



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 7th 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 24099

Owner Name: LEACH ELIZABETH A LAGRANGE TR

Case Planner: Evan Kort, Associate Planner

Date Posted: _____

Date Approved: 06/04/2024

Project Location: Santa Lucia Avenue 2 NE San Antonio Avenue

APN #: 010287006000 **BLOCK/LOT:** 149/E. PT. 14 AND 16

Applicant: Stephen Engblom

Project Description: This approval of Design Study DS 24099 (LaGrange-Leach) authorizes a deck addition to an existing upper floor at the rear of the residence. The new deck will be supported by a new Accessory Dwelling Unit (to be approved under separate building permit application –not subject to this approval). The project has been determined to be consistent with the Secretary of the Interior's Standards and shall be consistent with the Phase II Historic Evaluation prepared by Margret Clovis dated May 30, 2024, on file in the Community Planning & Building Department. The subject site is located at Santa Lucia Avenue 2 NE San Antonio Avenue in the R1 District and, APN: 010287006000. The project shall be constructed as depicted in the plans stamped approved by Community Planning and Building Department on June 4, 2024 unless modified by the conditions of approval contained herein.

Can this project be appealed to the Coastal Commission? Yes No

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.

CONDITIONS OF APPROVAL

No.	Standard Conditions
1.	<p>Authorization. This approval of Design Study DS 24099 (LaGrange-Leach) authorizes a deck addition to an existing upper floor at the rear of the residence. The new deck will be supported by a new Accessory Dwelling Unit (to be approved under separate building permit application –not subject to this approval). The project has been determined to be consistent with the Secretary of the Interior's Standards and the project shall be consistent with the Phase II Historic Evaluation prepared by Margret Clovis dated May 30, 2024, on file in the Community Planning & Building Department. The subject site is located at Santa Lucia Avenue 2 NE San Antonio Avenue in the R1 District and, APN: 010287006000 as depicted in the plans stamped approved by Community Planning and Building Department on 06/04/2024 unless modified by the conditions of approval contained herein.</p>
2.	<p>Codes and Ordinances. The project shall be constructed in conformance with all requirements of the R1 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 when such plans are submitted, such changes may require additional environmental review and subsequent approval by the Planning Commission.</p>
3.	<p>Permit Required.</p> <p><input checked="" type="checkbox"/> A Building Permit shall be applied for and obtained from the Building Division prior to commencement of work. The Building Permit shall be applied for in a manner consistent with the submittal requirements prescribed by the Building Division.</p> <p><input type="checkbox"/> A building permit is not required; however, the applicant shall apply for and obtain a Notice of Authorized Work from the Building Division prior to commencement of work. To apply for the Notice of Authorized Work, please submit the Scope of Work Declaration through the city's online permit portal.</p>
4.	<p>Permit Validity. The project shall be implemented in accordance with the time limits set forth CMC 17.52.170 (Time Limits on Approvals and Denials). During this time, the project must be implemented, or the approval becomes void. Implementation is effected by erecting, installing, or beginning the installation of the improvement authorized by the permit, as determined by the Director. Extensions to this approval may be granted consistent with CMC 17.52.170.C.</p>
5.	<p>Water Use. Approval of this application does not permit an increase in water use on the project site without adequate supply. Should the Monterey Peninsula Water Management District determine that adequate water is unavailable for this site, this approval shall be null and void. If installed, the property owner/applicant shall be required to remove the subject improvement(s) at the property owners expense.</p>
6.	<p>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 two weeks of the City being notified. A cease work order may be issued at 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 the final inspection.</p>
7.	<p>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 appeal, claim, suit, or other legal proceedings to attack, set aside, void, or annul any project approval. The City shall promptly notify the Applicant of any legal proceeding and cooperate fully in the defense. The City may, at its sole discretion, participate in any such legal action, but participation shall not relieve the Applicant of any obligation under this condition. Should any party bring any legal action in connection with this project, the Superior Court of the County of Monterey, California, shall be the situs and have jurisdiction for resolving all such actions by the parties hereto.</p>
8.	<p>USA North 811. Prior to any excavation or digging, the Applicant shall contact the appropriate regional notification center (USA North 811) at least two working days, but not more than 14 calendar days, prior to commencing that excavation or digging. No digging or excavation is authorized to occur on-site until the Applicant has obtained a Ticket Number and all utility members have positively responded to the dig request. (Visit USANorth811.org for more information)</p>

9.	Conditions of Approval. Prior to the issuance of a Building Permit or Notice of Authored Work, the Applicant shall print a copy of the signed Conditions of Approval within the construction plan set submitted to the Building Safety Division as part of the submittal for the Building Permit Application or Notice of Authorized Work.
10.	Tree Removal Prohibited. Throughout construction, the Applicant shall protect all trees identified for preservation by methods approved by the City Forester. Trees on or adjacent to the site shall only be removed or pruned with the approval of the City Forester or Forest and Beach Commission.
11.	Tree Protection Measures. Requirements for tree preservation shall adhere to the following tree protection measures on the construction site. <ul style="list-style-type: none">• Prior to grading, excavation, or construction, the contractor/builder shall clearly tag or mark all trees to be preserved.• Excavation within 6 feet of a tree trunk is not permitted.• No attachments or wires of any kind, other than those of a protective nature, shall be attached to any tree.• Per Municipal Code Chapter 17.48.110, no material may be stored within the dripline of a protected tree, including the drip lines of trees on neighboring parcels.• Tree Protection Zone. The Tree Protection Zone shall be equal to dripline or 18 inches radially from the tree for every one inch of trunk diameter at 4.5 feet above the soil line, whichever is greater. A minimum of 4-foot-high transparent fencing is required unless otherwise approved by the City Forester. Tree protection shall not be resized, modified, removed, or altered in any manner without written approval. The fencing must be maintained upright and taught for the duration of the project. No more than 4 inches of wood mulch shall be installed within the Tree Protection Zone. When the Tree Protection Zone is at or within the drip line, no less than 6 inches of wood mulch shall be installed 18 inches radially from the tree for every one inch of trunk diameter at 4.5 feet above the soil line outside of the fencing.• Structural Root Zone. The Structural Root Zone shall be 6 feet from the trunk or 6 inches radially from the tree for every one inch of trunk diameter at 4.5' above the soil line, whichever is greater. Any excavation or changes to the grade shall be approved by the City Forester prior to work. Excavation within the Structural Root Zone shall be performed with a pneumatic excavator, hydro-vac at low pressure, or another method that does not sever roots.• If roots greater than 2 inches in diameter or larger are encountered within the approved Structural Root Zone, the City Forester shall be contacted for approval to make any root cuts or alterations to structures to prevent roots from being damaged. If roots larger than 2 inches in diameter are cut without prior City Forester approval or any significant tree is endangered as a result of construction activity, the building permit will be suspended, and all work stopped until an investigation by the City Forester has been completed, and mitigation measures have been put in place. The Forester can be reached at 831-620-2073.
12.	Foundation Work Near Significant Trees. All foundations within 15 feet of significant trees shall be excavated by hand. If any tree roots larger than two inches (2") are encountered during construction, the City Forester shall be contacted before cutting the roots. The City Forester may require the roots to be bridged or may authorize the roots to be cut. If roots larger than two inches (2") in diameter are cut without prior City Forester approval or any significant tree is endangered as a result of construction activity, construction activity will be suspended and all work stopped until an investigation by the City Forester has been completed. The Forester can be reached at 831-620-2073.

SPECIAL CONDITIONS

13.	Prior to issuance of a building permit, the Applicant shall submit for review and approval by the Community Planning & Building and Public Works Departments a completed BMP Tracking form.
14.	All new building finishes, and colors shall match those of the existing residence.
15.	Prior to the issuance of a building permit, the Applicant shall include in the construction drawings the manufacturer's specifications, including illumination information, for any proposed exterior light fixtures associated with the deck or building site. All fixtures shall be shielded and down-facing. Exterior wall-mounted lighting shall be limited to 25 watts or less (incandescent equivalent or 375 lumens) per fixture and shall be installed no higher than 10 feet above the ground or walking surface. Landscape lighting shall not exceed 18 inches above the ground nor more than 15 watts (incandescent equivalent or 225 lumens) per fixture and shall be spaced no closer than 10 feet apart. Landscape lighting shall not be used as accent lighting, nor shall it be used to illuminate trees, walls, or fences. The purpose of landscape lighting is to safely illuminate walkways and entrances to the subject property and outdoor living spaces.
16.	Throughout construction, all activities involving excavation shall immediately cease if cultural resources are discovered on the site, and the Applicant shall notify the Community Planning & Building Department within 24 hours. Work shall not be permitted to recommence until such resources are properly evaluated for significance by a qualified archaeologist. If the resources are determined to be significant, prior to the resumption of work, a mitigation and monitoring plan shall be prepared by a qualified archaeologist and reviewed and approved by the Community Planning and Building Director. In addition, if human remains are unearthed during the excavation, no further disturbance shall occur until the County Coroner has made the necessary findings regarding origin and distribution pursuant to California Public Resources Code (PRC) Section 5097.98.
17.	Prior to issuance of a building permit, the Applicant shall submit for review and approval by the Community Planning & Building and Public Works Departments a completed BMP Tracking form.

*Acknowledgement and acceptance of conditions of approval.

Property Owner Signature

Printed Name

Date

Applicant Signature

Printed Name

Date

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

May 30, 2024

Phase Two Report for the John Bathen House (APN 010-287-006), Carmel-by-the-Sea, CA.

Executive Summary

The John Bathen House is located on Santa Lucia Street 2 NE of San Antonio Avenue. In 2003 historian Kent Seavey evaluated the Vernacular style house for historical significance using the California Register for Historic Resources criteria. The property was found eligible for listing under Criterion Three (Architecture). The John Bathen House was listed on the Carmel Inventory of Historic Resources on May 25, 2005, and placed in the Mills Act program on October 3, 2012.

The servant's quarters portion of the house was built in 1921 by Emily Bell. John Bathen purchased the property in 1927 and added the two-story wing. Mr. Bathen was an expert stonemason and owned the Santa Lucia Quarries in Carmel Valley. The house was determined eligible under California Register Criterion Three at the local level because it is "an excellent example of Bathen's building skills as a stonemason." The house enjoys a high degree of integrity. The following additions/alterations to the house since its construction in 1921 are as follows:

- BP# 1934 (9/8/1927): add two story wing
- BP# 475 (3/29/1939): Build chalk rock garage
- No permit in file: the rear stairs were rebuilt c. 1995 (per the owner)
- BP# 150256 (6/30/2015): Reroof



Figure 1: View of front elevation.

Character-Defining Features

A character-defining feature is an aspect of a building's design, construction, or detail that is representative of the building's function, type, or architectural style. Generally, character-defining features include specific building systems, architectural ornament, construction details, massing, materials, craftsmanship, site characteristics and landscaping within the period of significance. The period of significance for the John Bathen House is 1921-1939 (the date of construction and additions)¹.

In order for an important historic resource to preserve its significance, its character-defining features must be retained to the greatest extent possible. An understanding of a building's character-defining features is a crucial step in developing a plan that incorporates an appropriate level of rehabilitation. Following are the character-defining features of the John Bathen House:

- Exterior wall materials including shingles, Carmel stone, and board and batten
- Low-pitched, cross gable roof system
- Carmel stone interior chimney
- Irregular fenestration including plate glass, wood casement, and sliding wood windows
- Carmel stone garage, patios, and garden walls

Proposed Project Description

The project plans outline the following work:

- A 215 sq. ft. ADU will be constructed at the rear (north) elevation behind the main house. The ADU will have a flat roof with a redwood roof deck. The deck will be accessed by the current non-historic stairs. Exterior walls will be board and batten with a small amount of stone on the west elevation, which will front the current patio area.

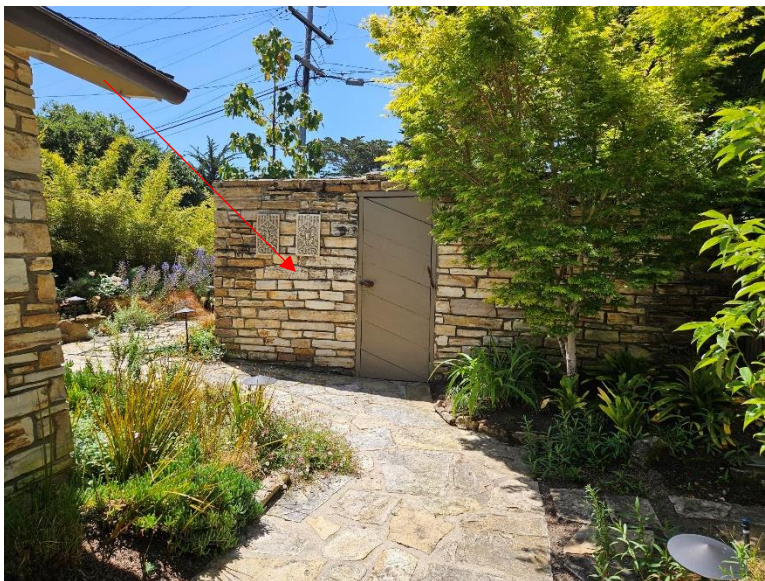


Figure2: View of garage (1939) stonework.

¹ The historical evaluation states that the period of significance of the John Bathen House is 1903-1940. However, per the National Park Service, the period of significance for a property eligible under Criterion 3 should be the date of construction and/or the dates of any significant alterations or additions.

The Secretary of the Interior's Standards for Rehabilitation

Compliance Evaluation

As a historical resource, the John Bathen House is subject to review under the California Environmental Quality Act (CEQA). Generally, under CEQA, a project that follows the *Standards for Rehabilitation* contained within *The Secretary of the Interior's Standards for the Treatment of Historic Properties* is considered to have mitigated impacts to a historical resource to a less-than-significant level (CEQA Guidelines 15064.5).

The compliance of the proposed work on the John Bathen House is reviewed below with respect to the *Rehabilitation Standards*. The Standards are indicated in italics, followed by a discussion regarding the project's consistency or inconsistency with each Standard.

Rehabilitation is defined as "the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values." (36 CFR 67.2(b)). The regulations also state that "one set of standards...will apply to a property undergoing treatment, depending upon the property's significance, existing physical condition, the extent of documentation available, and interpretive goals, when applicable. The Standards will be applied taking into consideration the economic and technical feasibility of each project." (36 CFR Part 68).

Standard One

A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

The John Bathen House was originally used as servant's quarters for the Emily Bell House and then was converted into a single-family home when John Bathen purchased the property in the 1920s. It has remained a single-family home. The new ADU will not change the use of the main house and will not change its distinctive materials, features, and spatial relationships. The proposed work is consistent with Standard One.

Standard Two

The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize the property will be avoided.

The ADU will be constructed at the rear (north elevation of the main house) and will abut a non-historic outdoor staircase. No distinctive materials will be removed from the main house and no features, spaces, or spatial relationships that characterize the property will be affected. The proposed work is consistent with Standard Two.

Standard Three

Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historical properties, will not be undertaken.

No conjectural features or architectural elements that would create a false sense of history are planned for the project. This Standard is not applicable.



Figure 3: Arrows indicate the location of the ADU and the non-historic stairs.

Standard Four

Changes to a property that have acquired historic significance in their own right will be retained and preserved.

Significant changes to the property include the two-story addition (1927) and the garage (1939). Both will be retained and preserved. The proposed work is consistent with Standard Four.

Standard Five

Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

No work is proposed for the main historic house. This Standard is not applicable.

Standard Six

Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

The focus of the proposed project is the construction of a new ADU, which will be located at the rear elevation. No repairs will be made to the main historic house. This Standard is not applicable.

Standard Seven

Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

Surface cleaning is not proposed for this project. This Standard is not applicable.



Figure 4: View of original 1921 servant's quarters and 1927 two-story addition.

Standard Eight

Archeological resources will be protected and preserved in place.

The property is located within the City's Archaeological Overlay Zone, however no archeological resources have been located on the site. This Standard is not applicable.

Standard Nine

New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale, and proportion, and massing to protect the integrity of the property and its environment.

To meet Standard Nine, a new addition must preserve the historic building's form and envelope, significant materials, and features; must be compatible with the historic building's massing, size, scale,

and architectural features; and must be differentiated from the historic building to preserve its character. *Preservation Brief 14* and *Technical Preservation Services Bulletin 37*² recommend that:

- 1) a new addition should be simple and unobtrusive in design, and
- 2) the construction materials and color of the new addition should be harmonious with the historic building materials, and
- 3) the addition should be visually subordinate to the historic building.

A 215 sq. ft. ADU with a 143 sq. ft. roof deck will be built behind the main house (north elevation). It will not be visible from Santa Lucia Street. The construction of the ADU relates to Standards Two, Nine and Ten but will be discussed in detail under Standard Nine as follows:

- The ADU will be constructed using differentiated yet compatible materials such as the board and batten siding, which will be painted to match the color of the main house. There is a small section of rubble veneer, with no courses, pictured under the window on the west elevation (see Plan Sheet DS.3.). Mr. Seavey notes in his evaluation that “the property exhibits several styles of Carmel stone masonry, including patios, and may have been used as an example of the craft [stonemason] for potential clients”. Since so many different stone treatments are used in the property³ the stone type and course can be selected by the owner.
- The ADU will be compatible with the understated vernacular design features and natural materials found in the main house. The overall design of the ADU is simple and does not detract from the main house.
- Like the main house, the windows in the ADU will be irregular sizes and are compatible with the main house.

The design of the ADU is compatible with the main house yet differentiated. The proposed work is consistent with Standard Nine.

Standard Ten

New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

The ADU will abut the non-historic outdoor staircase, located on the rear elevation. If the ADU is removed in the future the essential form and integrity of the main house will remain intact. The proposed work is consistent with Standard Ten.

² Interpreting the Secretary of the Interior’s Standards for Rehabilitation. *Rear Additions to Historic Houses*. Technical Preservation Services. National Park Service. 2006.

³ There are examples of square-cut, rough-cut, and uncut stone laid with no courses, irregular courses and regular courses.



Figure 5: Views of different types of stonework at the John Bathen House.



Conclusion

The proposed project for the John Bathen House meets Standards One, Two, Four, Nine, and Ten of the Secretary of the Interior's Standards and Guidelines for Rehabilitation. Standards Three, Five, Six, Seven, and Eight are not applicable. The project is consistent with the Secretary of the Interior's Standards and Guidelines for Rehabilitation.

Respectfully Submitted,

Margaret Clovis

