

City of Carmel-by-the-Sea
Community Planning & Building
P.O. Drawer G
Carmel-by-the-Sea, California 93921
Phone: (831) 620-2010 Fax: (831) 620-2014



1 February 2010

NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

NOTICE IS HEREBY GIVEN that the City of Carmel-by-the-Sea has prepared a proposed Mitigated Negative Declaration, pursuant to the requirements of CEQA, for the Golden Bough Playhouse Theatre Improvement project. The project site is located on the east side of Casanova Street between Eighth and Ninth Avenues in the City of Carmel-by-the-Sea, Monterey County, California. The project site also has frontage on the west side of Monte Verde Street. (APN: 010-194-016, Block C, Lots 11-14).

The proposed Mitigated Negative Declaration, Initial Study and reference documents are available for review at the Community Planning and Building Department at the Carmel-by-the-Sea City Hall, located on the east side of Monte Verde Street between Ocean Avenue and Seventh Avenue and on the City's website at www.ci.carmel.ca.us (click on Government, then Staff/Departments, then Community Planning & Building, then Projects).

An additional copy for public review is available at the Harrison Memorial Library (northeast corner of Ocean Avenue and Lincoln Street) and copies are available for purchase at Copies-by-the-Sea (northwest corner of Dolores Street and Fifth Avenue). The City's Historic Resources Board will review this project on 23 February 2010 and the Planning Commission will review it on 10 March 2010. In accordance with time limits mandated by State law, written comments on this Mitigated Negative Declaration and the Initial Study will be accepted from:

1 February 2010 through 5:00 p.m. on 22 February 2010

Project Description: The project applicant (Pacific Repertory Theatre) is proposing a 3,597 square foot addition to the west side of an existing approximately 13,300 square foot theatre building to accommodate a new lobby, a new dressing/wardrobe area at the main level, and a new backstage support area on the upper level. The project applicant is also proposing to lower the existing Circle Theatre by approximately 15 feet to create a

new basement level. Other excavation includes additional storage space on the east side of the Circle Theatre and a new driveway that slopes down from Casanova Street. Total proposed excavation is approximately 2,975 cubic yards. The project requires a variance from the City’s maximum height and plate height requirements.

The proposed additions would not change the existing seating capacity, water demand or parking demand for the Theatre.

Submit Comments to:

Mr. Sean Conroy
Planning & Building Services Manager
Community Planning and Building
City of Carmel-by-the-Sea
P.O. Drawer G, Carmel-by-the-Sea
E/s Monte Verde St. between Ocean and 7th Avenues
Carmel-by-the-Sea, California 93921
(831) 620-2010
sconroy@ci.carmel.ca.us

For reviewing agencies: The City of Carmel-by-the-Sea requests that you review the enclosed materials and provide any appropriate comments related to your agency's area of responsibility. The space below may be used to indicate that your agency has no comments or to state brief comments.

Distribution: (see below)

- No Comments provided
- Comments noted below
- Comments provided in separate letter

COMMENTS: _____

Return to:

Mr. Sean Conroy
 Planning & Building Services Manager
 Community Planning and Building
 City of Carmel-by-the-Sea
 P.O. Drawer G
 Carmel-by-the-Sea, California 93921

From:

Agency Name: _____

Contact Person: _____

Phone Number: _____

DISTRIBUTION

1. Monterey County Clerk's Office
2. Association of Monterey Bay Area Governments
3. Transportation Agency for Monterey County
4. Monterey Bay Unified Air Pollution Control District
5. Monterey Peninsula Water Management District
6. Monterey County Environmental Health Department
7. Regional Water Quality Control Board
8. Monterey County Planning Department
9. City of Pacific Grove
10. City of Monterey
11. California Coastal Commission
12. Carmel Residents Association
13. Fenton & Keller

Mitigated Negative Declaration

Lead Agency Name and Address

City of Carmel by-the-Sea
P.O. Box G
E/s Monte Verde bet. Ocean and 7th
Carmel, CA 93921

Contact Person and Phone Number

Mr. Sean Conroy
Planning & Building Services Manager
City of Carmel-by-the-Sea
831.620.2010
sconroy@ci.carmel.ca.us

Project Sponsor

Pacific Repertory Theatre
PO Box 222035
Carmel, CA 93922

Project Location

The project site is located on the east side of Casanova Street between Eighth and Ninth Avenues. The site also has frontage on the west side of Monte Verde Street. (APN: 010-194-016, Block C, Lots 11-14).

Name of Project

Golden Bough Playhouse Theatre Improvement Project

Project Description

The project applicant (Pacific Repertory Theatre) is proposing a 3,597 square foot addition to the west side of an existing approximately 13,300 square foot theatre building to accommodate a new lobby, a new dressing/wardrobe area at the main level, and a new backstage support area on the upper level. The project applicant is also proposing to lower the existing Circle Theatre by approximately 15 feet to create a new basement level. Other excavation includes additional storage space on the east side of the Circle Theatre and a new driveway that slopes down from Casanova Street. Total proposed excavation is approximately 2,975 cubic yards. The project requires a variance from the City's maximum height and plate height requirements.

The proposed additions would not change the existing seating capacity, water demand or parking demand for the Theatre.

Review Period

1 February 2010 through 22 February 2010

Comments

Any individual, group, or agency disagreeing with this determination or wishing to comment on the proposed project may submit written comments to the City of Carmel-by-the-Sea at the address listed above. All comments received by 5:00 PM on February 22, 2010 will be considered by the City of Carmel.

Findings and Reasons

The Initial Study identified potentially significant effects on the environment. However, the proposed project has been mitigated (see Mitigation Measures below which avoid or mitigate the effects) to a point where the proposed project will not have the potential to significantly degrade the environment; will have no significant impact on long-term environmental goals; will have no significant cumulative effect upon the environment; and will not cause substantial adverse effects on human beings, either directly or indirectly.

The following reasons will support these findings:

1. Identified adverse impacts are proposed to be mitigated through implementation of mitigation measures incorporated herein.
2. The proposed project is consistent with the adopted goals and policies of the *City of Carmel General Plan*, *City of Carmel Local Coastal Program Land Use Plan (LUP)*, and the *City of Carmel Municipal Code*.
3. City staff independently reviewed the Initial Study, and this Mitigated Negative Declaration reflects the independent judgment of the City of Carmel.

Mitigation Measures

Biological Resources MM #1: 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 tress 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.

Biological Resources MM #2: All trees located on-site within 30 feet of a construction area and in the public right-of-way adjacent to the property on Casanova Street shall be wrapped with 2" x 4" or 2" x 6" lumber held together with 12 gauge wire prior to the issuance of a building permit. Lumber shall be spaced a maximum of 1" apart around the base of the tree to a point not less than eight feet high.

Biological Resources MM #3: All requests for tree/limb removal shall require review and approval by the City Forester in accordance with City standards. No trees identified as significant by the City Forester shall be removed.

Hydrology & Water Quality MM #1: Prior to the issuance of a building permit the applicant shall submit a drainage and erosion control plan to the Department of Community Planning and Building. All site and roof runoff shall be maintained on-site to the extent possible. Any runoff water from the site that is directed onto the public right-of-way must pass through an oil-water separator. The plan shall incorporate all appropriate Best Management Practices from Appendix E of the Monterey Regional Storm water Management Program including, but not limited to:

1. Barriers (berms or filtration barriers, such as wattles or fabric fences) shall be placed around the construction site.
2. Sweep on-site paved surfaces and street entrance daily to collect sediment before it is washed into the storm drain.
3. Store all construction equipment and material in designated areas away from storm drain inlets.
4. Collect construction waste daily and deposit in covered dumpsters.
5. Perform major vehicle maintenance, repair jobs and equipment washing off-site.
6. Clean-up spilled dry materials immediately. Do not “wash them away” with water or bury them.

Hydrology & Water Quality MM #2: At least 50% of all new site coverage shall be installed with permeable or semi-permeable materials to assist in storm water management and promote percolation on-site.

Hydrology & Water Quality MM #3: Prior to submittal of a building permit, the applicant shall obtain a water permit from the Monterey Peninsula Water Management District. No debit from the City’s water allocation is authorized.

Land Use and Planning MM #1: As part of project approval, the applicant shall obtain a zoning variance from the City of Carmel’s Planning Commission to allow the proposed project to exceed the building height limitations as currently required under CMC 17.10.030. If the variance is not approved, the plans shall be amended to comply with the required height limits.

Noise MM #1: Construction activities shall be limited to the hours of between 8:00 AM to 6:30 PM and shall be prohibited on Sundays and Federally recognized holidays.

Noise MM #2: Construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust muffler and engine shrouds, in accordance with manufactures’ recommendations. Equipment engine shrouds shall be closed during equipment operation. Unnecessary truck and equipment engine idling shall be avoided.

Noise MM #3: Prior to the issuance of a building permit, the applicant shall provide the City with the name and telephone number of the individual responsible for project

construction noise management. An information sign shall be posted at the construction site entrance that identifies the permitted construction hours and provides a telephone number to call to receive information about the construction project and to report complaints regarding excessive noise levels. The designated construction contact shall maintain a record of all noise complaints received and action taken, and submit this record to the City upon request. The applicant shall also notify all neighbors within 200 feet of the project of the excavation and demolition schedule for the project.

Noise MM #4: The operation of haul trucks shall follow the construction truck route as shown in Figure 2: Construction Truck Route, attached.

Noise MM #5: All public Theatre operations shall terminate prior to 11:00 p.m., with the exception of the annual New Years Eve event that shall terminate prior to 12:30 a.m.

Transportation MM #1: The seating capacity of the Circle Theatre shall not exceed 120 seats.

City of Carmel Initial Study / Environmental Checklist

Background & Project Description

Project Title

Golden Bough Playhouse Theatre Improvement Project

Lead Agency Name and Address

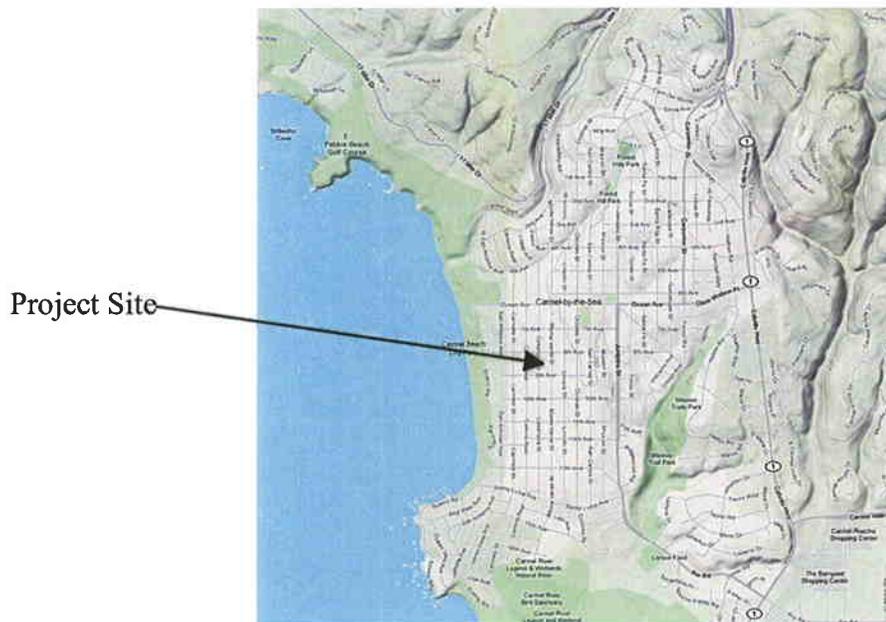
City of Carmel by-the-Sea
P.O. Drawer G
E/s Monte Verde bet. Ocean and 7th
Carmel, CA 93921

Contact Person and Phone Number

Mr. Sean Conroy
Planning & Building Services Manager
831.620.2010
sconroy@ci.carmel.ca.us

Project Location

The project site is located on the east side of Casanova Street between Eighth and Ninth Avenues. The site also has frontage on the west side of Monte Verde Street. (APN: 010-194-016, Block C, Lots 11-14). See Figure 1: Site Vicinity (below).



Project Applicant's/Sponsor's Name and Address

Pacific Repertory Theatre
 Bet. 8th and 9th Avenues
 Off Monte Verdi and Casanova
 Carmel, CA 93921

General Plan Designation

Open Space / Recreation / Cultural

Zoning

Theatrical District (A-1)

Project Description

The project applicant (Pacific Repertory Theatre) is proposing 3,597 square feet (sf) of additions to the west side of the existing 13,300 square foot (sf) theatre complex (for a total of 16,870 sf). The project site is 16,000 sf with a building coverage of 8,043 sf. The proposed project would increase the building coverage by approximately 454 sf for a total of 8,497 sf. The project requires a variance from the City's maximum height and plate height requirements.

Improvements would occur on three levels.

Basement Level – New Circle Theatre

Approximately 2,975 cubic yards of soil would be removed to lower the grade 15 feet below the existing grade to create a relocated Circle Theatre and a new box office, lobby and concessions area (5,157 sf). An elevator would also be installed to provide handicapped access to all levels in the building. The existing driveway extending west to east along the southern boundary of the project site, would be excavated to slope down from Casanova Street and thereby provide access to a small outdoor entry plaza and access to the relocated Circle Theatre.

Level 1 – New Dressing Rooms, Wardrobe and Green Room

Level 1 will include a new men's and women's dressing rooms, two separate wardrobe and costume maintenance and rack (storage) areas, a principals dressing room, an actor's "green room", and a laundry utility room (1398 sf).

Level 2 – New Backstage Support

Behind the existing main stage, two new backstage support areas would be constructed (1336 sf). These areas would support the construction of backdrops, props, etc. used for performances. They would also be used for informal rehearsals, meetings, script readings, as a scenic transfer area for sets to be changed during performances, etc.

Site Modifications

On the west side, facing Casanova Street, the existing building is setback 34 feet from the property line and the edge of the existing shed roof is setback 24 feet from the property line. With the proposed addition, the building would have a terraced setback. The basement would be

setback 17 feet, the main level would be setback 20 feet and the upper level would be setback 25 feet from the westerly property line. The main level of the addition would be setback approximately eight feet and the upper-level would be setback between 12 to 16 feet from the northerly property line. Finally, the main level of the addition would be setback 17 feet and the upper-level would be approximately 8 feet from the southerly property line. An existing Monterey pine tree located toward the northwest corner of the site would remain and would be protected during construction consistent with City tree protection requirements.

Construction/reconstruction of the western wing of the playhouse will be done in an Arts & Craft architectural style, consistent in intent with the former Carmel Arts and Crafts Playhouse (discussed below). The exterior will incorporate wood windows and trim, wood and plaster siding, and cement roofing tiles.

The building height of the proposed addition will be approximately 29 feet at the highest point. Because the Carmel Municipal Code limits the ridge and plate heights for a two-story building to 24 feet and 18 feet, respectively, a zoning variance will be required to allow for the additional height.

The proposed additions would not change the existing seating capacity. The Circle Theatre incorporates a flexible seating design. There are no fixed seats. The seating arrangements vary depending on the type of production, stage layout and other factors. The maximum seating capacity of the existing Circle Theatre, as determined by the City's Fire Marshall, is 130 seats. However, the Circle Theatre has generally not included any more than 120 seats and the new Theatre will be limited to 120 seats as well.

A set of plans for the proposed project is shown in Appendix A.

Other public agencies whose approval is required

None.

Environmental Setting

Background and Intent

The Golden Bough Playhouse (the Theatre) is located in the City of Carmel-by-the-Sea on the south end of the Monterey Peninsula, adjacent to Carmel Bay. The City is recognized as a unique small coastal community with a predominantly residential village character and is approximately one square mile in size. The City is also recognized by its strong commitment to the performing arts and music. Performances are held throughout the year at the Sunset Center and Forest Theatre (both City-owned facilities), and the Golden Bough Playhouse. The Theatre is the only year-round professional theatre on the Central California Coast.

In 1922, the Arts and Craft Theatre was constructed on the subject property. It was an outgrowth of the Arts & Crafts Club of Carmel, established 17 years early in 1905. Their clubhouse, built in July 1907, was the first building on the parcel. The Arts and Crafts Theater operated on the project site from 1924 to 1927. In 1930, the property was sold to theatrical entrepreneur Edward G. Kuster, owner of the (then named) Theater of the Golden Bough, which was located on Ocean

Street and Monte Verde Street. The building on the project site was used as an auxiliary to the Ocean Street Theatre and was known as the “Green Room.”

After a fire destroyed the original Golden Bough Theater on Ocean Street in 1935, Mr. Kuster used the insurance money to reconstruct the Arts & Craft Theater into a “state of the art” film theater, alternating art and foreign films with plays. In May of 1949, Mr. Kuster produced the play “By Candlelight”, the same production that had been running when the original Golden Bough Theater was burned in 1935. Ironically, the play produced the same results, a devastating fire that destroyed the building. A new Golden Bough Cinema was constructed on the project site and opened in 1952, designed by James Pruitt, principal architect of Comstock Associates. A smaller Circle Theater was included in the design. Several operators kept the theatre open intermittently, primarily as a film house, until the Pacific Repertory Theatre purchased the property in 1993, and continues to operate it as a live theatre.

From its beginnings as the Art & Crafts Theatre to the present, the Golden Bough Playhouse Theatre site has been in almost continuous use as a venue for the performing arts and film in Carmel. It has provided a vehicle for the training of generations of many performers and has produced quality performances available to Carmelites and visitors for more than 100 years.

Project Site and Existing Facilities

The 16,000 square foot project site is located on four legal lots of record with street frontages on both Monte Verde and Casanova Streets, between 8th and 9th Avenues ((APN: 010-194-016, Block C, Lots 11-14).

The existing 13,300 sf Theatre complex includes two theatres; the main auditorium (330 seats) and the Circle Theatre (120 seats). Other facilities include a lobby, restrooms, wardrobe construction and storage areas, and backstage support areas. There is no public parking available on site, requiring patrons to park on public roadways in the surrounding residential neighborhoods.

The project site is primarily developed and/or paved. The only vehicle access to the project site is via a driveway located at the southeast corner of the project site from Casanova Street.

The project site is considered historically important as it has been used for the performing arts since about 1907 and has contributed significantly to the development of arts and culture in the City. However, the existing building is not considered historically significant and additions are not required to follow the Secretary of the Interior’s Standards for the Treatment of Historic Properties.

III. Environmental Checklist

Environmental Factors Potentially Affected by the Project

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.

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

Instructions

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 (see Source List, attached). 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 a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, 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 any 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 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 Analysis may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case a discussion should identify the following on attached sheets:
 - a. Earlier analysis used. Identify earlier analyses and state where they are available for review.
 - b. Impacts adequately addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation measures. For effects that are "Less than Significant with Mitigation 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.

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
1. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?			X	
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?			X	
<p>Discussion</p> <p>(a and b) Designated scenic vistas and roadways are identified and addressed in the City’s General Plan. The proposed project is located in an existing residential neighborhood and there are no designated scenic vistas nor state scenic highways within the immediate vicinity of the project site and is therefore considered to have no impact.</p> <p>(c) Casanova Street has a mix of both one- and two-story residences with various architectural styles. Exterior building materials are predominantly wood and stucco. The residences on the north and south side are both one-story board-and-batten cottages. The residence directly across Casanova Street is a one-story cottage with vertical wood siding.</p> <p>The proposed project will change the character and visual quality on the project site and surrounding neighborhood by expanding the scale and mass of the existing theatre building, which is larger than other residential structures in the immediate vicinity.</p> <p>The City’s Residential Design Guidelines (May 2001) provide guidance for both building and landscape design with the overall intent of maintaining the City’s forest character and using building materials and designs that respect the existing design traditions.</p> <p>The Guidelines encourage minimizing the mass of a building as seen from the public right-of-way, avoiding large uninterrupted wall planes and preserving open space and access to light between properties. They also encourage locating a building so that it does not substantially block views enjoyed by others.</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>The proposed project would be set back between 8 to 16 feet from the northerly property line and would be setback between 8 to 17 feet on from the southerly property line. The additions are approximately 11 feet lower than the existing Theatre ridge and will not block significant views enjoyed by neighboring properties.</p> <p>The new additions will add visual interest and character to Casanova Street and will break up the large, uninterrupted existing western wall of the Theatre. The additions will improve the visual character of the site and the surrounding neighborhood.</p> <p>The Guidelines encourage placing some floor area in subgrade spaces to reduce the mass and bulk of the main structure. This will be accommodated by excavating the project site by 15 feet and re-constructing the Circle Theatre below grade.</p> <p>The proposed project would incorporate Arts & Crafts architectural features including wood and stucco siding, post and beams, rafter tails and rails, river rock and cement roofing tiles. Windows would be stained wood and located on the south and west elevations. To help minimize visual impacts, particularly at night, on adjacent properties, tinted windows and widow coverings (e.g. drapes or blinds) would be incorporated into the proposed project. Existing vegetation and fencing, which will be retained or replaced with similar materials and will also help to visually screen the project from adjacent residences north and south of the project site.</p> <p>Given the fact that the site is larger than other building sites in the area, the scale of the building will be greater than surrounding residences. However, the upper level addition will be set back approximately 25 feet from the westerly property line (Casanova Street) and the existing large pine tree on-site, as well as other trees in the right-of-way and on neighboring properties would remain and help to visually screen the proposed project from the street frontage. The applicant is also proposing some green roof elements above the main level that will further soften the appearance of mass.</p> <p>As such, the proposed project would not substantially degrade the existing visual character or quality of the site and its surroundings and is therefore considered to have a less than significant impact.</p> <p>(d)</p> <p>There are no existing windows on the west elevation of the Theatre. The proposed addition presents several new windows that face Casanova Street. However, the windows are generally consistent with the number and size of windows on other single-family residences in the area and will not create significant impacts on day or nighttime views. As previously stated, the new windows will also be tinted to avoid any glare impacts.</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>All exterior lighting would be designed consistent with City requirements including a maximum of 25 watts on lighting attached to buildings and 15 watts for landscaping. Therefore, there would be no new sources of substantial light or glare, which would adversely affect day or nighttime views in the area and is therefore considered less than significant.</p>				
<p>2. AGRICULTURE 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:</p>				
<p>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</p>				X
<p>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p>				X
<p>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?</p>				X
<p>Discussion (a-c) The proposed project is located in an existing developed community and no development on land designated agriculture will occur (Carmel General Plan, 2003). As such, the proposed project would have no significant impact to agricultural resources and is therefore considered to have no impact.</p>				
<p>3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:</p>				
<p>a) Conflict with or obstruct implementation of the applicable air quality plan?</p>				X
<p>b) Violate any air quality standard or contribute to an existing or projected air quality violation?</p>			X	
<p>c) Result in a cumulatively considerable net</p>			X	

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?				
d) Expose sensitive receptors to substantial pollutant concentrations?				X
e) Create objectionable odors affecting a substantial number of people?				X
<p>Discussion</p> <p>(a-c)</p> <p>The project site is located in the North Central Coast Air Basin (NCCAB), which is under the jurisdiction of the Monterey Bay Air Pollution Control District (MBUAPCD). In March 1997 the air basin was redesignated from a “moderate non-attainment” area for the federal ozone standards to a “maintenance/attainment” area. The NCCAB is currently in attainment for the federal PM10 (particulate less than 10 microns in diameter) standards and state and federal nitrogen dioxide, sulfur dioxide and carbon monoxide standards. The NCCAB is classified as a non-attainment area for the state ozone and PM10 standards.</p> <p><u>Short-term Construction Emissions</u></p> <p>The proposed project would result in short-term construction emissions with implementation of the proposed project. This would include demolition, excavation, and new construction.</p> <p>Construction activities are generally short-term in duration, but may still cause adverse air quality impacts. Construction emissions result from a variety of construction activities, including exterior alteration of existing structures, excavation, grading, and vehicle and equipment exhaust. These emissions can lead to adverse health effects and cause nuisance concerns, such as reduced visibility and the generation of dust. Emissions produced during grading and construction activities are “short-term” because they occur only during the construction phase of the proposed project. Construction emissions would include the on-site and off-site generation of mobile source exhaust emissions as well as emissions of fugitive dust associated with earth-moving equipment.</p> <p>Because the proposed project is less than one acre, it is not anticipated to result in a short-term increase in fugitive dust that could exceed MBUAPCD significance thresholds (e.g. result in grading of more than 2.2 acres per day) in accordance with MBUAPCD CEQA guidelines. As a result, fugitive dust emissions from construction activities are not anticipated to contribute to regional non-attainment air quality conditions and would be</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>considered a less than significant impact.</p> <p>The use of construction equipment could result in the generation of diesel-PM emissions during construction. Exhaust emissions are typically highest during the initial site preparation, particularly when a project requires extensive site preparation (e.g., grading, excavation, etc.) involving a large number of construction equipment. Because short-term construction activities would be very limited and are considered minor, they would not contribute to regional non-attainment air quality conditions and is therefore considered less than significant.</p> <p><u>Long-term Operational Emissions</u></p> <p>Operational emissions are considered long-term because they continue indefinitely. The proposed project would result in long-term area source and mobile source emissions with implementation of the proposed project. Area source emissions would include natural gas combustion, hearth fuel combustion, landscape fuel combustion, consumer products, and architectural coatings. The proposed project would include the construction of approximately 3,597 square feet of new theatre space, which would be considered less than significant in accordance with the Monterey Bay Unified Air Pollution Control District’s CEQA Guidelines (Table 5-4: Indirect Sources with Potentially Significant Impacts on Ozone).</p> <p><u>Mobile Source Emissions</u></p> <p>The proposed project would not increase the theatre seating capacity and therefore is not expected to increase average daily traffic trips that would contribute to long-term emissions. Therefore, mobile source emissions on local and regional air quality would be considered less than significant.</p> <p><u>Carbon Monoxide</u></p> <p>The most significant local air pollutant is carbon monoxide (CO). The primary source of CO resulting from implementation of the proposed project would be automobile traffic. Because there would be no additional traffic trips, the proposed project would not result in a significant contribution to localized mobile-source CO concentrations that would exceed applicable air quality standards. Therefore, the proposed project would result in a less than significant impact to localized CO emissions.</p> <p><u>Greenhouse Gas Emissions</u></p> <p>California is a substantial contributor of global greenhouse gases, emitting over 400 million tons of CO₂ a year. Climate studies indicate that California is likely to see an increase of three to four degrees Fahrenheit over the next century. Due to the nature of global climate change, it is not anticipated that any single development project would</p>				

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<p>have a substantial effect on global climate change.</p> <p>Project related greenhouse gas emissions include emissions from area sources and mobile sources. The primary source of greenhouse gas emissions resulting from implementation of the proposed project would be automobile traffic and from energy use within the project site. Because there would be no additional traffic trips, and new construction would comply with state building regulations (e.g. Title 24) and the City’s Green Building Program, the proposed project would have a less than significant impact on localized greenhouse gas emissions.</p> <p>(d) The MBUAPCD defines sensitive receptors as facilities that house or attract children, the elderly, people with illness, or others who are especially sensitive to air pollutants. The sensitive receptors closest to the project site consist of single-family residential homes. However, as noted above, construction and operation of the proposed project would not result in substantial pollutant concentrations and impacts on sensitive receptors would be considered less than significant.</p>				
4. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b) 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?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or				X

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
impede the use of native wildlife nursery sites?				
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?		X		
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

Discussion

(a-d)

The project site is completely developed and there are no natural areas on the site. The project site is not located within the City’s Environmentally Sensitive Habitat Overlay District (ESHA) as described in CMC 17.20, Article V and is therefore considered to have **no impact**.

The proposed improvements will not result in removal of habitat and therefore considered to have **no impact**.

(e)

A preliminary site assessment was conducted by City Staff as documented in a letter to the applicant dated 16 July 2009. Two trees, a Coast live oak, located adjacent to Monte Verde Street, and a Monterey pine, located adjacent to Casanova Street were identified as “significant” as defined by the City. Policy 1-45 of the Land Use Element of the General Plan requires that new development be located at least six feet from any significant tree.

The proposed project would limit construction to the western portion of the site adjacent to Casanova Street. The proposed addition would include re-landscaping of the area directly adjacent to the Monterey pine. Consistent with Policy 1-45 in the General Plan, the closest new construction would be an entry plaza, which would incorporate a small retaining wall, located six feet south of the base of the pine tree.

Furthermore, the project applicant would be required to conform with the City’s trees and shrubs protection ordinance (17.48.11) which requires the applicant to follow all necessary guidelines regarding tree protection during construction.

The following mitigation measures have been added to ensure that impacts on significant trees are reduced to **less than significant**:

Biological Resources MM #1: All foundations within 15 feet of significant trees shall be excavated by hand. If any tree roots larger than two inches (2”) are encountered

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>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 tress 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.</p> <p>Biological Resources MM #2: All trees located on-site within 30 feet of a construction area and in the public right-of-way adjacent to the property on Casanova Street shall be wrapped with 2” x 4” or 2” x 6” lumber held together with 12 gauge wire prior to the issuance of a building permit. Lumber shall be spaced a maximum of 1” apart around the base of the tree to a point not less than eight feet high.</p> <p>Biological Resources MM #3: All requests for tree/limb removal shall require review and approval by the City Forester in accordance with City standards. No trees identified as significant by the City Forester shall be removed.</p> <p>(f) The proposed project is located within an existing developed urban area and is not located within the City’s designated Environmentally Sensitive Habitat Overlay District (ESHA, Chapter 17.20, Article V). Therefore, there would be no conflicts with City’ adopted conservation plans and therefore no impact is anticipated.</p>				
<p>5. CULTURAL RESOURCES. Would the project:</p>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines section 15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to section 15064.5?			X	
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X
<p>Discussion (a-b) The project site was identified as an historic resource as part of the City’s on-going survey of historic sites. A California Department of Parks & Recreation (DPR) 523 form</p>				

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<p>was filed with the City on 3 October 2002 and was accepted by the California Coastal Commission as part of the City’s Inventory of Historic Resources in October 2004. The DPR form concludes that the Golden Bough Theatre is significant under California Register Criterion #1(in the area of history), as the project site is one of the oldest performing art venues in Carmel.</p> <p>The National Register defines an historic site as: “A site is the location of a significant event, a prehistoric or historic occupation, or activity, or a building or structure, where standing, ruined, or vanished, where the location itself possesses historic, cultural, or archeological value regardless of the value of any existing structure.”</p> <p>While the project site is historic as defined by the National Register and the City of Carmel-by-the-Sea, the existing building does not qualify as an historic structure. Subsequent to the construction of the current building in 1952, several alterations have occurred. Furthermore, the building is not a good example of any style of architecture that is important to Carmel and is not identified in the DPR form as being significant under California Register Criterion #3.</p> <p>On 18 December 2006 the Historic Resources Board (HRB) for the City of Carmel-by-the-Sea determined that the Golden Bough Theatre site was historically significant for its contributions of art and culture in the City, but that the existing building was not historically significant.</p> <p>Given that the project site and not the building is consider historic, and that the historic cultural use of the site will be continued, alterations of the existing theater building would not cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines section 15064.5 and any impact is considered less than significant.</p> <p>(c-d)</p> <p>The project site is not located within the City’s Archaeological Significance Overlay District (AS) as described and mapped in CMC 17.20, Article II. Therefore, impacts to archeological resources are considered less than significant.</p>				
<p>6. GEOLOGY AND SOILS. Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:</p>				
<p>a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:</p>				
<p>i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map</p>				X

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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?				
ii. Strong seismic ground shaking?			X	
iii. Seismic-related ground failure, including liquefaction?			X	
iv. Landslides?				X
b) Would the project result in substantial soil erosion or the loss of topsoil?			X	
c) Would the project 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?				X
d) Would the project 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?				X
e) Would the project 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.				X

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<p>Discussion (a-e)</p> <p>The purpose of the geology and soils impact analysis within the environmental initial study is to generally characterize the geological setting of the project site and identify geological hazards that could potentially affect the project site. The range of potential hazards required to be addressed is provided within the initial study impact checklist used by the City of Carmel. These hazards, such as ground shaking, potential for liquefaction, and inadequate soil strength, typically affect large areas rather than being site specific, and are well understood within the Carmel area. Potential hazards that are more local in their effects, such as land sliding or immediate proximity to a known fault are also well known.</p> <p>The potential for impacts that may result from geologic hazards in the project area are identified and addressed in the City’s General Plan. The proposed project includes a relatively small amount of new construction on a site that does not include concerns of fault rupture, seismic ground shaking, liquefaction, landslides, soil runoff, unstable soils, and expansive soils. Soils reports and structural engineering analysis, in accordance with local seismic influences, will be required in accordance with City building permit requirements. Therefore, impacts to geological and soil resources are considered less than significant.</p>				
<p>7. HAZARDS AND HAZARDOUS MATERIALS. Would the project:</p>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment? (V.13)				X

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e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) 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?				X
<p>Discussion (a-h) The potential for impacts that may result from hazards and hazardous materials are identified and addressed in the City’s General Plan.</p> <p>The existing structure was constructed in 1952 and includes concrete walls and wood. It is understood that the building does not contain asbestos, or any other known hazardous materials. However, as part of the building permit process a hazardous materials waste survey will be required in conformance with the Monterey Bay Unified Air Pollution Control District prior to issuance of a demolition permit.</p> <p>The proposed project would not use any hazardous materials as part of their operation. The proposed project is not located within the vicinity of an airport, and is not located within an area identified as prone to wildland fires as identified in the City’s General Plan. Therefore, the project is considered to have no impact on hazards and hazardous materials.</p>				
<p>8. HYDROLOGY AND WATER QUALITY. Would the project:</p>				
a) Violate any water quality standards or waste discharge requirements?		X		
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit				X

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
in aquifer volume or a lowering of the local ground water table level (for example, 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)?				
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site.				X
d) 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, which would result in flooding on- or off-site.		X		
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?		X		
f) Otherwise substantially degrade water quality?		X		
g) Place housing within a 100-year flood-hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood-hazard area structures, which would impede or redirect flood flows?				X
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?				X
j) Inundation by seiche, tsunami, or mudflow?				X
Discussion				
(a-j)				
Carmel Bay is considered an Area of Special Biological Significance (ASBS) by the State				

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<p>Water Resources Control Board (SWRCB). This City operates under the General Permit issued to the Monterey Regional Storm Water Permit Participants Group issued by the Regional Water Quality Control Board (RWQCB) for storm water runoff that affects Carmel Bay.</p> <p>The City has adopted the Best Management Practices Guidance Series found in Appendix E of the Monterey Regional Storm Water Management Program. The Guidance Series describes Best Management Practices designed to reduce the discharge of pollutants from the municipal separate storm sewer systems to the maximum extent practicable, to protect water quality of the ASBS, and to satisfy the appropriate water quality requirements of the Clean Water Act.</p> <p>Impacts to surface water quality could result from the project during the construction phase, as well as post construction. Construction phase impacts could include dirt entering the storm drain through vehicles entering and existing the site, wind, and storm water runoff. Construction runoff can also result from cleaning solvents and leaking fluids from construction equipment being used during construction.</p> <p>The following mitigation measures have been added to ensure that impacts from storm water runoff will be reduced to less than significant:</p> <p>Hydrology & Water Quality MM #1: Prior to the issuance of a building permit the applicant shall submit a drainage and erosion control plan to the Department of Community Planning and Building. All site and roof runoff shall be maintained on-site to the extent possible. Any runoff water from the site that is directed onto the public right-of-way must pass through an oil-water separator. The plan shall incorporate all appropriate Best Management Practices from Appendix E of the Monterey Regional Storm water Management Program including, but not limited to:</p> <ol style="list-style-type: none"> 1. Barriers (berms or filtration barriers, such as wattles or fabric fences) shall be placed around the construction site. 2. Sweep on-site paved surfaces and street entrance daily to collect sediment before it is washed into the storm drain. 3. Store all construction equipment and material in designated areas away from storm drain inlets. 4. Collect construction waste daily and deposit in covered dumpsters. 5. Perform major vehicle maintenance, repair jobs and equipment washing off-site. 6. Clean-up spilled dry materials immediately. Do not “wash them away” with water 				

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<p>or bury them.</p> <p>Hydrology & Water Quality MM #2: At least 50% of all new site coverage shall be installed with permeable or semi-permeable materials to assist in storm water management and promote percolation on-site.</p> <p>Potable water will continue to be supplied by California American Water Company and regulated by the Monterey Peninsula Water Management District. The site’s water credit is based on the number of seats provided in the Theatre. Since the seating capacity is not changing, no increase in water credits is proposed.</p> <p>The following mitigation measure has been added to ensure that impacts to the water supply be reduced to less than significant:</p> <p>Hydrology & Water Quality MM #3: Prior to submittal of a building permit, the applicant shall obtain a water permit from the Monterey Peninsula Water Management District. No debit from the City’s water allocation is authorized.</p>				
9. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?		X		
c) Conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan?				X
<p>Discussion (a-b)</p> <p>The project site is zoned Theatrical District (A-1) and has a General Plan Designation of Open Space / Recreation / Cultural. Per Carmel Municipal Code (CMC) 17.18.050, the purpose of the A-1 district is to provide appropriate zoning for existing theaters located amidst the Single-Family Residential (R-1) District. Uses permitted in this district shall be limited to those associated with the theater and performing arts. Development Regulations in the A-1 district (CMC 17.18.100) require the following:</p> <p>“In order to maintain the residential character and design of any structures built within zone A-1, the regulations established for the R-1 land use district on driveway</p>				

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grades, site and height limitations, building coverage limitations, front yard, side yard, and rear yard setbacks and design review shall apply within district A-1.”				
R-1 Site Development and Building Standards (CMC 17.10.3) that would apply for new construction associated with the proposed project with respect to the following:				
Front and Rear Setback	15 feet minimum			
Side yard Setback	3 feet minimum			
Composite Side Yard Setback	20 feet combined			
Ridge Height *	18 feet one-story, 24 feet two-story			
Plate Height *	12 feet one-story, 18 feet two-story			
Number of Stories	2			
Building Coverage	Not applicable. No R-1 requirement for building coverage.			
Driveway Grade	The grade of the sloped portion of the access route measured along the centerline shall not exceed 10% in the first and land five feet or 25% in the intervening distance. See SMC 12.24.020 for additional detail.			
* Heights are measured as the plumb vertical distance from the roof to the grade directly below.				
<p>The proposed project would meet the development regulations as described above with the exception of building height. The existing theater building has a gable roof with a maximum height of approximately 40 feet. The proposed addition would have a maximum ridge height of 28 feet and a maximum plate height of 29 feet. Heights are measured as the plumb vertical distance from any point on the roof to the grade directly below. The proposed plate height is approximately 22 feet above existing grade; however, because of the excavation of the new driveway, the plate height will be 29 feet at the south end of the addition. Because CMC 17.10.3 allows a maximum ridge height of 24 feet and a maximum plate height of 18 feet, a zoning variance will be required as part of project approval. The following mitigation measure has been added to reduce impacts to less than significant.</p>				
<p>Land Use and Planning MM #1: As part of project approval, the applicant shall obtain a zoning variance from the City of Carmel’s Planning Commission to allow the proposed project to exceed the building height limitations as currently required under CMC 17.10.030. If the variance is not approved, the plans shall be amended to comply with the required height limits.</p>				
<p>(c) The proposed project would not be located in an area designated as a Habitat Conservation Plan or Natural Community Conservation Plan and does not violate any</p>				

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General Plan policy specifically designed to avoid or mitigate significant environmental impacts. Therefore any impacts are considered less than significant .				
10. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X
<p>Discussion</p> <p>According to the City's General Plan, there are no known mineral resources located within the City of Carmel and therefore, the project will have no impact on mineral resources.</p>				
11. NOISE. Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?		X		
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?		X		
c) Substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?		X		
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to				X

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
excessive noise levels?				
<p>Discussion</p> <p>(a-b)</p> <p>Primary noise impacts will be associated with temporary construction-related activities. Surrounding residences may experience temporary noise and vibration impacts associated with demolition, excavation, building construction, and landscaping. While construction noise can be substantial, the impacts are considered temporary and can be minimized to a less than significant level by incorporating the following mitigation measures:</p> <p>Noise MM #1: Construction activities shall be limited to the hours of between 8:00 AM to 6:30 PM and shall be prohibited on Sundays and Federally recognized holidays.</p> <p>Noise MM #2: Construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust muffler and engine shrouds, in accordance with manufactures’ recommendations. Equipment engine shrouds shall be closed during equipment operation. Unnecessary truck and equipment engine idling shall be avoided.</p> <p>Noise MM #3: Prior to the issuance of a building permit, the applicant shall provide the City with the name and telephone number of the individual responsible for project construction noise management. An information sign shall be posted at the construction site entrance that identifies the permitted construction hours and provides a telephone number to call to receive information about the construction project and to report complaints regarding excessive noise levels. The designated construction contact shall maintain a record of all noise complaints received and action taken, and submit this record to the City upon request. The applicant shall also notify all neighbors within 200 feet of the project of the excavation and demolition schedule for the project.</p> <p>Noise MM #4: The operation of haul trucks shall follow the construction truck route as shown in Figure 2: Construction Truck Route (see Appendix B).</p> <p>(c)</p> <p>At present, the existing Circle Theatre does not have a lobby for patrons to purchase tickets, to use during performances and to meet with the cast members after a performance. As such, the existing paved area outside the west end of the building is used as an impromptu gathering place before and after each performance and during intermission. This space also has been used for play rehearsals, set construction and other theatre related activities. While not excessive, noise generated from these activities can cause a minor nuisance to the surrounding neighborhood. The proposed project incorporates the following features that will reduce noise levels beyond existing conditions:</p>				

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<ul style="list-style-type: none"> ● Circle Theatre will be relocated to a basement level, providing a substantial reduction in sound transmission as compared to its present street level location. ● New construction of basement level will feature solid fill concrete blocks which will mitigate mid and low (bass) frequency range of sound transmissions , which are dampened by the mass of the concrete block. This will provide substantial relief on the north and south sides of the Circle Theatre. ● New construction with modern soundproofing techniques will be applied to the entire west wall and approx. 50' of north and south walls at the main and second levels, including approx. 20' directly adjacent to both sides of the main Golden Bough stage, will greatly increase soundproofing for the benefit of neighbors immediately adjacent to the Circle Theatre as well as those adjacent to the main stage of the Golden Bough. ● Addition of the Circle Theatre interior lobby and backstage support level will create considerably reduce noise levels in the adjacent the Casanova neighborhood, as compared to current conditions.. ● Addition of the Circle Theatre lobby will create an indoor waiting area for both pre-show (audience members) and post-show (performer friends/family), replacing similar activities that currently occur outside the building and in direct earshot of the neighborhood. ● Addition of the interior concession and ticket areas, replacing similar activities that currently occurs outside the building and in direct earshot of the neighborhood. ● Addition of interior backstage support areas suitable for minor set/prop building projects, replacing similar activities that occur outside the building and in direct earshot of the neighborhood. ● Addition of interior rehearsal/meeting areas, replacing similar activities that currently occurs outside the building and in direct earshot of the neighborhood. <p>The following mitigation measure has also been added to ensure that noise impacts be reduced to less than significant:</p> <p>Noise MM #5: All public Theatre operations shall terminate prior to 11:00 p.m., with the exception of the annual New Years Eve event that shall terminate prior to 12:30 a.m.</p>				

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(e-f) The project site is not located within two miles of a public or private airport and therefore is considered to have no impact .				
12. POPULATION AND HOUSING. Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X
<p>Discussion (a-c) The proposed project would not result in an increased number of housing units or population and therefore is considered to have no impact.</p>				
<p>13. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or need for new or physical 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:</p>				
a) Fire protection?				X
b) Police protection?				X
c) Schools?				X
d) Parks?				X
e) Other public facilities?				X
<p>Discussion (a-e) The proposed project is an expansion to an existing theater facility and would not result in increased physical impacts associated with provision of new or physically altered government facilities. Therefore, the project is considered to have no impact on public</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
services.				
14. RECREATION. Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X
<p>Discussion (a-b) The proposed project is an expansion to an existing theater facility and would not result in an increased use of existing parks or recreation facilities and is therefore considered to have no impact.</p>				
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 (for example, result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?		X		
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				X
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?				X
d) Substantially increase hazards due to a design feature (for example, sharp curves or dangerous intersections) or incompatible uses (for example, farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Result in inadequate parking capacity?			X	

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (for example, bus turnouts, bicycle racks)?				X

Discussion

(a-f)

Short-term: During the construction phase the site will be accessed by construction vehicles such as haul trucks, loaders, delivery trucks and other construction related equipment. These vehicles could conflict with normal traffic patterns in the area. These conflicts are addressed in **Noise MM #4**, which requires construction vehicles to follow an approved truck route to limit conflicts to the extent possible, as shown in Figure 2: Construction Truck Route (see Appendix B).

Long-term: Traffic trips to/from the existing project site include non-performance activities such as actor rehearsals, set construction, facility maintenance, and performance related activities presented to the public. The proposed project would relocate the existing Circle Theatre and maintain its existing seating capacity of up to 120 seats. It would provide an interior lobby space instead of the exterior space that is currently used as a meeting area before, during and after shows, a ticket area, set construction, and sometime rehearsals. Other ancillary uses including wardrobe and costume areas, bathrooms, and backstage support areas would support the existing functions and uses of the theatre. Because there would be no intensification of trip-generating uses, increased traffic is not anticipated.

The Circle Theatre incorporates a flexible seating design. There are no fixed seats. The seating arrangements vary depending on the type of production, stage layout and other factors. The maximum seating capacity of the existing Circle Theatre, as determined by the City’s Fire Marshall, is 130 seats. However, the Circle Theatre has generally not included any more than 120 seats. Since the seating is flexible, there is the potential to add seats beyond 120, which could impact traffic and congestion in the area.

To ensure that there is no increase in seating capacity and to avoid an increase in traffic, the following mitigation measure has been added to reduce the potential impact to less than significant:

Transportation MM #1: The seating capacity of the Circle Theatre shall not exceed 120 seats.

Given the fact that no parking would be provided on site, the problem of parking on surrounding public roadways will continue to exist. In the recent past, several residents have expressed concerns to the City about Theatre operations including blocked

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
driveways, illegal parking, congestion, and a lack of parking for area residents. Based on feedback from area residents and input from the Traffic and Safety Committee, the City Council discussed this issue at their 5 January 2010 meeting and directed staff to formally designate parking stalls along Monte Verde Street and Casanova Street between Eighth and Ninth Avenues. While this will not fully address parking impacts in the neighborhood, it will provide a means to better enforce legal parking and reduce congestion on the roadways.				
16. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction or which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects				X
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project projected demand in addition to the provider's existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X
<p>Discussion (a-g)</p> <p>The proposed project will not increase the capacity to the existing theater facility, which is already served with water, wastewater, stormwater, and waste services. Therefore, the</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
proposed project will have no impact on utilities or service systems.				
17. MANDATORY FINDINGS OF SIGNIFICANCE. Does the project:				
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of the past projects, the effects of other current projects, and the effects of probable future projects.)				X
c) Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?				X
<p>Discussion (a-c) The City of Carmel-by-the-Sea is built-out. Any additional development in the City will primarily be infill development that will occur incrementally over time and would not be cumulatively considerable. The City's General Plan provides a framework for orderly future development consistent with goals and policies as approved by the City Council. The proposed project is a minor expansion to an existing use and therefore will have no impact.</p>				

IV. 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.	X
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 or a 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.	



 Sean Conroy
 Planning & Building Services Manager

Date: 2-1-10

References

- City of Carmel-by-the-Sea, General Plan and Coastal Land Use Plan, June 2003
- City of Carmel-by-the-Sea, Inventory of Historic Resources, October 2004.
- City of Carmel-by-the-Sea, Local Coastal Program, Zoning Ordinance, and Coastal Implementation Plan, May 2004.
- City of Carmel-by-the-Sea, Residential Design Guidelines, May 2001.
- City of Carmel-by-the-Sea, Staff Report to the City Council regarding consideration of recommendations from the Traffic and Safety Committee to add designated parking stalls along Monte Verde and Casanova Streets between Eighth and Ninth Avenues surrounding the Golden Bough Theatre by Sean Conroy, Senior Planner, 5 January, 2010.
- City of Carmel-by-the-Sea, Staff Report to the Historic Resources Board regarding consideration of a request for clarification regarding the historic status of the Gold Bough Playhouse by Sean Conroy, Senior Planner, 18 December 2006.
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- Monterey Bay Unified Air Pollution Control District (MBUAPCD). 2004. 2004 Air Quality Management Plan for the Monterey Bay Region, September 2004.
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