## NOTICE OF APPROVAL

> The Department of Community Planning \& Building of the City of Carmel-by-the-Sea has approved a Project pursuant to the City's Municipal Code. Persons interested in the project may review additional materials available at the Department of Community Planning \& Building located at City Hall on Monte Verde Street between Ocean and $7^{\text {th }}$ Avenues, phone number 831-620-2010.
> The decision to approve this project may be appealed within 10 days from the date of this by filing a written appeal with the Department of Community Planning \& Building.

Planning Case \#: Design Study 24084
Owner Name: TSN JUNIPERO INVESTORS LLC
Case Planner: Evan Kort, Associate Planner

## Date Posted:

$\qquad$
Date Approved: 07/26/2024
Project Location: Junipero 6 NE of 8th
APN \#: 010084018000 BLOCK/LOT: 88/S $1 / 2$ of 20 N $1 / 2$ of 22
Applicant: John Moore
Project Description: Approval of Design Study application DS 24084 (TSN Junipero Investors) authorizes amendments to previously approved Design Study Applications (DS 22-077, Junipero Investors) located on Junipero Avenue 6 northeast of 8th Avenue in the Single-Family (R-1) District. The proposed changes include: • The addition of three (3) 2'x2'skylights. One located at the kitchen, one located at the primary bedroom closet, and one located in the primary bathroom. The project shall be constructed as depicted in the plans prepared by Moore Design as approved by the Community Planning and Building Department on July 26, 2025 unless modified by the Conditions of Approval contained herein.

Can this project be appealed to the Coastal Commission? Yes $\square$ No $\downarrow$

Upon completion of the 10 calendar-day appeal period, please return this form, along with the Affidavit of Posting, to the case planner noted above.

## FINDINGS AND CONDITIONS

Project: DS 24084 (TSN Junipero Investors)
Location: Junipero 6 NE 8 ${ }^{\text {th }}$; 010-084-018
Date of Action: July 26, 2024

## Project Description:

DS 24084 (TSN Junipero Investors) authorizes amendments to previously approved Design Study Applications (DS 22-077, Junipero Investors) located on Junipero Avenue 6 northeast of $8{ }^{\text {th }}$ Avenue in the Single-Family (R-1) District. APN: 010-084-018

The proposed changes include:

- The addition of three (3) 2'x2'skylights. One located at the kitchen, one located at the primary bedroom closet, and one located in the primary bathroom.


## FINDINGS REQUIRED FOR DESIGN STUDY APPROVAL

The Director shall have the authority to approve, approve with modifications and/or conditions, or deny an application for design review based on written findings stating the reasons for the action. Findings shall be based on information in the record. CMC 17.58.060.A.

For each of the required findings listed below, the staff has indicated whether the application, either as proposed or with conditions, supports adopting the findings. For all findings checked "no," staff discusses the issues to facilitate the Planning Commission's decision-making. Findings checked "yes" may or may not be discussed depending on the issue(s).

| CMC 17.58.060.B Findings for Design Review Approval <br> Before approving an application for design review in any district, the Director shall find that the final <br> design plans: | YES | NO |
| :--- | :---: | :---: |
| 1. Conform to the applicable policies of the General Plan and the Local Coastal Program; | $\checkmark$ |  |
| 2. Comply with all applicable provisions of this code; and | $\boldsymbol{\checkmark}$ |  |
| 3. Are consistent with applicable adopted design review guidelines. | $\boldsymbol{V}$ |  |

## Additional Staff Analysis/Discussion:

None required. The project meets the findings as proposed with the associated conditions.

## ENVIRONMENTAL REVIEW

The California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA"), together with State Guidelines (14 California Code Regulations §§ 15000, et seq., the "CEQA Guidelines") and City Environmental Regulations (CMC 17.60) require that certain projects be reviewed for environmental impacts and that environmental documents be prepared.
Finding: The Community Planning and Building Department found that pursuant to CEQA regulations, the project is categorically exempt under Section 15303 (Class 3) - New Construction and Conversion of Small Structures, and no exceptions to the exemption exist pursuant to section 15300.2 of the CEQA Guidelines.
Additional Staff Analysis/Discussion: The project consists of an amendment to a previously approved Design Study (DS 22-077) for the addition of three (3) new skylights on a new single-family residence that is currently under construction. The new single family dwelling, project number DS 22-077 was Categorically Exempt under Class 3, New Construction or Conversion of Small Structures, by the Planning Commission (Resolution 2023-01PC ). The addition of three (3) new skylights amends the initial approval and does alter or change the project of the construction of a new single-family dwelling, which is currently under construction.

## Standard Conditions

1. Authorization. Approval of Design Study application DS 24084 (TSN Junipero Investors) authorizes amendments to previously approved Design Study Applications (DS 22-077, Junipero Investors) located on Junipero Avenue 6 northeast of $8^{\text {th }}$ Avenue in the Single-Family (R-1) District.

The proposed changes include:

- The addition of three (3) 2'x2'skylights. One located at the kitchen, one located at the primary bedroom closet, and one located in the primary bathroom.

The project shall be constructed as depicted in the plans prepared by Moore Design as approved by the Community Planning and Building Department on July 26, 2025 unless modified by the Conditions of Approval contained herein.
2. Codes and Ordinances. The project shall be constructed in conformance with all requirements of the R-1 zoning district. 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. Permit Validity. 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. Modifications. The applicant shall submit in writing, with revised plans, to the Community Planning and Building staff any proposed changes to the approved project plans prior to incorporating those changes. If the applicant changes the project without first obtaining City approval, the applicant will be required to submit the change in writing, with revised plans, within 2 weeks of the City being notified. A cease work order may be issued any time at the discretion of the Director of Community Planning and Building until: a) either the Planning Commission or Staff has approved the change, or b) the property owner has eliminated the change and submitted the proposed change in writing, with revised plans, for review. The project will be reviewed for its compliance with the approved plans prior to final inspection.
5. Exterior Revisions to Planning Approval Form. All proposed modifications that affect the exterior appearance of the building or site elements shall be submitted on the "Revisions to Planning Approval" form on file in the Community Planning and Building Department. Any modification incorporated into the construction drawings that are not listed on this form, shall not be deemed approved upon issuance of a building permit.
6. Conflicts Between Planning Approvals and Construction Plans. It shall be the responsibility of the Owner, Applicant, and Contractor(s) to ensure consistency between the project plans approved by Planning Staff, the Planning Commission, or the City Council on appeal, and the construction plans submitted to the Building Division as part of the Building Permit review. Where inconsistencies between the Planning approval and the construction plans exist, the Planning approval shall govern, unless otherwise approved in writing by the Community Planning \& Building Director or their designee.

When changes or modifications to the project are proposed, the applicant shall clearly list and highlight each proposed change and bring each change to the City's attention. Changes to the project that are incorporated into the construction drawings that were not clearly listed or identified as a proposed change shall not be considered an approved change. Should conflicts exist between the originally approved project plans and the issued construction drawings that were not explicitly identified as a proposed change, the plans approved as part of the Planning Department Review, including any Conditions of Approval, shall prevail.
7. Indemnification. 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 <br> appeal, claim, suit, or other legal proceedings, to attack, set aside, void, or annul any project approval. The <br> City shall promptly notify the applicant of any legal proceeding, and shall cooperate fully in the defense. The <br> City may, at its sole discretion, participate in any such legal action, but participation shall not relieve the <br> applicant of any obligation under this condition. Should any party bring any legal action in connection with <br> this project, the Superior Court of the County of Monterey, California, shall be the situs and have jurisdiction <br> for the resolution of all such actions by the parties hereto. |
| :--- | :--- |
| 8. | Conditions of Approval. All conditions of approval for the Planning permit(s) shall be printed on a full-size <br> sheet and included with the construction plan set submitted to the Building Safety Division. |
|  | Special Condition |
| 9. | Building Permit Revision. The applicant shall apply for and obtain a building permit revision to building <br> permit BP 21-425 prior to commencing work on the approved Design Study Amendment (DS 23-300). |
| 10. | Skylights \& Skylight Shades. The Applicant shall submit product information for the skylights and skylight <br> shades prior to the issuance of a building permit. All skylights shall be low-profile and use non-reflective <br> glass to minimize the amount of light and glare visible from adjoining properties. Manual or automatic <br> shades shall be installed in each skylight to reduce visible light transmission during the hours of darkness. <br> shylight flashing shall match the roof color. |
| 11. | Prior Conditions of Approval. All conditions of approval of the previous Design Study approvals, DS 22-077, <br> Junipero Investors, shall also apply to this approval unless expressly otherwise noted within these Conditions <br> of Approval. Further, the previous approval remains in full force and effect unless otherwise modified by this <br> action. |

Acknowledgement and acceptance of conditions of approval:

Property Owner Signature

Applicant Signature

Printed Name

Printed Name
Date

Once signed, please email to ekort@ci.carmel.ca.us.


## APPROVED

07/26/2024

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


project name NEW RESIDENCE AT J UNIPERO
NE OF 8TH

CARMEL, CA 9392

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