construction will increase local traffic and will be short-term and not considered significant.

16. UTILITIES AND SERVICE SYSTEMS: Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board? (ref. 1) ✓

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
b) <i>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? (ref. 1)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
c) <i>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? (ref. 1)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
d) <i>Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? (ref. 1)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
e) <i>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? (ref. 1)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
f) <i>Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs? (ref. 1)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
g) <i>Comply with federal, state, and local statutes and regulation related to solid waste? (ref. 1)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

6. MANDATORY FINDING OF SIGNIFICANCE

a) <i>Does the project 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?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
b) <i>Does the project 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.)</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓
c) <i>Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	✓

7. 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 criteria A through G below, 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 only if there is substantial evidence, based on the record as a whole, and subject to approval by the California Department of Fish and Game, that there will not be changes to the above named resources.

Conclusion: The project will be required to pay the current Fish and Game filing fee based on the above criteria at the time the Notice of Determination is filed with the County Clerk.

Evidence: Based on the project definition and the environmental analysis contained herein, the project will directly or indirectly, on a project or cumulative level, impact at least one of the above listed resources.

8. CHECKLIST INFORMATION REFERENCES

The following list of references coincides with the reference numbers used in the Environmental Checklist in Section 5 of this initial study.

1. Knowledge of the project site and surrounding area/Project Plans
2. Carmel General Plan
3. Biological Assessment and ESHA Determination prepared by the project biologist Thomas K. Moss, Coastal Biologist
4. Preliminary Site Assessment. City of Carmel Forester. July 28, 2016 [on file at City of Carmel]
5. Preliminary Archaeological Assessment, Archaeological Consulting, May 15, 2014.
6. Caprock Geology report, June 18, 2014 and Haro, Kasunich Associates Peer Review Report

9. PERSONS CONTACTED

Jeffers, Aengus, Attorney representing property owner

10. REPORT PREPARATION

Matthew Sundt, Contract Planner, City of Carmel



Figure 1 – Regional Map
Source: Google 2016

THOMAS K. MOSS
Coastal Biologist

**BIOLOGICAL ASSESSMENT AND ESHA DETERMINATION
UPPER ESTATE – 7 AND 9 CARMEL WAY
CARMEL-BY-THE-SEA, CA
(APN 010-321-020 and 010-321-021)**

Owner:

**Carmel Way Trust
7 and 9 Carmel Way
Carmel-By-The-Sea, CA 93920**

January 4, 2016

RECEIVED
JUN 23 2016
City of Carmel-by-the-Sea
Planning & Building Dept.

**508 Crocker Avenue
Pacific Grove, CA 93950**

**setwave@msn.com
(831) 594-0948**

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**BIOLOGICAL ASSESSMENT AND ESHA DETERMINATION
UPPER ESTATE – 7 AND 9 CARMEL WAY, CARMEL-BY-THE-SEA, CA
(APN 010-321-020 and 010-321-021)**

INTRODUCTION

This report has been prepared at the request of Aengus L. Jeffers, a land-use attorney representing Carmel Way Trust, the new owner of the Upper Estate, located at 7 and 9 Carmel Way in the City of Carmel (Figure 1). The Upper Estate comprises three legal parcels of record certified by the City of Carmel. The parcels are referred to as the Beach House parcel, the Cottage House parcel, and the Boardwalk House parcel. The new owner of the Upper Estate is proposing to redevelop the properties, entailing the consolidation and replacement of the three existing houses with two new houses. In addition, a lot line adjustment is proposed, in order to merge one of the three parcels into the other two.

The purpose of this report is to evaluate the re-development feasibility and environmental sensitivity of the three properties, specifically in regards to the presence or absence of rare species or habitat that could potentially support plant and/or animal species of special concern. To make this determination, a biological assessment was performed and soil samples were taken and examined on the properties. The same activities were performed in an area immediately to the south of the properties, called the North Dunes, a 5-acre area of relatively high-quality dune habitat that contains Tidestrom's lupine (*Lupinus tidestromii*), a state- and federal-listed Endangered Species, and black legless lizard (*Anniella pulchra nigra*), an animal listed as a Species of Concern by the State of California. The North Dunes has been designated by the California Coastal Commission as "environmentally sensitive habitat area" (ESHA), because of the presence of rare species and the fragile nature of the habitat. The site-specific comparison of the natural resource values on the subject properties to those on the North Dunes confirmed the accuracy of the City of Carmel Local Coastal Program's conclusion that the North Dunes comprise dune ESHA, while the adjacent private property comprises ESHA Buffer.

The Pescadero Creek riparian area is about 100 feet north of the property and has also been designated as ESHA. Indicator species of this riparian area, particularly arroyo willow, occur near the creek bottom and adjacent slopes. Willows are visible from the northern property line of the Upper Estate at 7 and 9 Carmel Way, below an 8-foot high retaining wall and beyond the neighbor's driveway and landscaping to the north (Stone House property). Because of the distance to the Pescadero Creek ESHA from the subject properties and the presence of significant development barriers, further study of this area as part of this report and as a potential concern for the project planners was considered not relevant or a major factor in effecting the design and evaluation of the proposed project.

FIGURE 1. PROJECT LOCATION

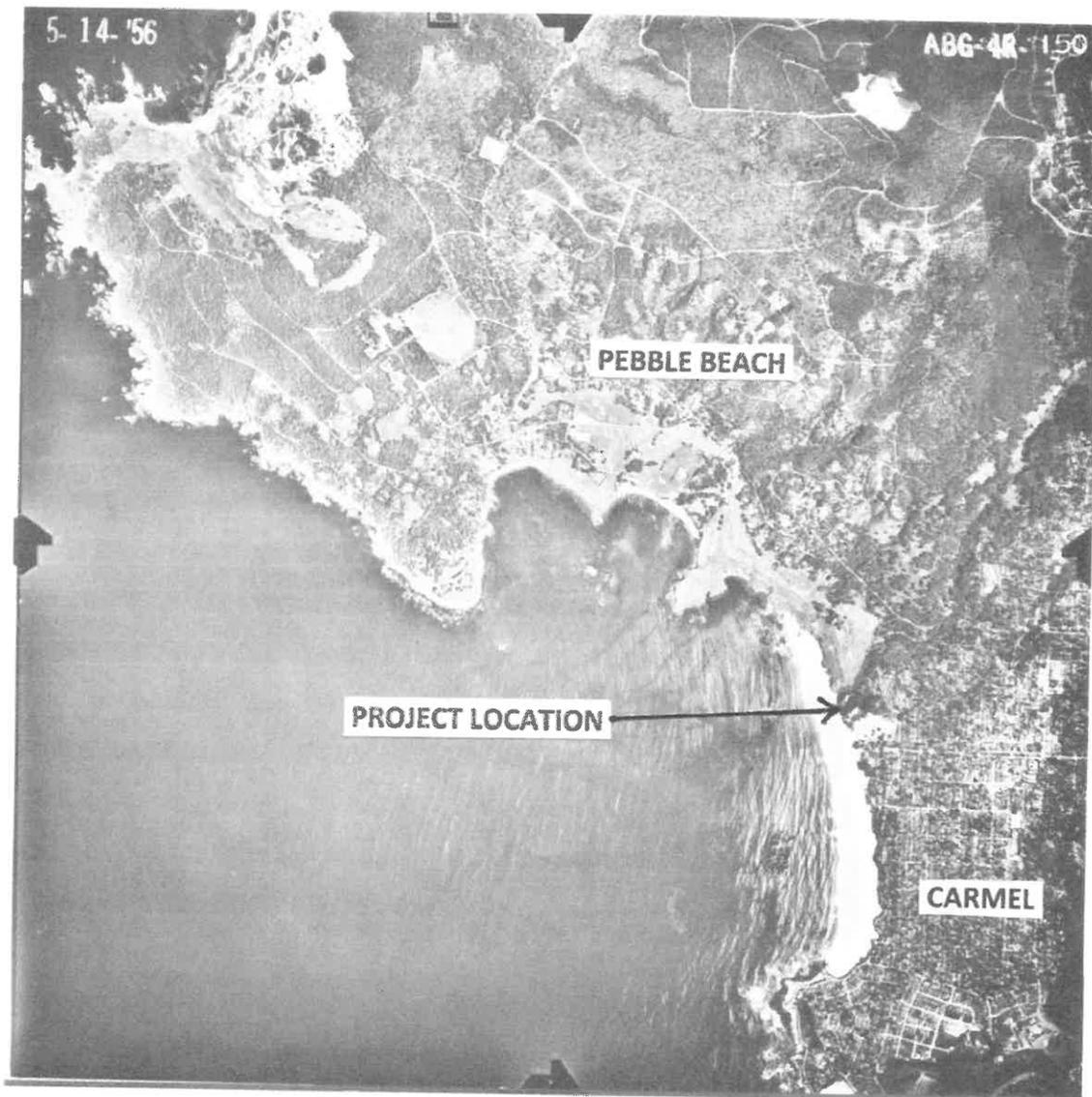


Photo 1. Degraded dunes ESHA immediately south of subject properties; foreground with Tidestrom's lupine area and background with wide acacia thicket.



Photo 2. Riparian ESHA on northern side of adjacent property, with landscaping and driveway in the foreground and willows (reddish stems) on lower slope, near creek.



Much of the Upper Estate is presently designated as ESHA Buffer, because of its proximity to the North Dunes, separated by a 6-foot tall solid board property line fence (Figure 2). ESHA Buffer is defined by the City of Carmel's Coastal Land Use Plan as areas extending 30 feet beyond ESHA boundaries. Development within ESHA Buffer is not prohibited but does require heightened permitting and biological review to insure that projects are designed to not adversely impact adjacent ESHA.

EXECUTIVE SUMMARY OF FINDINGS AND RECOMMENDATIONS

No special status plants or animals were found on the three properties. In addition, based on an analysis of the natural resource values onsite and offsite in the adjacent North Dunes, including plant surveys, soil sampling, and a review of historic and current aerial photographs, I have concluded that no potential habitat occurs on the properties that could support viable populations of Tidestrom's lupine or black legless lizard, the two special status species that occur in this region. Therefore, no part of the properties should be considered or reclassified as ESHA.

A large population of Tidestrom's lupine occurs 65 feet south of the property line fence that runs along the southern boundary of the three properties. A large group of mock heather shrubs, which represents potential habitat for black legless lizards, starts 12 feet south of the fence, adjacent to the Boardwalk House. Given the distances to the nearest Tidestrom's lupines and mock heather shrubs south of the properties, the proposed project will have no impact on the two special status species or the ESHA dunes these species depend on south of the subject properties.

The proposed project will consolidate and replace three existing residences with two new residences. The two new residences will continue to share a single driveway. Total site coverage including building coverage and hardscape (except for the common driveway) will decrease from 18,658 to 15,513 square feet. Setback distances from the southern property line for the Beach House and the Boardwalk House will increase from 5.5 feet to 10 feet and from 10.5 feet to 31 feet, respectively. These changes – a reduction in site coverage and an increase in setbacks – will help reduce any potential impacts, particularly visual impacts, to the North Dunes ESHA to the south.

A very small area on the Boardwalk House property, along the southern property line fence, does contain soil characteristics similar to the ESHA dunes south of the property, and therefore was closely reviewed. However, because of its more northerly slope aspect, historic record of supporting Monterey pine forest (instead of coastal dunes scrub), and a high incidence of shading created by tall vegetation to the south, it was determined that conditions here are not favorable for supporting viable populations of Tidestrom's lupines and Black legless lizards. These observations also confirm the City of Carmel Local Coastal Program's conclusion that this area does not constitute ESHA. Therefore, it is my recommendation that the Upper Estate properties continue to be classified as ESHA Buffer.

FIGURE 2. ESHA AND ESHA BUFFER

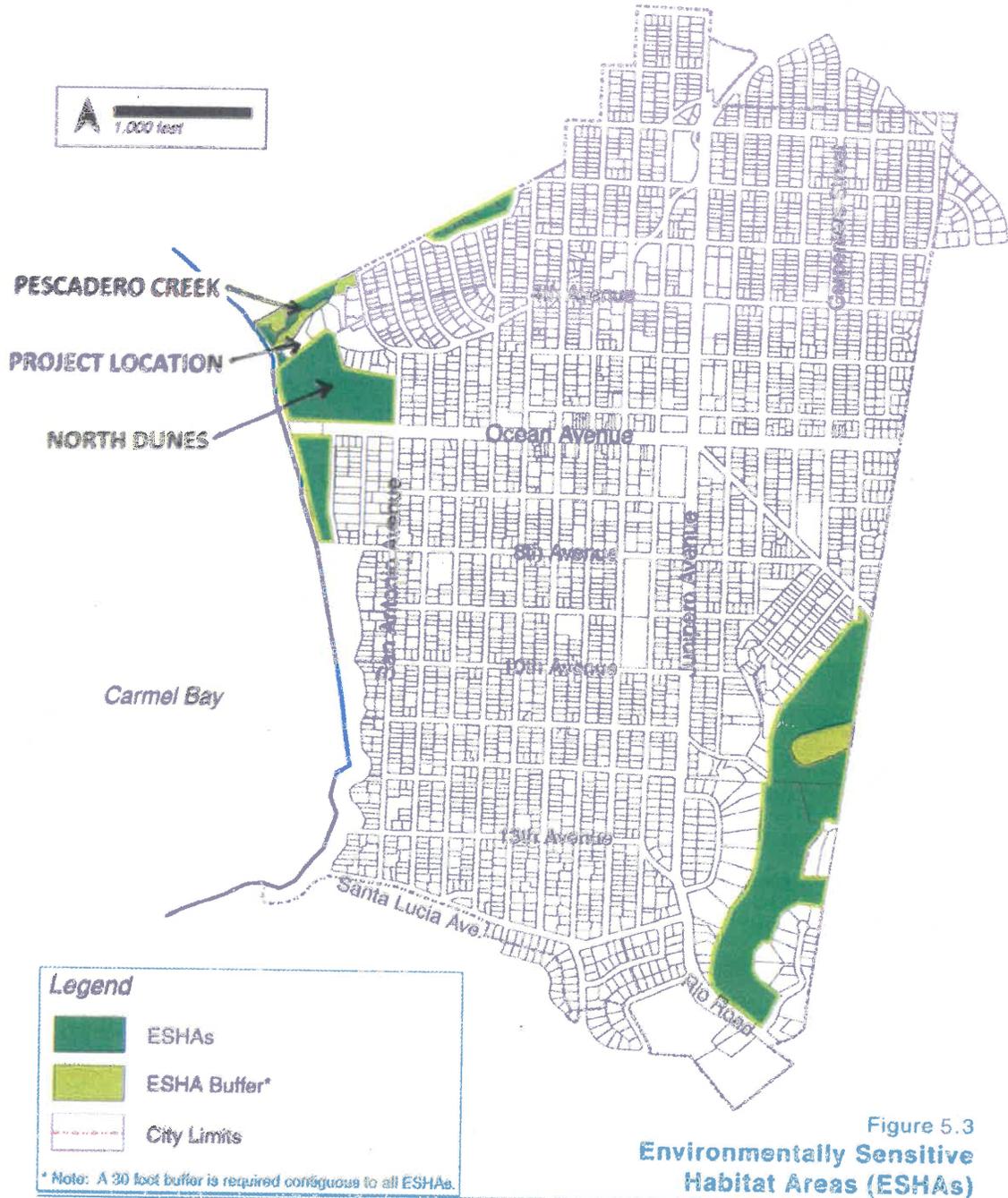


Figure 5.3
Environmentally Sensitive
Habitat Areas (ESHAs)

Carmel-by-the-Sea
Adopted June 3, 2003

While the proposed residential development will not impact the adjacent ESHA dunes, the project applicant has offered to provide sufficient funding to complete implementation of a restoration project on approximately one acre of the highly disturbed dunes to the immediate south, in order to enhance the natural and scenic values of this area both for their viewing pleasure and the public. The area would extend from the property line fence to the first dune ridge to the south and from the bluff edge to about the inland boundary of the dunes (length of the boardwalk), including removal of exotic vegetation, replanting native dune plants, and providing protection to the special status species that occur here by proposing and implementing measures to better manage human foot-traffic in the area. The environmental and public benefits derived from restoring the ESHA dunes in this area would far exceed any potential environmental impacts resulting from the proposed project.

PROJECT LOCATION

The project site consists of three developed parcels located on the bluff top above Camel Beach in the northwest corner of the City of Carmel (Figure 3). Referred to as the "Beach House", the "Cottage House", and the "Boardwalk House" parcels, the properties encompass 0.73, 0.22, and 0.53 acres, respectively. The Beach House and the Cottage House were built in 1963 and the Boardwalk House was built in 1991. The properties together measure about 535 feet in length at the longest point and 170 feet at the widest point, with the Boardwalk House set behind and inland of the Beach House and the Cottage House in-between. The properties are bordered by residential properties on the north and east sides, shoreline to the west, and the North Dunes to the south.

PROJECT DESCRIPTION

The existing houses cover 3,883 square feet for the Beach House; 587 square feet for the Cottage House, and; 2,142 square feet for the Boardwalk House. The houses are proposed to be replaced, with the new Beach House covering 4,761 square feet and the new Boardwalk House covering 4,592 square feet (Figure 4). The Cottage House will be removed and not replaced. The existing shared driveway and parking areas will be removed, as well, and relocated from the northwesterly side of the properties to the northeast and southeast sides of the properties. The proposed setback distances from the southern property line for the Beach House and the Boardwalk House will increase from 5.5 feet to 10 feet and from 10.5 feet to 31 feet, respectively.

SITE CONDITION

The Beach House, Cottage House, and Boardwalk House properties are fully developed, with three residences, shared driveway and parking areas, and formal landscaping covering both properties in their entirety. With the exception of two living Monterey pines (diameters of 30 and 34 inches), no other indigenous plant species grow

FIGURE 3. EXISTING CONDITION

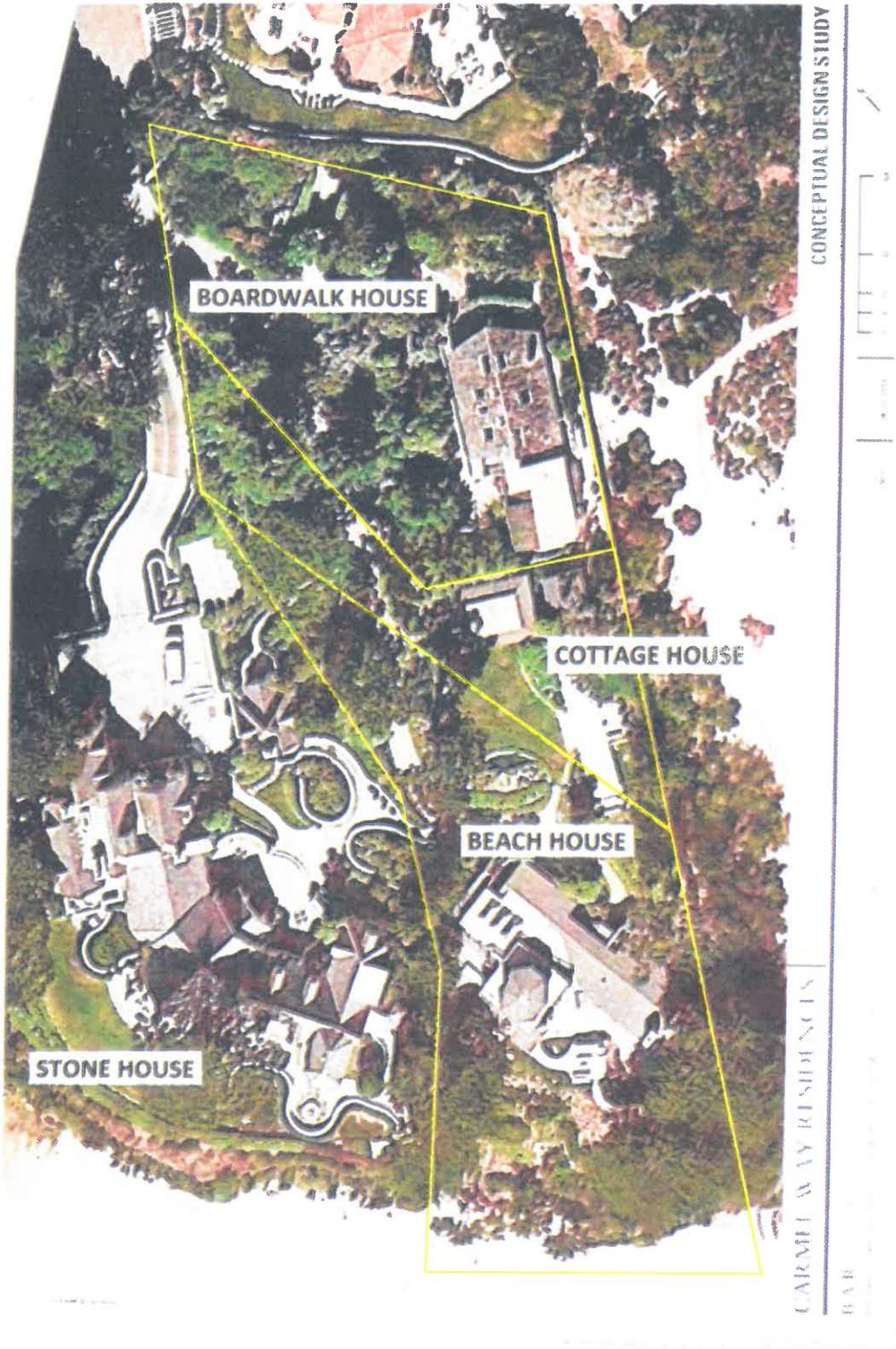


FIGURE 4. PROPOSED SITE PLAN

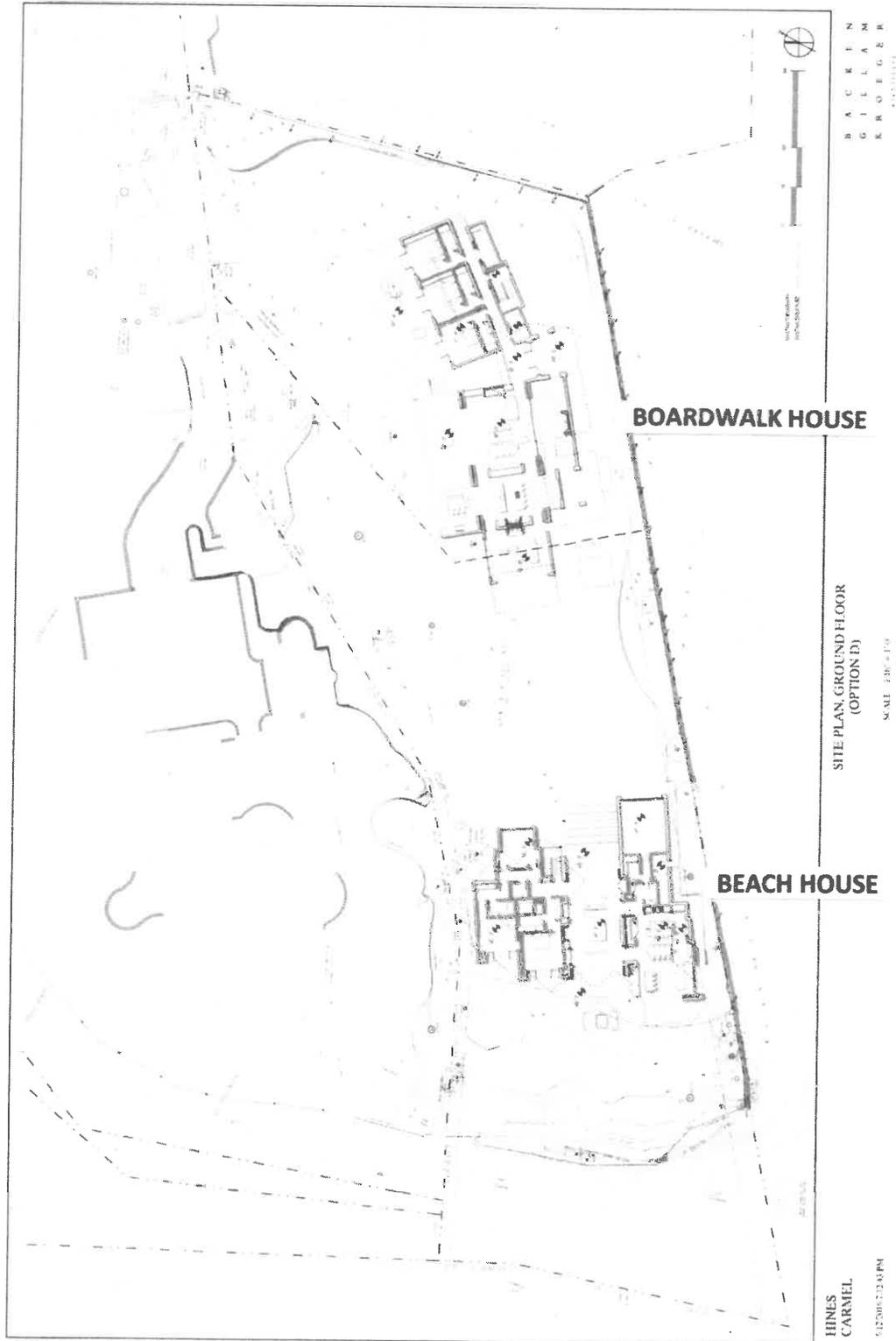


Photo 3. The two properties are completely landscaped and only two native Monterey pines remain, though they are in a declining state of health.

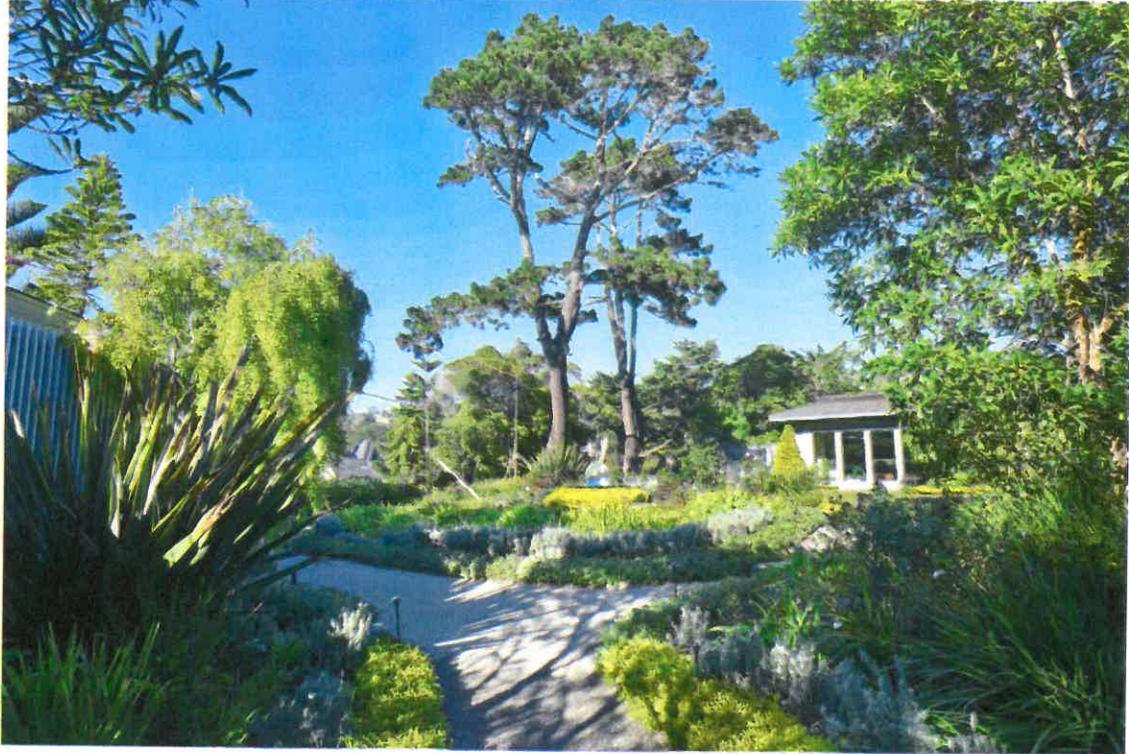


Photo 4. A dense thicket of acacias occurs outside the southern fenced property line, planted on a cut-bench that extends about 6 feet into the Boardwalk House parcel.



on the properties (the existing Monterey cypress trees were planted and do not naturally occur in Carmel).

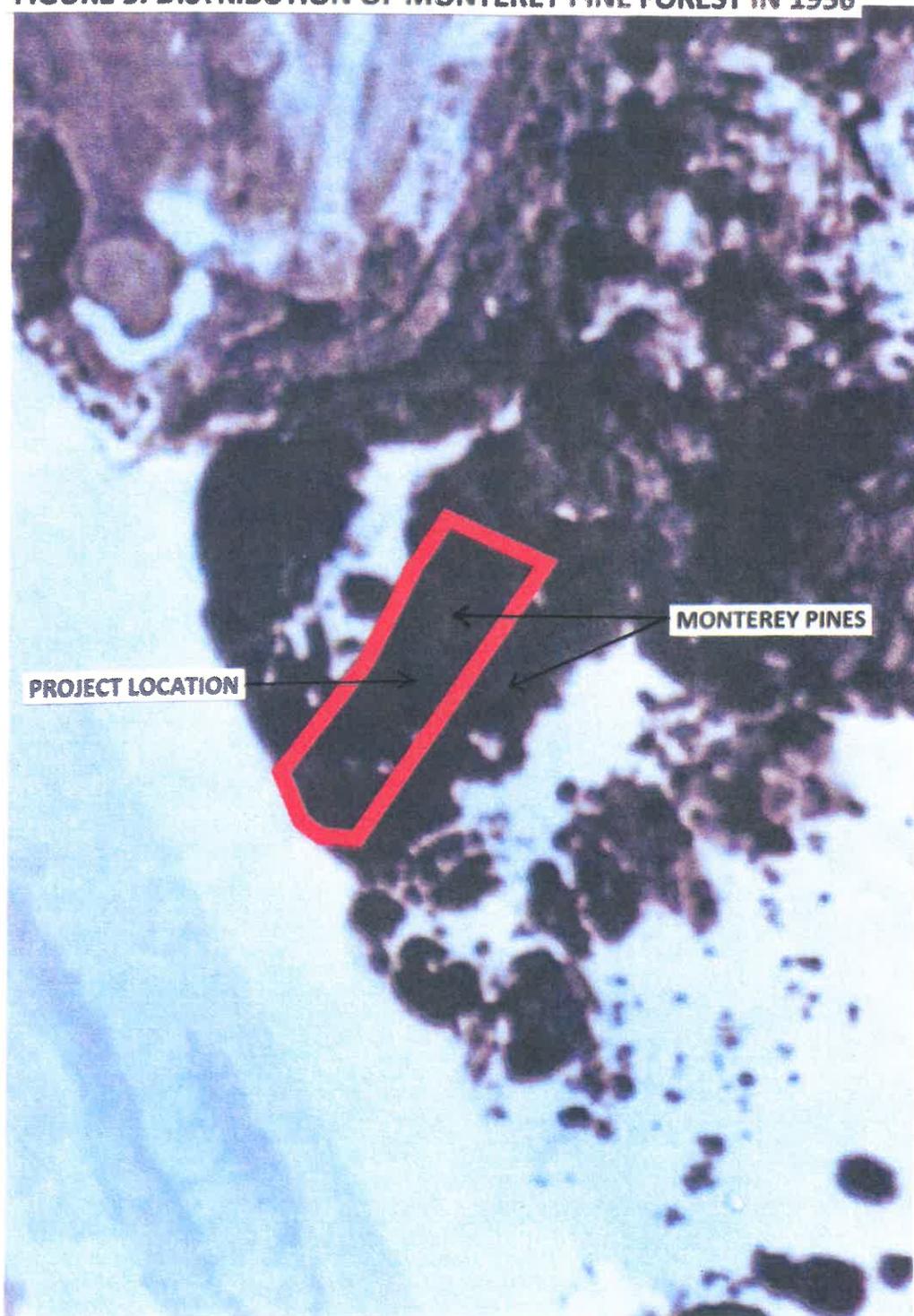
Both properties are terraced, with each gently sloping section of the terraces stepping down to the north toward Pescadero Canyon, the bottom of which is about 100 feet north of the properties, and to the west toward the beach. Pescadero Canyon contains an intermittent stream that supports a dense growth of arroyo willows along its bottom and Monterey pine forest on the adjacent slopes, extending to the beach. The riparian area of Pescadero Canyon, which is located on the northerly Stone House parcel, is protected by a 1996 Conservation and Scenic Easement (Reel 3385 at Page 886 of the Official Records Monterey County).

During initial development of 7 and 9 Carmel Way, most of the Monterey pines were removed and the land graded to nearly level. Grading entailed creating three "cut benches" with the first (upper) bench occurring as a narrow swath along both sides of the southern property line, a second (middle) bench occurring at the elevation of the Boardwalk House and the Cottage House, and a third (lower) bench occurring at the elevation of the Beach house. The house pads are 6-8 feet below the adjacent dunes to the south. The excavated soil from cutting the benches for the house pads was likely used to fill and reduce the slope of the properties as they dropped to the north down to the Stone House property and Pescadero Creek. A tall, back-filled retaining wall generally runs between the properties and the neighboring Stone House property to the north. The narrow cut bench along the southern property line is about 8 feet wide, cut 3 to 4 feet below the dunes to the south, and extends a short distance (about 6 feet) into the Boardwalk House property, terminating at a low retaining wall. The upper bench has been planted with acacia shrubs, an Australian plant that has been used extensively by landscapers in coastal California, particularly back in the 1960s and 1970s, for privacy screening around homes.

HISTORICAL CONDITION

An aerial photograph taken of the Carmel and surrounding area in 1956, prior to development of the subject properties, clearly shows a dense stand of Monterey pine forest covering the Upper Estate properties and extending into the adjacent sand dunes to the south as far or beyond the existing boardwalk, some 48 feet from the southern property line fence (Figure 5). This represents the "original" natural condition of the properties, dating back to before European settlement first occurred in this region. Along with the disappearance of most of the pines on the three properties over recent years, the area of pines to the south has been replaced with acacia shrubs. The pine trees appear to have gradually died out or were all removed at one time, given the even age of the acacias (20-25 years old). With the loss of the trees, the acacias were likely planted to maintain a low, visual screen to mitigate the view of the houses from the dunes and to block the public's view into the properties. Other acacias were also

FIGURE 5. DISTRIBUTION OF MONTEREY PINE FOREST IN 1956



planted in the North Dunes, possibly as windbreaks to deter soil erosion, and have naturally spread in dunes.

Today, only three old Monterey pines remain on the two properties, one of which died recently and two others that are declining in health. Several Monterey pine stumps are present on the properties from past tree removals. Several large, introduced Monterey cypress trees grow near the Beach House, probably planted at the time the Stone House was built (mid-1950s?).

SPECIAL STATUS SPECIES

Two protected, special status species – a plant, Tidestrom’s lupine, and an animal, black legless lizard – have been documented in the adjacent North Dunes area to the south. A large population of about 200 Tidestrom’s lupine plants is growing 65 feet south of the subject properties (as measured from the property line fence). Also, groups of mock heather shrubs, which provide high-quality habitat for black legless lizards, are common south of the properties, with the closest plant about 12 feet away.

Tidestrom’s lupine requires open, mostly full-sun conditions; clean sandy soils with low organic matter content, and; ideally, southerly (southeast to southwest) exposures/slope aspects. It is only found growing in dunes that have been stable, not actively eroding, for many years. It is also closely associated with several common dune species that are indicators of longer-term stable conditions, such as dune blue grass, beach aster, knotweed, and sometimes bracken ferns. The area to the immediate south of the property, where the large population of Tidestrom’s lupines has been observed for the past 20 years or more, reflects these conditions well.

Tidestrom’s lupine is classified as a state- and federal-listed Endangered Species, the highest level of legal protection available to rare plant species. As such, any activity that could result in the removal (“taking”) or damage, directly or incidentally, to one of these plants requires a high level of review and stringent restrictions on permissible development, including obtaining a Section 2081-Incidental Take Permit from the California Department of Fish and Game.

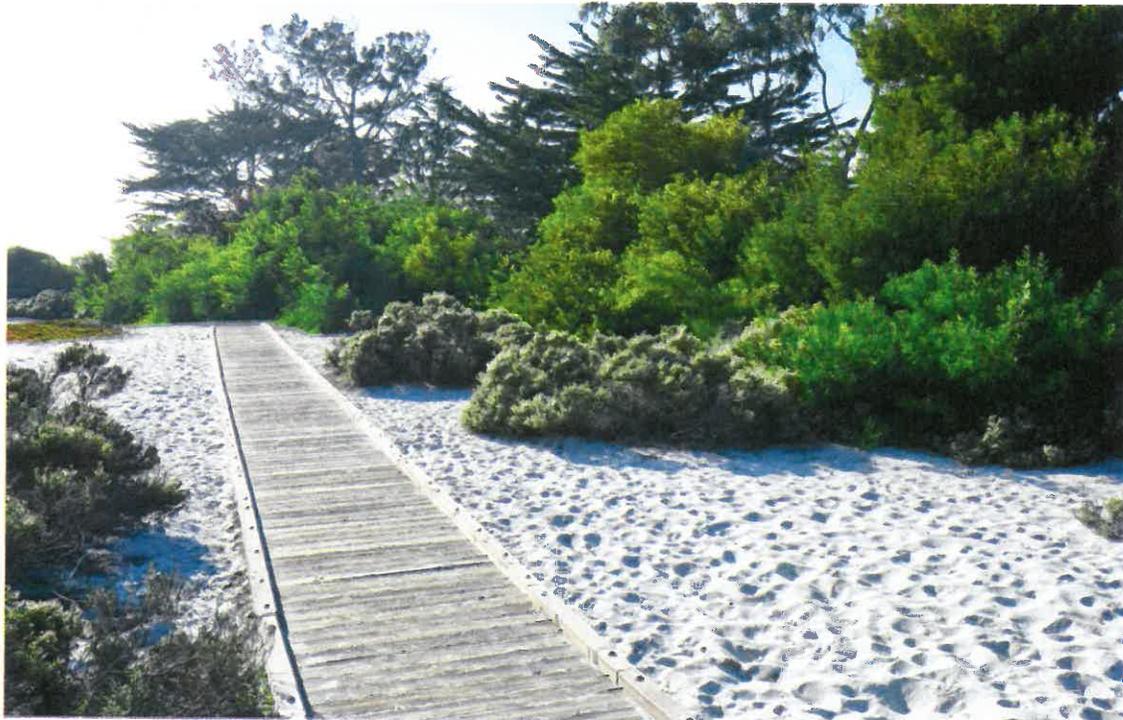
Black legless lizard is a small snake-like reptile (about the length of a pencil) that lives in the litter (duff) layer and sand under larger shrubs in coastal sand dunes. In the North Dunes, groups of mock heather shrubs represent prime habitat for the lizards.

Black legless lizard is designated only as a Species of Concern by the State of California, and as such, project activities that might impact the species are reviewed as part of a project’s impact analysis under the California Environmental Quality Act, to ensure that any potential impacts to the lizards are avoided, minimized or adequately mitigated. When the lizards are known to occur within a project area, potential harm to them is typically mitigated by capturing and relocating them to areas outside of the

Photo 5. Tidestrom's lupine population in the North Dunes, 65 feet south of the Beach House southern property line fence.



Photo 6. Mock heather shrubs (low shrubs in center of photo) – primary habitat for black legless lizard – near boardwalk in the North Dunes.



construction area, either onsite or offsite, ideally to where newly restored habitat is being created.

Because Tidestrom's lupine and black legless lizard occur in the North Dunes, the entire North Dunes area has been designated as ESHA by the City of Carmel Local Coastal Program.

Neither species or host plant (mock heather) occur on the subject properties. The closest Tidestrom's lupine is 65 feet away from the southern property line fence, and over 74 feet from the proposed Beach House. The nearest group of mock heather shrubs is 12 feet away from the fence, and over 32 feet away from the proposed Boardwalk House. Given these distances, it has been concluded that the proposed project will have no impact on the special status species that occur to the south.

SOIL ANALYSIS

Because soil type is a major factor in determining the potential suitability of the project site for supporting the two species of special concern that occur in the dunes south of the property, soil across the three properties was sampled and compared to the soil in the adjacent dunes. Only visual comparisons of the color and texture of the samples were done. Soil testing for organic matter and nutrient content and water holding capacity was not performed. All soil samples were taken from a depth of 15-18 inches, so as to sample only soil that has not been significantly altered by surface landscaping.

The color and texture of the soil on the properties ranged from white sand along a short portion of the southern boundary's fence line, extending about 6 feet into the Boardwalk House property, to dark brown loamy sand over most of the remainder of the properties. The dark organic-rich sandy soil is typical of soils that support Monterey pine forest.

ESHA AND ESHA BUFFER

The North Dunes and Pescadero Creek are designated as ESHA because they include plant and animal life and related habitats that are rare and easily disturbed and degraded by human activities and developments. Both the Coastal Commission and City of Carmel and the neighboring cities have a long history of protecting dune and riparian ESHA through application of city and county land use plan policies, which establish the specific standards that govern development both within and adjacent to ESHA.

Determining the actual boundary of ESHA in or near the Upper Estate properties is key to reviewing potential impacts of its proposed development. To confirm the ESHA boundary along the Upper Estates southern property line, as mapped in the City of

Photo 7. Soil samples onsite. Soils #1 and #2 are typical for dune scrub species.



Carmel's Local Coastal Program, aerial photographs were reviewed and vegetation and soil, onsite and offsite in the adjacent dunes, were observed, studied and compared.

Although the area to either side of the southern property line was covered by a dense Monterey pine forest up until about 50 years ago, today the area has radically changed. The Monterey pines are gone and white sand from the dunes area has migrated (blown) north, covering some of the darker forest sands, even extending slightly into the Boardwalk House property. The vegetation has shifted from pine forest to non-native acacia shrubs. Some coastal dune scrub species struggle to grow in the dunes south of the property where they are impacted by uncontrolled human foot-traffic or are being displaced by the spreading acacia thicket. It is possible that under the right conditions (remove the exotic vegetation and control human foot-traffic impacts) that Tidestrom's lupines could grow on the north side of the boardwalk, possibly to within 12 to 15 feet of Upper Estate's property line fence, to where the dunes start to slope down to the north and to the property line fence. Mock heather shrubs that potentially could support black legless lizards presently grow on the south side of the property line fence, 12 feet away and adjacent to the Boardwalk House property. They would grow elsewhere along the fence if the acacia was removed, but probably no closer than they naturally do now.

The southern property line of the Upper Estates was originally identified in a 1995 report – Final Results of the Environmentally Sensitive Habitat Area Study Conducted for the City of Carmel-by-the-Sea – prepared by Jones & Stokes, as the boundary of the dunes ESHA. Although this line seems arbitrary, conveniently corresponding to the property line separating public and private property, it is actually fairly accurate when soil conditions – the primary determinant for ESHA and the distribution of Tidestrom's lupines in this area – are reviewed and mapped. Mapping the distribution of clean dune sand (low in both organic matter and finer soil textures) is a major factor, though not the only one, in reviewing the actual ESHA boundary here. Clean dune sand now extends to the property line fence and slightly into the Boardwalk House property, to a low retaining wall, about 6 feet inside the fence and for a distance of 40 feet along the fence. Further into the property from the retaining wall a small peninsula of lighter sand with a higher content of organic matter occurs, extending 26 feet from the fence and representing a transition zone to the darker sandy loam soils beyond, which cover most of the remaining area the three properties and reflect the long history of Monterey pine forest in this area (Figure 6).

Based upon soil conditions alone on the site, it might appear that potential dunes ESHA – the area containing conditions suitable to supporting the two special status species – extends at least 6 feet or as much as 26 feet into this part of the Boardwalk House property. However, when other factors are considered, such as the historic condition of the property (forested), slope aspect (northerly) and shading from existing vegetation or future vegetation, it is unlikely that the two sensitive species,

FIGURE 6. SOIL MAP – AREA OF POTENTIAL DUNE SCRUB



particularly Tidestrom's lupine, have ever occupied this area or could grow and persist on the property.

The City of Carmel has adopted a buffer zone width of 30 feet around areas designated as ESHA, and as such, the Upper Estate properties are partially classified as ESHA Buffer, requiring a higher level of review to confirm that impacts associated with the proposed project will not adversely affect the neighboring ESHA. Given that the environmental conditions on the properties are not favorable for supporting Tidestrom's lupines or black legless lizards, the current classification of both properties as ESHA Buffer is therefore appropriate.

IMPACTS AND MITIGATION

The project as proposed will have no impact on the two species of special concern that occur in the North Dunes south of the subject properties. No additional setback for the development from the adjacent dunes is necessary to protect ESHA from potential disturbance or degradation resulting from the proposed project or continuation of its current residential uses and condition.

With the exception of a small sandy area on the Boardwalk House property, the soil found on the three properties is consistent with soils that typically support Monterey pine forest, not coastal dune scrub. The area of exception contains soil similar to the dunes soil to the south, which supports both Tidestrom's lupines and black legless lizard. The soil in this small area of the Boardwalk House property ranges from clean sand to sand with a low amount of organic matter. However, because of its northerly aspect; its past natural history as prime habitat for Monterey pine forest, instead of dunes scrub vegetation, and; the presence of large acacias (formerly an area of tall Monterey pines) that cast a significant amount of shading over the area, individually or collectively, these factors negate the potential suitability of the area for supporting Tidestrom's lupine and black legless lizard. Despite having some marginal ESHA qualities, the area should not be regarded as ESHA.

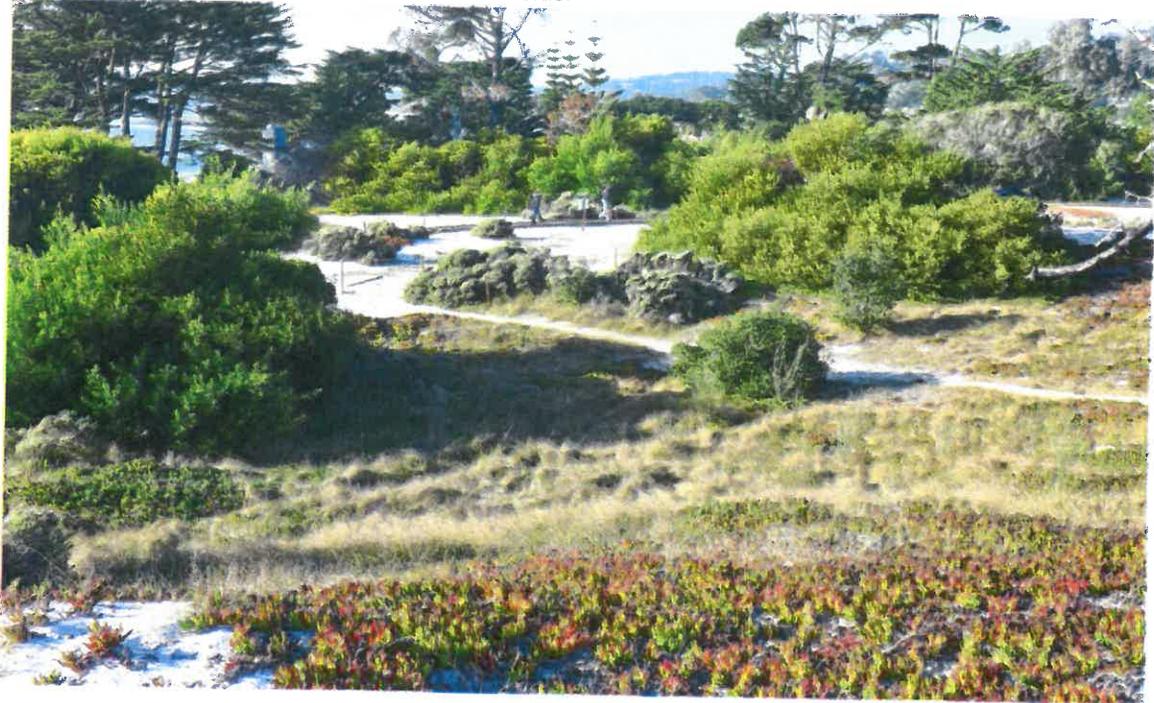
Given that the properties are appropriately designated as ESHA Buffer and the proposed house developments will result in a continuation of residential use of this area, some level of impact mitigation may be warranted. Other than planting some Monterey pines on the subject properties, to restore some of its original forested character and habitat values, meaningful habitat restoration onsite is limited. South of the properties in the North Dunes, specifically the area between the property line fence and the forested swale about 120 feet to the south (width) and from the terminus points of the boardwalk (length), amounting to about an acre in total size, significant natural resource and public benefits could be quickly realized here through restoration of the native plant community, improved protection and enhancement of the population of Tidestrom's lupines, and better management of public access. The new

owner of the Upper Estate properties has volunteered to provide sufficient funding to complete implementation of dune restoration and management activities in this specific area of the North Dunes, by donating to a City-managed account that is earmarked for this purpose.

Planting of Monterey pines should be incorporated into landscape plantings on the properties, to reestablish a forested character to some portions of the properties. Areas of significant open space occur on the proposed site plan, especially on the northern portions of the properties. Much of this area would be suitable for replanting with Monterey pines.

The large acacia "hedge" on the south side of the property line exists to screen the properties from public view, maintaining a higher level of privacy for the occupants and improving the viewshed for the public walking in the dunes. It is far wider than is necessary to achieve its purpose. The acacia could be trimmed back, but it is the nature of this species to have a low and wide growing form, falling over when trimmed up like a tree. If the acacias were removed and replaced with tall growing plants or trees, the probability of the nearby populations of Tidestrom's lupine and mock heather (black legless lizards) colonizing a significant portion of this large area is very high. Removing the acacias and replacing them with native plants and trees, should be included as a project impact mitigation, either on its own or in combination with restoration of a portion of the adjacent dunes as offered by the new owner.

Photo 8. Area of potential offsite mitigation. Approximately 1 acre of severely degraded dunes. Looking from the forested swale north to the subject properties just beyond the two people walking on the boardwalk and acacias.



Prepared By: *[Signature]*

Date: 1/4/16

ARCHAEOLOGICAL CONSULTING

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PRELIMINARY ARCHAEOLOGICAL ASSESSMENT OF APN 010-321-021, IN CARMEL-BY-THE-SEA, MONTEREY COUNTY, CALIFORNIA

by

Mary Doane, B.A., and Gary S. Breschini, Ph.D., RPA

May 15, 2014

Prepared for

Stocker & Allaire

SUMMARY: AC 4968

RESULTS: NEGATIVE

ACRES: ±1

SITES: NONE

UTMG: 5.9580/40.4605

MAP: USGS 7.5 MINUTE MONTEREY QUADRANGLE

For Planning Department:

	Yes	No	N/A	See text
Evidence of: Sacred/Religious site	---	---	X	---
Native American Remains	---	X	---	---
Anything of Archaeological Significance	---	X	---	---
Findings of Historical Significance	---	X	---	---

INTRODUCTION

In May 2014 Archaeological Consulting was authorized by Cynthia Spellacy of Stocker & Allaire to prepare a Preliminary Archaeological Assessment report for a parcel on Carmel Way in the City of Carmel-by-the-Sea, Monterey County, California.

As part of our methodology in the preparation of this report, we have conducted: 1) a review of our files and background research at the Northwest Information Center of the California Historical Resources Information System, located at Sonoma State University; and 2) a field assessment of the project area. The following report contains the results of these investigations as well as our conclusions and recommendations.

PROJECT LOCATION AND DESCRIPTION

The project parcel, APN 010-321-021, is located at 1 Carmel Way in Carmel-by-the-Sea, Monterey County, California (see Maps 1 and 2). The Universal Transverse Mercator Grid (UTMG) coordinates for the approximate center of the project parcel are 5.9580/40.4605 on the USGS 7.5 minute Monterey Quadrangle (1947; photo-revised 1983). This project provides due diligence prior to selling the parcel.

At the time of the site assessment, the parcel contained an existing house, a pool house and a bocci court. The long driveway was paved. The yard was landscaped with lawn and many shrubs. Soil was visible in the many landscape borders, behind the pool house and along the stairway to the beach. Overall, soil visibility was considered adequate for the purposes of this assessment.

PROJECT METHODOLOGY

The methodology used in the preparation of this report included two primary steps, as follows:

Background Research

The background research for this project included a review of research of the archaeological site records, maps, and project files of the Northwest Information Center of the California Historical Resources Information System, located at Sonoma State University. In addition, our own extensive files and maps were examined for supplemental information, such as rumors of historic or prehistoric resources in the general area. These literature searches are undertaken to determine if there are any recorded archaeological resources within the project area and whether the area has been included in any previous archaeological research or reconnaissance projects.

Established by the California Office of Historic Preservation, the regional Information Centers are the local repositories for all archaeological reports prepared under cultural resource management regulations. A background literature search at the appropriate Information Center is required by state guidelines and current professional standards. Following completion of a project, a copy of the report must be deposited with that organization.

Field Assessment

The field assessment, performed by Mary Doane on May 14, 2014, consisted of a “general surface reconnaissance” of all areas which could reasonably be expected to contain visible cultural resources, and which could be viewed without major vegetation removal or excavation.

RESULTS OF THE RECONNAISSANCE

Background Research

A review of research at the Northwest Information Center and of our files discovered six archaeological sites recorded within one kilometer of the project area. The nearest is CA-MNT-1032, located approximately 400 feet south of the project parcel.

The project area lies within the currently recognized ethnographic territory of the Costanoan (often called Ohlone) linguistic group. Discussions of this group and their territorial boundaries can be found in Breschini, Haversat, and Hampson (1983), Kroeber (1925), Levy (1978), Margolin (1978), and other sources. In brief, the group followed a general hunting and gathering subsistence pattern with partial dependence on the natural acorn crop. Habitation is considered to have been semi-sedentary and occupation sites can be expected most often at the confluence of streams, other areas of similar topography along streams, or in the vicinity of springs. These original sources of water may no longer be present or adequate. Also, resource gathering and processing areas and associated temporary campsites are frequently found on the coast and in other locations containing resources utilized by the group. Factors that may influence the locations of these sites include the presence of suitable exposures of rock for bedrock mortars or other milling activities, ecotones, the presence of specific resources (oak groves, marshes, quarries, game trails, trade routes, etc.), proximity to water, and the availability of shelter. Temporary camps or other activity areas can also be found along ridges or other travel corridors.

We have completed several previous archaeological studies in the near vicinity with negative results (Runnings and Haversat 1989, 1991, 1994 and 1996; Doane and Haversat 1999 and 2004; Doane and Breschini 2008 and 2013).

Field Research

None of the materials frequently associated with prehistoric cultural resources in this area (dark midden soil, fragments of weathered marine shell, flaked or ground stone, bone fragments, fire-affected rock, etc.) were observed during the assessment. The native soil in the project area was white to light gray-brown sand.

There was no surface evidence of potentially significant historic period archaeological resources seen on the surface during the assessment.

CONCLUSIONS AND RECOMMENDATIONS

Based upon the background research and the field assessment, we have concluded that there is no surface evidence of potentially significant archaeological resources on the project parcel. Because of this we recommend the following:

- Future construction on the parcel should not be delayed for archaeological reasons.

Because of the possibility of unidentified (e.g., buried) cultural resources being found during any construction, we recommend that the following standard language, or the equivalent, be included in any permits issued for the project area:

- If archaeological resources or human remains are accidentally discovered during construction, work shall be halted within 50 meters (± 160 feet) of the find until it can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated, with the concurrence of the Lead Agency, and implemented.

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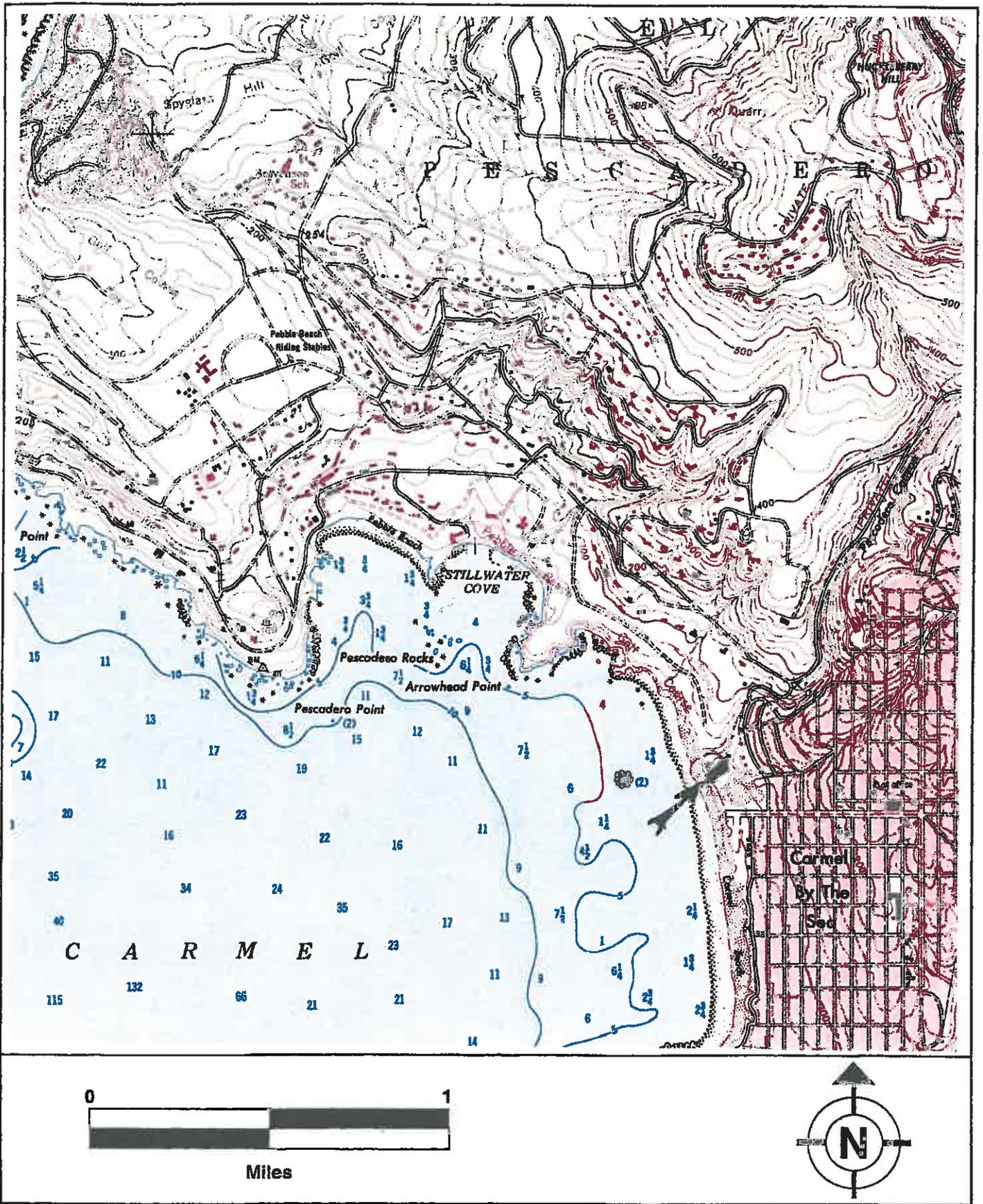
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Sanborn

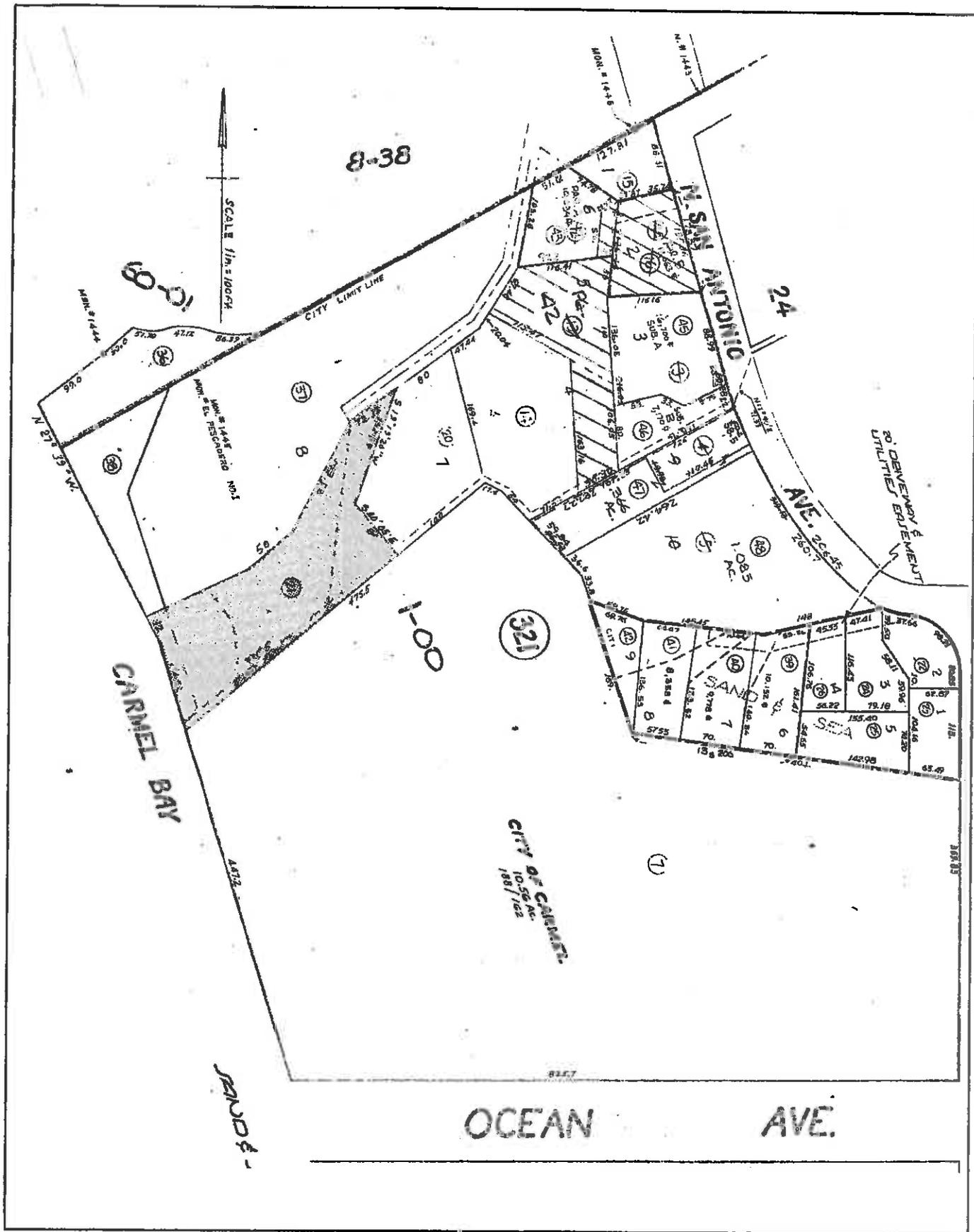
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Seavey, K. L.

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Map 1. Project Location.



Map 2. Project Location.

Mr. Jeff Hines

Ref. No.: 4922-01

C/O Mr. Aengus Jeffers

June 18, 2014

215 West Franklin Street, 5th Floor

Monterey, CA 93940

GEOLOGICAL RECONNAISSANCE REPORT AND COASTAL BLUFF EROSION STUDY

Site Description

The proposed project involves the renovation of an oceanfront residential estate on the subject property (APN 010-321-020 and -021) in Carmel, California.

The property is located at 10 Carmel Way (Figure1) where it lies atop a coastal bluff overlooking Carmel Bay. On the 0.95-acre parcel closest to Carmel Bay (APN 010-321-021) there are two houses. The larger, westernmost house is a multi-story wood frame house and is the structure closest to the edge of the coastal bluff. There is also a single-story pool house on the eastern portion of the parcel. The 0.52-acre parcel immediately adjacent to the east (APN 010-321-020) has one single-story house located on it that is currently occupied by the caretaker for the property.

The property is located atop a gently sloping coastal bluff, approximately 45 to 58 feet (according to topographic map provided by Central Coast Surveyors) above sea level. This elevation range is consistent with that shown on the USGS 7.5 minute topographic map (Monterey, California, 1947, photo-revised 1983). Earth materials on the site consist of vegetation stabilized dune sand overlying marine terrace deposits that in turn overlie Miocene (approximately 5 to 23 million year old) sandstone (Geologic Map of the Monterey Peninsula and Vicinity, Dibblee, 1999, USGS). Sandstone bedrock was visible at the base of the bluff on the subject property at the time the fieldwork was conducted for this report. Beach sand overlaps onto the sandstone outcrop. Several wooden retaining walls are present on the face of the coastal bluff and most of the bluff face is covered with stabilizing vegetation.

While doing fieldwork on the subject property we observed several features to suggest that the highest elevation on the property, prior to development, was higher than the maximum elevation on the property today.

Several trees (cypress, pine) with thick trunks (30 to 40 inches in diameter) were observed near the southeastern property line at elevations up to 6 feet higher than the highest elevations elsewhere on the property. The thick trunks of these trees indicate that the trees have been growing on the property for a long time, and have likely been there longer than the structures

presently on the property. It appears likely that some excavation and grading, probably associated with construction and landscaping activities on the property, lowered the elevation of the land surface on most of the property.

In addition, dunes present on the adjacent property to the southeast are higher than the maximum elevation on the property. It is quite likely that prior to development on the subject property, the maximum elevation of the property was higher than it is today. Based on field observations, the predevelopment maximum elevation could easily have been 6 feet higher.

Another indicator that the pre-development elevation of the property was higher than today was found on the USGS 15 minute topographic map of the Monterey Quadrangle, 1913, which shows the highest elevation on the subject property as falling between 75 and 100 feet above sea level (Figure 2). Given the topography in the surrounding area, it is likely that the highest elevation was closer to 75 feet than to 100 feet, but regardless, this map indicates that prior to development, the naturally existing high point on the property was at least 75 feet above sea level.

Coastal Bluff Erosion

Our investigation of the coastal bluff erosion hazards have led us to suggest a single set back line for the property to prevent future construction from being subject to coastal bluff erosion and related ocean bluff landslides. This is reasonable as landsliding and erosion are related in that the presence of landslide deposits can result in high erosion rates and bluff erosion can create landslides.

Coastal Bluff Erosion Rate Study

The coastal bluff erosion study was conducted by analyzing stereographic aerial photos and reviewing published coastal bluff retreat rates in the Carmel Beach area. The aerial photos included in this study; 1939, 1945, 1970, 1990, 2001, 2003, and 2012 were selected for their similar scales and observable details.

Figure 3 (Historical Coastal Bluffs: Aerial Photograph Analysis) displays the crests of the historical coastal bluffs outlined against a 1945 aerial photograph as the basemap.

This method of measuring sea cliff retreat rates is the most widely employed method for studying coastal erosion. Newer methods involving use of LIDAR imagery and digital techniques have been developed that are valuable in providing an accessible and standardized methodology for studying coastal retreat over large areas (Hapke and Reid, 2007). These new methods are not expected to improve accuracy for small project site studies such as this project.

Figure 3 does not show a steady regression of the sea cliffs over time. The sea cliffs seem to move back and forth across the base map. This is caused by radial distortion and variation in viewing angle that is inherent to aerial photography. Distortion is also caused by the differences in the scales of the photographs. As a certain amount of error is associated with this method it is most accurate in areas with moderate to high retreat rates. In such areas the changes in the coastal bluffs locations are easily distinguishable. This lack of evidence for sea cliff erosion indicates that there have been less than moderate retreat rates in this area since 1939.

The morphology of the cliff has also not changed significantly during the study period, 1939-2012. This lack of change in the shape of the cliff suggests that there have been no large scale erosional events on the subject property during the study period. This observation is significant, because during the El Nino winter storms of 1982-83, substantial cliff retreat was documented further south along the shore of Carmel Bay by Rogers E. Johnson and Associates (Phase 1 Erosion Protection, Carmel Beach, Carmel-by-the-Sea, California, 26 September 1983).

Johnson analyzed maps and aerial photographs spanning a 75-year period (1908-1983). He determined that for the northern section of Carmel Beach the average yearly rate of coastal bluff erosion was 0.4 feet per year, while the erosion rate for the southern portion of Carmel Beach was between 0.3 and 0.7 feet per year.

The most dramatic erosion of coastal bluffs in Carmel during the 1982-83 El Nino storms was along the stretch of land south of the subject property, starting around Eighth Avenue and continuing further south to the area around Eleventh Avenue and Santa Lucia Avenue. Comparing the coastline along this stretch of Carmel Beach as it appears in aerial photographs from 1970 and 1990, it is readily apparent that there has been significant erosion along the section of beach cited by Johnson (1983).

The subject property lies approximately 1500 feet north of the point where Eighth Avenue would reach the beach (if the street extended that far seaward), putting the subject property over a quarter of a mile north of the area that was severely impacted during the 1982-83 winter storms. Comparing the coastal bluffs on the subject property and the adjacent properties to the north and south, there is little evidence of any significant changes from 1970 to 1990. Indeed, there is little discernible evidence of change in the bluffs along the subject property between aerial photographs taken in 1939 and 2012, or any of the other sets of stereographic aerial photographs analyzed between those years.

Griggs (Living with the California Coast, 1985) shows an erosion rate on the coast along the northern part of Carmel Bay, just down from Pescadero Point, of 3 inches (0.25 feet) per year. Further to the south, along Cypress Point, he shows an erosion rate of less than 1 inch (approximately 0.08 feet) per year. Although Griggs does not show an erosion rate specific to the area of the subject property, he does show that the bluffs along the section of Carmel Beach

where the subject property lies are backed by vegetated dunes. Vegetated dunes are more stable in general than unvegetated dunes and are also more resistant to erosion from waves.

Carmel Beach Sand Budget

Carmel Beach is a “pocket beach”, meaning that it is largely a beach unto itself, separated by headlands on either side of the beach from the rest of the coastline.

Most beaches are less isolated topographically and are participants in the movement of sand along the coast that results from the prevailing winds and wave directions, which serve to transport sand from one beach to another in the direction of flow of the longshore current.

When a succession of waves strikes the shoreline at an angle, sending some of their energy further down the coast, a longshore current is generated. Along the coastline of central California, the longshore current generally flows in a southerly direction, transporting sand along the coast from north to south.

Owing to the prominent headlands on the Monterey Peninsula to the north, such as Cypress Point and Pescadero Point, and the presence of Point Lobos to the south, the longshore currents are effectively held some distance away from the shoreline along Carmel Bay. That distance is thought to keep Carmel Bay from receiving significant inputs of sand from beaches and eroding bluffs further north along the coast. It is thought (Rogers Johnson, 1984) that most of the sand on the beaches within Carmel Bay “is probably derived locally from the erosion of sandstone and granitic bedrock.”

One source of locally derived sand is Pescadero Creek, which flows into Carmel Bay a short distance to the north of the subject property. The drainage basin feeding the creek extends inland over a mile and a half and drains slopes that extend as far inland as Huckleberry Hill, in the center of the Monterey Peninsula, and the interchange of Highways 68 and 1 to the northeast of the property.

The sand Pescadero Creek carries down to Carmel Beach is deposited on the beach just north of the property that lies adjacent to the subject property’s northern boundary. This input of sand helps stabilize the beach in the vicinity of the subject property and appears to be of sufficient volume that it may have built up an offshore sandbar, judging by the bathymetry shown on the USGS 7.5 minute topographic map (Monterey, California, 1947, photo-revised 1983). See Figure 1. Such a sandbar would provide further protection against storm waves for the subject property.

Alternatively, this shallow area may indicate a rocky outcrop under the water. But regardless of whether the shallow bathymetry offshore from the subject property indicates a sandbar or a rocky outcrop, the shallowing of the subsurface topography in this area should help dissipate the

energy of incoming waves, reducing their impact in the vicinity of the subject property. The 1913 USGS topographic map shown in Figure 2 does not include any measured bathymetric data, so it is not possible to use the two maps in analyzing any changes in the subsurface topography over time.

Recommended Setback From Top Edge of Coastal Bluffs

The California Coastal Commission defines the top edge of a coastal bluff as "...the upper termination of a bluff, cliff, or seacliff. In cases where the top edge of the cliff is rounded away from the face of the cliff as a result of erosional processes related to the presence of the steep cliff face, the bluff line or edge shall be defined as that point nearest the cliff beyond which the downward gradient of the surface increases more or less continuously until it reaches the general gradient of the cliff." (California Coastal Commission Memorandum dated 16 January 2014, Mark J. Johnsson, Staff Geologist; California Code of Regulations, Title 14 § 13577 (h) (2).)

As one moves seaward from the edge of the present multistory house towards the face of the coastal bluff, the initial slope away from the house is quite gentle, so much so that the term "slope" is barely applicable. At an elevation of approximately 43 to 44 feet, the land surface begins to slope more noticeably towards the bay and it is approximately along this line of elevation that we interpret the top edge of the bluff to lie as shown in Figure 4. As measured in the field with a tape measure, the distance from the most seaward points of the house to this bluff edge is approximately 30 to 32 feet, although at some points along the edge of the bluff the distance between the house and the bluff edge was determined to be several feet further seaward.

This placement of the top edge of the coastal bluff is supported by the slopes of the land surface as shown in the topographic profile (Figure 5) derived from the topographic map.

The City of Carmel requires a 100-year bluff setback:

(17.20.160.B.9.a) Bluff Retreat Setback Requirements: "New structures shall be set back a sufficient distance from any bluff top to be safe from bluff erosion for a minimum of 100 years as determined by a site-specific geology report, prepared in compliance with CMC 17.20.170(B), Geology Report; provided, that in no case shall the minimum setback be less than 25 feet."

The average rate of erosion for the City of Carmel's northern coastal bluffs was calculated by Rogers E. Johnson (1984) as 0.4 feet per year, as cited in the city's Shoreline Management Plan. The erosion rates cited by Griggs (1985) are not directly applicable to the subject property and as such are not appropriate for use in determining the setback for the subject property. We did not find any other published erosion rates for the area around the city of Carmel.

It should be emphasized that the erosion rate of 0.4 feet per year is an average rate, not only over time, but also distance, having been calculated across the full extent of the northern section of the coastal bluffs. As such this rate is not site-specific and would be inappropriate to use in determining the appropriate setback from the top edge of the coastal bluff for purposes of future construction on the subject property.

Our own aerial photo analysis of bluff retreat specifically for the subject property did not find any evidence of bluff retreat occurring as speedily as the 0.4 feet per year that Johnson (1984) determined for Carmel's northern bluffs in general.

We analyzed aerial photographs from 1939 to 2012, a 73-year span of time. If the coastal bluff on the subject property had retreated at a rate of 0.4 feet per year, we should have seen bluff retreat on the order of 25 feet. We did not see any evidence of bluff retreat of that magnitude, as described earlier in this report (see Coastal Bluff Erosion Rate Study section).

As we were not able to obtain aerial photographs covering the span of time from 1908 to 1939, we could not replicate Johnson's analysis and we cannot estimate how much erosion occurred at the subject property during those years. But since Johnson's analysis, there has been a subsequent El Nino winter (1997-1998), which fell within the span of time for which we analyzed aerial photos. Analysis of the 1990 and 2001 and 2003 and 2012 aerial photographs did not reveal any evidence of significant bluff retreat over that span of time.

In our effort to garner more precise data on the rate of bluff retreat on the subject property, CapRock orthorectified aerial photographs from several years and analyzed them. Orthorectification corrects the radial and angular distortion inherent in all aerial photographs, thus enhancing the ability of an analyst to make meaningful quantitative measurements from the photographs.

CapRock orthorectified, enlarged and analyzed aerial photographs from the years 1949, 1970, 1990 and 2012.

Even working with this enhanced imagery, we could not discern any significant amount of erosion of the coastal bluff on the subject property. This finding corroborates our conclusion that there has been no significant bluff retreat on the subject property in the latter half of the 20th century or to date in the 21st century.

The most recent photos used in CapRock's analysis were taken in 2012. As there have been no major winter storms that caused significant erosion in the last two winters, we are comfortable extending our finding to cover the years between 2012 and now. The earliest aerial photographs we analyzed were taken in 1939, thus our analysis covers the full 75 years from 1939 to the present.

For this reason and for all the reasons cited earlier in this report, in which we discuss several significant factors that may help account for the modest amounts of bluff retreat we discerned, we suggest that the rate of bluff retreat on the subject property is less than the general rate of 0.4 feet per year that Johnson calculated as the average for the city of Carmel's northern bluffs.

To insure the safety of the structures it is necessary to have a safety buffer. We recommend that all future construction be setback a minimum of 30 feet from the top of the cliff face, which corresponds to an average erosion rate of 0.3 feet per year. Based on our analysis and findings, it is entirely possible that the average erosion rate for the subject property has been less than 0.3 feet per year over the last 75 years, but in the absence of hard numbers to support that contention and for the sake of providing a sufficient setback incorporating an adequate margin of safety, we feel that 0.3 feet per year is the appropriate rate of coastal bluff erosion for the subject property. We based our analysis of the hazards of landsliding and erosion. This analysis was qualitative and it is expected that analytical evaluation of slope stability through quantitative slope stability modeling may result in different setbacks than those provided here.

It is significant that this study specifically addressed average erosion rates for the coastal bluffs. Average numbers are very useful for long-term planning but the actual process of erosion occurs episodically, not uniformly. This means that a large retreat event could account for most of the erosion in any given area for an interval spanning decades. Such large events do not necessarily invalidate estimates of annual erosion rates.

Landsliding

Landslides are not an uncommon occurrence along the California coastline, but our review of aerial photographs and our site visits did not identify any evidence of landslides on coastal bluffs that are close enough to impact the subject property.

Further analysis of upslope landslide hazards should be conducted as part of a future Geologic Hazards Investigation.

The Impacts of Sea Level Rise and Erosion Rates

Sea level is dynamic and has varied greatly over millions of years. In part this variation is caused by the occurrence of ice ages. Our sea level is at or near the maximum for the last few million years. This is because we are in between ice ages. The lower sea level during ice ages is caused by the existence of continental ice sheets that hold much of Earth's water. The periodic melting and reformation of these ice sheets has caused sea level to rise and fall by as much as 426 feet during the time frame of hundreds of thousands of years.

There has also been a shorter time scale that has shown a gradual rise since the late 1800's. Douglas (1997) asserts that the average rate of this rise is about 1.8 mm (0.07 inch) per year. Recently satellite altimetry has been used to measure sea level, this research has measured an increase of about 3.4 mm per year between 1993 and 2010. Ice sheets and glaciers have been melting, due to global climate change, and have been contributing melt water to the ocean.

This ongoing climate change is primarily being caused by greenhouse gases trapped in the atmosphere. The principal source of these greenhouse gases is the burning of fossil fuels. This makes estimating the rate and amount of sea level rise complicated and difficult, as one has to consider the socioeconomic trends that affect the rate at which these fossil fuels are burned. This causes there to be a lack of consensus among the scientific community about the amount of potential sea level rise over the next century, although scientists are virtually unanimous in agreeing that such additional sea level rise will occur.

Vermeer and Rahmstorf (2009) estimate sea level rise of 81 to 179 cm (32 to 70 inches) by 2100. The California Ocean Protection Council issued an update to the State of California Sea-Level Rise Guidance Document in March 2013 in which they stated that for the California coastline south of Cape Mendocino, the projected sea level rise between 2000 and 2100 would likely fall somewhere between 1.38 feet (16.56 inches) to 5.48 feet (65.76 inches). The midpoint of this range is 3.43 feet. See Table 1.

Table 1. Sea-Level Rise Projections using 2000 as the Baseline.

Time Period	North of Cape Mendocino	South of Cape Mendocino
2000 - 2030	-4 to 23 cm (-0.13 to 0.75 ft)	4 to 30 cm (0.13 to 0.98 ft)
2000 - 2050	-3 to 48 cm (-0.1 to 1.57 ft)	12 to 61 cm (0.39 to 2.0 ft)
2000 - 2100	10 to 143 cm (0.3 to 4.69 ft)	42 to 167 cm (1.38 to 5.48 ft)

The Sea-Level Rise Guidance Document was updated based upon scientific findings published in a June 2012 report issued by the National Research Council (NRC) titled *Sea-Level Rise for the Coasts of California, Oregon, and Washington*.

The SLR Guidance Document states: “The differences in sea-level rise projections north and south of Cape Mendocino are due mainly to vertical land movement. North of Cape Mendocino, geologic forces are causing much of the land to uplift, resulting in a lower rise in sea level, relative to the land, than has been observed farther south.”

The SLR Guidance Document also states: These projections incorporate a land ice component extrapolated from compilations of observed ice mass accumulation and loss. It is important to note that the NRC report is based on numerical climate models developed for the

Intergovernmental Panel on Climate Change (IPCC) Fourth Assessment Report which do not account for rapid changes in the behavior of ice sheets and glaciers and thus likely underestimate sea-level rise (the new suite of climate models for the Fifth Assessment Report was not available when the NRC report was developed). The committee used the model results from the IPCC Fourth Assessment Report, together with a forward extrapolation of land ice that attempts to capture an ice dynamics component.

The IPCC Fifth Assessment Report, released March 31, 2014, states that the Global Mean Sea Level (GMSL) rise is projected to be from 0.28 meters (11 inches) to 0.98 meters (38.6 inches) by 2100.

The report states: “with regional variations and local factors the local sea level rise can be higher than the projected for the GMSL. This has serious implications for coastal cities, deltas and low-lying states. While higher rates of coastal erosion are generally expected under rising sea levels, the complex inter-relationships between the geomorphological and ecological attributes of the coastal system (Haslett, 2009; Gilman et al., 2007) and the relevant climate and oceanic processes need to be better established at regional and local scales. Such complex inter-relationships can be influenced by different methods and responses of coastal management.”

Rising sea level will increase coastal bluff exposure to storm waves, which will accelerate erosion in coastal areas. A study of the California coast and the potential for increase in erosion in coastal areas caused by sea level change was performed by Philip Williams and Associates (PWA, 2009). This study covered an area that stretched from Santa Barbara to the Oregon border and is the first study of its kind. The study area was large and the scope of the project did not allow for coastal erosion estimates for specific sites. The results of this study were created into GIS shape files where one can distinguish land features and hazard zones. However, because of the large uncertainty the authors do not wish anyone to use these to assess the risk at a specific location.

This study was the first attempt to perform this analysis of sea level change and erosion. As such its methodologies have not yet been validated by observation. There is at the present time no established method for calculating the increase in erosion caused by sea level rise at this site.

Our coastal erosion estimates contained buffers that should compensate for any increase in erosion rates over the next 100 years.

The coastal bluff on the western end of the property at 10 Carmel Way (APN 010-321-021) is to some degree protected from direct wave impact from southerly and northerly swells by the headlands bounding Carmel Bay – Pescadero Point and Cypress Point on the Monterey Peninsula to the north and Carmel Point and Point Lobos to the south. Historically, the area south of Ocean Avenue has been subject to far greater amounts of cliff retreat than has the area north of Ocean Avenue, where the subject properties lie. In addition, the shallowness of the undersea topography immediately offshore from the subject property should help dissipate the energy of incoming waves. These protections should help mitigate any increase in erosion rates.

LIMITATIONS

In performing our professional services, we have applied present engineering and scientific judgment and used a level of effort consistent with the standard of practice on the date of this report and the locale of the subject property for similar type studies. CapRock makes no warranty, expressed or implied, in fact or by law, whether of merchantability, fitness for any particular purpose, or otherwise, concerning any of the materials or "services" furnished by CapRock to the client.

This report does not make any attempt to evaluate appropriate foundation design, and is not a Geological Hazards Report or a Geotechnical Report or a Slope Stability Investigation. Coastal bluff erosion setbacks may be modified in the future if warranted further geological investigation. Subsurface soil conditions can vary both vertically and horizontally. Should you have any questions or comments concerning this Geological Investigation report, please contact us at (831) 484-5053.

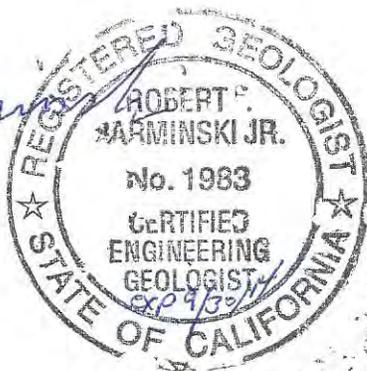
Sincerely

CapRock Geology, Inc.



Robert Barminski, R.G., C.E.G.

Principal Geologist



REFERENCES

- California Coastal Commission Memorandum dated 16 January 2014, Mark J. Johnsson, Staff Geologist; California Code of Regulations, Title 14 § 13577 (h) (2).)
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- USGS 7.5 minute topographic map (Monterey, California, 1947, photo-revised 1983)
- Vermeer, M., and Rahmsorf, S., 2009, Global Sea level linked to global temperature, Proceedings of the National Academy of Sciences, December 22, 2009, vol. 106 no. 51 21527-21532

AERIAL PHOTOGRAPH REFERENCES

1939-B; Fairchild Aerial Surveys, Inc., Flight Line ABG, black and white, nominal scale 1:20,000.

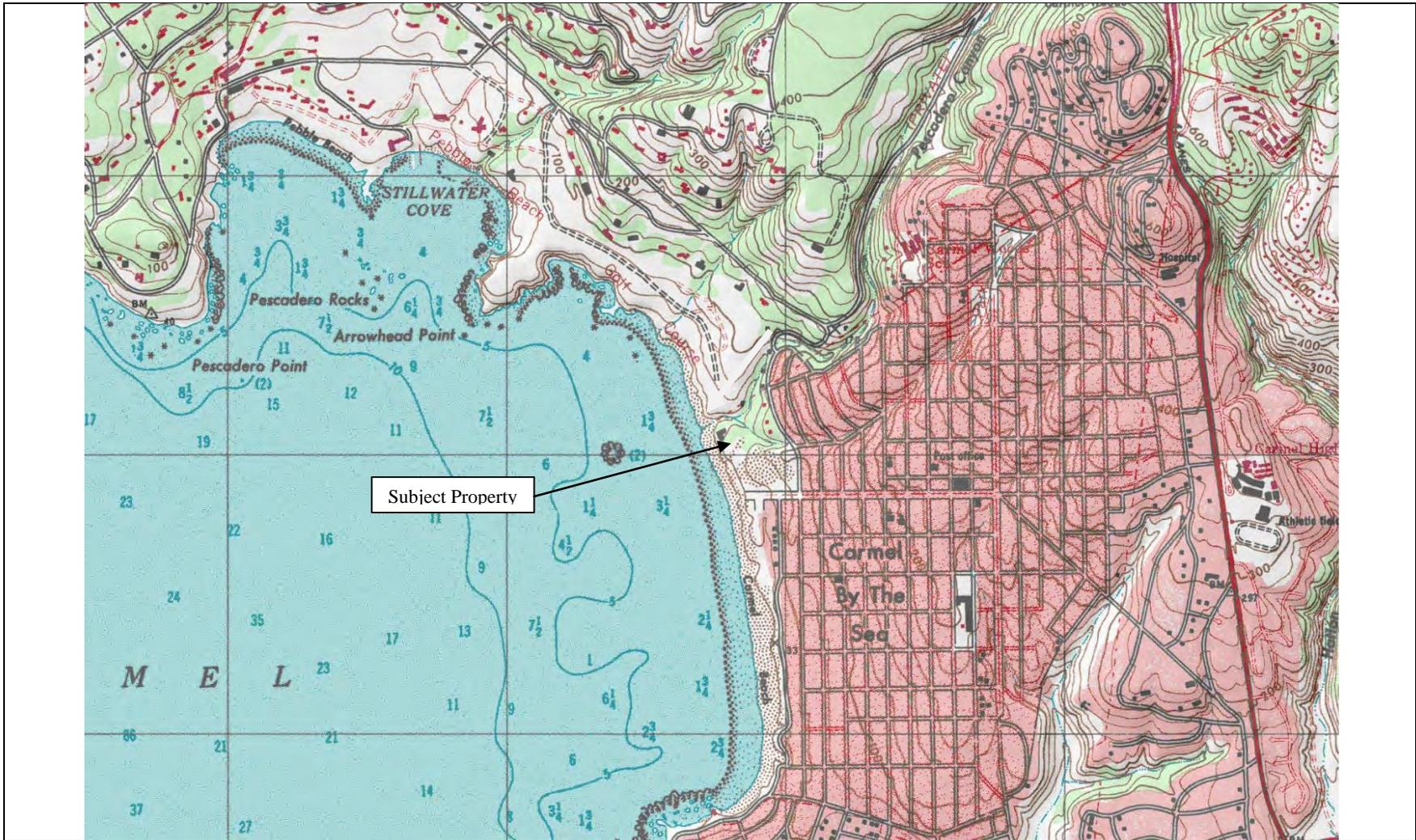
1945-A; Fairchild Aerial Surveys, Inc., Flight Line C-9820, black and white, nominal scale 1:7,200.

1970; California Dept. of Fish and Game, (no flight line identifier), black and white, nominal scale 1:12,000.

1990-D; WAC Corp., Flight Line WAC-MONTEREY-90, black and white, nominal scale 1:15,840.

2001-A; California Coastal Commission, Flight Line CCC-BQK-C, black and white, nominal scale 1:12,000.

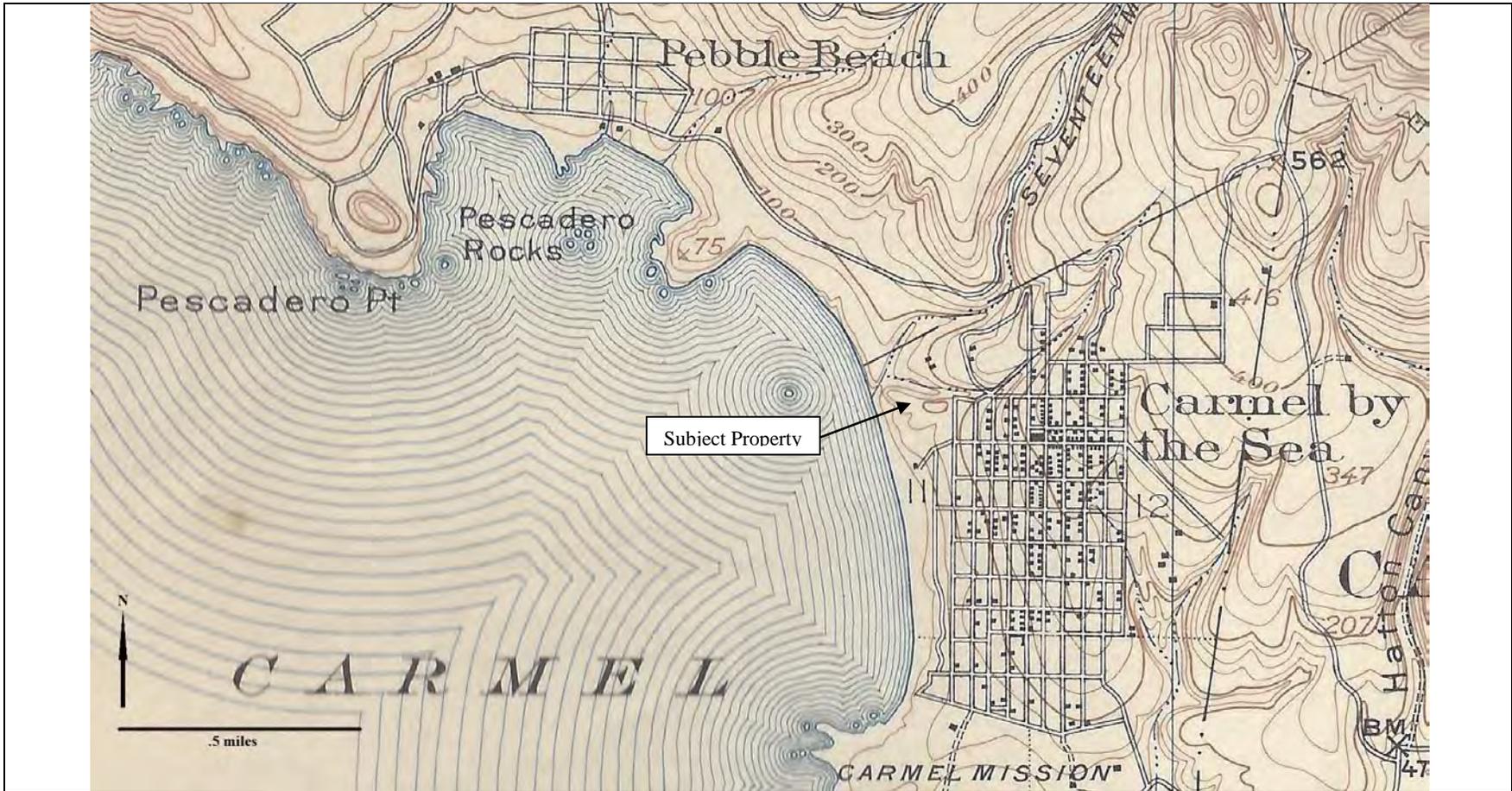
2003-C; Sanborn, Flight Line AMBAG, color, nominal scale 1:4,200.



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SITE LOCATION MAP
 10 Carmel Way, Carmel CA
 Reference # 4922-01

Figure
 1

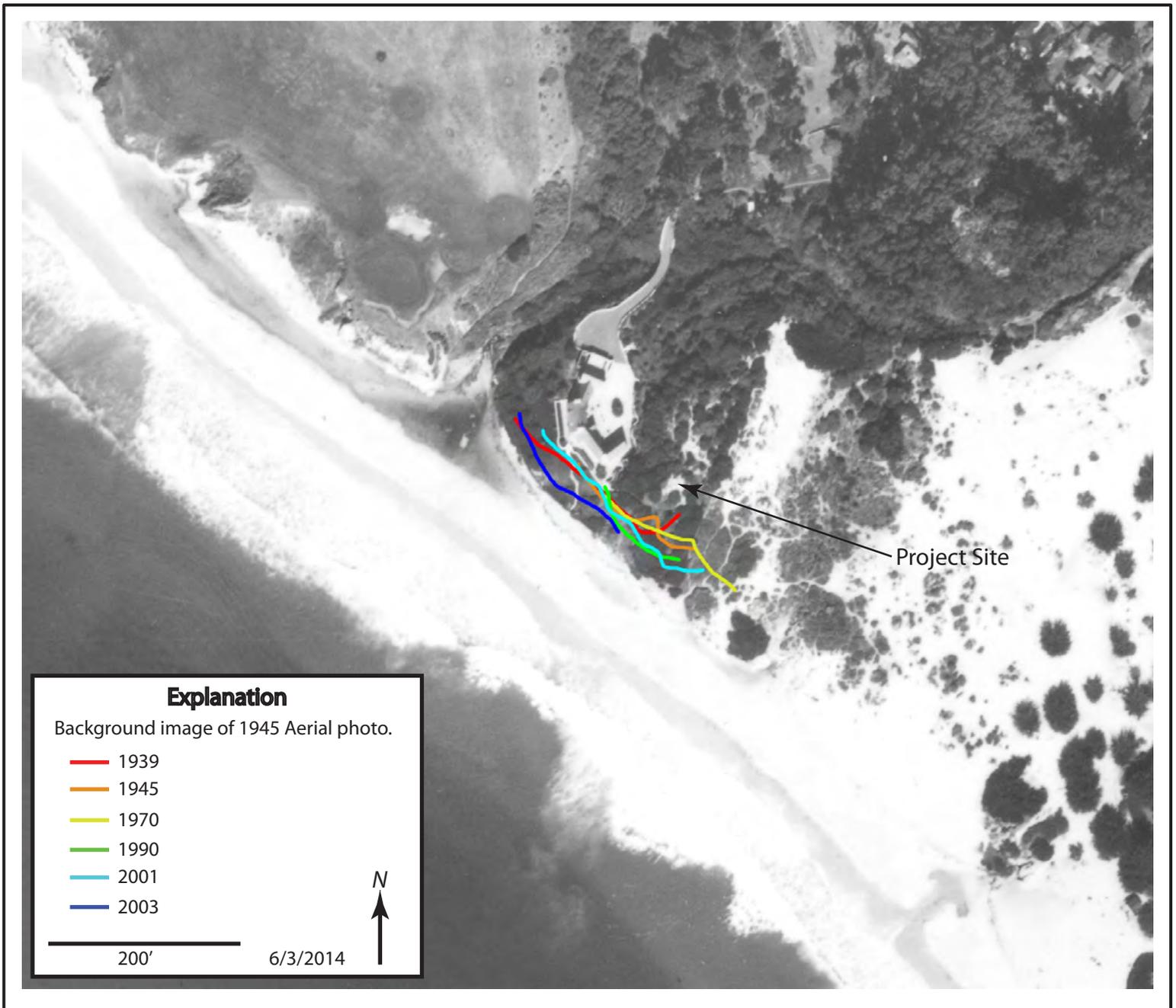


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 GEOLOGY



Historic Topographic Map -1913 USGS
 10 Carmel Way, Carmel, CA
 Reference # 4922-01

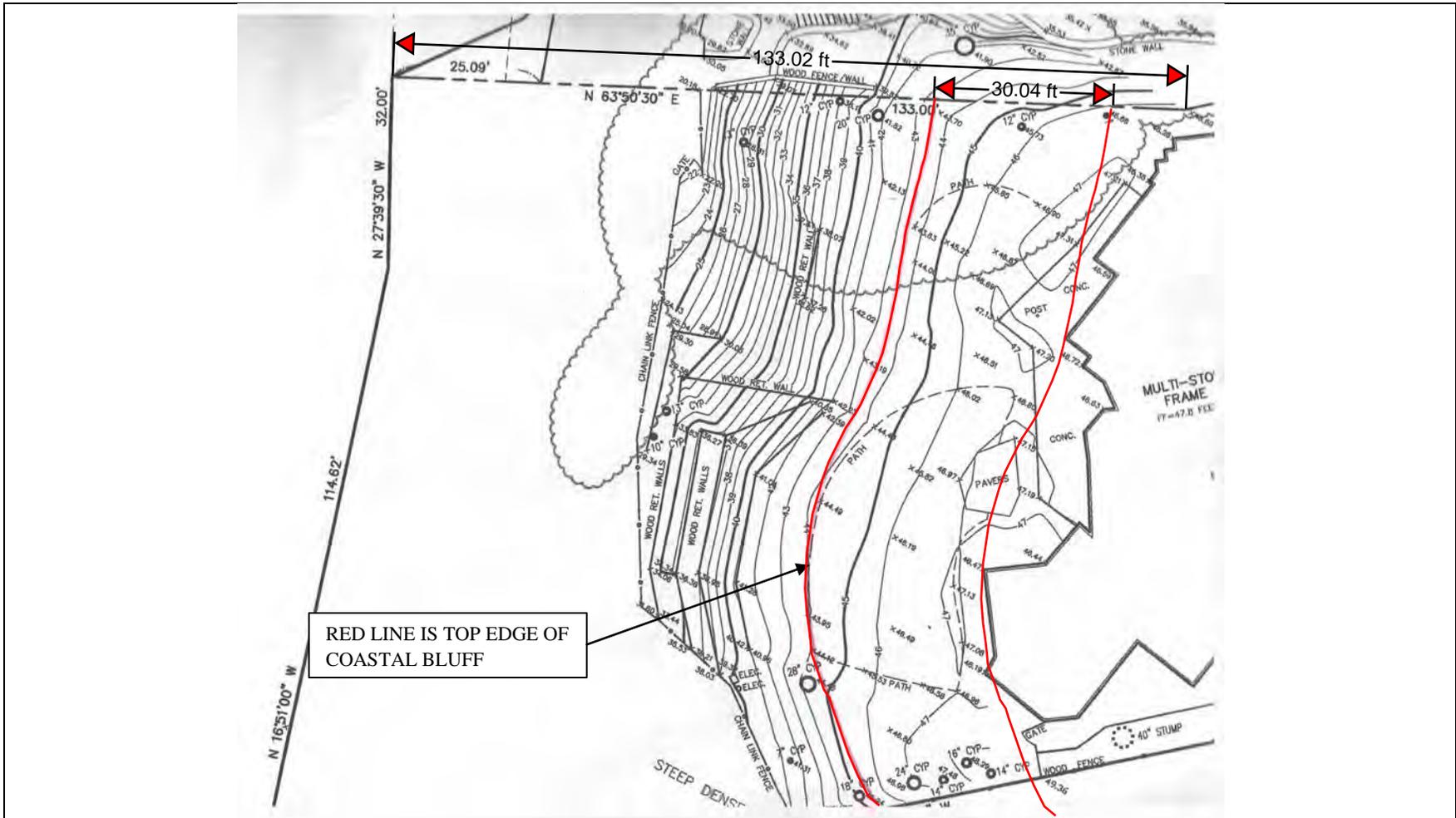
**Figure
 2**



Historical Coastal Bluffs: Aerial Photograph Analysis

10 Carmel Way
 Carmel, California
 Reference #: 4922-01





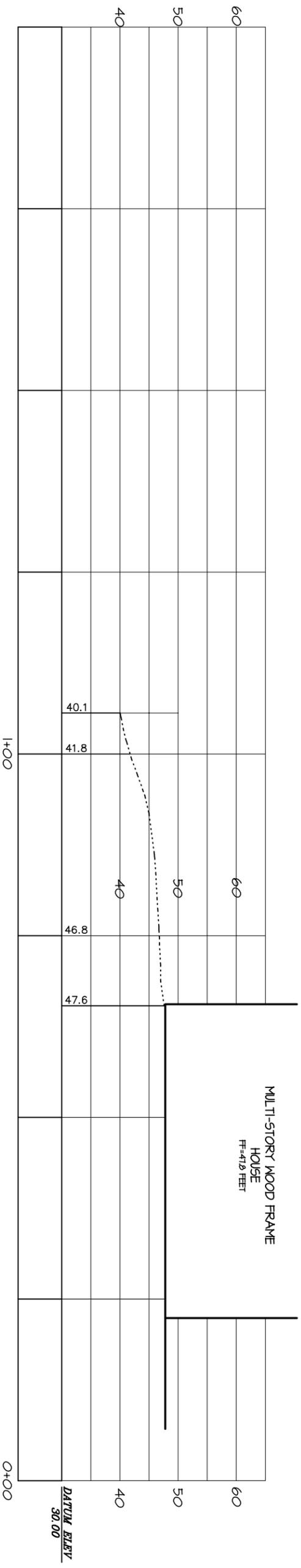
RED LINE IS TOP EDGE OF COASTAL BLUFF

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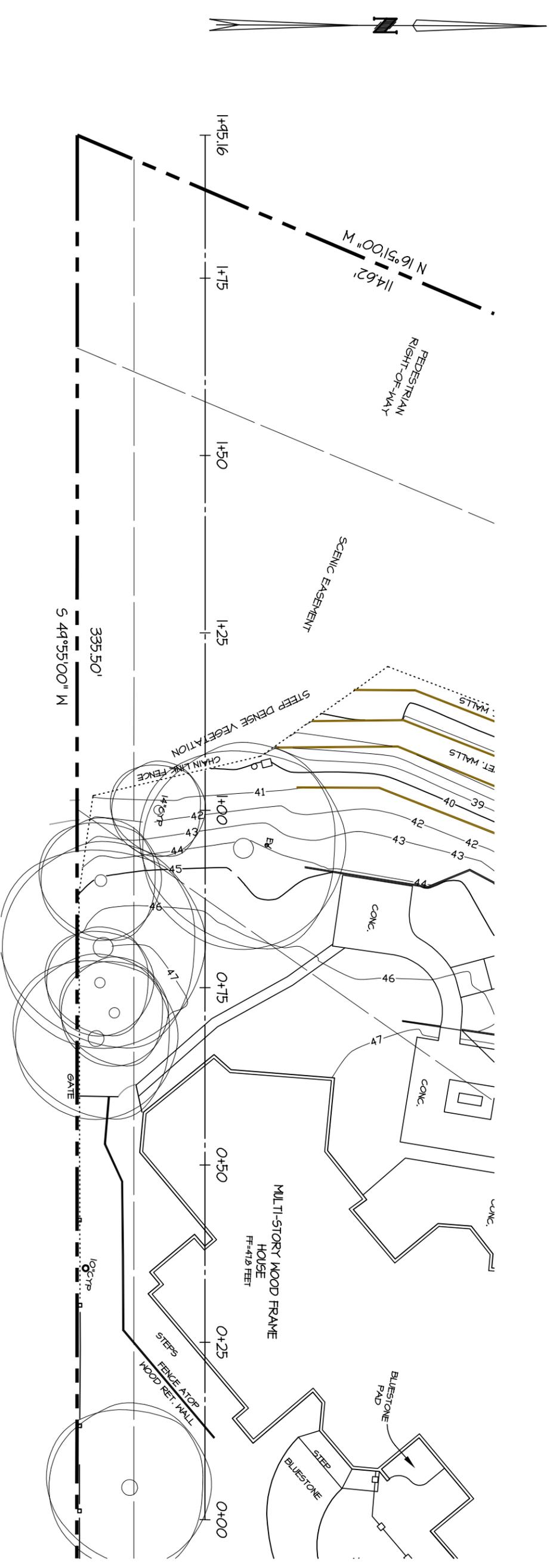


TOPOGRAPHIC MAP SHOWING TOP
 EDGE OF COASTAL BLUFF
 10 Carmel Way, Carmel, CA
 Reference # 4922-01
 (Not to Scale)

Figure
 4



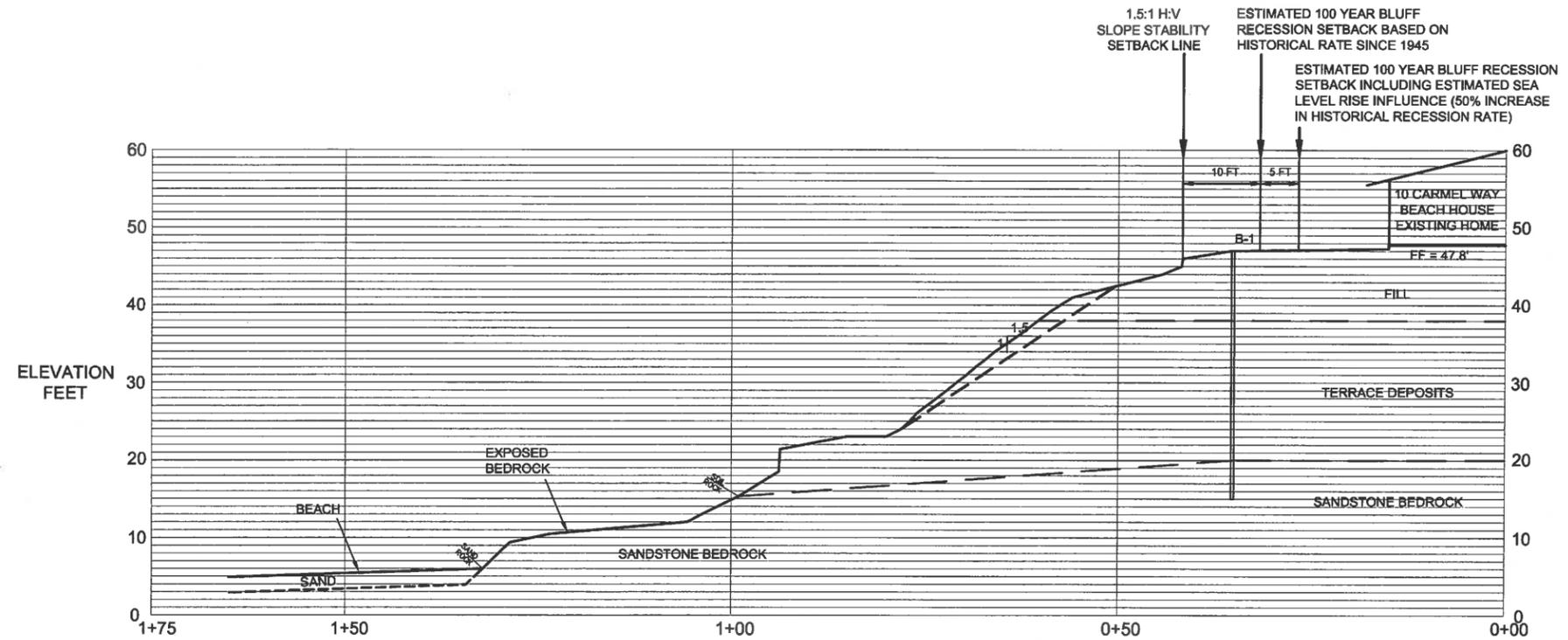
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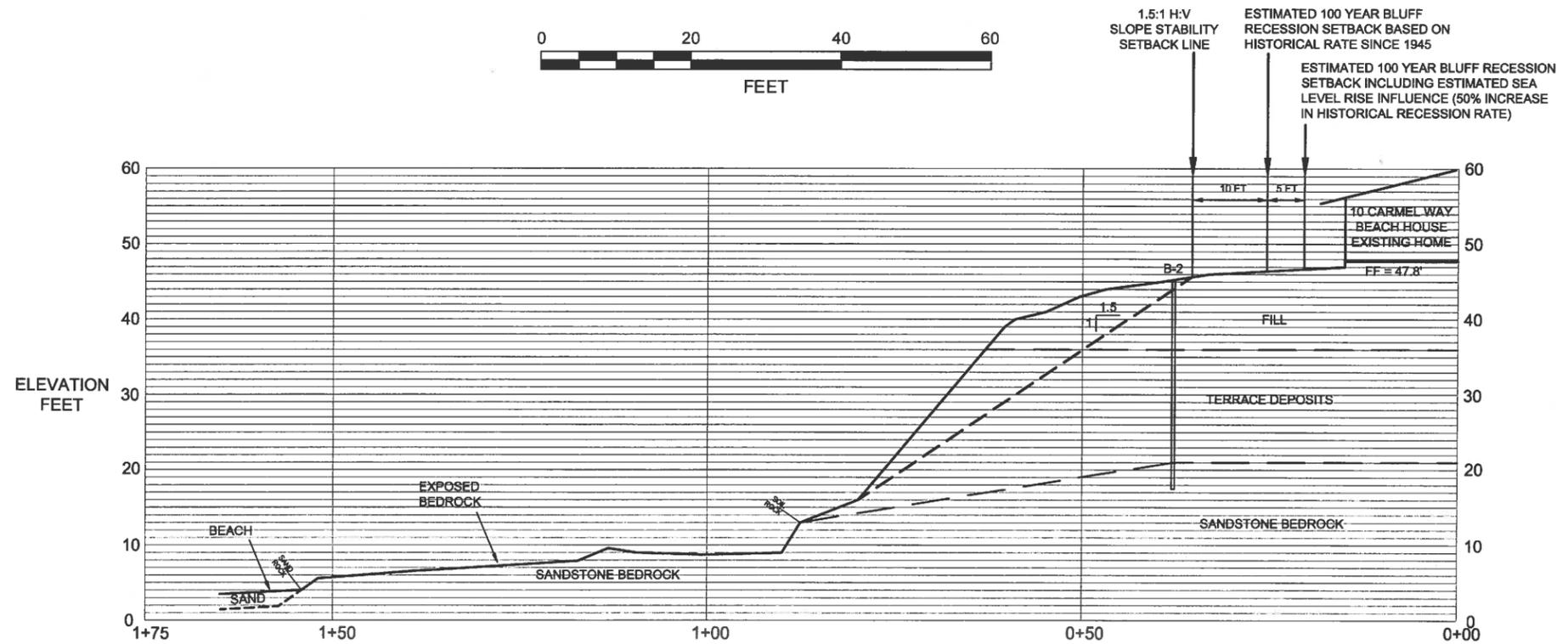
SCALE: 1" = 16'

General Notes:

- A. Topographic Base Map prepared by Central Coast Surveyors.
- B. Vertical Elevation Datum is NGVD29.
- C. Topography at beach level may not accurately reflect actual terrain.
- D. ESTIMATED 100 YEAR FUTURE COASTAL BLUFF RECESION SETBACKS are for planning purposes. The selection of a "100 YEAR" timeframe is based on our understanding of the January 2016 minimum setback requirements that the City of Carmel-by-the-Sea utilizes for permitting new development.
- E. LIMITATIONS: Because of uncertainties that are inherent in the analysis and are beyond the control of HKA, no guarantee or warranty is possible that future recession will occur at the rate predicted. Greater or lesser erosion and recession may occur. In any case, damage to improvements should be expected at some point in the far future. This study should not be used in lieu of appropriate insurance coverage. The owners and occupants of the coastal improvements shall accept the risk of that damage, and HKA recommends that they should purchase appropriate insurance to mitigate the inherent risk.



SECTION 1



SECTION 2

REVISIONS	BY

ESTIMATED 100 YEAR FUTURE COASTAL BLUFF RECESION SETBACK CROSS SECTIONS
BEACH HOUSE AT 10 CARMEL WAY, CARMEL-BY-THE-SEA, CA
APN 010-321-021

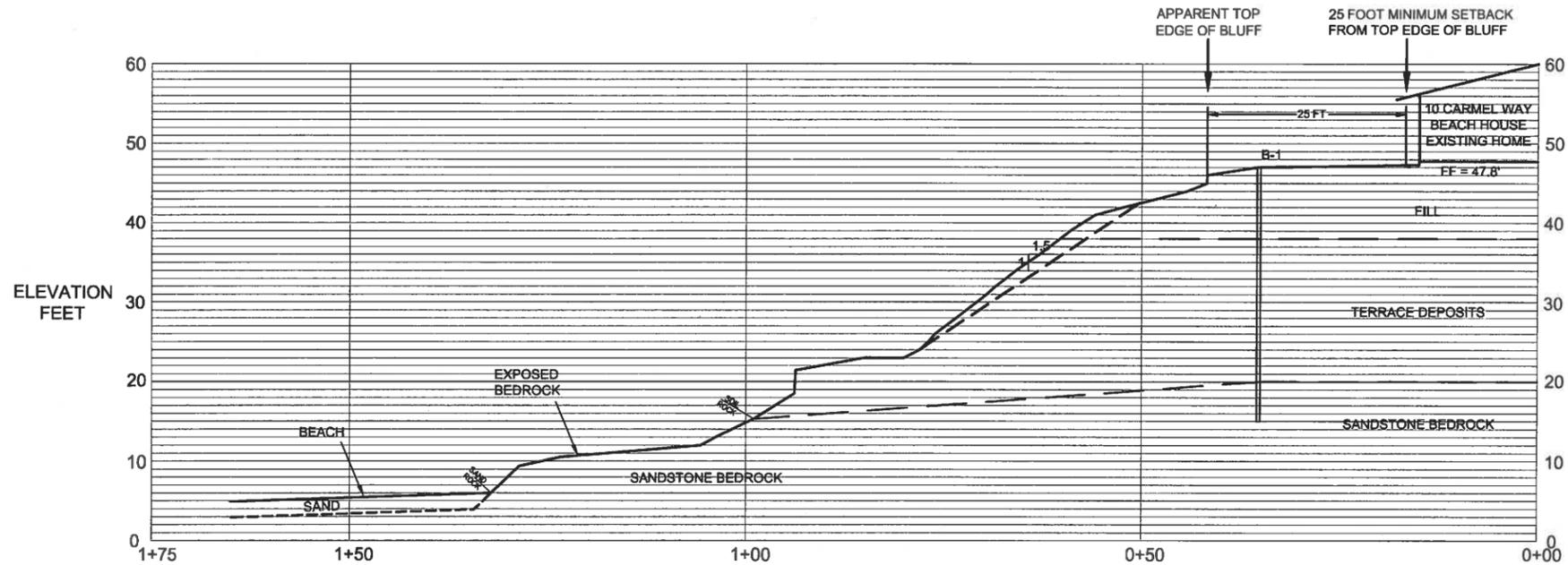
HARO, KASUNICH AND ASSOCIATES, INC.
 CONSULTING CIVIL, GEOTECHNICAL & COASTAL ENGINEERS
 118 EAST LAKE AVE., WATSONVILLE, CA 95076 (831) 725-4175

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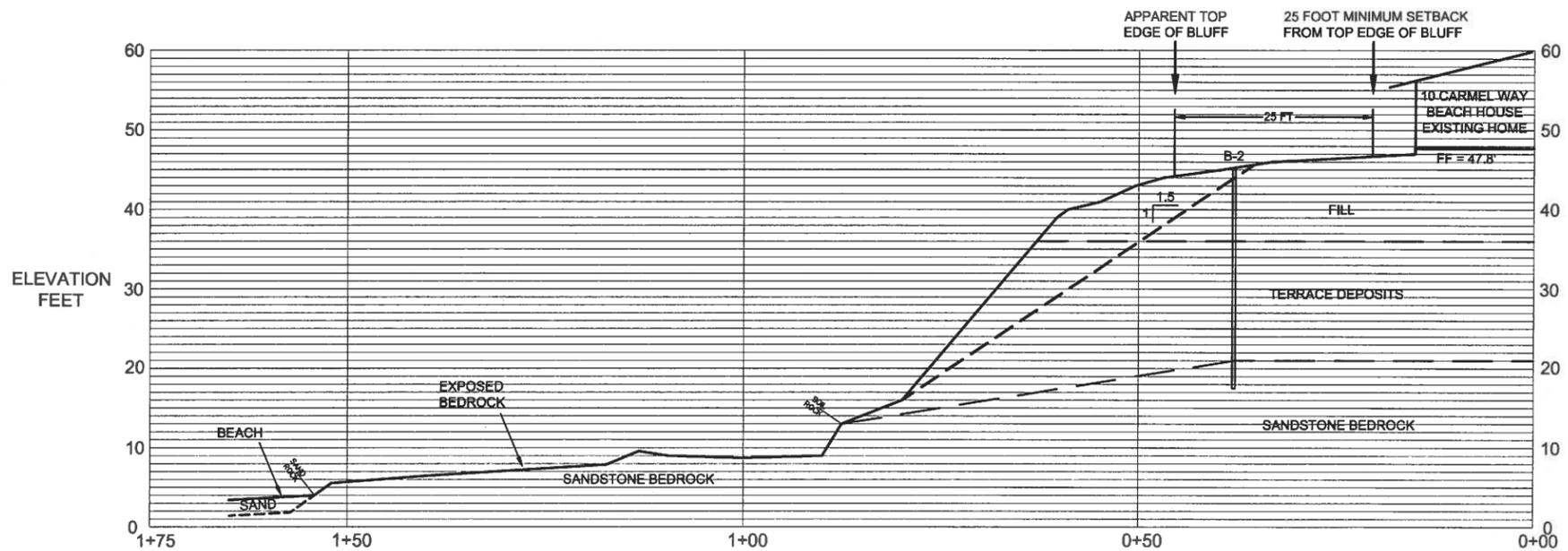
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General Notes:

- A. Topographic Base Map prepared by Central Coast Surveyors.
- B. Vertical Elevation Datum is NGVD29.
- C. Topography at beach level may not accurately reflect actual terrain.
- D. ESTIMATED 100 YEAR FUTURE COASTAL BLUFF RECESSSION SETBACKS are for planning purposes. The selection of a "100 YEAR" timeframe is based on our understanding of the January 2016 minimum setback requirements that the City of Carmel-by-the-Sea utilizes for permitting new development.
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SECTION 1



SECTION 2

REVISIONS	BY

COASTAL BLUFF RECESSSION SETBACK MAP
SHOWING 25 FOOT MINIMUM SETBACK
BEACH HOUSE AT 10 CARMEL WAY, CARMEL-BY-THE-SEA, CA
APN 010-321-021

HARO, KASUNICH AND ASSOCIATES, INC.
 CONSULTING CIVIL, GEOTECHNICAL & COASTAL ENGINEERS
 116 EAST LAKE AVE., WATSONVILLE, CA 95076 (831) 722-4175

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THE LAW OFFICE OF AENGUS L. JEFFERS

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November 3, 2016

VIA HAND DELIVERY

City of Carmel-by-the-Sea
Planning Commission
P.O. Drawer G
Carmel-by-the-Sea, California
93901

**Re: Planning Commission Design Study: 7 and 9 Carmel Way
(DS 16-259 and DS 16-260)**

Dear Honorable Members of the Planning Commission:

I am writing on behalf of my client, Jeff and Wendy Hines (“Applicant”) who recently purchased the estate at 7 and 9 Carmel Way (collectively, the “Property”). The Applicant’s goal is to replace the three habitable dwellings on the Property with just two main residences (merging the third legal parcel and abandoning its associated dwelling) while also incorporating every opportunity to improve existing public and private views, increase setbacks, and bring the Property into compliance with current LCP policies (the “Project”). The purpose of this letter is to thank the Community Planning & Building Department Staff for their candid feedback and recommendations going back to 2014 and their help bringing the Project to hearing.

I also want to acknowledge the support of our immediate neighbors. We have previously submitted a letter of support from Andy Paul, the new owner of the adjacent Stone House estate. Since then we have reviewed the Project with the rest of the immediate neighbors and garnered their written support. Support letters from John Staples and Jon Lambert are enclosed with this letter.

I expect that prior to any final technical review by the Planning Commission we will have also earned the support of our neighbor to the east, Paul DeBruce. The DeBruce’s team and the Applicant’s team have conducted nearly ten site visits on the Property to fine tune the Project to both screen the proposed Boardwalk House from the DeBruce’s patios and residence while also expanding views to Stillwater Cove and Point Lobos. While we are close to successfully working through final details such as approval of specific plant specimens and confirming the height and extent of privacy hedging, we will need until the end of November to mutually confirm these details.

The neighborhood of Carmel Way is in a unique situation. The three estates at the end of Carmel Way changed hands within 9 months of each other. Each of the new owners (along with their associated consultants) are committed to promoting neighborly cooperation. In the spirit of such cooperation the Hines request that final review of this Project (i.e. our final technical review) not occur until the DeBruce’s and the Hines have had a chance to resolve and secure our outstanding

City of Carmel-by-the-Sea
Planning Commission
November 3, 2016
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details. While these details are likely not significant for the Planning Commission's design level review, the successful resolution of these details is important to each neighbor and their goals of mutual cooperation.

Subject to this request, our Team (including Luca Pignata and Matthew Eninger from Backen, Gillam & Kroeger with local perspective and advice from Craig Holdren of Holdren + Lietzke Architects; Bernard Trainer and Chris Merritt of Benard Trainer + Associates; and David Stocker of Stocker & Allaire Construction) look forward to presenting the Project on November 9, 2016. During the process of preparing the Application, we along with Planning Department Staff identified opportunities to allow the Applicant to fulfill their critical objectives regarding floor area and siting while also correcting existing public and private viewshed and setback impacts and bringing the Property into compliance with current LCP policies. In this regard, we wish to highlight the following:

- **Cottage Parcel Merger:** The Applicant is willing to voluntarily merge the .21 acre Cottage Parcel into the Beach Parcel to qualify for the 3% Floor Area Bonus entitlement established by City Code section 17.10.040(B)(2)(a). Merger of the Cottage Parcel prevents expansion of the Cottage Parcel residence by as much as 3,700 sqft feet.
- **Subdivision Deed Restriction:** As a condition of Project approval, the Applicant is also willing to grant a deed restriction prohibiting further subdivision of the entire Property. City Code section 17.10.040(C) also entitles applicants to utilize the 3% Floor Area Bonus in exchange for a permanent deed restriction prohibiting further subdivision. The Applicant acknowledges the Property is already subject to zoning restrictions prohibiting further subdivision but the deed restriction would remain permanent regardless of any changes to the zoning ordinance.
- **Bluff Setback Compliance:** While the Applicant was advised to simply not move the Beach House further towards the bluff edge, the Project pulls the Beach House 5 to 8 feet further from the bluff edge. The proposed setback would be between 2 and 10 feet further than Haro, Kasunich, and Associate's estimate of bluff retreat over the next 100 years.
- **Enhancement of Public and Private Views:** The Turret element of the existing Beach House is visually prominent from the Dunes, the Beach, and neighbor views. The proposed Beach House eliminates the Turret and brings the height of the Beach House down from 27 feet to 18 feet. Photographs and visualizations for the Project were submitted with the Application. The photos detail the extent of the Turret's viewshed impacts and the benefits of removing this visually prominent feature. With regards to the Boardwalk House, the photographs detail the visibility of the

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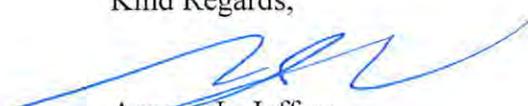
Boardwalk House from the Dunes, particularly while walking down the boardwalk trail. To diminish these impacts, the Project proposes to reduce the height of the Boardwalk House by 2 feet where it is visible from the public boardwalk.

- **Increasing Setbacks from the Dunes:** Based upon recommendations from Tom Moss, dunes biologist, the Project proposes re-aligning the existing shared driveway between the Dunes and the Boardwalk House to nearly triple the existing Dunes setback from 10.5 feet to 31 feet. The Project also proposes increasing the Beach House's existing Dunes setback from 5.5 feet to 11 feet. The Applicant is not adverse to adding vegetative screening to further reduce visibility from the Dunes (as long as such screening does not impact views from the McCormick's Sand and Sea residence).
- **Quitclaim of Beach Area to the City:** As a condition of approval for the Project, the Applicant is also willing to quitclaim to the City that portion of the Property which comprises the Beach below the bluff.
- **Dune Restoration:** Mr. Moss confirmed the Project will not impact Dune ESHA and that the Dunes will benefit from the increased development setbacks. Mr. Moss did, however, identify opportunities to improve the Dunes by installing cable rails along the boardwalk, by removing iceplant, and replacing acacia with native plantings adjacent to the Property. The Applicant is willing to help fund Mr. Moss' restoration recommendations consistent with the North Dunes Restoration Plan currently under consideration.

Conclusion

In closing, our team looks forward to presenting the Project during our November 9, 2016 site tour/hearing and responding to your guidance prior to a final technical review hearing.

Kind Regards,



Aengus L. Jeffers

ALJ
Enclosures

*John N. Staples III
Casanova St. 2 SW of 10th Ave.
Carmel, CA 93923*

November 2, 2016

Jeffrey Hines
9 Carmel Way
Carmel-by-the-Sea, CA 93921

Subject: Carmel Way Homes

Dear Jeff and Wendy:

Thank you for the opportunity to review the design you have for your new homes on Carmel Way with Sarah and me.

We are pleased to see the care you and your team have taken in considering public views with the design of the new house. The reduced height of both homes and removal of the turret element will improve both public and private views. We look forward to seeing the finished product.

Please pass along this letter of support to City staff or the Planning Commission. Do not hesitate to contact me if additional support for your project is needed.

With Best Regards,



John N. Staples III

Jon Lambert

November 1, 2016

Jeffrey Hines
9 Carmel Way
Carmel-by-the-Sea, CA 93921

Subject: 7 and 9 Carmel Way, Carmel-by-the-Sea

Dear Jeff and Wendy:

Please thank Luca Pignata and his team for taking the time to review with me the plans and the design for your new homes.

I am pleased to see the care you and your team have taken in considering public views and the dune habitat with the design of the new homes. The reduced height of the homes from Carmel Beach and the public boardwalk will be a vast improvement to the public views.

I am a member of SAND (Save our Native Dunes) and we are working with the City and the Friends of the Carmel Forest to expeditiously enhance the already approved Coastal Development Plan for the restoration of the North Dunes based upon recommendations from Tom Moss (Dunes Biologist).

We are particularly focused on accelerating the removal of exotics such as non-native trees (live and dead), iceplant, acacia, and detritus to promote native Tidestrom's lupine and native dune habitat.

SAND is currently considering accepting funds to offer directly to the City to help the City accelerate the implementation of these enhanced restoration plans. Our hope is that we can help accelerate the implementation to within 2 years instead of the currently proposed five plus years. We will absolutely welcome the contribution you have offered if and when the City agrees to these plans and agrees to accept such financial assistance.

Please pass along this letter of support in your discussions with the City staff. Do not hesitate to contact me if additional support for your project is needed.

Sincerely,



Jon Lambert



CITY OF CARMEL-BY-THE-SEA

Planning Commission Report

November 9, 2016

To: Chair Goodhue and Planning Commissioners

From: Marc Wiener, AICP, Community Planning and Building Director

Subject: Review of potential amendments to Municipal Code Title 17.14 (Commercial Zoning Districts) and 17.68 (Use Classifications).

Recommendation:

Review the proposed amendments to Title 17.14 and 17.68 of the Municipal Code and make recommendations.

Background:

At the Direction of the City Council, the Planning Commission has been reviewing the City's Municipal Code to consider whether amendments should be made to require a conditional use permit for certain land uses. At the October 12, 2016 Planning Commission meeting, the Commission discussed amending the Municipal Code and directed staff to return with draft amendments. In addition to considering which land uses should require a conditional use permit, the Commission also discussed addressing the use permit voting requirements, adding a few new land use definitions, and adding a section to the code that addresses temporary uses/special events. Staff has returned with draft code amendments (Attachment A) and is seeking the Planning Commission's input.

Staff analysis:

The following is a brief overview of the code sections that were amended. The proposed amendments are consistent with the recommendations made by the Planning Commission at the October 2016 meeting.

Conditional Uses and Definitions: *Cosmetic stores and wine tasting shops* were added to the Commercial Use Classification (CMC 17.68.050) section of the code. Both of which will require a conditional use permit, as identified in the amended Land Use Table (17.14.030). The Land Use Table was also amended to require conditional use permits for *liquor stores, community centers, and small conference facilities*. In addition to these changes, the regulations for *Sporting Goods, Bicycles, Hobbies, Toys and Games* (CMC 17.14.040) has been amended to recognize bicycle rentals as an activity and a conditional use permit is required.

Use Permit Voting Requirements: The use permit voting requirements are currently contained in the Planning Commission Rules of Procedure, which states that decisions on use permits require a minimum of four members for a quorum and four affirmative votes. Staff has added the following to section 17.14.050 of the Municipal Code: *“When voting on a conditional use permit a quorum shall consist of four (4) members of the Planning Commission. The decision of Planning Commission to grant a conditional use permit shall require an affirmative vote of 2/3 of the membership present and voting.”* This will ensure that at least four members of the Planning Commission must be present for a decision on a use permit and an affirmative supermajority vote is required. For example, if five members are present, four affirmative votes are required. If four members are present, three affirmative votes are required. Staff notes that the Planning Commission Rules of Procedure will need to be amended to be consistent with this code revision if adopted.

Temporary Events: The Community Planning and Building Department currently authorizes special events on private property in accordance with CMC 9.16.030, which states:

“The Director of Community Planning and Building may authorize the playing of musical instruments with or without vocal accompaniment in conjunction with the sale or serving of alcohol during private (nonpublic) events and during temporary uses/special events open to the public, located on private property. All such events shall comply with CMC 17.14.050(G)(1), noise restrictions. The Director shall authorize no more than four public events per calendar year, per property.”

The above section of the code primarily pertains to events involving music in establishments that serve alcohol. Nevertheless, the City has historically applied this section of the code to authorize a broad range of special events such as art gallery shows/parties, wine tasting room social events, and larger events such as car or food shows in the Carmel Plaza.

At the October 2016 meeting, staff recommended that a section be added to Title 17.14 of the Municipal Code that more clearly defines the permitting requirements and allowances for special events in the commercial district. Staff had added the following to section 17.14.050 of the Municipal Code:

The Director of Community Planning and Building may authorize temporary uses/special events to occur on private property not exceeding five days. Temporary uses/special events exceeding five days shall be referred to the Planning Commission for a decision. Decisions on temporary uses/special event permits may be referred to the Planning Commission when, in the opinion of the Director, the use may be objectionable to persons residing or working in the vicinity. The Director shall authorize no more than four public events per calendar year, per property.

Environmental Review: This ordinance is exempt from CEQA pursuant to CEQA Guidelines section 15061(b)(3) which is the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment and CEQA does not apply where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment. The proposed zoning amendments are clerical in nature and will have no impact on the physical environment.

ATTACHMENTS:

- Attachment A – Draft Code Amendments

Attachment A – Draft Code Amendments (highlighted in yellow and underlined)

17.14.030 Land Use Regulations.

Schedule II-B: Commercial Districts – Use Regulations				
P = Permitted Use L = Limitations Apply C = Conditional Use Permit Required	Commercial Districts			Additional Regulations
	CC	SC	RC	
Retail				
Animal Sales and Services				
Animal Grooming	P	P	P	See CMC 17.14.040(C)
Animal Hospitals	–	C	–	See CMC 17.14.040(C)
Kennels	–	C	C	See CMC 17.14.040(C)
Automobile Sales and Services				See CMC 17.14.040(D)
Motorcycles, Mopeds and Parts	P	P	–	
Vehicle Repair	–	C	C	
Vehicle Service and Gasoline	–	C	C	See CMC 17.14.040(D)
Building Materials, Hardware and Garden Supplies	P	P	C	See CMC 17.14.040(G)
Eating and Drinking Establishments				See Chapter 17.56 CMC
Drinking Places	C	C	–	See CMC 17.14.040(I)
Restaurant, Full Line	C	C	–	See CMC 17.14.040(I)
Restaurant, Specialty	C	–	–	See CMC 17.14.040(I)
Food and Beverage Sales				See Chapter 17.56 CMC
Convenience Market	–	L-2	L-2	See CMC 17.14.040 (D)(2) and (J)(2)
Food Store – Full Line	C	C	C	See CMC 17.14.040(J)
Food Store – Specialty	C	C	–	See CMC 17.14.040(J)
Liquor	<u>P</u> <u>C</u>	<u>P</u> <u>C</u>	C	See CMC 17.14.040(J)
<u>Wine Tasting Shop</u>	<u>C</u>	<u>C</u>	<u>–</u>	

Retail Sales	P	P	–	See Chapter 17.16 CMC; See CMC 17.14.040(T)
Antique Shops	P	–	–	See CMC 17.14.040(T)
Art Galleries	P	–	–	See CMC 17.14.040(T)
Arts and Crafts	P	–	–	See CMC 17.14.040(T)
Jewelry Shops	P	–	–	See CMC 17.14.040(T)
Cosmetic Stores	C	C	–	
Sales by Public Outcry (Auction)	–	C	C	See CMC 17.14.040(U)
Specialty, Theme	P	P	–	See CMC 17.14.040(T)
Stationery	P	P	P	See CMC 17.14.040(T)
Thrift Shops	P	P	–	See CMC 17.14.040(T)
Vending Machines	C	C	C	See CMC 17.14.040(T)
Service/Office				
Banks and Other Financial Institutions	P	P	P	See CMC 17.14.040(F)
Automatic Teller Machines (ATM)	C	C	C	See CMC 17.14.040(E)
Business Services	P	P	L-1	
Commercial Recreation	P	–	–	See CMC 17.14.040(H)
Community Care Facility	P	P	P	
Computer Services	P	P	P	
Day Care Centers	–	C	C	
Emergency Medical Care	P	P	P	
Government Offices	P	P	P	
Hotels and Motels	C	C	C	See Chapter 17.56 CMC, Restricted Commercial Uses, and CMC 17.14.040(M)
Hospitals and Clinics				

Hospitals		C	–	See CMC 17.14.040(L)
Clinics	P	P	P	See CMC 17.14.040(L)
Hospice Care, Limited	P	P	P	
Maintenance and Repair Services	L-3	L-3	L-3	
Office				
Business and Professional	P	P	P	
Medical and Dental	P	P	P	
Other	P	P	L-4	See CMC 17.14.040(O)
Parking Facilities, Commercial	–	C	C	See CMC 17.14.040(P) and Chapter 17.64 CMC, Findings Required for Permits and Approvals
Personal Improvement Services	C	C	–	See CMC 17.14.040(Q)
Personal Services	P	P	P	
Laundry and Dry Cleaning	C	C	C	See CMC 17.14.040(R)
Video Tape Rental	P	P	–	See CMC 17.14.040(R)
Research and Development Testing Services	P	P	P	See CMC 17.14.040(S)
Residential Care Facilities				
General	–	C	C	
Limited	–	P	P	
Senior	–	C	C	
Travel Services	P	P	P	See CMC 17.14.040(V)
Residential/Public and Semipublic				
Colleges and Trade Schools	P	P	P	
Community Centers	P C	P C	P C	
Conference Facilities, Small	P C	P C	P C	

Community Social Service Facility	P	P	P	
Family Day Care				See CMC 17.08.050(B)
Small Family	–	–	P	
Large Family	–	C	C	
Libraries, Public	P	P	P	
Multifamily Dwellings				See CMC 17.14.040(N)
<p>Specific Limitations and Conditions:</p> <p>L-1: Limited to advertising, consumer credit reporting, secretarial court reporting, equipment maintenance and repair, personnel supply services, and nonretail computer services and repair.</p> <p>L-2: Allowed only as accessory use to gasoline stations and limited to a maximum of 300 square feet. No sales of alcohol are permitted. See CMC 17.14.040(D)(2) and (J)(2).</p> <p>L-3: Any establishments with activities generating noise, odors, deliveries by large vehicles, high traffic by customers, or requiring large storage needs are not permitted.</p> <p>L-4: Limited to offices for the following categories: operators of nonresidential buildings, apartment buildings, dwellings, real estate agents and managers, and title companies.</p> <p>L-5: Limited to sites that are already developed with a single-family dwelling, or that were originally developed as, or used as, a single-family dwelling but have since been converted to another use. Existing single-family dwellings can be maintained, altered, repaired and/or redeveloped. R-1 district floor area ratio standards shall apply to these sites.</p>				

17.14.040 Additional Use Regulations.

J. Food and Beverage Sales.

1. All Food and Beverage Sales.

- a. Adequate facilities shall be provided on the site for the closed storage of trash and garbage generated by the use. The on-site storage shall be designed so that the area can be cleaned and the refuse removed without creating a public nuisance and without being placed on the sidewalks or other public ways.

b. Cooking equipment shall be limited to indoor stoves and ovens.

2. Food Store, Full Line.

a. The use may be combined with liquor stores in the CC and SC districts upon meeting the requirements in subsection (J)(4) of this section, Liquor.

b. A delicatessen providing a broad range of bulk specialty items primarily for home or workplace consumption such as breads, cheeses, meats, prepared salads, dried goods, and limited take-out food such as sandwiches and salads may be allowed as an incidental use. Cooking equipment shall be limited to indoor stores and ovens.

c. No seating shall be provided indoors or outdoors on the site.

d. Maximum number of food stores and/or restaurants located within structures fronting on Ocean Avenue: 15. See also Chapter [17.56](#) CMC, Restricted Commercial Uses.

e. See also subsection (J)(1) of this section, All Food and Beverage Sales.

3. Food Store, Specialty.

a. No specialty food store shall be permitted that is classified as a drive-in, fast food or formula food establishment as defined in this code.

b. All food sold for consumption off the premises shall be placed in covered containers or wrappings.

c. The use may be combined with liquor stores and beer in the CC and SC districts upon meeting the requirements of subsection (J)(4) of this section, Liquor.

d. Maximum number of food stores and/or restaurants within structures fronting on Ocean Avenue: 15. See also Chapter [17.56](#) CMC, Restricted Commercial Uses.

e. See also subsection (J)(1) of this section, All Food and Beverage Sales.

4. Liquor.

- a. All food merchandise sold must be pre-packaged items only and not occupy more than 10 percent of the retail or window display area.
- b. Minimum distance from another use selling distilled spirits intended for either on-site or off-site consumption: 200 feet.
- c. Minimum distance from an R-1 district: 100 feet.
- d. In the RC district, liquor sales are limited to off sale beer and wine and only as an accessory use in a full-line food store.
- e. See also subsection (J)(1) of this section, All Food and Beverage Sales.

5. Wine Tasting Shop

a. Shall meet the standards of the City's adopted Wine Tasting Room Policy.

b. Minimum distance from another use selling distilled spirits intended for either on-site or off-site consumption: 200 feet.

c. Minimum distance from an R-1 district: 100 feet.

d. Permitted in the CC and SC districts with the issuance of a conditional use permit.

T. Retail Sales. No discount stores, manufacturers' outlet stores, catalog stores, or stores devoting more than 15 percent to the sale of second-quality, irregular or discontinued merchandise or to the liquidation of merchants' or manufacturers' stock shall be established. All retail sales shall be conducted from within a fixed place of business.

14. Sporting Goods, Bicycles, Hobbies, Toys and Games.

- a. All merchandise must be contained within an enclosed building.
- b. These uses may be combined with each other, apparel stores and with sales of motorcycles, mopeds.

c. Uses that include motorized bicycles, mopeds or motorcycles are not allowed in buildings fronting on Ocean Avenue or within 300 feet of an R-1 district.

d. Uses that include bicycle rentals require the issuance of a conditional use permit.

15. Stationery Stores. In the RC district, stationery stores are limited to uses providing a full range of paper products, office forms, office supplies, stationery, pens, pencils and writing supplies.

16. Used Merchandise.

a. The used merchandise must be sold for nonprofit purposes or as used books in a bookstore.

b. Used merchandise cannot include automotive supplies and equipment, and building materials.

c. Antiques, jewelry or art cannot occupy more than 10 percent of the total display area for used merchandise, including window displays.

17. Vending Machines.

a. Only machines not visible from any public right-of-way and fully contained within an enclosed structure are allowed.

b. Maximum number of machines within a place of business: two.

18. Cosmetic Stores.

a. All merchandise must be contained within an enclosed building.

b. Permitted in the CC and SC districts with the issuance of a conditional use permit.

17.14.050 Regulations Applied in All Commercial Districts.

A. No existing residential dwelling unit shall be converted or demolished unless replacement housing is provided in accordance with findings established in CMC [17.64.070](#), Demolition and Conversion of Residential Structures.

B. Any change in use that modifies the findings and conditions upon which a use permit was granted shall be a basis for revocation of, or amendment to, the use permit.

C. When voting on a conditional use permit a quorum shall consist of four (4) members of the Planning Commission. The decision of Planning Commission to grant a conditional use permit shall require an affirmative vote of 2/3 of the membership present and voting.

~~D.~~ Conditionally permitted uses operating without a use permit that existed prior to the adoption of this code, and conditionally permitted uses operating with a use permit approved under standards or findings that have been amended since the permit was granted, shall be reviewed at the time the use changes ownership. The form and purpose of this review shall be limited to:

1. Granting a new use permit at a public hearing when the use is determined to meet all current standards for approval; or
2. When the Director determines that a conforming use permit cannot be approved, this process shall be limited to an administrative review and documentation to establish the characteristics of the use, including those listed below, as a matter of public record, to ensure that the use is not altered through the passage of time and successive ownerships. The following shall be documented:
 - a. Define the use by its NAICS including any subclassifications or special characteristics;
 - b. Define the size, capacity, hours of operation, and floor area of the use;
 - c. Identify all nonconformities associated with the use and the structure within which it is located;
 - d. Identify the characteristics of the use including but not limited to its compliance with general development regulations in CMC [17.14.040](#)(A) and (B);
 - e. Identify any standards, required findings and/or standard or special conditions of approval, applicable to the use, to which the use conforms.

~~E.~~ Any construction resulting in a net increase in the amount of commercial floor area shall require a conditional use permit and coastal development permit authorizing such increase. Prior to authorizing such increase, the Planning Commission shall make all findings listed in CMC [17.64.100](#), Increase in Commercial

Floor Area, Commercial Spaces or Business. The decision-making body may approve plans submitted or may approve such plans subject to specified changes or conditions.

EF. Except as provided for legally established motel units in CMC [17.14.040](#)(M), Hotels and Motels, all newly constructed second story floor area, including area in new buildings, remodeled buildings and replacement, rebuilt or reconstructed buildings, shall be occupied by residential dwellings only and shall not be used for any commercial land use, except as follows:

1. Existing floor area established at any level above the first story at or near street grade may continue to be used for occupancy by commercial land uses except for those limited to the first story by CMC [17.12.030](#), Demolition and Rebuilding of Structures.
2. When such existing commercial space is currently occupied by a retail use, the use may be replaced by another retail use, service use or residential use allowed within the underlying land use district.
3. When such existing space is occupied by a service use, only service or residential uses shall be allowed as a replacement use.

EG. No existing residential dwelling unit occupying floor space at any level above the first story in any structure shall be converted to any commercial use.

EH. For uses in the RC land use district or located on any property within 300 feet of an R-1 land use district the following standards shall apply:

1. No activity shall be permitted that generates noise in excess of 55 dB at the exterior of the building or yard in which the use is conducted. No activity shall be permitted that causes in excess of 50 dB measured at the property line of any site in the vicinity of the use. Proposed activities that would generate or cause noise in excess of these levels shall require mitigation to achieve these standards or shall be prohibited. Sound measurements shall be made using a sound level meter calibrated for the A-weighted scale and shall be averaged over a 15-minute period. If the use generates or causes noise which includes a steady whine, screech or hum, or is repetitive or percussive or contains music or speech the respective noise standards shall be reduced by five decibels.

2. Any activity requiring deliveries by vehicles wider than eight feet or vehicles of three axles or more shall provide off-street loading facilities adequate to avoid double parking on street. Such facilities shall be used to the extent feasible.

3. Proposed commercial uses that are estimated to generate more than 40 vehicle trips per day per 1,000 square feet of floor space, including but not limited to all retail uses, shall be prohibited from operating before 8:00 a.m. or after 8:00 p.m. All other commercial uses shall be prohibited from operating before 6:00 a.m. or after 9:00 p.m. (Ord. 2004-02 § 1, 2004; Ord. 2004-01 § 1, 2004).

I. The Director of Community Planning and Building may authorize temporary uses/special events to occur on private property not exceeding five days. Temporary uses/special events exceeding five days shall be referred to the Planning Commission for a decision. Decisions on temporary uses/special event permits may be referred to the Planning Commission when, in the opinion of the Director, the use may be objectionable to persons residing or working in the vicinity. The Director shall authorize no more than four public events per calendar year, per property.

17.68.050 Commercial Use Classifications.

Food and Beverage Sales. Retail sales of food and beverages primarily for off-site consumption. Typical uses include markets, groceries, liquor stores, and retail bakeries.

Convenience Market. Retail establishments that sell a limited line of groceries, prepackaged food items, tobacco, periodicals, and other household goods. This classification does not include delicatessens or specialty food shops.

Food Store-Full Line. Retail food markets, with no seating on-site, providing a full range of food and grocery items including meats, poultry, produce, dairy products, and canned and dried goods for home preparation. These markets may have specialty food sales as an incidental use, such as bakeries and delicatessens.

Food Store-Specialty. Retail food markets, with no seating on the site, that provide a specialized and limited range of food items sold primarily for home preparation and consumption. Examples include such uses as:

- Bakeries;

- Candy, nuts and confectionery stores;
- Meat or produce markets;
- Vitamins and health food stores;
- Cheese stores and delicatessens.

Liquor. Establishments primarily engaged in selling packaged alcoholic beverages such as ale, beer, wine and liquor.

Wine Tasting Shop. Establishments primarily engaged in the retail sale of wine for off-site consumption and as an ancillary use includes the service of wine for on-site consumption.

Retail Sales. The retail sale of merchandise not specifically listed under another use classification. This classification includes bookstores, camera shops, clock shops, clothing stores, drugstores, florist shops, hobby, toys and game shops, furniture stores, luggage stores, musical instrument stores, newsstands, optical goods stores, shoe stores, souvenir stores, sporting goods stores, stationary stores, and tobacco, pipes, cigarettes, and smokers' supplies.

Antique Shops. Establishments selling collectible merchandise that is old or rare.

Art Galleries. Establishments primarily engaged in selling and displaying original and limited edition art works including paintings, graphic arts, photography, and sculpture.

Arts and Crafts. Establishments selling handcrafted merchandise for home decoration or furnishings within one or more of the following categories: pottery, glass, fabric, paper, wood, fiber or ceramics. Goods sold at these stores are unique, artisan-produced items rather than machine or mass-produced goods.

Jewelry Shops. Retail stores selling a combination of jewelry items, predominantly handcrafted, including diamonds and other precious stones mounted in precious metals, such as rings, bracelets, brooches, sterling and plated silverware, and watches.

Specialty or Theme. A retail store selling a specialized line of merchandise not otherwise defined including art and architecture supplies, candles, coins and stamps, gems, rocks and stones, telescopes, and binoculars. A

theme store may combine merchandise lines from several classifications with all merchandise organized around a central concept or idea.

Thrift Shops. Nonprofit organizations selling used goods normally consisting of household discards. This classification does not include such specialty stores as used bookstores, antique stores, jewelry stores, or stamp and coin collection shops.

Vending Machines. Coin, token, currency, or magnetic card-operated machines selling a variety of goods including candy, snacks, sodas, toys, and trinkets.

Cosmetic Shops. A retail store selling cosmetics, perfumes, skin-care products, toiletries, and personal grooming products.