



City of Carmel-by-the-Sea

COMMUNITY PLANNING AND BUILDING DEPARTMENT

POST OFFICE DRAWER CC
CARMEL-BY-THE-SEA, CA 93921
(831) 620-2010 OFFICE

August 20, 2024

Elizabeth Jackson
35 Conifer Lanem,
Hillsborough, CA 94010

Via DocuSign: lizzyj650@gmail.com

Subject: Approval Letter
Design Study Application: DS 24229 (Carmel Reflections LLC/Jackson)
2905 Franciscan Way
Block: 9; Lot: 4 APN: 009-382-017

Staff has reviewed your Design Study and has issued an approval of Design Study DS 24229 subject to the enclosed conditions of approval.

This approval is subject to a 10 calendar day appeal period which commences the day that the Notice of Approval (enclosed) is posted on-site. Please post the Notice of Approval in a conspicuous location where trespass by the public is not required and email a photograph of the posted Notice and the signed Affidavit of Posting (enclosed) to, jolander@ci.carmel.ca.us.

The conditions of approval (enclosed) must be signed by the property owner and emailed to, jolander@ci.carmel.ca.us prior to issuance of a Notice of Authorized Work.

If you have any questions I can be reached at, (831) 620-2027 or the email provided above.

Best,

Jacob Olander
Assistant Planner

Encl. Findings and Conditions of Approval
Notice of Approval
Affidavit of Posting



FINDINGS AND CONDITIONS

Project: DS 24229 (Carmel Reflections LLC/Jackson)

Location: 2905 Franciscan Way, Carmel, CA 93921; 009-382-017-000

Date of Action: August 20, 2024

Project Description:

DS 24229 (Carmel Reflections LLC/Jackson) authorizes amendments to previously approved Design Study Applications (DS 22-047, Carmel Reflections) located at 2905 Franciscan Way, Carmel, CA 93921 in the Single-Family (R-1) District. APN: 009-382-017

The proposed changes include:

- The installation of a 120V 15A hot tub on patio courtyard. The proposed hot tub is smaller than the previously approved one, reducing in size from 66"x85"x40" to 65"x84"x29.5".

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 Staff'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	YES	NO
Before approving an application for design review in any district, the Director shall find that the final design plans:		
1. Conform to the applicable policies of the General Plan and the Local Coastal Program;	✓	
2. Comply with all applicable provisions of this code; and	✓	
3. Are consistent with applicable adopted design review guidelines.	✓	

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 finds 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 22-047) for the installation of a hot tub on patio courtyard on a new single-family residence. The application for the installation of a new hot tub of reduced size amends the initial approval.

CONDITIONS OF APPROVAL	
No.	
1.	<p>Authorization. This approval of Design Study (DS 24229 (Carmel Reflections, LLC/Jackson)) authorizes amendments to existing Design Study Approvals (DS 22-057) for alterations to an existing single-family residence located at 2905 Franciscan Way in the Single Family Residential (R-1) District. The modifications approved under this Design Study include:</p> <ol style="list-style-type: none"> 1. Installation of a 65"Wx84"Lx29.5"H hot tub instead of the previously approved 85"x66"x40" hot tub that was previously approved. <p>Alterations not expressly listed in this authorization are not permitted. The project shall be consistent with the plans dated approved by Community Planning & Building Department on August 20, 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 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 Department.</p>
3.	<p>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.</p>
4.	<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 proceeding, to attack, set aside, void, or annul any project approval. The City shall promptly notify the applicant of any legal proceeding, and shall cooperate fully in the defense. The City may, at its sole discretion, participate in any such legal action, but participation shall not relieve the applicant of any obligation under this condition. Should any party bring any legal action in connection with this project, the Superior Court of the County of Monterey, California, shall be the situs and have jurisdiction for the resolution of all such actions by the parties hereto.</p>
5.	<p>Conditions of Approval. These Conditions of Approval shall be signed and returned to the Community Planning and Building Department prior to the issuance of a Building Permit/Building Permit Revision. These signed conditions shall also be printed on a full-size plan sheet in the building plan set along with any prior conditions of approval of prior Design Study Applications.</p>
6.	<p>Notice of Authorized Work Required. Prior to commencing work on-site, the applicant shall apply for and obtain a building permit from the Community Planning & Building Department.</p>
7.	<p>Prior Conditions of Approval. All conditions of approval of the previous Design Study approval(s) shall also apply to this approval unless expressly otherwise noted within these Conditions of Approval. Further, the previous approval remains in full force and effect unless otherwise modified by this action.</p>
8.	<p>Noise. Per section CMC 17.28.020, the fixed installation of any electrical or mechanical equipment such as generators for electrical power, pumps for hot tubs, swimming pools, fountains or wells, heating or air conditioning systems and similar equipment shall be located, shrouded, muffled or otherwise treated to control noise to protect the use and enjoyment of neighboring properties and the public. All such installations shall be limited to a noise emission standard of 60 dB or three dB above ambient whichever is greater, as measured at the property boundary.</p> <p>Following installation, applicant shall request an inspection from the Community Planning and Building Department to verify compliance with the CMC 17.28.020. The Community Planning and Building Department reserves the right to require a sound test prepared by a qualified professional at the property owner's expense if the inspection is not completed and noise complaints are received. Should any inspection or sound test performed or requested by the City show the equipment does not comply, the owner shall work with staff to find a suitable location elsewhere on the property that does comply or seek appropriate sounds attenuation measures.</p>

Acknowledgement and acceptance of conditions of approval:

Property Owner Signature

Printed Name

Date

Applicant Signature

Printed Name

Date

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



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 24229

Owner Name: CARMEL REFLECTIONS LLC

Case Planner: Jacob Olander, Assistant Planner

Date Posted: _____

Date Approved: 08/20/2024

Project Location: 2905 Franciscan Way, Carmel, CA 93921

APN #: 009382017000 **BLOCK/LOT:** 9/ALL LOT 4

Applicant: Elizabeth Jackson

Project Description: This approval of Design Study (DS 24229 (Carmel Reflections, LLC/Jackson)) authorizes amendments to existing Design Study Approvals (DS 22-057) for alterations to an existing single-family residence located at 2905 Franciscan Way in the Single Family Residential (R-1) District. The modifications approved under this Design Study include: 1. Installation of a 65"Wx84"Lx29.5"H hot tub instead of the previously approved 85"x66"x40" hot tub that was previously approved. Alterations not expressly listed in this authorization are not permitted. The project shall be consistent with the plans dated approved by Community Planning & Building Department on August 20, 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.



AFFIDAVIT OF POSTING
DECLARATION UNDER PENALTY OF PERJURY

APPLICATION#: Design Study 24229 Elizabeth Jackson

APPLICANT: Elizabeth Jackson

PROJECT LOCATION: 2905 Franciscan Way, Carmel, CA 93921

CASE PLANNER: Jacob Olander, Assistant Planner

BLOCK 9 LOT(s) 4 APN 009382017000

I, _____, declare: I am a resident of the City of _____
_____, County of _____, State of _____. I am over the age of eighteen
(18) years. On the _____ day of _____ 2024, I posted the attached Public Notice in a conspicuous,
publicly-accessible location at the subject property.

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Declarant Print Name

Declarant Signature

Date

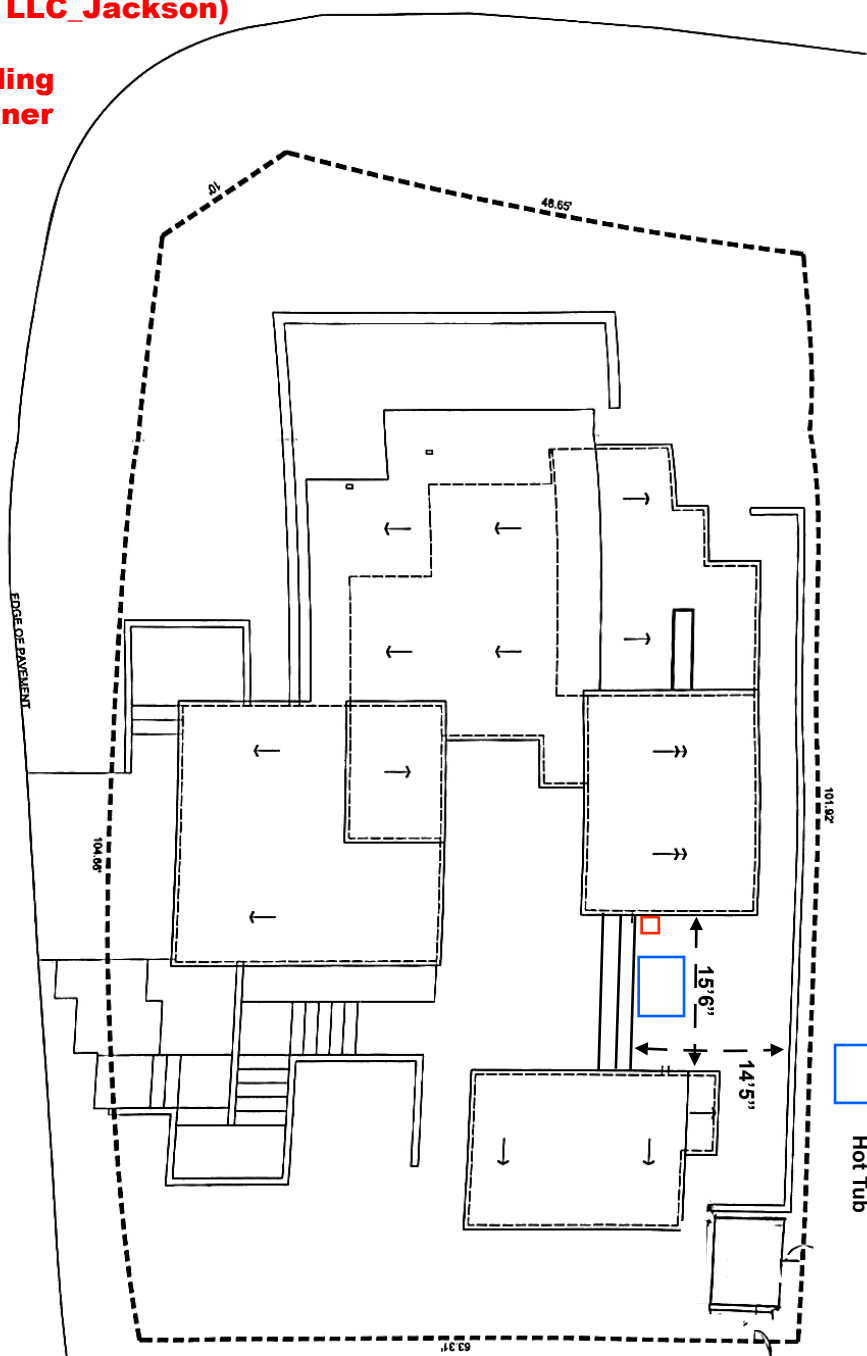
*Upon completion of the 10 - day appeal period, please return this form,
along with the Notice of Approval, to the case planner noted above.*

Approved 8/20/2024
DS 24229 (Carmel Reflections LLC_Jackson)
Carmel-by-the-Sea
Community Planning and Building
Jacob Olander, Assistant Planner

DOLORES STREET

FRANCISCAN WAY

EDGE OF PAVEMENT



Existing Electrical outlet
Hot Tub

SITE PLAN
SCALE 1/8" = 1'-0"

Project Address:
2905 Franciscan Way
Carmel, CA 93923

Carmel Reflections LLC
Po Box 1132, Burlingame Ca 94011
Carmel, CA.