

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

Special Meeting  
City Hall  
East side of Monte Verde Street  
Between Ocean & Seventh Avenues

January 23, 2014  
Thursday  
Tour – 2:30 p.m.  
Meeting – 4:00 p.m.

**I. CALL TO ORDER AND ROLL CALL**

Commissioners: Steve Dallas, Chair  
Don Goodhue, Vice-Chair  
Michael LePage  
Keith Paterson  
Jan Reimers

**II. TOUR OF INSPECTION**

Shortly after 2:30 p.m., the Commission will leave the Council Chambers for an on-site Tour of Inspection of all properties listed on this agenda (including those on the Consent Agenda). The Tour may also include projects previously approved by the City and not on this agenda. Prior to the beginning of the Tour of Inspection, the Commission may eliminate one or more on-site visits. The public is welcome to follow the Commission on its tour of the determined sites. The Commission will return to the Council Chambers at **4:00 p.m.** or as soon thereafter as possible.

**III. ROLL CALL AND REORGANIZATION OF COMMISSION OFFICERS**

**IV. PLEDGE OF ALLEGIANCE**

**V. ANNOUNCEMENTS/EXTRAORDINARY BUSINESS**

**VI. APPEARANCES**

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

**VII. CONSENT AGENDA**

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

No items.

**VIII. CONSENT AGENDA (PULLED ITEMS)**

(This is a placeholder to be used only in the event that one or more items are pulled from the consent agenda.)

**IX. PUBLIC HEARINGS**

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

- |  |   |
|--|---|
| 1. DR 13-15<br>Old Mill Properties, LLC<br>Mission 4 southwest of 7th<br>Block 90; Lot(s) 11                 | Consideration of Final Design Review (DR 13-15) and Coastal Development permit applications for the substantial alteration of an existing building located in the Residential and Limited Commercial (RC) Zoning District                   |
| 2. DS 13-53/UP 13-16<br>Edward & Josie Ybarro<br>Casanova 5 northeast of<br>Ocean Ave<br>Block EE; Lot(s) 10 | Consideration of Design Study (DS 13-53), Use Permit (UP 13-16) and Coastal Development Permit applications for the substantial alteration of an existing residence located in the Residential and Limited Commercial (RC) Zoning District. |
| 3. UP 13-22<br>Jennifer Smith<br>SS of Ocean Ave between<br>Monte Verde and Lincoln<br>Blk 74; Lot 6         | Consideration of a Use Permit (UP 13-22) to establish a retail wine shop with wine tasting as an ancillary use in an existing commercial space located in the Central Commercial (CC) Zoning District (Paraiso Winery)                      |
| 4. DR 13-37<br>Tony Salameh<br>Mission 2 northwest of 7th<br>Block 77; Lots 15,17,19,&21                     | Consideration of a Design Review (DR 13-37) application for alterations to an existing storefront located in the Central Commercial (CC) Zoning District (Anton & Michel Restaurant)  |

- |  |   |
|--|---|
| 5. DS 12-111 RV-02<br>Bill & Adriana Hayward<br>SE Cor. Ocean & Carmelo<br>Block M, Lot(s) 2 & 4   | Consideration of a Design Study (DS 12-111 RV-02) for revisions to an approved for a new residence on a property located in the Single-Family Residential (R-1) Zoning District   |
| 6. DS 13-125<br>Janet Blincoe<br>Casanova 5 SW of 8th<br>Block I; Lot(s) 11                        | Consideration of a Design Study (DS 13-125) application for the construction of a carport in the front-yard setback of a property located in the Single-Family Residential (R-1) Zoning District  |
| 7. DS 13-132<br>Mark Conger<br>San Carlos 3 SW of 11 <sup>th</sup><br>Block 131; Lots 5 & ½ 7      | Consideration of Design Study (DS 13-132) and Coastal Development Permit applications for the alteration of an existing residence located in the Single-Family Residential (R-1) Zoning District  |
| 8. DS 13-75<br>Jon & Jen Lambert<br>San Antonio Ave 4 NE<br>of Ocean Avenue<br>Block HH, Lot(s) 10 | Consideration of Design Study (DS 13-75) and the associated Coastal Development Permit for alterations to an existing single-family residence located in the Single-Family Residential (R-1), Beach and Riparian, and Archaeological Significance (AS) Overlay Zoning Districts |
| 9. UP 13-20<br>ND Fusion LLC<br>SW cor. of San Carlos & 6 <sup>th</sup><br>Block 71; Lot 1         | Consideration of a Use Permit (UP 13-20) for the establishment of a new restaurant located in the Central Commercial (CC) Zoning District (Affina Bistro)   |
| 10. UP 13-7<br>Esme Lazarre<br>San Carlos 2 SE of Ocean<br>Block 77, Lot(s) 5,6,7,8                | Consideration of a Use Permit (UP 13-7) to establish a retail wine shop with wine tasting as an ancillary use in an existing commercial space located in the Central Commercial (CC) Zoning District (Wild Vine) ( <i>Continued to 2/13/14</i> )                                |

**X. DIRECTOR'S REPORT**

**XI. ADJOURNMENT**

The next meeting of the Planning Commission will be:

Special Meeting – Tuesday, February 11, 2014, at 4:00 p.m.

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

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

**NO AGENDA ITEM WILL BE CONSIDERED AFTER 8:00 P.M. UNLESS AUTHORIZED BY A MAJORITY VOTE OF THE PLANNING COMMISSION. ANY AGENDA ITEMS NOT CONSIDERED AT THE MEETING WILL BE CONTINUED TO A FUTURE DATE DETERMINED BY THE COMMISSION.**

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



CITY OF CARMEL-BY-THE-SEA

Planning Commission Report

January 23, 2014

**To:** Chair Dallas and Planning Commissioners

**From:** Rob Mullane, AICP, Community Planning and Building Director *RM*

**Submitted by:** Marc Wiener, Senior Planner

**Subject:** Consideration of a Final Design Review (DR 13-15) and associated Coastal Development Permit for the alteration of an existing building located in the Residential and Limited Commercial (RC) Zoning District

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**Recommendation:**

Approve the Final Design Review (DR 13-15) and associated Coastal Development Permit subject to the attached findings and conditions

**Application:** DR 13-15                      **APN:** 010-142-004  
**Location:** Mission Street four parcels southwest of Seventh Avenue  
**Block:** 90                                      **Lot:** 11  
**Applicant:** Old Mill Properties              **Property Owner:** Old Mill Properties, LLC

**Background and Project Description:**

The project site is located on Mission Street four parcels southwest of Seventh Avenue in the Residential and Limited Commercial (RC) Zoning District. The lot is currently developed with a two-unit apartment building (multi-family dwelling) at the rear (western) portion of the property and a three-space surface parking lot at the front portion of the property. A Determination of Historic Ineligibility for the subject building was issued by the Community Planning and Building Department on August 5, 2013.

The existing building is 2,590 square feet in size and is set back approximately 57 feet from the front property line. The existing structure has a Mid-century modern flat-roof design and is clad with wood siding. The building is currently used as a two-unit residence, but has historically been used for both office and residential uses.

The applicant is proposing a substantial remodel and addition to the existing building; however, it will remain a two-unit residence. The proposed project includes the addition of 210-square feet of living space and the addition of a four-space carport at the front of the building. With the proposed additions, the structure would be a total of 2,800 square feet in size, and the front setback would be reduced from 57 feet to 15 feet. The interior of the existing building would be completely remodeled, but the north, west, and south exterior walls would be retained.

The ground level would include a 1,035-square foot two-bedroom apartment, while the upper level would include a 1,765-square foot two-bedroom apartment. A shared patio/garden area is proposed at the interior of the property between the living space and the carport. The proposed structure would have a Contemporary-style design. The applicant is proposing a stone veneer on the front building element, stucco on the rear building element, and horizontal wood siding on the intermediate portion of the building. The proposed type of stone is from Fond Du Lac, Wisconsin, and is shown on page A-4.1 of the project plans.

The Planning Commission reviewed this project on August 14, 2013 and on October 9, 2013. The Commission was supportive of the project, and at the October meeting, directed the applicant to make minor revisions to the design prior to the final review. The applicant has revised the design to comply with the recommendations made by the Planning Commission

<b>PROJECT DATA FOR A 3,500-SQUARE FOOT SITE (RC):</b>			
<b>Site Considerations</b>	<b>Allowed</b>	<b>Existing</b>	<b>Proposed</b>
Floor Area	2,800 sf (80%)	2,590 sf (74%)	2,800 sf (80%)*
Building Coverage	2,450 sf (70%)	1,295 sf (37%)	1,999 sf (57%)
Ridge Height (1 <sup>st</sup> /2 <sup>nd</sup> )	26 ft.	20 ft.	26 ft.
Parking Requirement	3 spaces	3 spaces	3 spaces
<b>Setbacks</b>	<b>Minimum Required</b>	<b>Existing</b>	<b>Proposed</b>
Front	5 ft.	57 ft.	15 ft.
Rear	0 ft.	5 ft.	5 ft.
Side Yard	5 feet for at least 50% of the side property lines.	N/A	5 feet for at least 50% of side property lines.
* Main Level/Upper Level Unit = 1,765 sq. ft. ; Lower Level Unit = 1,035 sq. ft.			

**Staff analysis:**

**Previous Hearing:** The following is a list of changes requested by the Planning Commission and an analysis of how the applicant has addressed the Commission's direction.

1. *The applicant shall work with staff to include wood gates at the front of the carport. The revisions shall be reflected on the plans submitted for final Planning Commission review.*

Response: Pursuant to CMC Section 17.36.020.C, the site is required to have three off-street parking spaces. The applicant is proposing three parking spaces as required by code, two of which would be in tandem. At the October 2013 meeting, there was a discussion about whether tandem parking would be consistent with the City's Municipal Code. The Planning Commission was supportive of the proposed tandem parking design, but recommended that the applicant revise the design to include wood gates at the front of the carport to screen the cars from the public view.

In response to the Planning Commission's recommendation, the applicant is proposing 6-foot high wood gates at the front of the carport. The proposed gates would consist of horizontal wood slats, similar in appearance to the horizontal wood siding used on other portions of the structure. Staff notes that the applicant is also proposing horizontal wood panels on the north and south sides of the carport to screen the parking area. There is a 3-foot gap between the top of the panels and the ceiling of the carport.

At the October 2013 meeting, staff noted that carport would be 34 feet long, but that a minimum depth of 38 feet would be required to contain two tandem spaces. Since that meeting the applicant has increased the length of the carport to 38 feet, by extending the rear wall of the carport 4 feet in a western direction. One of the tandem spaces would be a standard size 10' x 20' space, while the other would be a compact 9' x 16' space. Pursuant to CMC Section 17.36.020.C, "compact spaces may constitute 50 percent of the total required spaces." Staff notes that the carport would contain two standards spaces and one compact space.

2. *The applicant shall install landscaping at the front of the property on the north and south sides of the driveway as specified in the staff report. The revision shall be included on a landscape plan submitted for final review by the Planning Commission.*

**Response:** The applicant is proposing landscaping at the front north and south corners of the property. The plan also shows landscaping in the center courtyard and at the rear of the property. Staff notes that the plan does not identify what types of plants are proposed. Standard Condition #4 requires the applicant to submit a final landscape plan prior to the issuance of the building permit.

3. *The applicant shall depict the current parking configuration along the west side of Mission Street and note any changes to existing on-street parking spaces presented by changes to the driveway and driveway throat width.*

**Response:** An existing curb-side parking space at the front of the property has been shifted approximately 3 feet north to provide clearance for the new driveway. As a result, the new driveway would not require the elimination of any curb-side parking spaces. Staff notes that shifting the parking space did not impact the driveway of the neighboring property to the north.

**Finish Materials:** At the October 2013 meeting, the applicant presented a photograph (included as Attachment C) of the type of stone to be used on the structure. The proposed type of stone is from Fond Du Lac, Wisconsin, and is shown on Sheet A-4.1 of the project plans. The stone would have a tan color and would be applied in with a dry-stack pattern. The Planning Commission was supportive of the stone as shown in the photograph. Staff has drafted a condition requiring that the stone used on the building be consistent with the photograph presented at the meeting on October 9, 2013, and with the project plans.

In the previous staff report it was noted that the applicant is proposing to use a standing seam copper metal roof. A photograph of the proposed roofing material was presented at the October 2013 meeting, and the Planning Commission was generally supportive of the proposal. Staff notes that the roof is not visually prominent to the public way due to the height of the building and the low pitch of the roof. The applicant has indicated that a roof sample will be provided at the December meeting for the Planning Commission to review. The a photograph of the proposed roofing is shown on Sheet A-4.1 of the project plans

**Use Permit and Density:** CMC Section 17.14 establishes the range of permitted and conditional uses that are allowed in the RC Zoning District. Multi-family projects between 0 and 22 units per acre are a permitted use. Projects at a density between 22 and 33 dwelling units per acre require a Use Permit. The applicant is proposing two dwelling-units on a 3,500 square foot site,



for a density of 24.89 units per acre. Hence, the project requires a Use Permit for the proposed density.

Two commissioners own property within 500 feet of the project site and are required to recuse themselves from this project review. According to the Planning Commission Rules of Procedure, approval of a Use Permit requires a minimum of four affirmative votes, and therefore, the Planning Commission would not be able to act on the Use Permit.

Nonetheless, the three unrecused Commissioners can review and act on the Design Review (DR 13-15) and Coastal Development Permit. The Use Permit would subsequently be referred to the City Council. Staff has consulted with the City Attorney on this matter and determined that this would be an acceptable course of action to avoid having the City Council go through a potentially lengthy design review process, which is typically the role of the Planning Commission. A condition has been drafted requiring that the applicant obtain Use Permit approval from the City Council prior to submitting an application for the building permit.

***Environmental Review:*** The proposed project is categorically exempt from CEQA requirements, pursuant to Section 15301 (Class 1) – Existing Facilities.

**ATTACHMENTS:**

- Attachment A – Findings for Approval
- Attachment B – Conditions of Approval
- Attachment C – Photograph of Stone Finish Material
- Attachment D – Project Plans

## Attachment A – Findings for Approval

DR 13-15 (Old Mill Properties)

January 23, 2014

Findings for Approval

Page 1

For each of the required findings listed below, staff has indicated whether the submitted plans support adoption of the findings. For all findings checked "no" the staff report discusses the issues to facilitate the Planning Commission decision-making. Findings checked "yes" may or may not be discussed in the report depending on the issues.		
<b>Municipal Code Findings</b>	YES	NO
1. The project constitutes an improvement over existing site conditions pursuant to CMC 17.14.010	✓	
2. The project conforms to all zoning standards applicable to the site; including floor area, height, setbacks and parking.	✓	
<b>Commercial Design Guideline Findings</b>		
3. The building materials and colors respect traditions already established in the commercial district. The use of richly detailed wood, tile, molding, corbels, brick and stone is encouraged.	✓	
4. The building wall facing the street provides visual interest to pedestrians. Variations such as display windows, changes in building form, and changes in material, texture, or color are appropriate.	✓	
5. The Building is designed to allow for flexibility in its use over time so as to accommodate the mixed-use pattern of residential over commercial, as well as other uses compatible with this district.	✓	
6. The building avoids the appearance of a large single-family dwelling.		
7. The building design is sensitive to the context of the neighborhood in which it is located.	✓	
8. Any deviations from the Commercial Design Guidelines are considered minor and reasonably relate to good design principles and specific site conditions.	✓	
<b>Coastal Development Findings (CMC 17.64.B.1):</b>		
9. Local Coastal Program Consistency: The project conforms with the certified Local Coastal Program of the City of Carmel-by-the Sea.	✓	
10. Public access policy consistency: The project is not located between the first public road and the sea, and therefore, no review is required for potential public access.	✓	

## Attachment B – Conditions of Approval

DR 13-15 (Old Mill Properties)

January 23, 2014

Conditions of Approval

Page 1

<b>Approval Conditions</b>		
<b>No.</b>	<b>Standard Conditions</b>	
1.	This approval constitutes Design Study and Coastal Development permits authorizing the alterations to an existing two-unit apartment building. All work shall conform to the approved plans of January 23, 2014, except as conditioned by this permit.	✓
2.	The project shall be constructed in conformance with all requirements of the local RC zoning ordinances. All adopted building and fire codes shall be adhered to in preparing the working drawings. If any codes or ordinances require design elements to be changed, or if any other changes are requested at the time such plans are submitted, such changes may require additional environmental review and subsequent approval by the Planning Commission.	✓
3.	This approval shall be valid for a period of one year from the date of action unless an active building permit has been issued and maintained for the proposed construction.	✓
4.	A landscape plan and shall be submitted to the Department of Community Planning and Building prior to the issuance of the building permit. The landscape plan will be reviewed for compliance with the landscaping standards contained in the City's Municipal Code.	✓
5.	Trees on the site shall only be removed upon the approval of the City Forester or Forest and Beach Commission as appropriate; and all remaining trees shall be protected during construction by methods approved by the City Forester.	✓
6.	All foundations within 15 feet of significant trees shall be excavated by hand. If any tree roots larger than two inches (2") are encountered during construction, the City Forester shall be contacted before cutting the roots. The City Forester may require the roots to be bridged or may authorize the roots to be cut. If roots larger than two inches (2") in diameter are cut without prior City Forester approval or any significant tree is endangered as a result of construction activity, the building permit will be suspended and all work stopped until an investigation by the City Forester has been completed. Twelve inches (12") of mulch shall be evenly spread inside the dripline of all trees prior to the issuance of a building permit.	✓
7.	Approval of this application does not permit an increase in water use on the project site. Should the Monterey Peninsula Water Management District determine that the use would result in an increase in water beyond the	✓

	maximum units allowed on a 3,500-square foot parcel, this permit will be scheduled for reconsideration and the appropriate findings will be prepared for review and adoption by the Planning Commission.	
9.	The applicant shall submit in writing to the Community Planning and Building staff any proposed changes to the project plans as approved by the Planning Commission on January 23, 2014, prior to incorporating changes on the site. If the applicant changes the project without first obtaining City approval, the applicant will be required to either: a) submit the change in writing and cease all work on the project until either the Planning Commission or staff has approved the change; or b) eliminate the change and submit the proposed change in writing for review. The project will be reviewed for its compliance to the approved plans prior to final inspection.	✓
10.	Exterior lighting shall be limited to 25 watts (incandescent equivalent) or less per fixture and shall be no higher than 10 feet above the ground. Landscape lighting shall be limited to 15 watts (incandescent equivalent) or less per fixture and shall not exceed 18 inches above the ground.	✓
11.	All skylights shall use non-reflective glass to minimize the amount of light and glare visible from adjoining properties. The applicant shall install skylights with flashing that matches the roof color, or shall paint the skylight flashing to match the roof color.	N/A
12.	The Carmel stone façade shall be installed in a broken course/random or similar masonry pattern. Setting the stones vertically on their face in a cobweb pattern shall not be permitted. Prior to the full installation of stone during construction, the applicant shall install a 10-square foot section on the building to be reviewed by planning staff on site to ensure conformity with City standards.	✓
13.	The applicant shall install unclad wood framed windows. Windows that have been approved with divided lights shall be constructed with fixed wooden mullions. Any window pane dividers, which are snap-in, or otherwise superficially applied, are not permitted.	✓
14.	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.	
15.	The driveway material shall extend beyond the property line into the public right of way as needed to connect to the paved street edge. A minimal asphalt connection at the street edge may be required by the Superintendent of Streets or the Building Official, depending on site conditions, to accommodate the drainage flow line of the street.	✓
16.	This project is subject to a volume study.	N/A
17.	Approval of this Design Study shall be valid only with approval of a Variance.	N/A
18.	A hazardous materials waste survey shall be required in conformance with the Monterey Bay Unified Air Pollution Control District prior to issuance of a demolition permit.	✓
19.	The applicant shall include a storm water drainage plan with the working drawings that are submitted for building permit review. The drainage plan shall include applicable Best Management Practices and retain all drainage on site through the use of semi-permeable paving materials, French drains, seepage pits, etc. Excess drainage that cannot be maintained on site may be directed into the City's storm drain system after passing through a silt trap to reduce sediment from entering the storm drain. Drainage shall not be directed to adjacent private property.	✓
20a.	An archaeological reconnaissance report shall be prepared by a qualified archaeologist or other person(s) meeting the standards of the State Office of Historic Preservation prior to approval of a final building permit. The applicant shall adhere to any recommendations set forth in the archaeological report.	N/A
20b.	All new construction involving excavation shall immediately cease if cultural resources are discovered on the site, and the applicant shall notified the Community Planning and Building Department within 24 hours. Work shall not be permitted to recommence until such resources are properly evaluated for significance by a qualified archaeologist. If the resources are determined to be significant, prior to resumption of work, a mitigation and monitoring plan shall be prepared by a qualified archaeologist and reviewed and approved by the Community Planning and Building Director. In addition, if human remains are unearthed during excavation, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and distribution pursuant to California Public Resources Code (PRC) Section 5097.98.	✓
21.	Prior to the roof sheathing inspection, the applicant shall obtain a building height certification from a California licensed surveyor.	✓
22.	Prior to Building Permit issuance, the applicant shall provide for City (Community Planning and Building Director in consultation with the Public Services and Public	✓

	Safety Departments) review and approval, a truck-haul route and any necessary temporary traffic control measures for the grading activities. The applicant shall be responsible for ensuring adherence to the truck-haul route and implementation of any required traffic control measures.	
	<b>Special Conditions</b>	
23.	The stone veneer used on the building shall be consistent with the photographs presented by the applicant at the Planning Commission hearing on October 9, 2013.	✓
24.	The applicant shall obtain approval of a Use Permit from the City Council prior to submitting for a building permit.	✓

\*Acknowledgement and acceptance of conditions of approval.

\_\_\_\_\_  
 Property Owner Signature

\_\_\_\_\_  
 Printed Name

\_\_\_\_\_  
 Date

**Attachment C – Photograph of Stone Finish Material**



# MACKEY DUPLEX

## Mission 4SW of 7th Carmel, California

### OWNERSHIP NOTES

#### OWNERSHIP AND USE OF THESE DRAWINGS AND SPECIFICATIONS:

1. TITLE AND ALL "COPYRIGHT" PRIVILEGES TO THESE DRAWINGS AND SPECIFICATIONS IS CLAIMED BY THE ARCHITECT, ERIC MILLER ARCHITECTS, INC. HEREAFTER REFERRED TO AS "THE ARCHITECT" WITHOUT PREJUDICE. VISUAL CONTACT WITH THESE SUBJECT DRAWINGS AND SPECIFICATIONS SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF THE ACCEPTANCE OF THESE OWNERSHIP RIGHTS AND THE FOLLOWINGS RELATED.
2. THE USE OF THESE DRAWINGS AND SPECIFICATIONS SHALL BE SOLELY RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY WERE PREPARED AND THE ARCHITECT HEREBY STATES THAT THEY ARE NOT INTENDED FOR NOR SUITABLY ENGINEERED FOR ANY OTHER SITE. REPRODUCTION OF THESE DOCUMENTS IS THEREFORE EXPRESSLY LIMITED TO THIS INTENDED USE.
3. THE ARCHITECT DISCLAIMS ALL RESPONSIBILITY IF THESE DRAWINGS AND SPECIFICATIONS ARE USED, IN WHOLE OR IN PART, WITHOUT PRIOR WRITTEN PERMISSION, WHETHER OR NOT MODIFIED BY OTHERS FOR ANOTHER SITE.
4. IN THE EVENT OF UNAUTHORIZED USE BY ANY THIRD PARTY OF THESE DRAWINGS AND SPECIFICATIONS THE CLIENT FOR WHICH THIS WORK WAS ORIGINALLY PREPARED HEREBY AGREES TO HOLD HARMLESS, INDEMNIFY AND DEFEND THE ARCHITECT, ERIC MILLER, HIS STAFF/EMPLOYEES FROM ANY CLAIMS ARISING FROM SUCH UNAUTHORIZED USE.

### PROJECT DATA

OWNER: OLD MILL PROPERTIES, LLC.  
P.O. BOX 25290  
TUCSON, AZ 85740  
PH: 520-844-0940

ARCHITECT: ERIC MILLER ARCHITECTS, INC.  
517 GRAND AVE. SUITE 108  
PACIFIC GROVE, CA 93950  
PH: 831-812-0410

ADDRESS: MISSION 4SW of 7th  
CARMEL, CALIFORNIA

PROJECT DESCRIPTION:  
PROPOSED ONE 2 BEDROOM APARTMENT AND ONE 1 BEDROOM APARTMENT WITH 2 CAR GARAGE AND 1 CARPORT.

LOT SIZE: \_\_\_\_\_ 3,500.0 S.F.

ZONING: \_\_\_\_\_ RC

A.P.N.: \_\_\_\_\_ 010-142-004-000

OCCUPANCY GROUP: \_\_\_\_\_ (RC) FOR HOUSE (U) FOR GARAGE

TYPE OF CONSTRUCTION: \_\_\_\_\_ (V-B)

SETBACK

FRONT: \_\_\_\_\_ 30'

SIDE: \_\_\_\_\_ AT LEAST 9.0' ALONG AT LEAST 50% OF EACH SIDE PROPERTY LINE.

BUILDING HEIGHT: \_\_\_\_\_ 26.0'

### PROPOSED FLOOR AREA RATIO

UPPER FLOOR	1,765 S.F.
LOWER FLOOR	1,035 S.F.
TOTAL	2,800 S.F. = 80%

### PROPOSED BUILDING COVERAGE

BUILDING FOOTPRINT	1,061 S.F.
CARPORTS	438 S.F.
TOTAL	1,499 S.F. = 51%

### PROPOSED SITE COVERAGE

INTERIOR PATIO	223 S.F.
EXTERIOR STAIRS	145 S.F.
WALK & LANAI	153 S.F.
SITE WALLS	24 S.F.
DRIVENWAY	406 S.F.
TOTAL	951 S.F. = 27.1%

### SHEET INDEX

#### ARCHITECTURAL

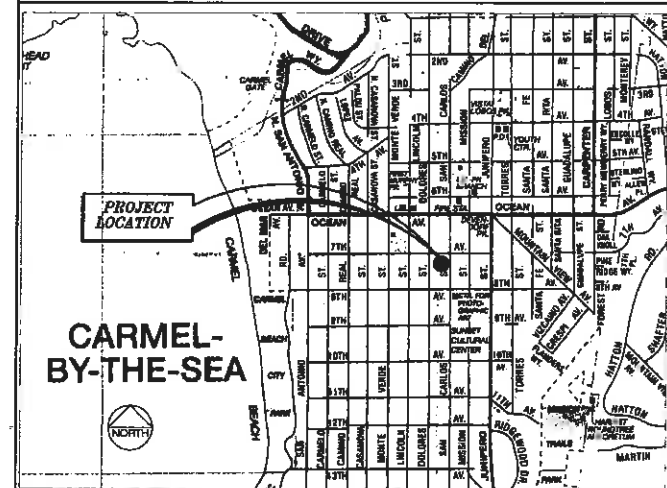
- A-0.1 COVER SHEET
- A-1.0 TOPOGRAPHIC MAP
- A-1.1 DEMOLITION PLAN
- A-2.0 SITE PLAN
- A-2.1 LOWER FLOOR PLAN
- A-2.2 UPPER FLOOR PLAN
- A-2.3 ROOF PLAN
- A-3.1 EAST (FRONT) ELEVATION
- A-3.2 NORTH ELEVATION
- A-3.3 WEST ELEVATION
- A-3.4 SOUTH ELEVATION
- A-3.5 STREET ELEVATION
- A-4.1 MATERIAL COLOR SAMPLE

REVISION

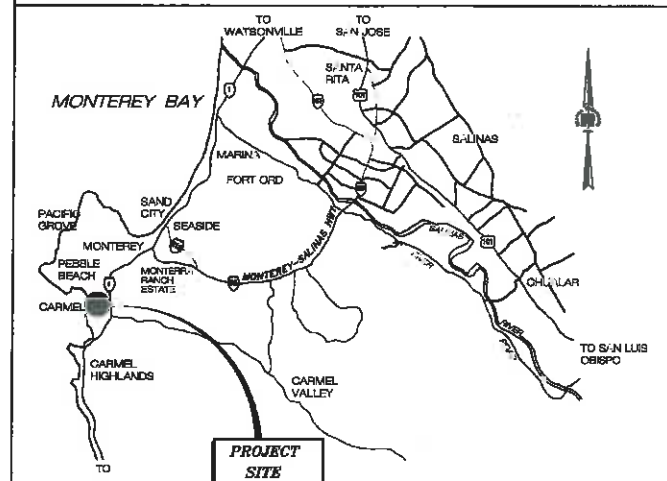
DEC 27 2013

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

### LOCATION MAP



### VICINITY MAP



CONSULTANT:



ERIC MILLER ARCHITECTS, INC.  
157 GRAND SUITE 108 PACIFIC GROVE, CA 93950  
PHONE (831) 372-0410 • FAX (831) 372-7640 • WEB: www.ericmillerarchitects.com

ARCHITECT

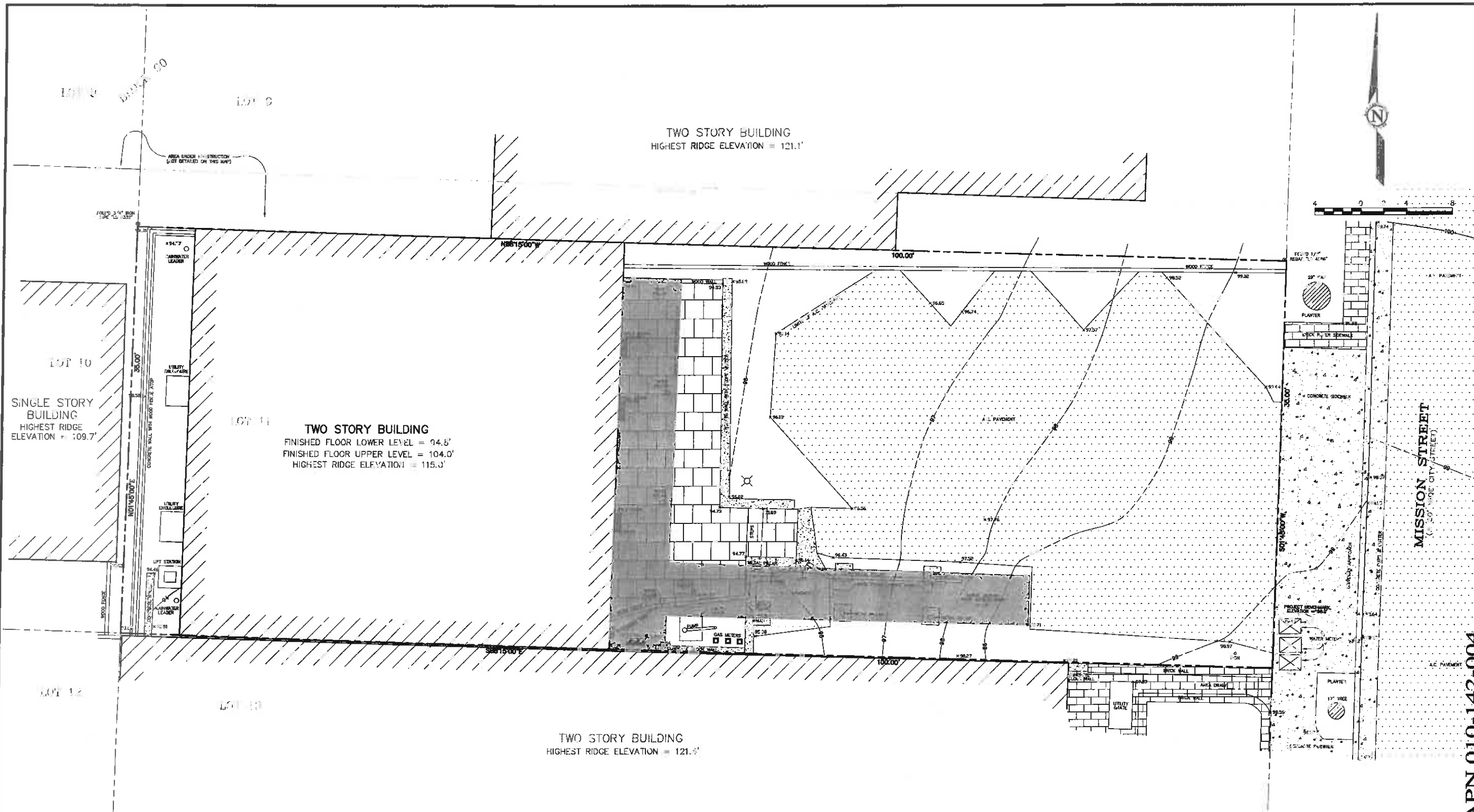
SITE PLAN

JOB NAME: Mackey Duplex  
Mission Street 4SW of 7th  
Carmel, CA 93923  
A.P.N. 010-142-004

DATE: 12/23/13  
SCALE: 1/4"=1'-0"  
DRAWN: DM  
JOB NUMBER: 13.01

A-0.1  
SHEET OF





LOT 10  
SINGLE STORY BUILDING  
HIGHEST RIDGE ELEVATION = 109.7'

LOT 11  
TWO STORY BUILDING  
FINISHED FLOOR LOWER LEVEL = 94.8'  
FINISHED FLOOR UPPER LEVEL = 104.0'  
HIGHEST RIDGE ELEVATION = 115.0'

LOT 13  
TWO STORY BUILDING  
HIGHEST RIDGE ELEVATION = 121.4'

LOT 9  
TWO STORY BUILDING  
HIGHEST RIDGE ELEVATION = 121.1'

**GENERAL NOTES**

- 1) ELEVATIONS ARE BASED ON PROJECT DATUM. PROJECT BENCHMARK IS THE CENTER OF THE NORTH-SOUTH WATER METER IN THE CONCRETE SIDEWALK ALONG MISSION STREET, ELEVATION = 98.9', AS SHOWN.
- 2) TREE TYPES INDICATED WHEN KNOWN. TREE SIZES ARE LABELED IN INCHES.
- 3) NOT ALL UNDERGROUND UTILITIES WERE LOCATED. ONLY VISIBLE FACILITIES ABOVE AND FLUSH WITH THE SURFACE ARE SHOWN. SUB-SURFACE UTILITY LINES DRAWN MAY NOT BE COMPLETE AND SHOULD BE VERIFIED BY FIELD RECONNAISSANCE. UNDERGROUND UTILITY LOCATIONS CAN BE OBTAINED FROM THE APPROPRIATE UTILITY COMPANIES, PUBLIC AGENCIES, OWNER'S AS-BUILT DRAWINGS, ETC., AND SHOULD BE THOROUGHLY COMPILED AND DEEMED COMPLETE WITHIN THE PROJECT AREA PRIOR TO ANY SITE DEVELOPMENT DESIGN AND/OR CONSTRUCTION.
- 4) THIS MAP PORTAYS THE SITE AT THE TIME OF THE SURVEY (2/1/13) AND DOES NOT SHOW SOILS OR GEOLOGY INFORMATION, UNDERGROUND CONDITIONS, EASEMENTS, ZONING OR REGULATORY INFORMATION OR ANY OTHER ITEMS NOT SPECIFICALLY REQUESTED BY THE PROPERTY OWNER.
- 5) THIS MAP DOES NOT REPRESENT A BOUNDARY SURVEY. PROPERTY LINES SHOWN HEREIN WERE COMPILED FROM RECORD INFORMATION AND FROM FIELD TIES TO EXISTING BOUNDARY MONUMENTATION. THE LOCATION OF THESE LINES IS SUBJECT TO CHANGE, PENDING THE RESULTS OF A COMPLETE BOUNDARY SURVEY.

**LEGEND:**

- 100 --- PROPERTY BOUNDARY LINE
- 50 --- MAJOR CONTOUR LINE (2' INTERVAL)
- 1 --- MINOR CONTOUR LINE (1' INTERVAL)
- FOUND MONUMENT AS MARKED
- SPOT ELEVATION
- ⊗ WATER METER
- ⊠ ELECTRIC METER, GAS METER
- ⊕ LIGHT
- [Pattern] ASPHALT CONCRETE SURFACE
- [Pattern] PORTLAND CEMENT CONCRETE SURFACE
- [Pattern] STONE TILE
- [Pattern] ABOVE GROUND RAMP & DECK
- [Pattern] BRICK

SITE LOCATION:  
MISSION STREET BETWEEN 7TH & 8TH  
CARMEL, CA

No.	DATE	BY	RELEASED TO CLIENT	REVISION

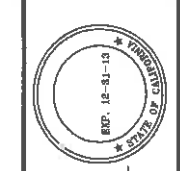
APN 010-142-004

TOPOGRAPHIC MAP  
OF  
THE SOUTHERLY 35 FEET OF LOT 11 IN BLOCK 90  
VOL. 1 OF "CITIES AND TOWNS" AT PAGE 2  
CARMEL-BY-THE-SEA, MONTEREY COUNTY, CALIFORNIA  
FOR  
STILLWATER CONSTRUCTION

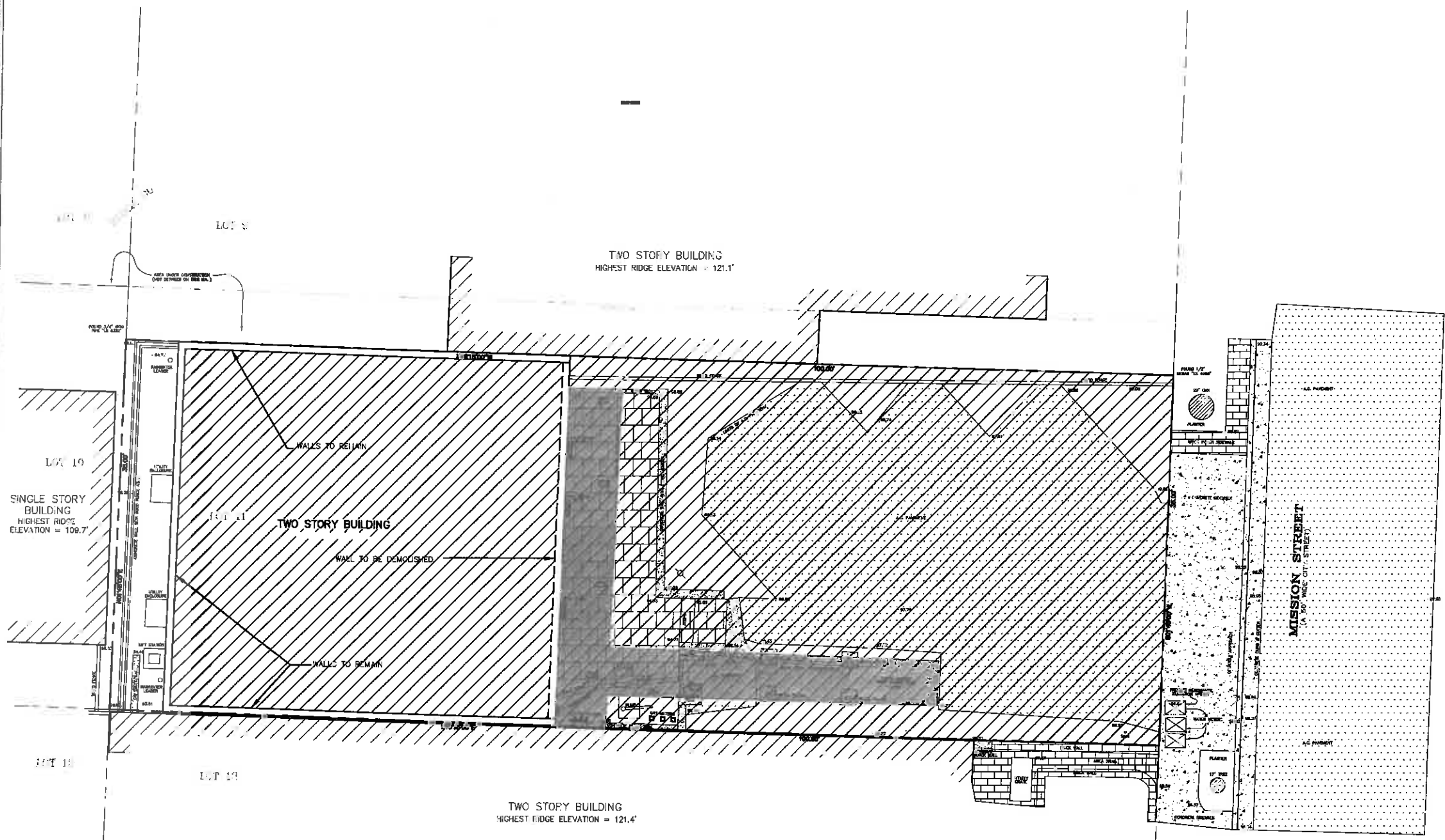
SCALE: 1"=4'  
DATE: JANUARY 2013  
JOB NO. 1179-01  
SHEET 1  
OF 1 SHEETS




**LANDSET**  
ENGINEERS, INC.  
ENGINEERING - LAND PLANNING  
SURVEYING - ENVIRONMENTAL CONSULTING  
520-B GRAY HORSE CANYON RD., 2ND FLOOR, CA 95017

APPROVED BY:  
GUY R. GIRAUDO  
P.L.S. No. 8708



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- LEGEND:**
-  BUILDING AND HARDSCAPE TO BE DEMOLISHED
  -  WALLS TO BE DEMOLISHED
  -  WALLS TO REMAIN

REVISION	No.

CONSULTANT:

ARCHITECT

**ERIC MILLER ARCHITECTS, INC.**

157 GRAND euliba 108 PACIFIC GROVE, CA 93950  
 PHONE (831) 372-0410 • FAX (831) 372-7940 • WEB: www.ericmillerarchitects.com

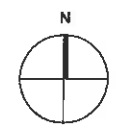
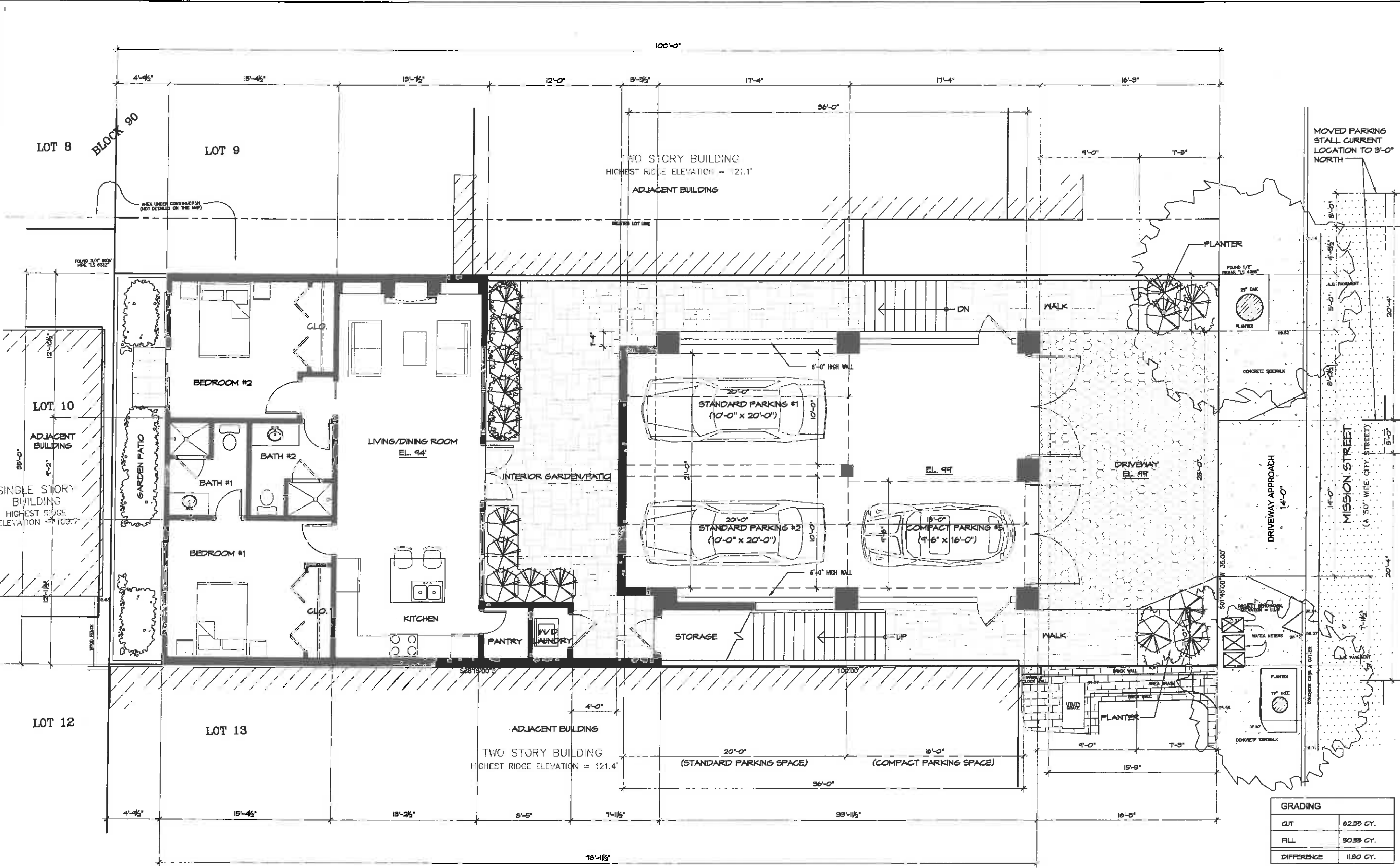
DEMOLITION PLAN

JOB NAME: **Mackey Duplex**  
 Mission Street 45th of 7th  
 Carmel, CA 95023  
 A.P.N. 010-142-004

DATE: 10/30/13  
 SCALE: 3/16" = 1'-0"  
 DRAWN: CCR  
 JOB NUMBER: 13.06

**A-1.1**  
 SHEET OF

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



GRADING	
CUT	62.55 CY.
FILL	50.55 CY.
DIFFERENCE	11.80 CY.

**TRAFFIC MANAGEMENT PLAN**

NO. OF TRUCK TRIPS/DAY	2
HOURS OF OPERATION	8 AM TO 5 PM
GRADING SCHEDULE	2 MONTHS
AMOUNT OF SOIL TO BE EXPORT	11.80 CY.
PROPOSED ROUTE FOR HAULING MATERIAL	MISSION ST, OCEAN AVE, HWAY 1 NORTH, DEL MONTE EXIT, MARINA DISPOSAL SITE
LOCATION OF STOCKPILES AND PARKING FOR CONST. VEHICLES	ON SITE # DRIVEWAY

REVISION	No.

CONSULTANT:

**ERIC MILLER ARCHITECTS, INC.**  
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 PACIFIC GROVE, CA 93950  
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ARCHITECT

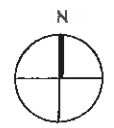
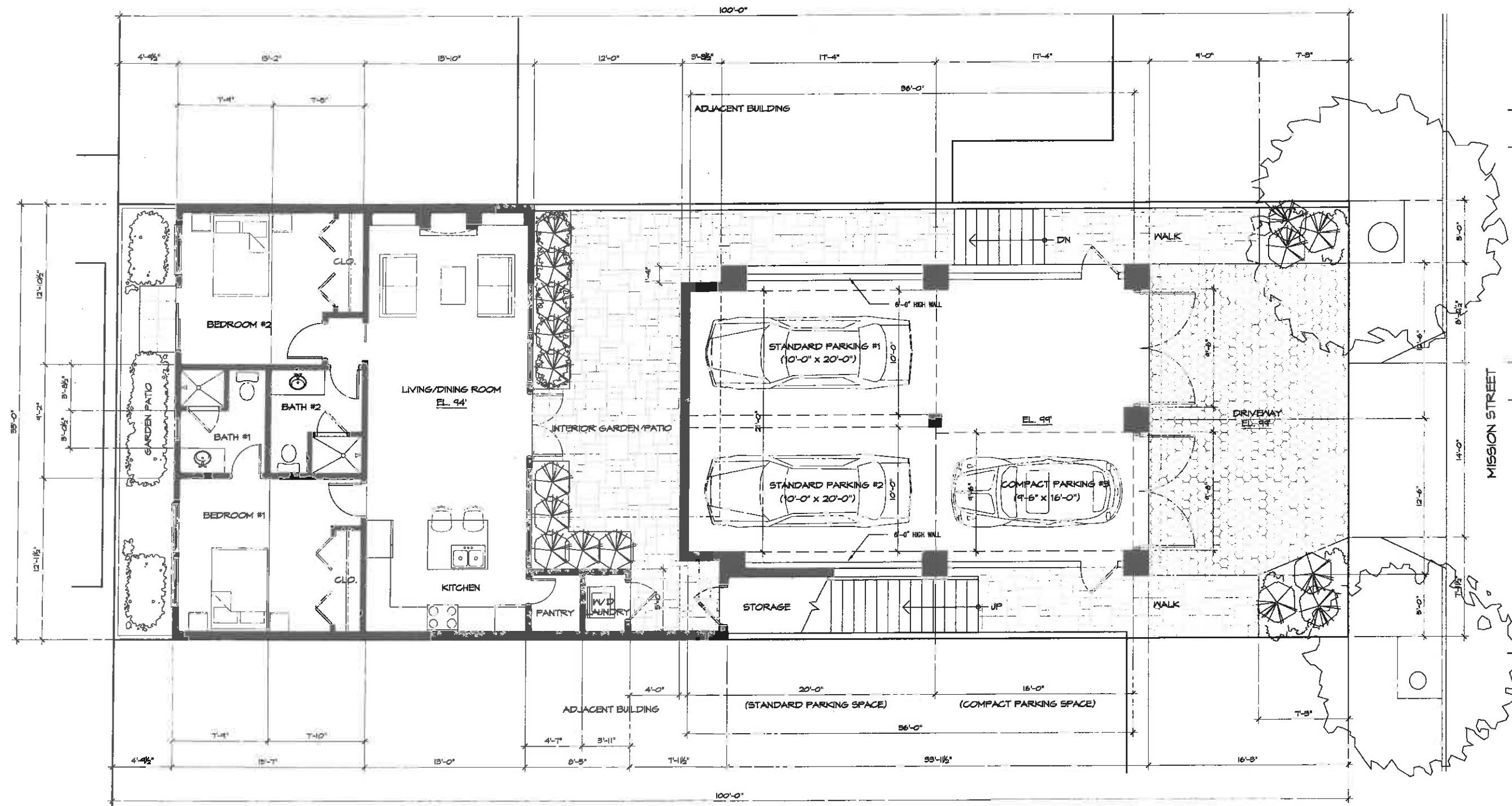
SITE PLAN

JOB NAME: **Mackey Duplex**  
 Mission Street 45th of 7th  
 Carmel, CA 93923  
 A.P.N. 010-142-004

DATE: 12/23/19  
 SCALE: 1/4" = 1'-0"  
 DR/WR: DM  
 JOB NUMBER: 19.01

**A-2.0**  
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**LOWER FLOOR PLAN**  
SCALE: 1/4" = 1'-0"



REVISION	No.

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ARCHITECT

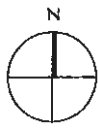
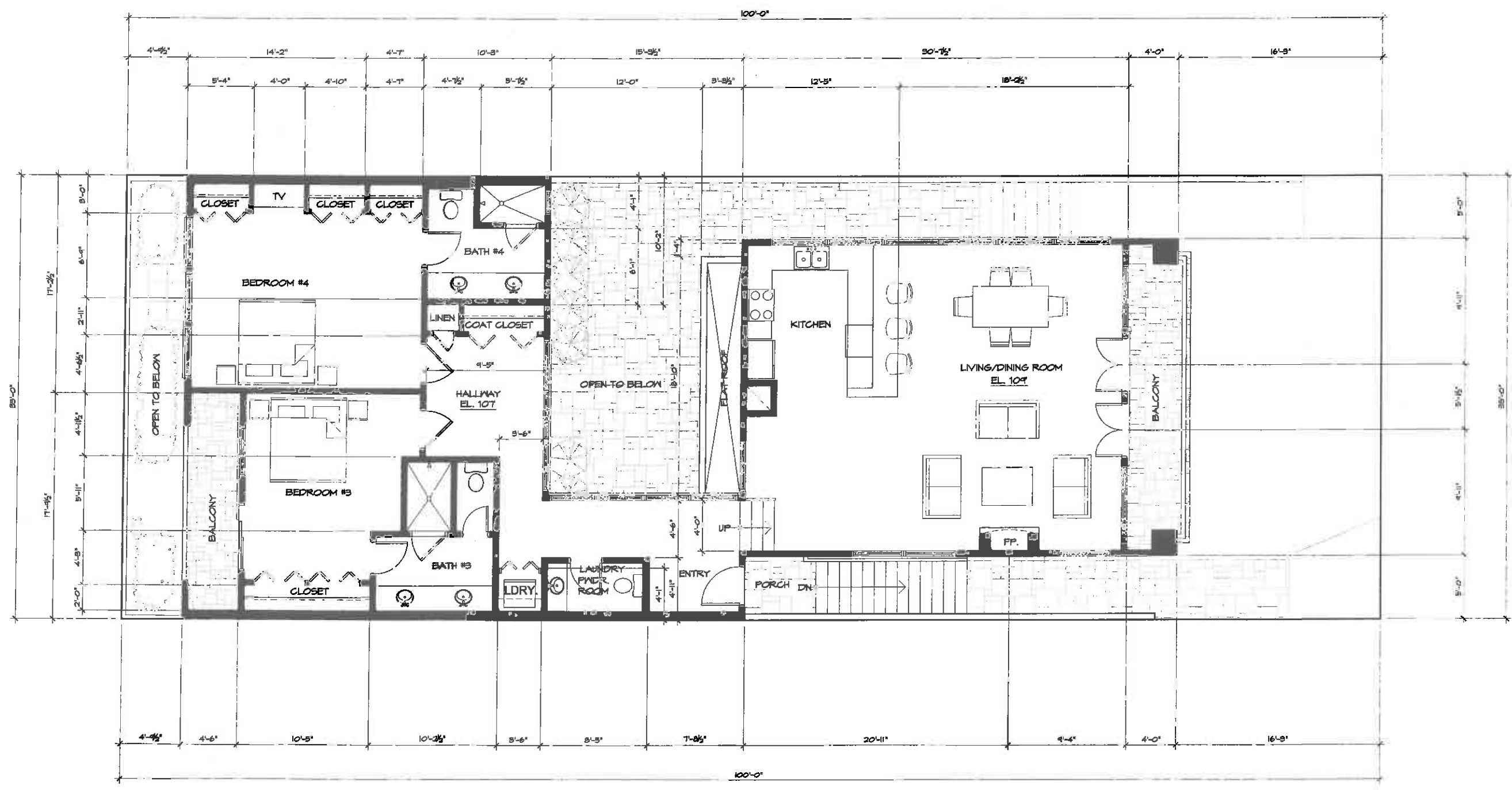
LOWER FLOOR PLAN

JOB NAME: Mackey Duplex  
 Mission Street at 45W of 7th  
 Carmel, CA 93923  
 A.P.N. 010-142-004

DATE: 12/29/13  
 SCALE: 1/4" = 1'-0"  
 DRAWN: DM  
 JOB NUMBER: 13.01

**A-2.1**  
SHEET OF

THE CITY OF CARMEL HAS REVIEWED THIS PLAN AND HAS ISSUED THIS PERMIT. THE CITY OF CARMEL IS NOT RESPONSIBLE FOR THE ACCURACY OF THIS PLAN. THE ARCHITECT ASSURES THAT THIS PLAN IS ACCURATE AND COMPLETE. THE ARCHITECT ASSURES THAT THIS PLAN IS ACCURATE AND COMPLETE. THE ARCHITECT ASSURES THAT THIS PLAN IS ACCURATE AND COMPLETE.



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



REVISION	No.

CONSULTANT:

**ARCHITECT**  
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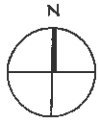
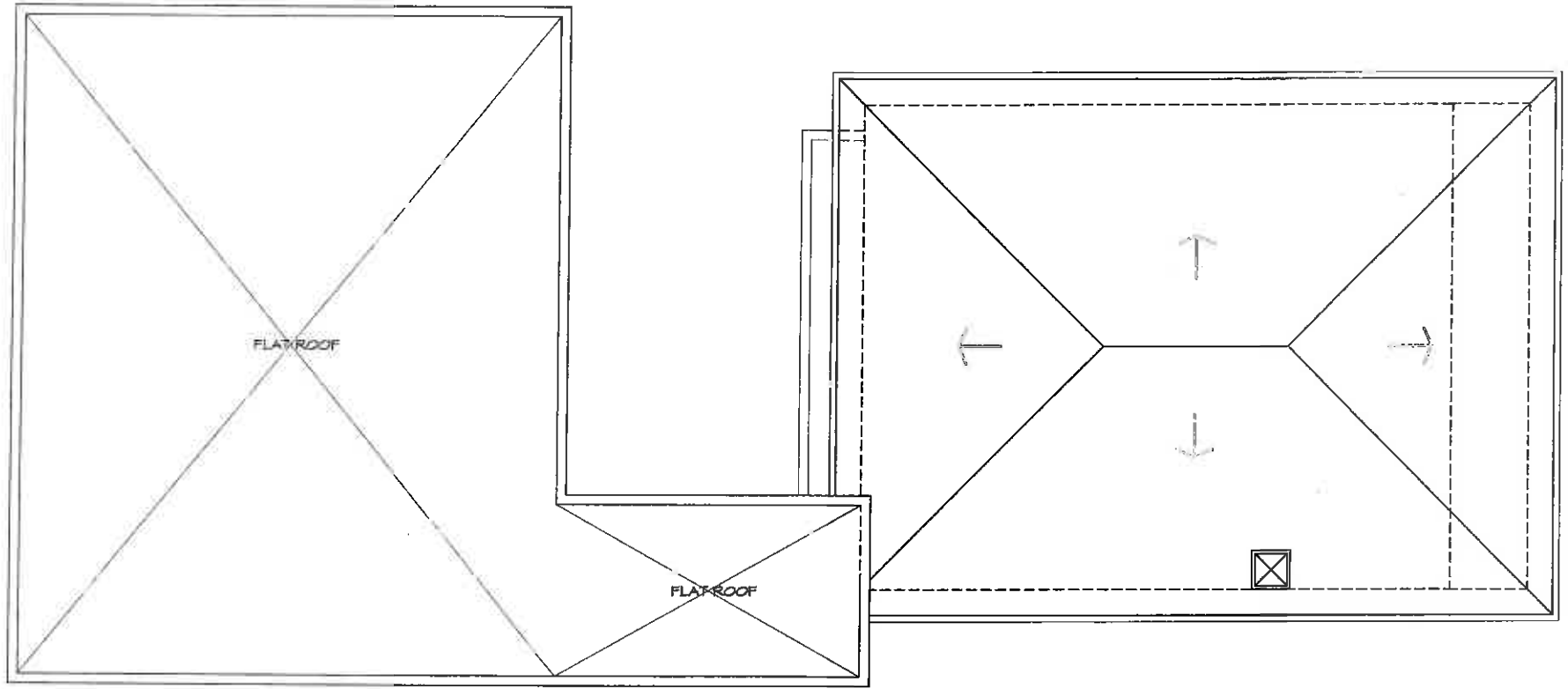
**UPPER FLOOR PLAN**  
 JOB NAME:

**Mackey Duplex**  
 Mission Street 45W of 7th  
 Carmel, CA 93923  
 A.P.N. 010-142-004

DATE: 12/25/13  
 SCALE: 1/4" = 1'-0"  
 DRAWN: DM  
 JOB NUMBER: 13.01

**A-2.2**  
 SHEET OF

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



REVISION	No.

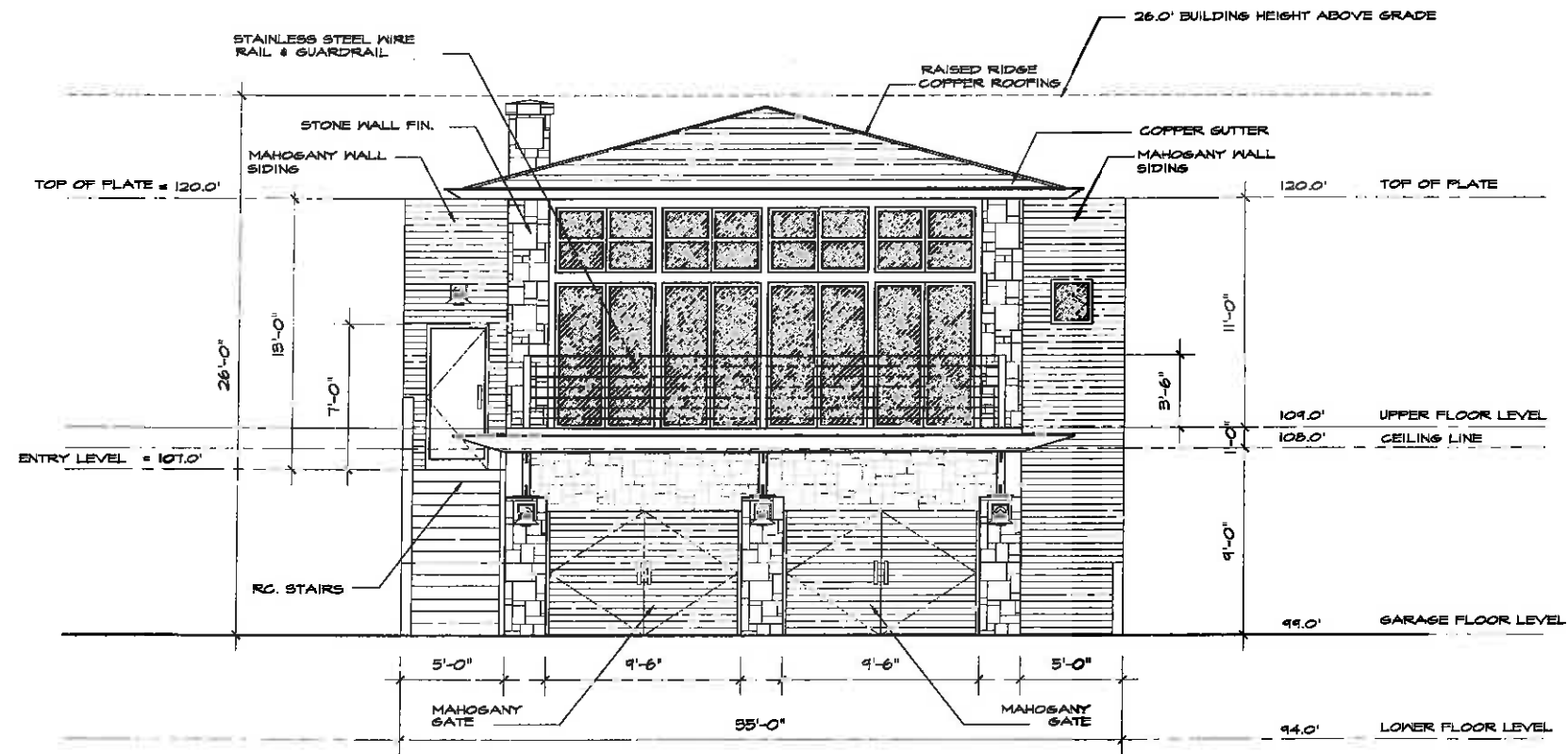
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**ROOF PLAN**  
 JOB NAME: Mackey Duplex  
 Mission Street 45th of 7th  
 Carmel, CA 93923  
 A.P.N. 010-142-004

DATE: 12/28/13  
 SCALE: 1/4" = 1'-0"  
 DRAWN: HM  
 JOB NUMBER: 13.01

**A-2.3**  
SHEET OF



**EAST (FRONT) ELEVATION**

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



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CONSULTANT:

ARCHITECT

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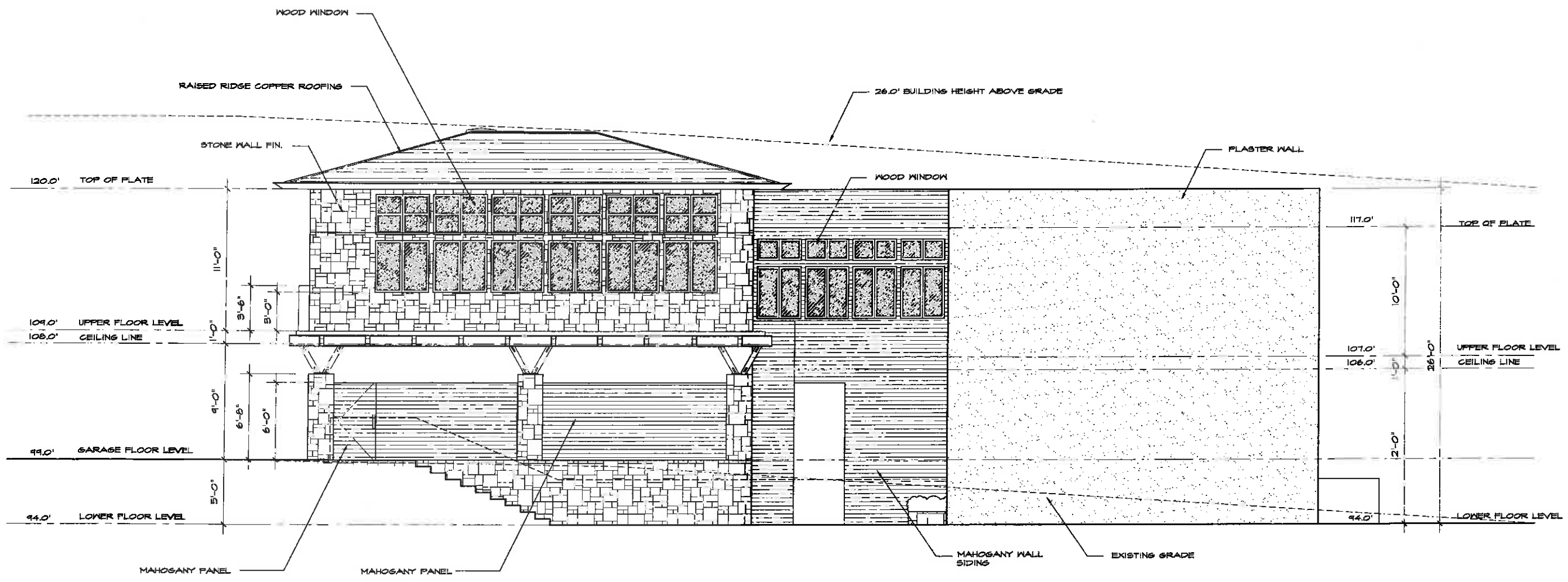
157 GRAND AULIE 106 PACIFIC GROVE, CA 93950  
 PHONE (831) 372-0410 • FAX (831) 372-7840 • WEB: www.ericmillerarchitects.com

**EAST (FRONT) ELEVATION**

JOB NAME: **Mackey Duplex**  
 Mission Street 45W of 7th  
 Carmel, CA 93928  
 A.P.N. 010-142-004

DATE:	12/29/19
SCALE:	1/4"=1'-0"
DRAWN:	DM
JOB NUMBER:	19.01

**A-3.1**  
SHEET OF



### NORTH ELEVATION

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



REVISION	No.

CONSULTANT:

  
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ARCHITECT

NORTH ELEVATION

JOB NAME: **Mackey Duplex**  
 Mission Street 45A of 7th  
 Carmel, CA 93923  
 A.P.N. 010-142-004

DATE: 12/29/13

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

DRAWN: DM

JOB NUMBER: 13.01

**A-3.2**  
 SHEET OF



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**WEST ELEVATION**

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



REVISION	No.

CONSULTANT:

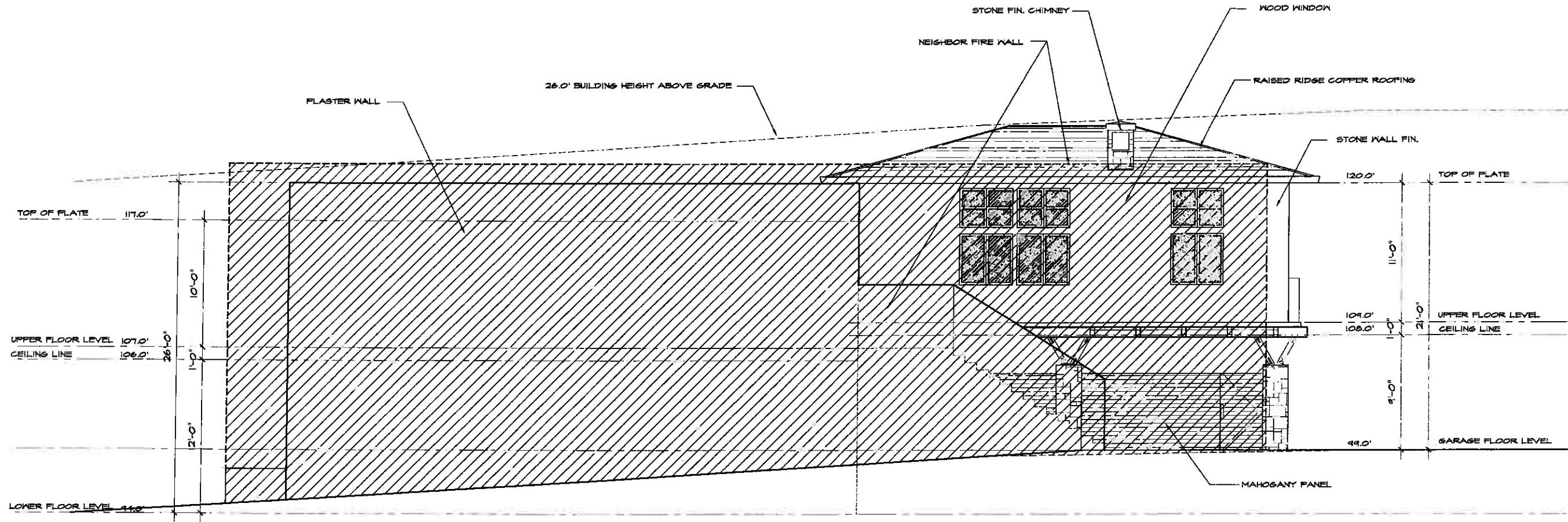
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WEST ELEVATION

JOB NAME: **Mackey Duplex**  
 Mission Street 45W of 7th  
 Carmel, CA 95023  
 A.P.N. 010-142-004

DATE: 12/28/13  
 SCALE: 1/4" = 1'-0"  
 DRAWN: DM  
 JOB NUMBER: 13.01

**A-3.3**  
 SHEET OF



**SOUTH ELEVATION**  
SCALE: 1/4" = 1'-0"

REVISION	No.

CONSULTANT:



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157 GRAND AVENUE 106 PACIFIC GROVE, CA 93950  
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ARCHITECT

**SOUTH ELEVATION**

JOB NAME: **Mackey Duplex**  
Mission Street 45W of 7th  
Carmel, CA 93925  
A.P.N. 010-142-004

DATE: 12/29/18  
SCALE: 1/4" = 1'-0"  
DRAWN: DM  
JOB NUMBER: 13.01

**A-3.4**  
SHEET OF

Half-Size on 12x18

DD  
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**PROPOSED STREET ELEVATION**  
SCALE: N.T.S.

REVISION	No.

CONSULTANT:

ARCHITECT  
**ERIC MILLER ARCHITECTS, INC.**  
 157 GRAND AVENUE SUITE 106 PACIFIC GROVE, CA 93950  
 PHONE (891) 372-0410 • FAX (891) 372-7840 • WEB: www.ericmillerarchitects.com

PROPOSED STREET ELEVATION  
 JOB NAME: **Mackey Duplex**  
 Mission Street 45th of 7th  
 Carmel, CA 93923  
 A.P.N. 010-142-004

DATE: 12/28/18  
 SCALE: N.T.S.  
 DRAWN: DM  
 JOB NUMBER: 18.01

**A.3.5**  
 SHEET OF

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**10 WALKWAY PAVERS**  
SCALE: N.T.S.



TEKA

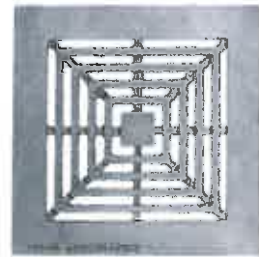
**7 EXTERIOR WALL LIGHT**  
SCALE: N.T.S.



**4 METAL RAIL & GUARDRAIL**  
SCALE: N.T.S.



**1 COPPER ROOFING**  
SCALE: N.T.S.



**11 DRAIN COVER**  
SCALE: N.T.S.



**8 SITE WALL LIGHT**  
SCALE: N.T.S.



**5 WOOD WINDOW**  
SCALE: N.T.S.



**2 STONE WALL**  
SCALE: N.T.S.



**12 TRENCH GRATES**  
SCALE: N.T.S.



**9 GARDEN LIGHT**  
SCALE: N.T.S.



**6 EXTERIOR WALL SIDING**  
SCALE: N.T.S.



**3 STUCCO WALL**  
SCALE: N.T.S.

REVISION	No.

CONSULTANT:

**ERIC MILLER ARCHITECTS, INC.**  
 ARCHITECT  
 157 GRAND AVENUE SUITE 106 PACIFIC GROVE, CA 93950  
 PHONE (831) 972-0410 • FAX (831) 972-7640 • WEB: www.ericmillerarchitects.com

**MATERIAL COLOR SAMPLE**  
 JOB NAME: Mackey Duplex  
 Mission Street 45N of 7th  
 Carmel, CA 939123  
 A.P.N. 010-142-004

DATE: 12/28/18  
 SCALE: N.T.S.  
 DRAWN: DM  
 JOB NUMBER: 13.01

**A-4.1**  
SHEET OF



CITY OF CARMEL-BY-THE-SEA

Planning Commission Report

January 23, 2014

**To:** Chair Dallas and Planning Commissioners

**From:** Rob Mullane, AICP, Community Planning and Building Director *RM*

**Submitted by:** Marc Wiener, Senior Planner

**Subject:** Consideration of a Final Design Study (DS 13-53), Use Permit (UP 13-16), and associated Coastal Development Permit for the alteration of an existing multi-family residence located in the Residential and Limited Commercial (RC) Zoning District

---

**Recommendation:**

Approve Design Study (DS 13-53), Use Permit (UP 13-16), and the associated Coastal Development Permit subject to the attached findings and conditions

**Application:** DS 13-53/UP 13-16      **APN:** 010-214-017  
**Location:** Casanova Street 5 parcels northeast of Ocean Avenue  
**Block:** EE      **Lot:** 10  
**Applicant:** Eric Miller      **Property Owner:** Edward & Josie Ybarro

**Background and Project Description:**

The project site is located on Casanova Street five parcels northeast of Ocean Avenue in the Residential and Limited Commercial (RC) Zoning District. The property is developed with a two-story, 1,592-square foot duplex. On November 13, 2013, the Planning Commission unanimously approved Design Study (DS 13-53) and Use Permit (UP 13-16) applications for alterations to the existing duplex.

Staff received a request from a Planning Commissioner on November 17, 2013, to schedule the project for reconsideration. The Planning Commission Rules of Procedure states that *"Any Commission member who voted on the prevailing side of a decision may request within five (5)*

*working days of the decision that the matter be reconsidered. The question of whether the action should be considered will be placed on the next Planning Commission meeting."*

The Planning Commission unanimously voted to reconsider the project at the December 11, 2013 meeting. The staff report from that meeting is included as Attachment D. As noted in the December staff report, the applicant submitted revised plans on December 2, 2013, to comply with the special conditions of the project's November 2013 approval. The special conditions included requirements to:

- reduce the garage height by 1 foot,
- enclose the carport and revise the data table accordingly, and
- revise the landscaping to comply with the Commission's recommendations made at the meeting.

Staff has reviewed the December 2, 2013 plan set and has determined that these meet all of the special conditions that were applied at the November 2013 meeting. Hence, special conditions are no longer required for this project, and the Conditions of Approval (Attachment C) have been modified accordingly.

The staff report from the November 13, 2013 meeting contains the analysis of the project and is included as Attachment E. Updated findings and conditions of approval are included as Attachments B and C respectively. To document the decision record for this project, the special conditions from the November 13, 2013 approval have been retained. However, as previously noted, the applicant has revised the plans to comply with the special conditions; therefore, the special conditions can be eliminated or amended by the Planning Commission.

Special conditions were incorporated into revised plans submitted on December 2, 2013.

**Alternatives:**

The subject Design Study (DS 13-53) and associated Use Permit (UP 13-16) have been scheduled for a new public hearing. Staff notes that the Planning Commission is not bound by previous decisions on this project. The Planning Commission's options are to approve the project as originally approved on November 13, 2013, require revisions to the design, or deny the project.

**Environmental Review:**

The proposed project is categorically exempt from CEQA requirements, pursuant to Section 15301 (Class 1) – Existing Facilities.

**ATTACHMENTS:**

- Attachment A – Site Photographs
- Attachment B – Approval Findings
- Attachment C – Conditions of Approval
- Attachment D – PC Reconsideration Staff Report (dated 12/11/13)
- Attachment E – PC Final Approval Staff Report (dated 11/13/13)
- Attachment F – Special Conditions of Approval from 11/13/13
- Attachment G – Project Plans (updated 12/2/13)

**Attachment A – Site Photographs**

**Project Site – Facing east on Casanova Street**



**Facing north on Casanova Street from street in front of project site**





Facing south on Casanova Street from street in front of project site



## Attachment B – Findings

DS 13-53 (Ybarro)  
 January 23, 2014  
 Findings for Approval  
 Page 1

For each of the required findings listed below, staff has indicated whether the submitted plans support adoption of the findings. For all findings checked "no" the staff report discusses the issues to facilitate the Planning Commission decision-making. Findings checked "yes" may or may not be discussed in the report depending on the issues.		
<b>Municipal Code Findings</b>	YES	NO
1. The project constitutes an improvement over existing site conditions pursuant to CMC 17.14.010	✓	
<b>Commercial Design Guideline Findings</b>		
2. The building materials and colors should respect traditions already established in the commercial district. The use of richly detailed wood, tile, molding, corbels, brick and stone is encouraged.	✓	
3. The building walls facing public streets and walkways provide visual interest to pedestrian. Variations such as display windows, changes in building form, and changes in material, texture, or color are appropriate.	✓	
4. The building design is sensitive to the context of the neighborhood in which it is located.	✓	
5. Any deviations from the Commercial Design Guidelines are considered minor and reasonably relate to good design principles and specific site conditions.	✓	
<b>Use Permit Findings (Density 22-33 dwelling units)</b>		
6. The project preserves the existing residential housing stock (GP Goal 3-1).	✓	
7. The project preserves existing residential units and encourages the development of new multi-family housing in the Commercial and R-4 Districts (GP Goal 3-2).	✓	
8. The proposed use is not in conflict with the General Plan.	✓	
9. The proposed use will comply with all applicable zoning standards.	✓	
10. The granting of the Use Permit will not set a precedent for the approval of similar uses whose incremental effect will be detrimental to the City, or will be in conflict with the General Plan.	✓	
11. The proposed use will not make excessive demands on the provision of public services, including water supply, sewer capacity, energy supply, communication facilities, police protection, street capacity and fire protection.	✓	
12. The proposed use will not be injurious to public health, safety or welfare and provides adequate ingress and egress.	✓	

13. The proposed use will be compatible with surrounding land uses and will not conflict with the purpose established for the district within which it will be located.	✓	
14. The proposed use will not generate adverse impacts affecting health, safety, or welfare of neighboring properties or uses.	✓	

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

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

## Attachment C – Conditions of Approval

DS 13-53 (Ybarro)  
January 23, 2014  
Conditions of Approval  
Page 1

Approval Conditions		
No.	Standard Conditions	
1.	This approval constitutes Design Study and Coastal Development permits authorizing the alterations to an existing duplex. All work shall conform to the approved plans of January 23, 2014, except as conditioned by this permit.	✓
2.	The project shall be constructed in conformance with all requirements of the local RC zoning ordinances. All adopted building and fire codes shall be adhered to in preparing the working drawings. If any codes or ordinances require design elements to be changed, or if any other changes are requested at the time such plans are submitted, such changes may require additional environmental review and subsequent approval by the Planning Commission.	✓
3.	This approval shall be valid for a period of one year from the date of action unless an active building permit has been issued and maintained for the proposed construction.	✓
4.	All new landscaping shall be shown on a landscape plan and shall be submitted to the Department of Community Planning and Building and to the City Forester prior to the issuance of a building permit. The landscape plan shall include all right(s)-of-way (ROWs) adjacent to the property and shall depict all existing and proposed improvements. The landscape plan will be reviewed for compliance with the landscaping standards contained in the City's Municipal Code, including the following requirements: 1) all new landscaping shall be 75% drought-tolerant; 2) landscaped areas on the property shall be irrigated by a drip/sprinkler system set on a timer, while any landscaping in the ROW shall be hand-watered only, with no installation of an irrigation system within the ROW; and 3) the project shall meet the City's recommended tree density standards, unless otherwise approved by the City based on site conditions. The landscaping plan shall show where new trees will be planted when new trees are required to be planted by the Forest and Beach Commission or the Planning Commission.	✓
5.	Prior to final building inspection, the applicant shall obtain an encroachment permit for the wall that partially encroaches into the City ROW as well as any other improvements except a driveway designed in accordance with CMC Section 12.24.020.A.	✓
6.	Trees on the site shall only be removed upon the approval of the City Forester or Forest and Beach Commission as appropriate; and all remaining trees shall be protected during construction by methods approved by the City Forester.	✓

7.	All foundations within 15 feet of significant trees shall be excavated by hand. If any tree roots larger than two inches (2") are encountered during construction, the City Forester shall be contacted before cutting the roots. The City Forester may require the roots to be bridged or may authorize the roots to be cut. If roots larger than two inches (2") in diameter are cut without prior City Forester approval or any significant tree is endangered as a result of construction activity, the building permit will be suspended and all work stopped until an investigation by the City Forester has been completed. Twelve inches (12") of mulch shall be evenly spread inside the dripline of all trees prior to the issuance of a building permit.	✓
8.	Approval of this application does not permit an increase in water use on the project site. Should the Monterey Peninsula Water Management District determine that the use would result in an increase in water beyond the maximum units allowed on a 3,800-square foot parcel, this permit will be scheduled for reconsideration and the appropriate findings will be prepared for review and adoption by the Planning Commission.	✓
9.	The applicant shall submit in writing to the Community Planning and Building staff any proposed changes to the project plans as approved by the Planning Commission on January 23, 2014, prior to incorporating changes on the site. If the applicant changes the project without first obtaining City approval, the applicant will be required to either: a) submit the change in writing and cease all work on the project until either the Planning Commission or staff has approved the change; or b) eliminate the change and submit the proposed change in writing for review. The project will be reviewed for its compliance to the approved plans prior to final inspection.	✓
10.	Exterior lighting shall be limited to 25 watts (incandescent equivalent) or less per fixture and shall be no higher than 10 feet above the ground. Landscape lighting shall be limited to 15 watts (incandescent equivalent) or less per fixture and shall not exceed 18 inches above the ground.	✓
11.	All skylights shall use non-reflective glass to minimize the amount of light and glare visible from adjoining properties. The applicant shall install skylights with flashing that matches the roof color, or shall paint the skylight flashing to match the roof color.	✓
12.	The Carmel stone façade shall be installed in a broken course/random or similar masonry pattern. Setting the stones vertically on their face in a cobweb pattern shall not be permitted. Prior to the full installation of stone during construction, the applicant shall install a 10-square foot section on the building to be reviewed by planning staff on site to ensure conformity with City standards.	N/A

13.	The applicant shall install unclad wood framed windows. Windows that have been approved with divided lights shall be constructed with fixed wooden mullions. Any window pane dividers, which are snap-in, or otherwise superficially applied, are not permitted.	✓
14.	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.	✓
15.	The driveway material shall extend beyond the property line into the public right of way as needed to connect to the paved street edge. A minimal asphalt connection at the street edge may be required by the Superintendent of Streets or the Building Official, depending on site conditions, to accommodate the drainage flow line of the street.	✓
16.	This project is subject to a volume study.	N/A
17.	Approval of this Design Study shall be valid only with approval of a Variance.	N/A
18.	A hazardous materials waste survey shall be required in conformance with the Monterey Bay Unified Air Pollution Control District prior to issuance of a demolition permit.	✓
19.	The applicant shall include a storm water drainage plan with the working drawings that are submitted for building permit review. The drainage plan shall include applicable Best Management Practices and retain all drainage on site through the use of semi-permeable paving materials, French drains, seepage pits, etc. Excess drainage that cannot be maintained on site may be directed into the City's storm drain system after passing through a silt trap to reduce sediment from entering the storm drain. Drainage shall not be directed to adjacent private property.	✓
20a.	An archaeological reconnaissance report shall be prepared by a qualified archaeologist or other person(s) meeting the standards of the State Office of Historic Preservation prior to approval of a final building permit. The applicant shall adhere to any recommendations set forth in the archaeological report.	N/A

20b.	All new construction involving excavation shall immediately cease if cultural resources are discovered on the site, and the applicant shall notified the Community Planning and Building Department within 24 hours. Work shall not be permitted to recommence until such resources are properly evaluated for significance by a qualified archaeologist. If the resources are determined to be significant, prior to resumption of work, a mitigation and monitoring plan shall be prepared by a qualified archaeologist and reviewed and approved by the Community Planning and Building Director. In addition, if human remains are unearthed during excavation, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and distribution pursuant to California Public Resources Code (PRC) Section 5097.98.	✓
21.	Prior to the roof sheathing inspection, the applicant shall obtain a building height certification from a California licensed surveyor.	✓
22.	Prior to Building Permit issuance, the applicant shall provide for City (Community Planning and Building Director in consultation with the Public Services and Public Safety Departments) review and approval, a truck-haul route and any necessary temporary traffic control measures for the grading activities. The applicant shall be responsible for ensuring adherence to the truck-haul route and implementation of any required traffic control measures.	✓

\*Acknowledgement and acceptance of conditions of approval.

\_\_\_\_\_  
 Property Owner Signature

\_\_\_\_\_  
 Printed Name

\_\_\_\_\_  
 Date

**Attachment D – Reconsideration Staff Report dated 12/11/13**



CITY OF CARMEL-BY-THE-SEA

Planning Commission Report

December 11, 2013

**To:** Chair Paterson and Planning Commissioners

**From:** Rob Mullane, AICP, Community Planning and Building Director

**Submitted by:** Marc Wiener, Senior Planner

**Subject:** Request for the Re-Consideration of Final Design Study (DS 13-53), Use Permit (UP 13-16) and Coastal Development Permit applications for the substantial alteration of an existing residence located in the Residential and Limited Commercial (RC) Zoning District

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**Recommendation:**

Determine whether the project approval should be reconsidered

**Application:** DS 13-53/UP 13-16      **APN:** 010-214-017  
**Location:** Casanova Street 5 parcels northeast of Ocean Avenue  
**Block:** EE      **Lot:** 10  
**Applicant:** Eric Miller      **Property Owner:** Edward & Josie Ybarro

**Background and Project Description:**

The project site is located on Casanova Street five parcels northeast of Ocean Avenue in the Residential and Limited Commercial (RC) Zoning District. The property is developed with a two-story, 1,592-square foot duplex. On November 13, 2013, the Planning Commission unanimously approved Design Study (DS 13-53) and Use Permit (UP 13-16) applications for alterations to the existing duplex. The staff report for final project approval is included as Attachment C.

The Planning Commission Rules of Procedure states that *"Any Commission member who voted on the prevailing side of a decision may request within five (5) working days of the decision that*



*the matter be reconsidered. The question of whether the action should be considered will be placed on the next Planning Commission meeting."*

Staff received a request from a Planning Commissioner on November 17, 2013, to schedule the project for reconsideration. The primary reason identified for the reconsideration is that the information was not clearly presented at the last hearing. Staff notes that there were inconsistencies between the 3-D perspective drawing and the standard drawings. The full-sized plans were inconsistent with the 11" x 17" set. Also, the landscape plan was not included, and the story-poles were incorrectly staked for the tour of inspection.

**Staff analysis:**

**Reconsideration:** The applicant has submitted a new set of drawings that include a landscape plan and there are no inconsistencies between the standard drawings and the 3-D perspective drawing. Staff notes that the drawings have also been revised to reflect the amended special conditions which are included as Attachment A. Below is a summary of how the plans were revised to comply with the special conditions.

- The height of the garage was reduced by 1 foot as required by the Planning Commission. The garage was originally 13.5 feet high and was lowered to 12.5 feet.
- The landscape plan includes landscaping along the south retaining wall and on the deck above the south garage, as conditioned by the Planning Commission. The 3-D perspective drawing also shows the planter and the neighboring adobe wall to the south. Staff notes that the type of landscaping has not yet been identified on the plans. The Planning Commission could provide further direction on the landscaping, such as requiring that a certain type of tree be planted in the planter to screen the walls.
- The carport has been enclosed and converted to a garage. The data table has been revised to include the additional 204 square feet added by enclosing the carport. The project would now increase the floor area from 1,592 square feet to 2,085 square feet. The revised data table is included as Attachment B.

The Planning Commission should discuss whether the information provided is adequate or whether additional information or clarification is needed. The Commission could vote to

reconsider the project, which would re-open the hearing and allow the Commission to request design revisions if necessary.

***Environmental Review:*** The proposed project qualifies for a Class 3 exemption from CEQA, pursuant to Section 15303 of the CEQA Guidelines (Construction or remodification of a limited number of new or existing small structures). The project does not present any unique components that would have the potential for a significant environmental impact.

**ATTACHMENTS:**

- Attachment A – Amended Special Conditions (dated 11/13/13)
- Attachment B - Date Table (updated 12/4/13)
- Attachment C – PC Final Approval Staff Report (dated 11/13/13)
- Attachment D – Project Plans (updated 12/4/13)

**Attachment E – Final Approval Staff Report dated 11/13/13**



CITY OF CARMEL-BY-THE-SEA

Planning Commission Report

November 13, 2013

**To:** Chair Paterson and Planning Commissioners

**From:** Rob Mullane, AICP, Community Planning and Building Director

**Submitted by:** Marc Wiener, Senior Planner

**Subject:** Consideration of a Final Design Study (DS 13-53), Use Permit (UP 13-16), and associated Coastal Development Permit for the alteration of an existing multi-family residence located in the Residential and Limited Commercial (RC) Zoning District

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**Recommendation:**

Approve Design Study (DS 13-53), Use Permit (UP 13-16), and the associated Coastal Development Permit subject to the attached findings and conditions

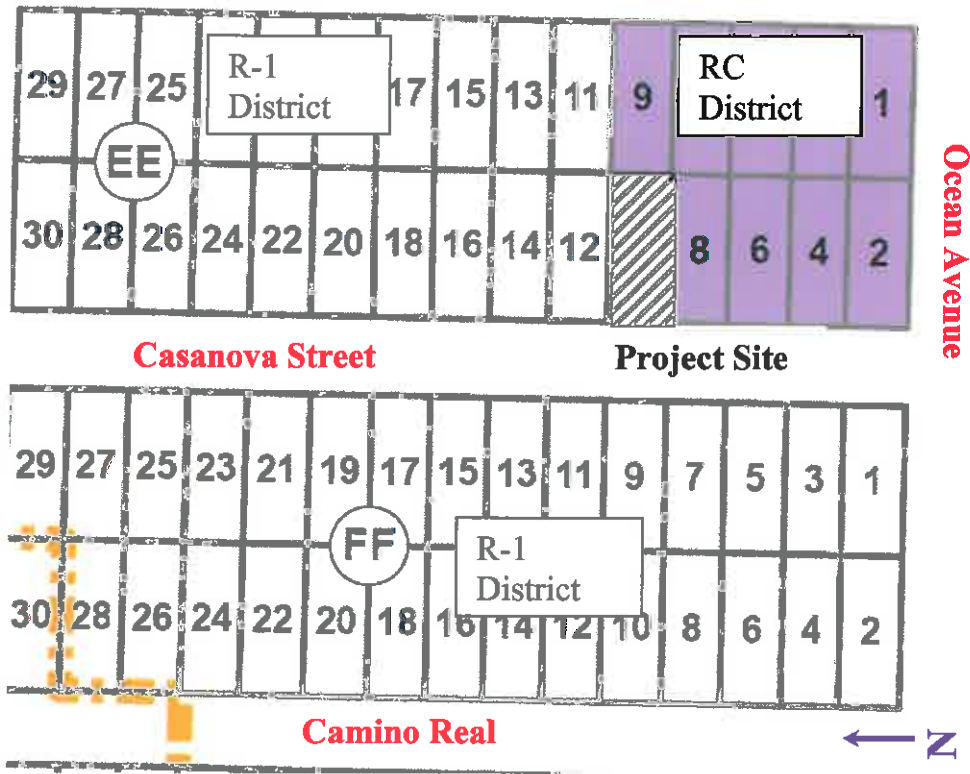
**Application:** DS 13-53/UP 13-16      **APN:** 010-214-017  
**Location:** Casanova Street 5 parcels northeast of Ocean Avenue  
**Block:** EE      **Lot:** 10  
**Applicant:** Eric Miller      **Property Owner:** Edward & Josie Ybarro

**Background and Project Description:**

The project site is located on Casanova Street five parcels northeast of Ocean Avenue in the Residential and Limited Commercial (RC) Zoning District. The property is developed with a two-story, 1,592-square foot duplex. The first story of the building is a one-bedroom dwelling with a kitchenette. The second story is a two-bedroom dwelling with a full kitchen. A Determination of Historic Ineligibility for the subject residence was issued by Community Planning and Building Department staff on August 18, 2008.

While the subject property is in the RC Zoning District, the majority of the surrounding properties are in the Single-Family Residential (R-1) Zoning District. Directly to the south of the property is the Lobos Lodge parking lot and directly to the north is a two-story single-family residence.

**Figure 1 - Project Setting and Zoning Districts**



The applicant is proposing to expand and remodel the existing duplex building. The project includes the following features:

- The addition of 289 square feet of floor area to the site, which includes a 106-square foot addition to the second story. The applicant is proposing to eliminate 109 square feet of floor area from the first story.
- The addition of three covered off-street parking spaces to the property. The project includes the addition of a 294-square foot garage that would be set back 7.5 feet from the front (western) property line. The garage would contain a car-lift to provide a second parking space within the garage. The project also includes a 204-square foot carport set back 21 feet from the front property line.

- A replacement of the existing roof structure, which would increase the height of the building from 22 to 24 feet. Staff notes that the exterior walls of the building would be retained. The new roof would be clad with wood shakes and would have a 7:12 pitch.
- New wood siding to replace the existing stucco siding. The proposed siding would consist of wood-shingles on the upper level and horizontal wood siding on the lower level. The applicant is also proposing unclad wood doors and windows. A large bay window is proposed on the front elevation and is one of the primary architectural features of the remodeled building.

This project was reviewed at a conceptual level at the Planning Commission hearing on August 14, 2013. The Planning Commission was supportive of the design concept, but continued the application with a request for project revisions as further discussed below.

<b>PROJECT DATA FOR A 3,800-SQUARE FOOT SITE (RC):</b>			
<b>Site Considerations</b>	<b>Allowed</b>	<b>Existing</b>	<b>Proposed</b>
Floor Area	3,040 sf (80%)	1,592 sf (41.9%)	<b>2,085 sf (54.8%)*</b>
Building Coverage	2,450 sf (70%)	1,295 sf (37%)	1,579 sf (41.5%)
Ridge Height (1 <sup>st</sup> /2 <sup>nd</sup> )	26 ft.	22 ft.	24 ft.
Parking Requirement	3 spaces	3 spaces	3 spaces
<b>Setbacks</b>	<b>Minimum Required</b>	<b>Existing</b>	<b>Proposed</b>
Front	7.5 ft.**	40 ft.	7.5 ft.
Rear	0 ft.	21 ft.	21 ft.
Side Yard	5 feet for at least 50% of the property length on both sides	5 feet for at least 50% of the north and south property lines	5 feet for at least 50% of the north and south property lines
<p><b>*Floor area increased from 1,881 square feet to 2,085 square feet for the enclosure of the carport</b></p> <p><b>**Front-yard setback is 7.5 feet when property is located across the street from a R-1 Zoning District</b></p>			

**Staff analysis:**

**Previous Hearing:** The following is a list of changes requested by the Planning Commission and a response on how the applicant has addressed the direction of the Commission.

1. *The applicant shall provide clarification on whether the structure is going to be a single-family dwelling or a two-unit multi-family dwelling.*

Analysis: The project was originally represented as a single-family residence located in the RC Zoning District. However, at the Planning Commission hearing on August 14, 2013, it was identified that the floor plans contained separate kitchens on each level, and that the first and second levels of the structure had separate exterior access. The Planning Commission requested that the applicant clarify if the building was going to be used as a single-family dwelling or a multi-family dwelling. Multi-family dwellings are permitted at the project site, which is located in the RC Zoning District.

Single Family Residential (R-1) Zoning standards were applied to the first review of the project because it was thought that the building would be converted to a single-family dwelling. Staff notes that CMC 17.14.110 requires R-1 Zoning standards to be applied to single-family dwellings constructed in the RC Zoning District. However, because the applicant has since clarified that the project would be a multi-family dwelling, the standards for compliance review have changed from R-1 to RC.

Staff notes that the primary change to the proposed design is that applicant is now proposing three covered off-street parking spaces to comply with the City's parking requirements, set forth in CMC 17.38.020 et seq. The applicant had originally proposed a 210-square foot garage in the front-yard setback, at the front property line. Now the applicant is proposing a 294-square foot garage set back 7.5 feet from the front property line. The garage would contain a car-lift to provide a second parking space within the garage. The project also includes a 204-square foot carport and an attached entry arbor/door set back 21 feet from the front property line. The portion of the driveway that is located in the public right-of-way would have a width of 14 feet, which is the maximum allowed by code. The driveway would provide adequate access to both parking facilities.

The design revision for additional parking adds more structural mass to the front of the property; however, it allows the property to comply with the requirement for three parking spaces. The proposed garage would have a height of 14 feet, while the carport would have a

height of 12 feet and would include a rooftop deck. The applicant is proposing landscaping at the front of the garage to screen the building mass.

2. *The applicant shall reduce the size of the bay window on the front elevation.*

Analysis: The second-story bay window on the front elevation originally had a height of 10 feet as measured from the finished floor of the second-story. The applicant is proposing horizontal wood siding on the bottom 3 feet of the window to reduce the window height to 7 feet. The first-story glass doors on the lower portion of the bay window have been maintained at the original height of 7 feet, which is the minimum required height per building code. Staff notes that the lower glass doors would be screened by the proposed carport. Staff supports the design of the front bay window as it would add visual interest to the front elevation.

***RC District Zoning Regulations:***

*Floor Area and Site Coverage:* At 1,881 square feet in size, the proposed structure would be 1,159 square feet below the maximum allowed floor area of 3,040 square feet. CMC 17.14.14 defines floor area as “the total combined area included within surrounding exterior walls of all floor levels.” Staff notes that the front carport is unenclosed on the front and sides, and therefore should not be included in the floor-area calculations. The Planning Commission has previously made this determination on other similar projects.

Staff notes that while the carport is not included in the floor area calculations, it would be calculated as building coverage. The proposed building coverage, including the carport, would be 41.5% of the lot, which is well below the allowed 70% of the lot.

*Dwelling Size:* On October 2, 2012, the City Council adopted an amendment to CMC Section 17.14.040 requiring that “for two (2) unit residential developments, the floor area of the smaller unit shall be at least 40% of the size of the larger unit.” The proposed development complies with this requirement. The smaller first-story unit would be 507 square feet in size, which is 47% of the larger 1,080-square foot second-story unit.

*Height:* The proposed building would have a height of 24 feet, which is 2 feet below the maximum allowed height of 26 feet.

**Setbacks:** The proposed design complies with the setback requirements. The front garage would be set back 7.5 feet from the front property line, which is the minimum required by code. The residence would have a rear setback of 20 feet. Staff notes that the minimum required rear-yard setback is 0 feet.

With regard to the side-yard setback, the structure must have a setback distance of 5 feet for at least 50% of the property length. The proposed design complies with this requirement. The subject property is 95 feet long. Along the north property line, 37 feet of the structure would have a side-yard setback less than 5 feet. Along the south property line, 40 feet of the structure would have a side-yard setback of less than 5 feet.

**Parking:** Pursuant to CMC 17.38.020.C, the proposed structure includes a garage with a car-lift and a carport that would provide three off-street parking spaces, as required for two dwelling units. The City's Municipal Code does not specifically address the provision of parking by way of a lift, so this design component should be discussed by the Planning Commission.

**Design Review:** The basic standard of review in the Commercial District is whether "*the project constitutes an improvement over existing conditions – not whether the project just meets minimum standards*" (CMC 17.14.010).

The proposed design was evaluated by staff and the Planning Commission at the previous hearing on August 14, 2013. The Planning Commission was supportive of the design and concluded that it would be an improvement to the existing conditions. Staff notes that the primary difference between the original proposal and one provided at this hearing is the orientation and location of the detached garage and the addition of the 204-square foot carport.

If the Planning Commission has concerns with the carport, it could request that the third parking space be provided in an alternative way, for example, as uncovered parking. However, in staff's opinion the applicant has done a nice job of integrating the garage and carport into the overall design, and the applicant is proposing a car-lift in the garage to limit the amount of structure required for covered parking at the front of the property.

**Design Guidelines:** The project was originally represented as a single-family residence located in the RC Zoning District. Staff notes that the Residential Design Guidelines were used by the Planning Commission to evaluate this project at the hearing on August 14, 2013. It may be



appropriate to consider the Residential Design Guidelines given that project site is located in a neighborhood that is primarily zoned Single-Family Residential (R-1). The project was found to be consistent with several objectives of the Residential Design Guidelines, such as privacy and views, mass and bulk, and neighborhood context as noted in the staff report from the August, 14, 2013 Planning Commission meeting (Attachment E). In the following section, staff has provided an evaluation of this project using applicable Commercial Design Guidelines.

*Commercial Design Guidelines Section L:* Since it has been determined that the building would be a two-unit duplex, staff is providing additional analysis based on the Commercial Design Guidelines Section L, which addresses development in the RC District.

- *Building designs should be sensitive to the context of the neighborhood in which they are located.*

Analysis: The proposed structure is consistent with the residential character of the surrounding neighborhood, which is primarily zoned as Single-Family Residential (R-1). With regards to building mass, the proposed structure is consistent with the height and mass of other neighboring structures.

Staff notes that the site is permitted 3,040 square feet of floor area, and the applicant is proposing only 1,881 square feet, which is 1,159 square feet under the allowed floor area. In staff's opinion, the design and size of the structure are appropriate for the surrounding residential neighborhood.

- *Residential projects should avoid the appearance of a large single-family dwelling*
- *Buildings in the RC District should be designed to allow for flexibility in their use over time so as to accommodate the mixed-use pattern of residential over commercial, as well as other uses compatible with this district.*

Analysis: These guidelines are applicable to structures that are located in commercial neighborhoods. The intent is that residential building be compatible with the character of the commercial neighborhoods, which includes having the flexibility to convert the lower level to commercial use. The subject property is unique in that it is commercially zoned (as RC), but is largely surrounded by residential properties. Staff supports the proposed residential design and finds it to be appropriate for the neighborhood.

**Use Permit Requirement and Proposed Density:** The project site is located in the Residential and Limited Commercial (RC) Zoning District. CMC Section 17.14 establishes the range of permitted and conditional uses that are allowed in this RC Zoning district. Multi-family projects between 0 and 22 units per acre are a permitted use. Projects between 22 and 33 dwelling units per acre require a Use Permit. The applicant is proposing two dwelling-units on a 3,800-square foot site, or a density of 22.92 units per acre. Hence, the project requires a Use Permit for the proposed density. Staff has included findings for the approval of the Use Permit.

**Front-yard Parking Design:** This Design Study (DS 13-53) was originally scheduled to be reviewed by the Planning Commission on October 9, 2013, but was continued because the story-poles were incorrectly staked. Since the hearing date, the applicant has provided revised plans that include more detail on the proposed treatment of the front-yard.

The existing property slopes up from the street and front-yard is approximately 5 feet above the street grade. There is currently a steeply-sloped driveway and surface parking area at the front of the property. As part of this remodel project, the applicant is proposing to construct a new detached garage (with car lift) and a carport at the front of the property to provide three covered parking spaces.

The applicant is proposing to excavate the front-yard area to lower this area closer near street grade, which would avoid having a steep sloped driveway and would lower the finish grade of the proposed parking structures. The applicant is proposing to remove approximately 28 cubic-yards of soil from the front yard area and 7 cubic-yards of soil from the right-of-way (ROW) at the front of the project site. The excavation would be at a maximum depth of 5 feet at the front of the carport. Grading operations would likely require approximately 5-10 days of work, and soil export would require approximately 4 to 5 truck trips. The truck-haul route and any necessary temporary traffic control measures for the soil export would be reviewed and approved by the City, pursuant to a standard condition of approval. The proposal would require new retaining walls on the property, but no retaining walls would be required in the ROW. Staff supports the proposal to lower the finish grade of the parking structures by excavating portions of the front-yard area.

**Alternatives:** One alternative would be to construct the parking structures at the existing front-yard grade, which would limit the excavation but would make the carport and garage more prominent to the street and would obstruct the view of the main residence. In such an alternative, staff would be concerned with the proposed height of the parking structures.

The second alternative would be to have the proposed garage utilize a car-pit. The primary reason that the garage has a height of 14 feet is to provide vertical space for the car-lift. Rather than using a car-lift to provide the third parking space, the applicant could use a car-pit, which would place the parking space below the garage and would allow the height of the garage to be reduced at least 4 feet.

The Planning Commission should discuss whether additional changes would need to be made to the front-yard parking design. Staff has requested that the applicant provide a three-dimensional rendering at the hearing to assist staff and the Planning Commission with the review of the project.

***Environmental Review:*** The proposed project qualifies for a Class 3 exemption from CEQA, pursuant to Section 15303 of the CEQA Guidelines (Construction or remodification of a limited number of new or existing small structures). The project does not present any unique components that would have the potential for a significant environmental impact.

**ATTACHMENTS:**

- Attachment A – Findings for Approval
- Attachment B – Conditions of Approval
- Attachment C – Site Photographs
- Attachment D – PC Staff Reported dated August 14, 2013
- Attachment E – Project Plans

**Attachment F – Amended Special Conditions dated 11/13/13**

<b>Special Conditions (Amended by Planning Commission on 11/13/13)</b>		
1.	The applicant shall plant one lower-canopy tree and one upper-canopy tree of substantial size and caliber and of a species approved by the City Forester. Prior to issuance of the Certificate of Occupancy the trees shall be planted on site located approximately 10 feet from any building. The trees shall also be shown on the final landscape plan submitted with the building permit application. The applicant shall provide a detailed landscape plan on the plan set submitted for final Planning Commission review.	✓
2.	The height of the northern garage shall be lowered by 1 foot, from 13.5 to 12.5 feet. The change shall be shown on the construction drawings that are submitted for a building permit.	✓
3.	The plans shall be revised to include a stepped planter with trees along the south retaining wall to screen the wall. The plans shall be revised to include a planter on the deck above the southern garage. The changes shall be shown on the construction drawings that are submitted for a building permit.	✓
4.	Staff shall revise the data table to account for the additional 204 square feet of floor area added to the residence by enclosing the carport and converting it to a garage.	✓
5.	The applicant shall submit an updated landscape plan to the Department of Community Planning and Building for review prior to the issuance of the building permit.	✓

# YBARRO RESIDENCE

## CASANOVA 5 NE of Ocean Carmel-By-The-Sea, California

REVISION	No.

### OWNERSHIP NOTES

**OWNERSHIP AND USE OF THESE DRAWINGS AND SPECIFICATIONS:**

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### TREE REMOVAL:

NO TREES ARE PROPOSED FOR REMOVAL AND/OR TRIMMING.

### PROJECT DATA

**OWNER:** EDWARD AND JOSIE YBARRO  
15215 FRUITVALE AVENUE  
SARATOSA, CA 95070

**ARCHITECT:** ERIC MILLER ARCHITECTS, INC.  
151 GRAND AVE. SUITE 106  
PACIFIC GROVE, CA 93950  
PH: 831-372-0410

**PROJECT ADDRESS:** CASANOVA 5 NE OF OCEAN  
BLOCK EE LOT 10  
CARMEL-BY-THE-SEA, CALIFORNIA

### PROJECT DESCRIPTION:

PROPOSED ONE 2 BEDROOM APARTMENT AND ONE 1 BEDROOM APARTMENT WITH 5 CAR GARAGE.

LOT SIZE: \_\_\_\_\_ 9,800 S.F.  
ZONING: \_\_\_\_\_ RC DISTRICT  
A.P.N.: \_\_\_\_\_ 010-214-017-000  
OCCUPANCY GROUP: \_\_\_\_\_ (RC) FOR HOUSE (U) FOR GARAGE  
TYPE OF CONSTRUCTION: \_\_\_\_\_ (V-B)

### SETBACK

FRONT — 15 FT.  
SIDES — 25% OF SITE WIDTH (MIN. 5 FT.)  
REAR — 15 FT.  
BUILDING HEIGHT — 24.0'  
MAXIMUM ALLOWED F.A.R. = 3,040 S.F. (30%)  
MAXIMUM ALLOWED SITE COVERAGE = 70%

EXISTING FLOOR AREA	
UPPER FLOOR	974 S.F.
LOWER FLOOR	610 S.F.
<b>TOTAL</b>	<b>1,584 S.F.</b>

PROPOSED FLOOR AREA	
UPPER FLOOR	1,079 S.F.
LOWER FLOOR	514 S.F.
GARAGE #1 & #2	448 S.F.
<b>TOTAL</b>	<b>2,045 S.F. (54.9%)</b>

PROPOSED BUILDING COVERAGE	
BUILDING FOOTPRINT	1,079 S.F.
GARAGE #1	204 S.F.
GARAGE #2	244 S.F.
<b>TOTAL</b>	<b>1,527 S.F. (41.3%)</b>

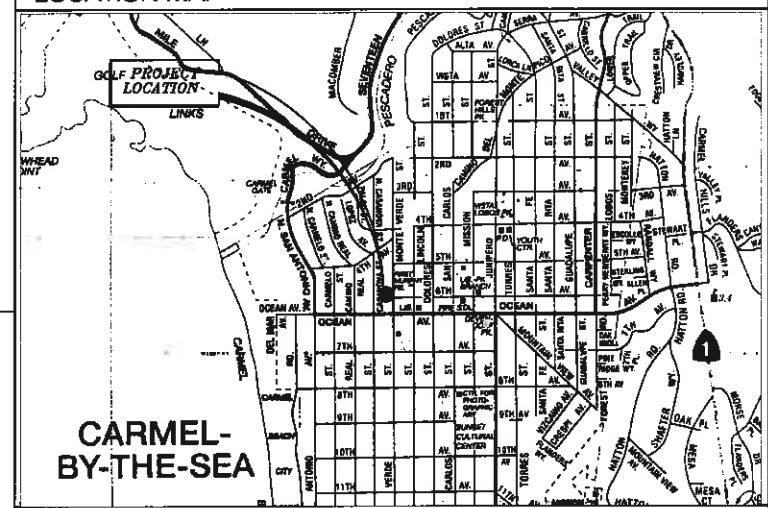
PROPOSED SITE COVERAGE	
IMPERMEABLE	
EXT. STAIRS	34 S.F.
PATIO LANDINGS	44 S.F.
(2) BACKPORCH STEPS	114 S.F.
STEPPING STONES	12 S.F.
RETAINING WALLS (OVER 6'-0" HT.)	162 S.F.
CONCRETE CURBS	16 S.F.
ENTRY PORCH & STAIRS	102 S.F.
DRIVENWAY	331 S.F.
<b>TOTAL SITE COVERAGE</b>	<b>845 S.F. (22.2%)</b>

### SHEET INDEX

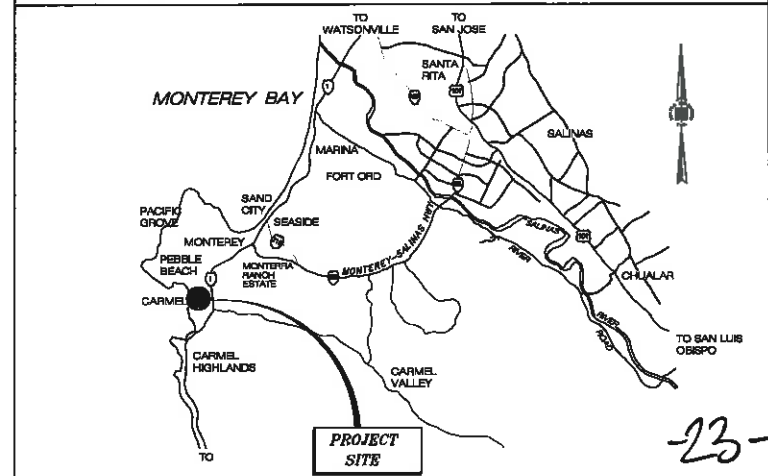
#### ARCHITECTURAL

- A-0.1 COVER SHEET
- A-1.0 EXISTING SITE PLAN
- A-1.1 PROPOSED SITE PLAN
- A-1.2 PROPOSED GRADING
- A-2.0a EXISTING FLOOR PLAN
- A-2.0b DEMOLITION PLAN
- A-2.1a PROPOSED GARPORT & GARAGE PLAN
- A-2.1b PROPOSED LOWER FLOOR PLAN
- A-2.2 PROPOSED UPPER FLOOR PLAN
- A-2.3 PROPOSED ROOF PLAN
- A-3.0 EXISTING EXTERIOR ELEVATIONS
- A-3.1 PROPOSED EXTERIOR ELEVATIONS
- A-3.2 PROPOSED EXTERIOR ELEVATIONS
- A-3.3 PROPOSED FRONT ELEVATION
- A-3.4 PROPOSED STREET ELEVATION
- STREET ELEVATION RENDERING
- L-1 PLANTING PLAN
- L-2 IRRIGATION PLAN

### LOCATION MAP



### VICINITY MAP



CONSULTANT:

**ERIC MILLER ARCHITECTS, INC.**

157 GRAND AVE. SUITE 106  
PACIFIC GROVE, CA 93950  
PHONE (831) 372-0410 • FAX (831) 372-0440 • WEB: www.ericmillerarchitects.com

ARCHITECT

**Ybarro Residence**  
Casanova 5 NE of Ocean  
Carmel, CA  
010-214-017-000

TITLE SHEET

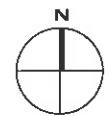
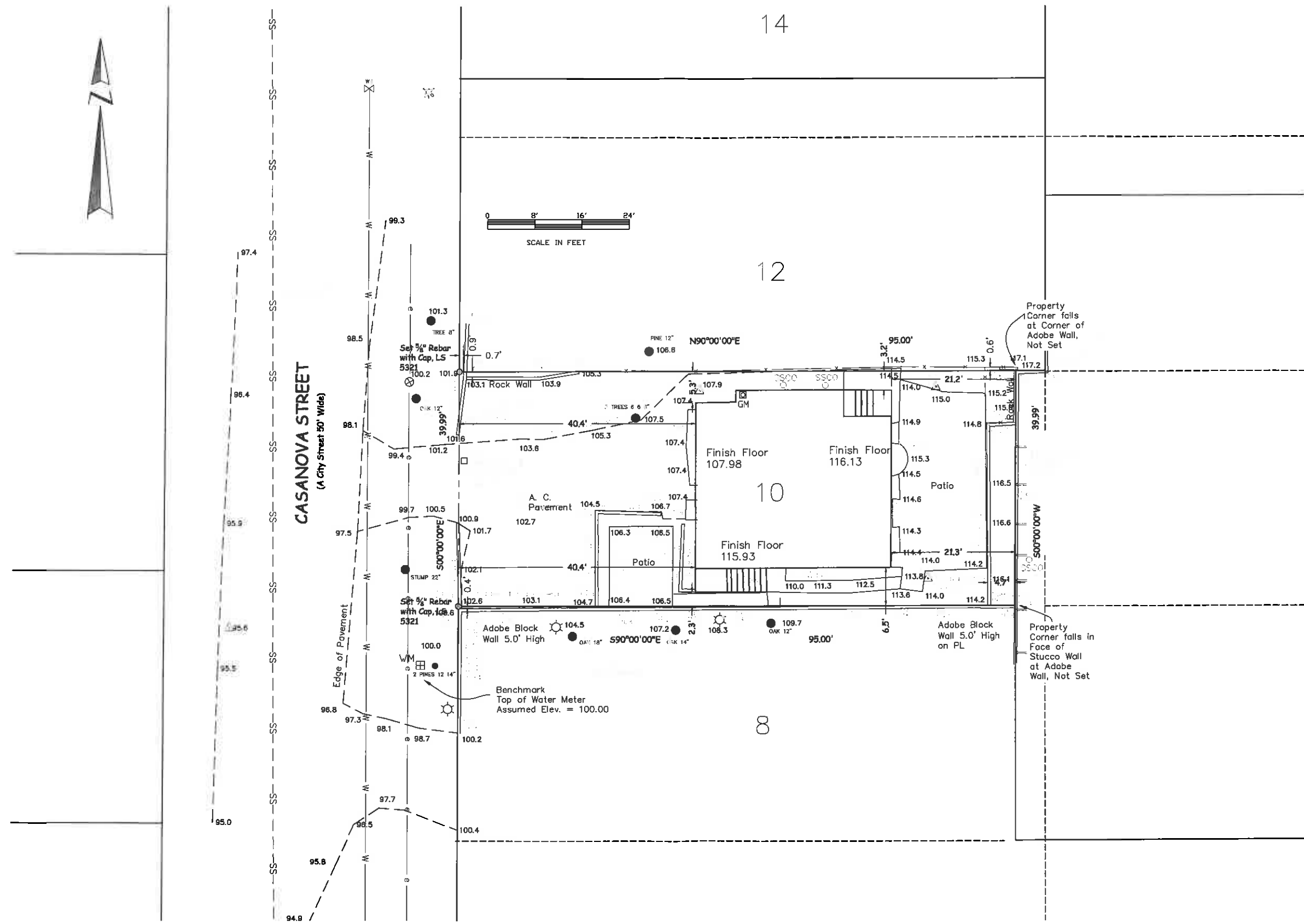
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SCALE:	N.T.S.
DRAWN:	DM
JOB NUMBER:	12.52

**23-A-0.1**  
SHEET OF

Half-Size on 12x18

**RECEIVED**  
DEC 02 2013  
City of Carmel-by-the-Sea  
Planning & Building Dept.

Half-Size on 12x18



**TOPOGRAPHIC SURVEY / EXISTING SITE PLAN**

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

REVISION	No.

CONSULTANT:

ARCHITECT

**ERIC MILLER ARCHITECTS, INC.**

157 GRAND AVENUE SUITE 108 PACIFIC GROVE, CA 93950  
 PHONE (831) 372-0410 • FAX (831) 372-7840 • WEB: www.ericmillerarchitects.com

EXISTING SITE PLAN

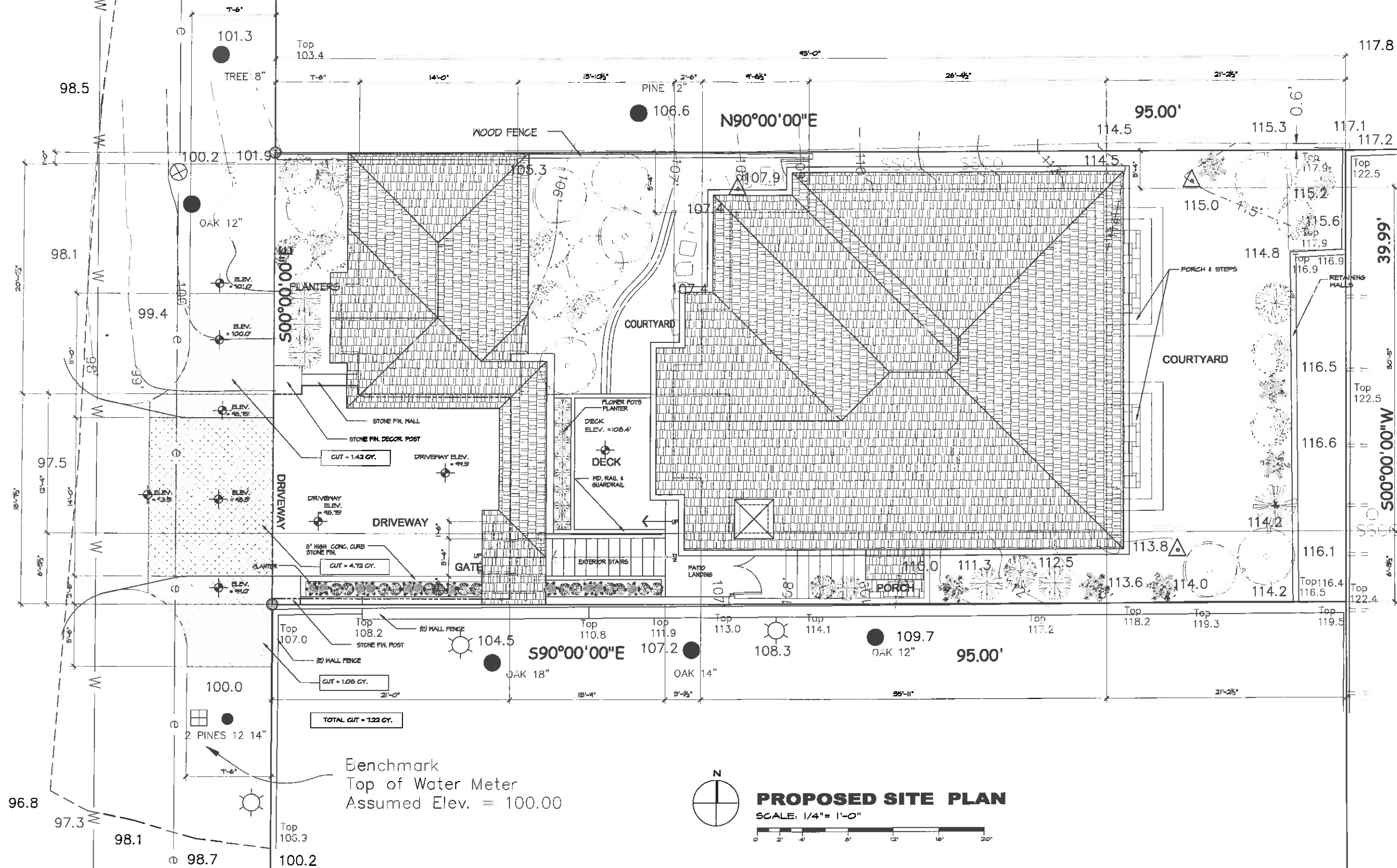
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 Casanova 5 NE of Ocean  
 Carmel, CA  
 010-214-017-000

DATE: 10/16/13  
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 DRAWN: CAD  
 JOB NUMBER: 1232

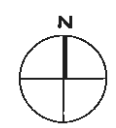
**A-1.0**  
 SHEET OF

-24-

Half-Size on 12x18



Benchmark  
Top of Water Meter  
Assumed Elev. = 100.00



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



REVISION	No.

CONSULTANT:

ARCHITECT  
**ERIC MILLER ARCHITECTS, INC.**  
 157 GRAND  
 Suite 108  
 PACIFIC GROVE, CA 93950  
 PHONE (831) 972-0410 • FAX (831) 972-1940 • WEB: www.ericmillerarchitects.com

**PROPOSED SITE PLAN**  
 JOB NAME: **Ybarro Residence**  
 Casanova 5 NE of Ocean  
 Carmel, CA  
 010-214-017-000

DATE:	10/31/13
SCALE:	1/4"=1'-0"
DRAWN:	DM
JOB NUMBER:	1232

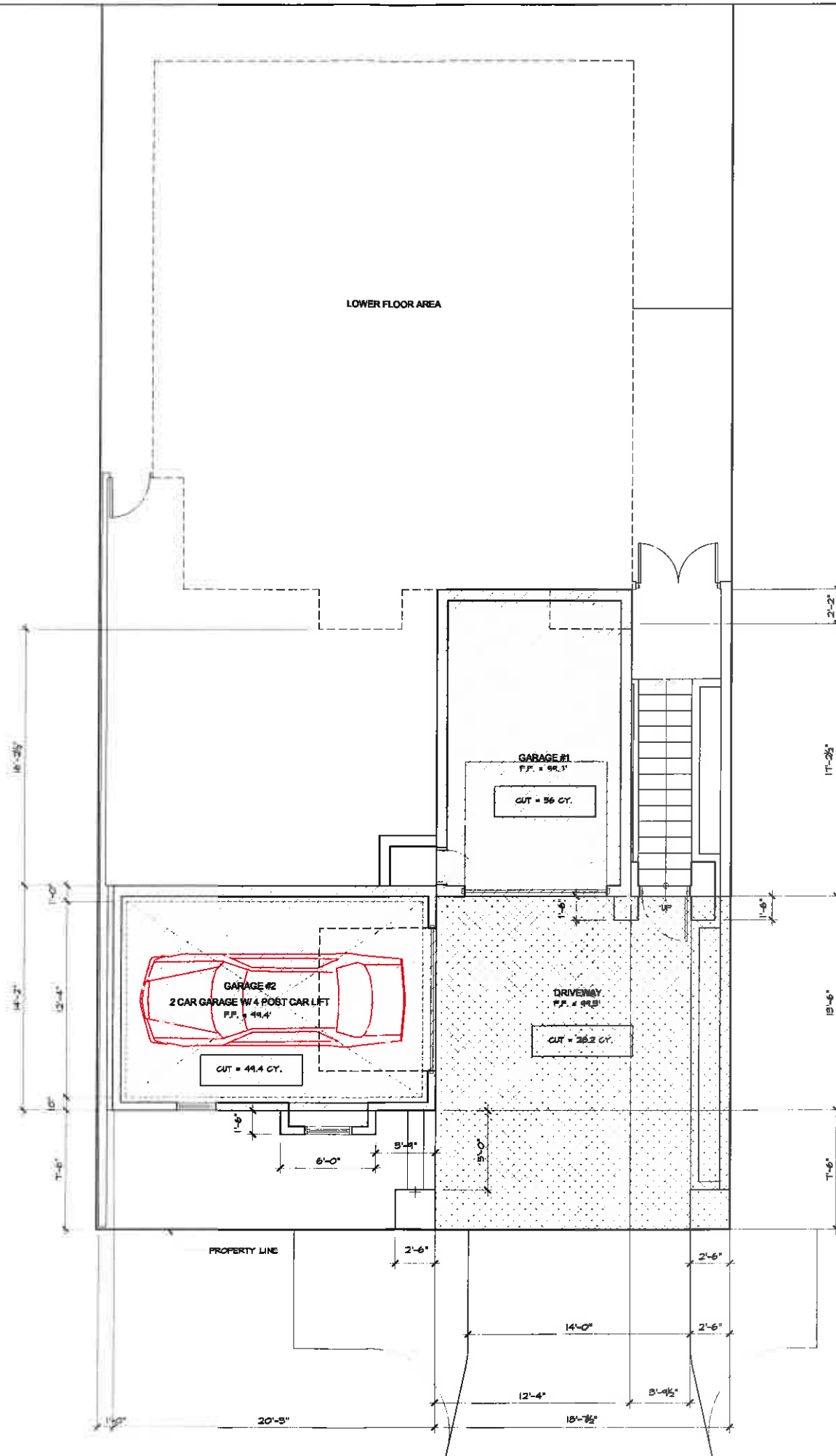
25. **A-1.1**  
SHEET OF

Half-Size on 12x18



**PROPOSED GRADING**

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



TOTAL CUT = 133.6 CY.

REVISION	No.

CONSULTANT:

ARCHITECT

**ERIC MILLER ARCHITECTS, INC.**

157 GRAND suite 105 PACIFIC GROVE, CA 93950  
 PHONE (831) 372-0410 • FAX (831) 372-7846 • WEB: www.ericmillerarchitects.com

PROPOSED GRADING

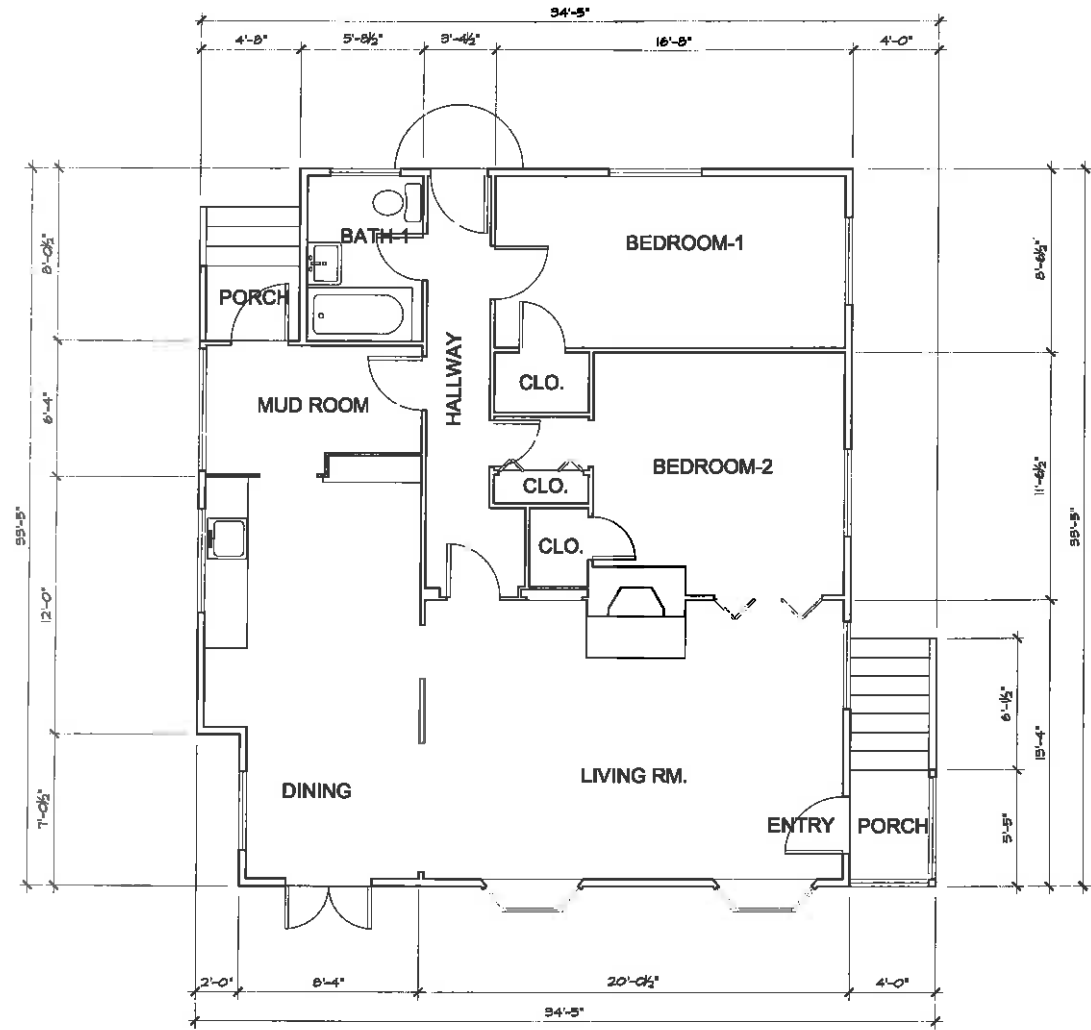
JOB NAME: **Ybarro Residence**  
 Casanova 5 NE of Ocean  
 Carmel, CA  
 010-214-017-000

DATE: 10/16/13  
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 DRAWN: DM  
 JOB NUMBER: 1232

**A-1.2**  
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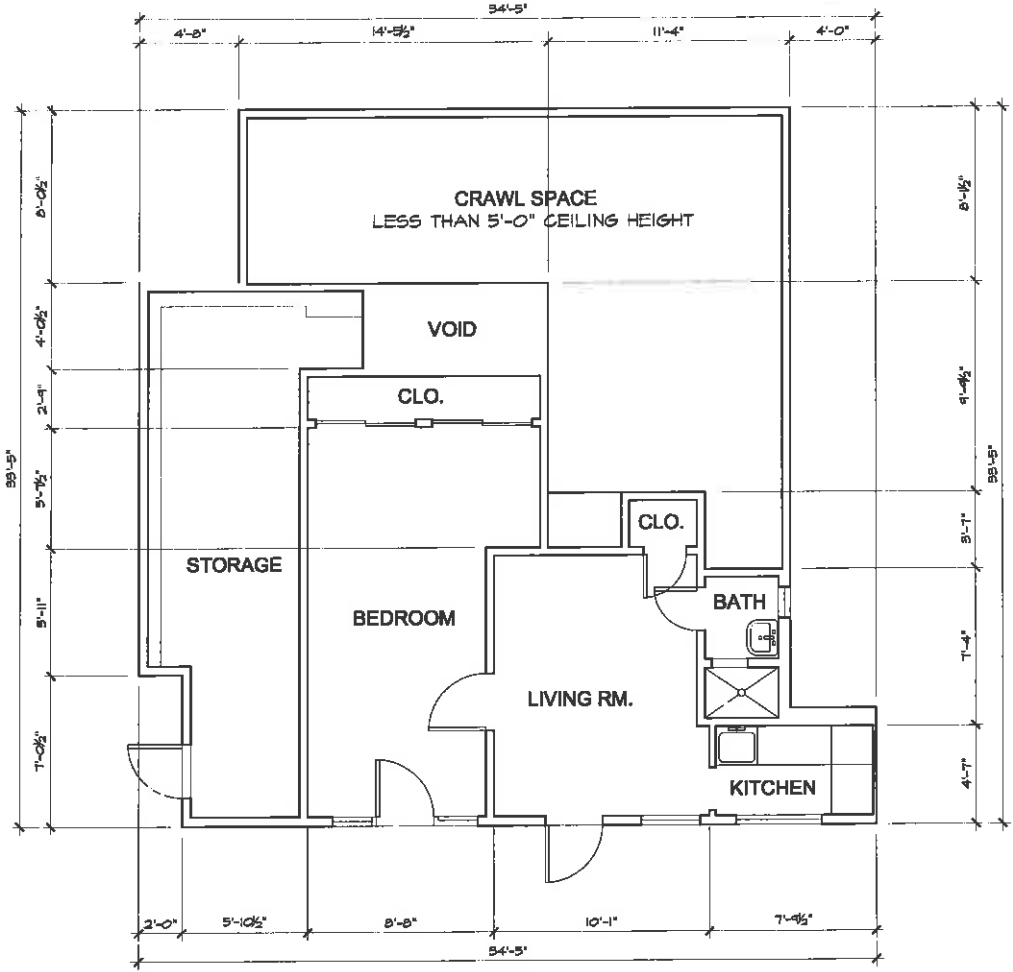
-26-





**2** EXISTING SECOND FLOOR PLAN

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



**1** EXISTING FIRST FLOOR PLAN

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



REVISION	No.

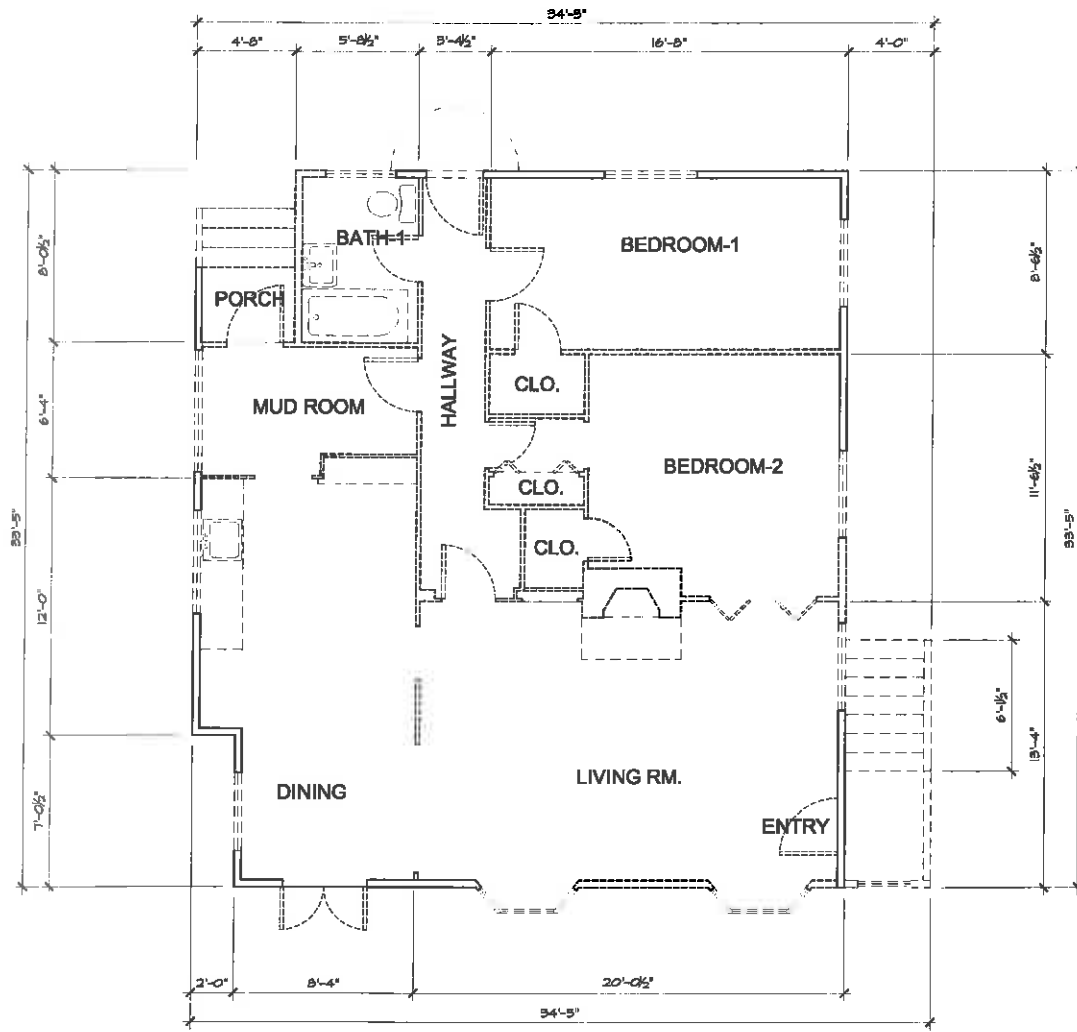
CONSULTANT:

ARCHITECT  
**ERIC MILLER ARCHITECTS, INC.**  
 157 GRAND AVENUE SUITE 108  
 PACIFIC GROVE, CA 93950  
 PHONE (831) 372-0410 • FAX (831) 372-7840 • WEB: www.ericmillerarchitects.com

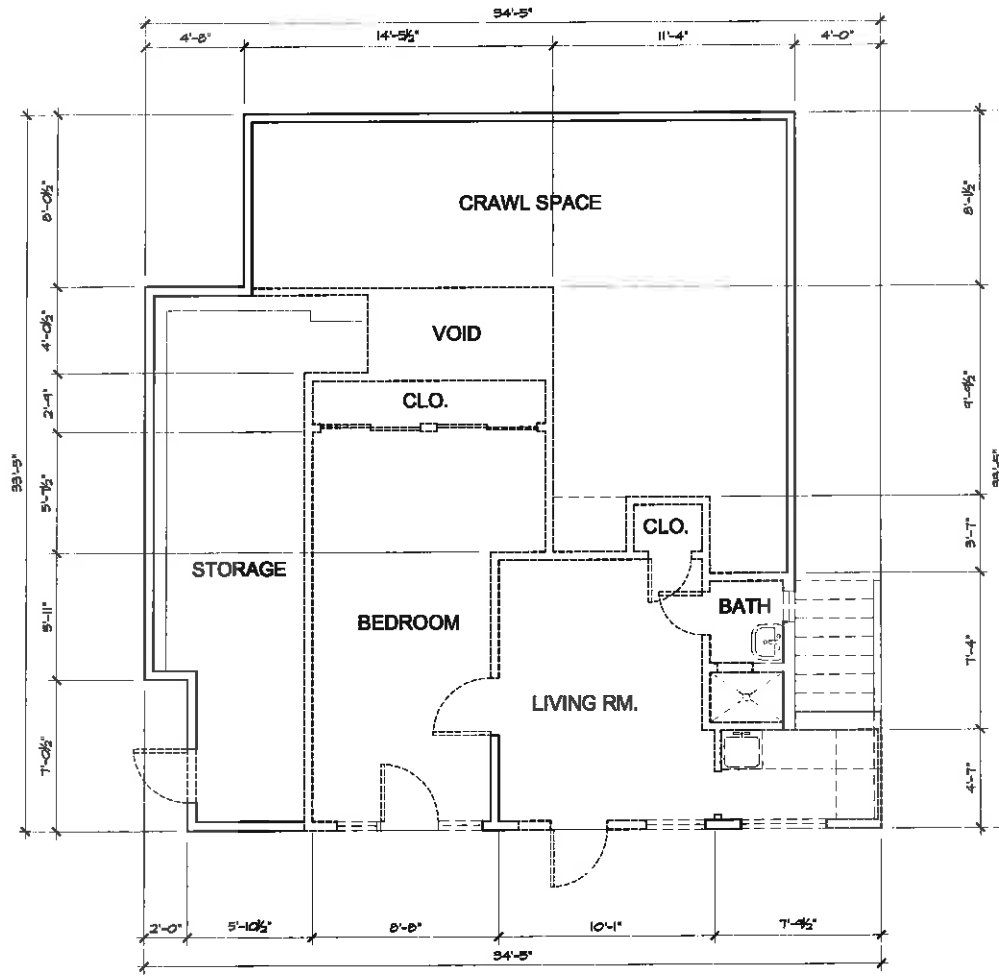
EXISTING LOWER FLOOR PLAN  
 JOB NAME: **Ybarro Residence**  
 Casanova 5 NE of Ocean  
 Carmel, CA  
 010-214-017-000

DATE:	4/29/13
SCALE:	1/4" = 1'-0"
DRAWN:	AD
JOB NUMBER:	1232

Half-Size on 12x18



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



**1 LOWER FLOOR DEMOLITION PLAN**  
SCALE: 1/4" = 1'-0"



**LEGEND**

————— EXISTING WALL TO REMAIN

--- DEMO WALLS DOORS & MISC.

REVISION	No.

CONSULTANT:

**ERIC MILLER ARCHITECTS, INC.**  
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 PHONE (831) 372-0410 • FAX (831) 372-7840 • WEB: www.ericmillerarchitects.com

ARCHITECT

**FIRST and SECOND FLOORS DEMOLITION PLAN**  
 JOB NAME: **Ybarro Residence**  
 Casanova 5 NE of Ocean  
 Carmel, CA  
 010-214-017-000

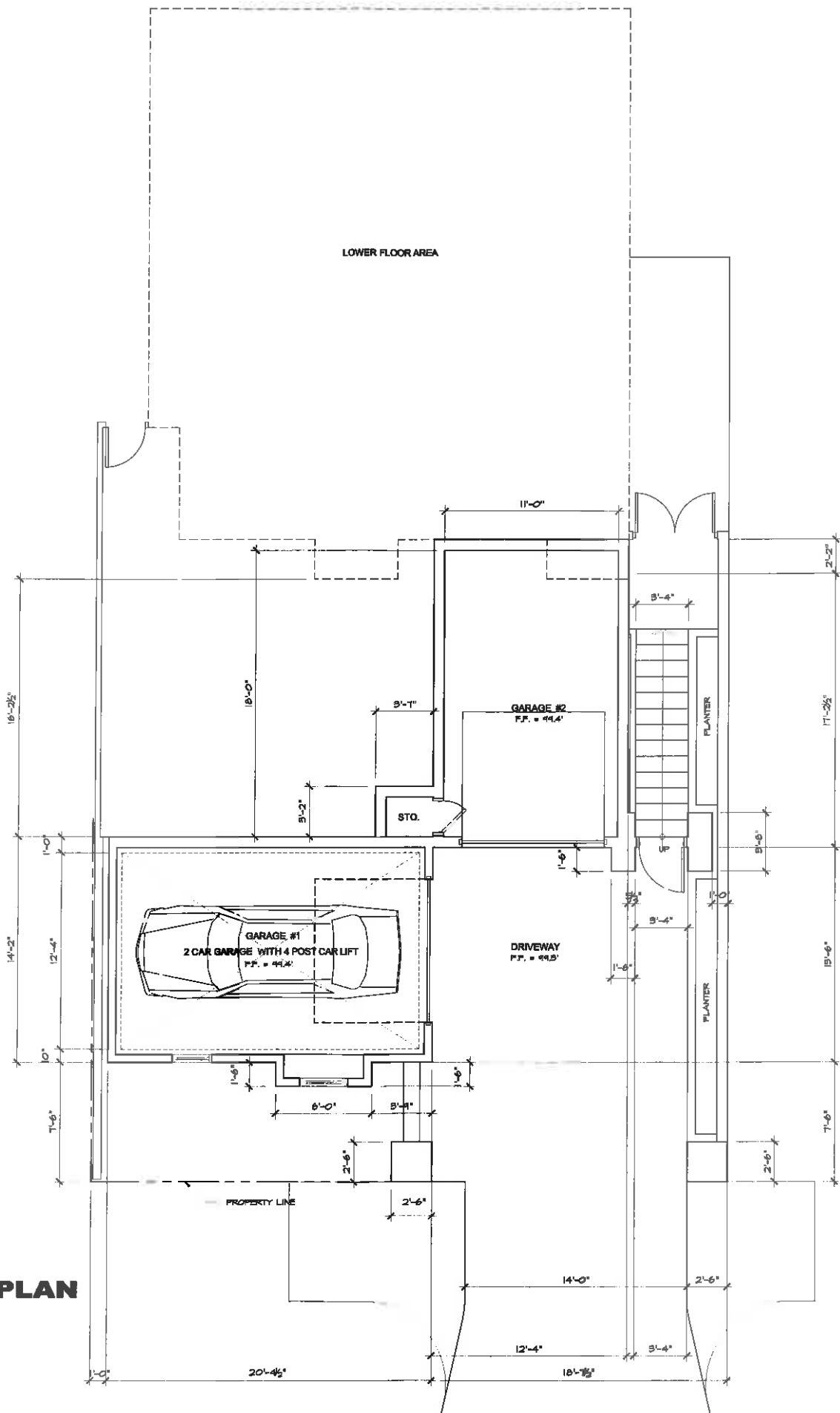
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SCALE:	1/4"=1'-0"
DRAWN:	AD
JOB NUMBER:	1232

Half-Size on 12x18



**PROPOSED CARPORT & GARAGE PLAN**

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



REVISION	No.

CONSULTANT:

ARCHITECT  
**ERIC MILLER ARCHITECTS, INC.**  
 157 GRAND BUILDING 108 PACIFIC GROVE, CA 93950  
 PHONE (831) 372-0410 • FAX (831) 372-1940 • WEB: www.ericmillerarchitects.com

PROPOSED CARPORT & GARAGE PLAN  
 JOB NAME: **Ybarra Residence**  
 Casanova 5 NE of Ocean  
 Carmel, CA  
 010-214-017-000

DATE: 10/31/19  
 SCALE: 1/4" = 1'-0"  
 DRAWN: DM  
 JOB NUMBER: 12.32

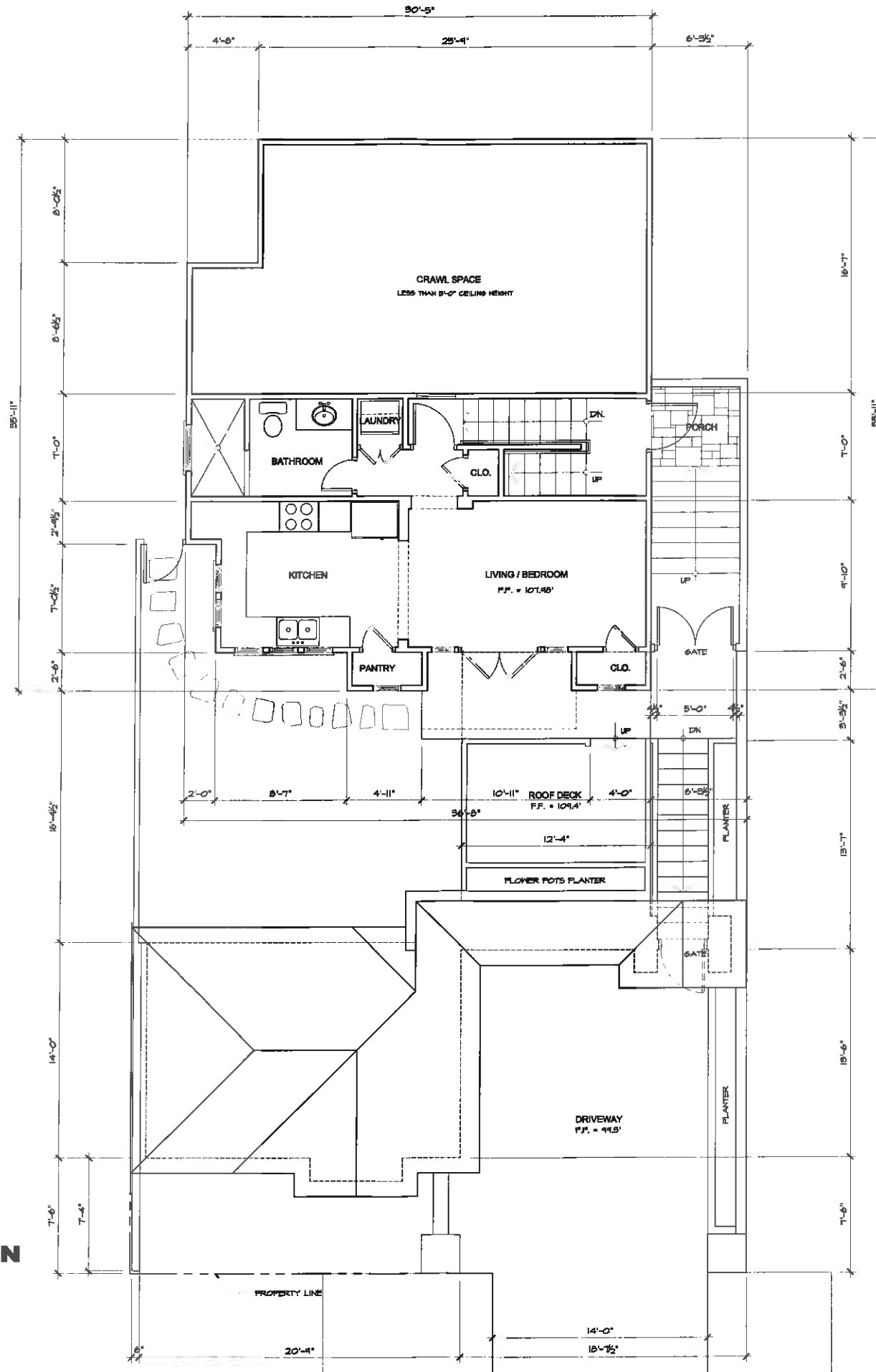
**A-2.1a**  
 SHEET OF

29.

Half-Size on 12x18



**PROPOSED LOWER FLOOR PLAN**  
SCALE: 1/4" = 1'-0"



REVISION	No.

CONSULTANT:

ARCHITECT

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157 GRAND suite 108 PACIFIC GROVE, CA 93950  
PHONE (831) 372-0410 • FAX (831) 372-7640 • WEB: www.ericmillerarchitects.com

PROPOSED LOWER FLOOR PLAN

JOB NAME: **Ybarro Residence**  
Cabanova 5 NE of Ocean  
Carmel, CA  
010-214-017-000

DATE: 9/30/15  
SCALE: 1/4"=1'-0"  
DRAWN: DM  
JOB NUMBER: 12.52

**A-2.1b**  
SHEET OF

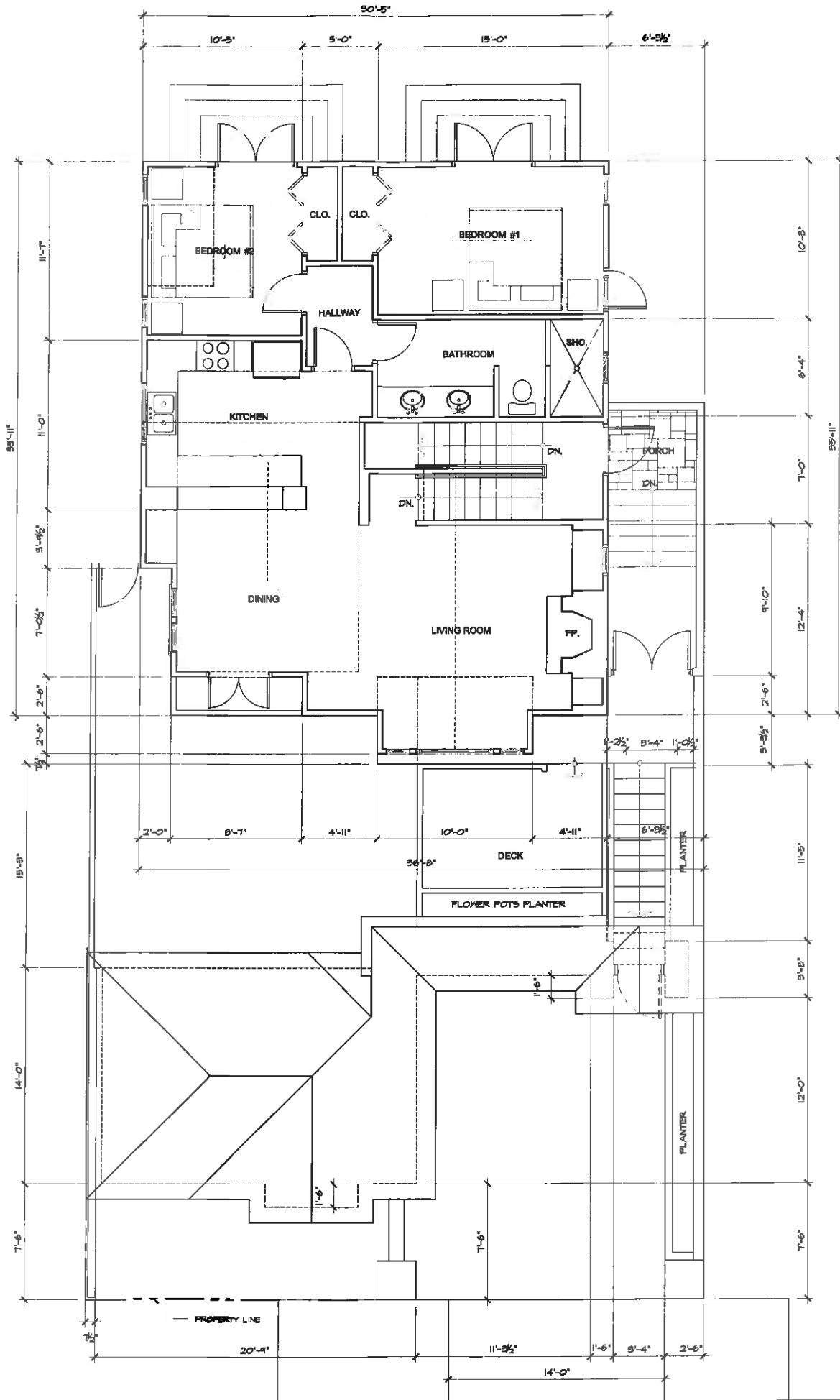
-30-

Half-Size on 12x18



**PROPOSED UPPER FLOOR PLAN**

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



REVISION	No.

CONSULTANT:

ARCHITECT  
**ERIC MILLER ARCHITECTS, INC.**  
 157 GRAND AVENUE, SUITE 108, PACIFIC GROVE, CA 93950  
 PHONE (831) 372-0410 • FAX (831) 372-1940 • WEB: www.ericmillerarchitects.com

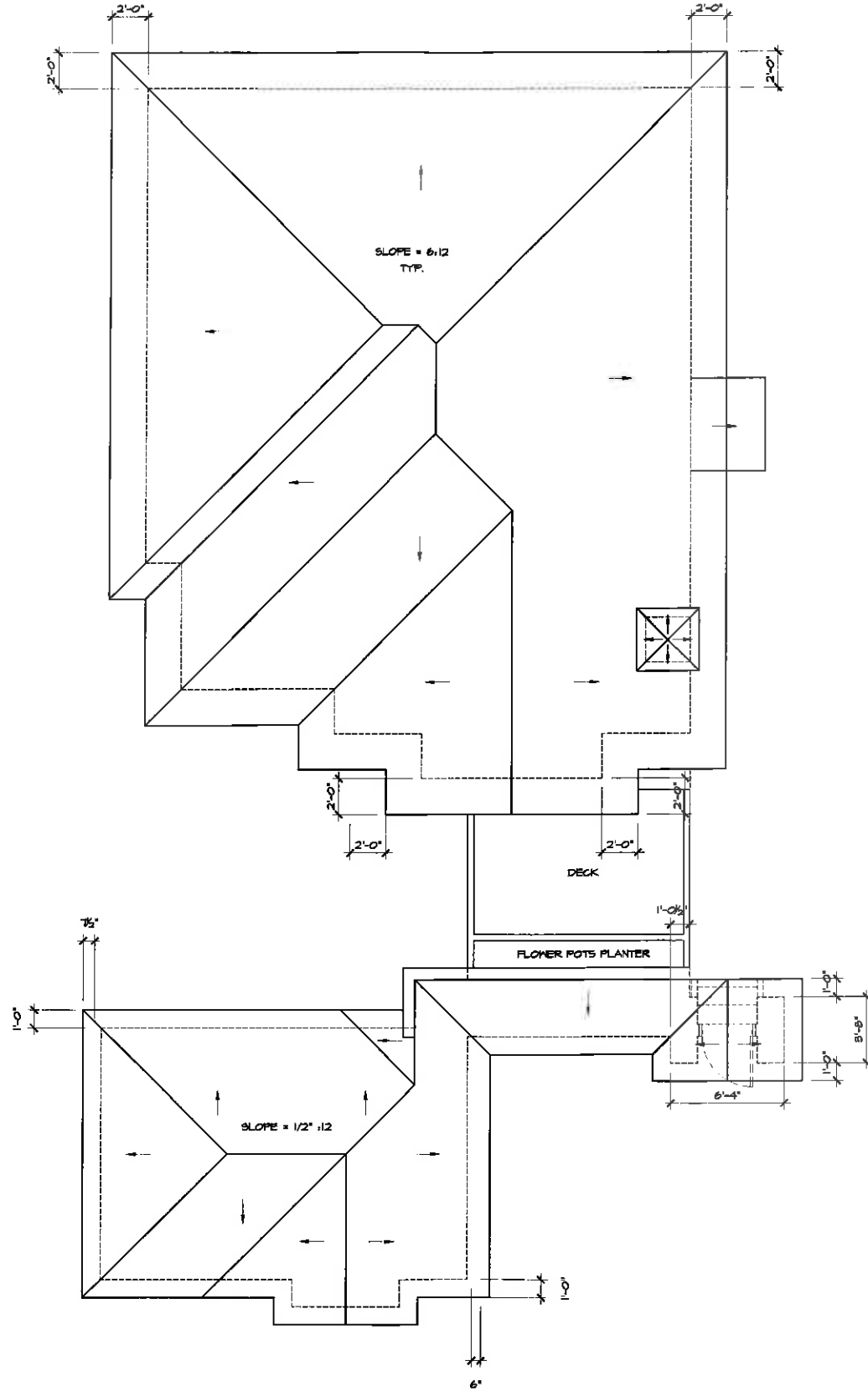
PROPOSED UPPER FLOOR PLAN  
 JOB NAME: **Ybarro Residence**  
 Casanova 5 NE of Ocean  
 Carmel, CA  
 010-214-017-000

DATE: 10/31/13  
 SCALE: 1/4" = 1'-0"  
 DRAWN: DM  
 JOB NUMBER: 1252

**A-2.2**  
 SHEET OF

-31-

Half-Size on 12x18



**PROPOSED ROOF PLAN**

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



REVISION	No.

CONSULTANT:

ARCHITECT

**ERIC MILLER ARCHITECTS, INC.**

157 GRAND SUITE 106 PACIFIC GROVE, CA 93950  
 PHONE (831) 372-0410 • FAX (831) 372-7840 • WEB: www.ericmillerarchitects.com

PROPOSED ROOF PLAN

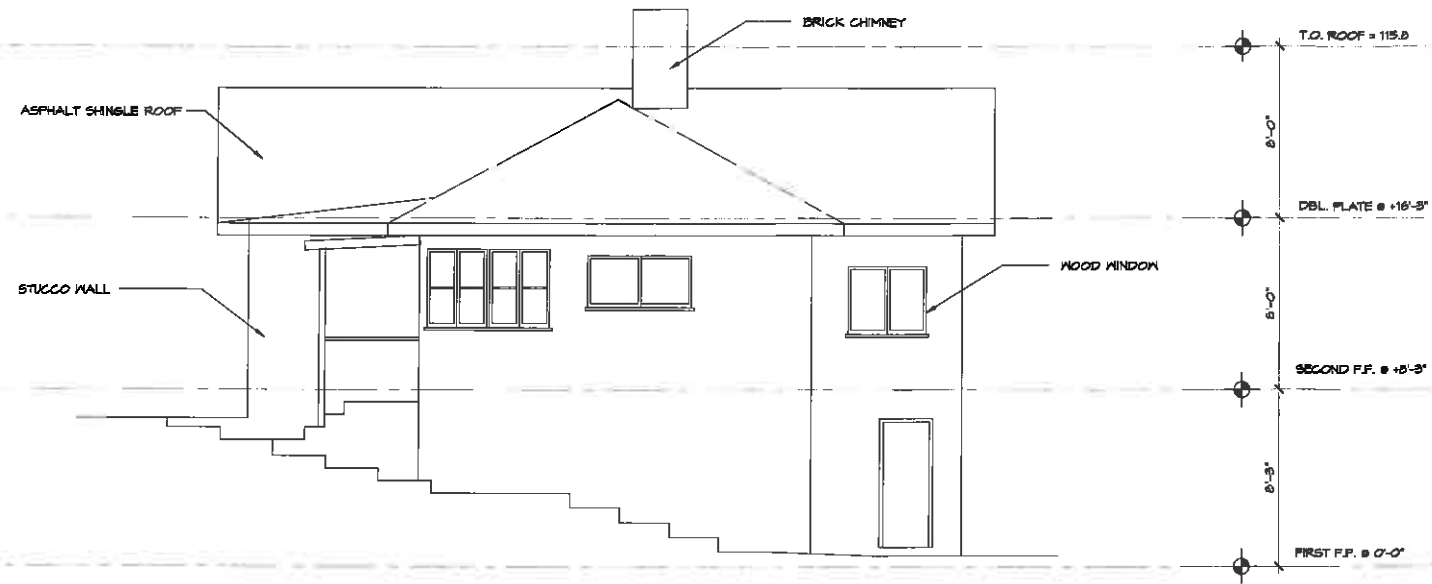
JOB NAME: **Ybarro Residence**  
 Casanova 5 NE of Ocean  
 Carmel, CA  
 010-214-017-000

DATE: 10/31/19  
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 DRAWN: DM  
 JOB NUMBER: 1232

**A-2.3**  
 SHEET OF

32

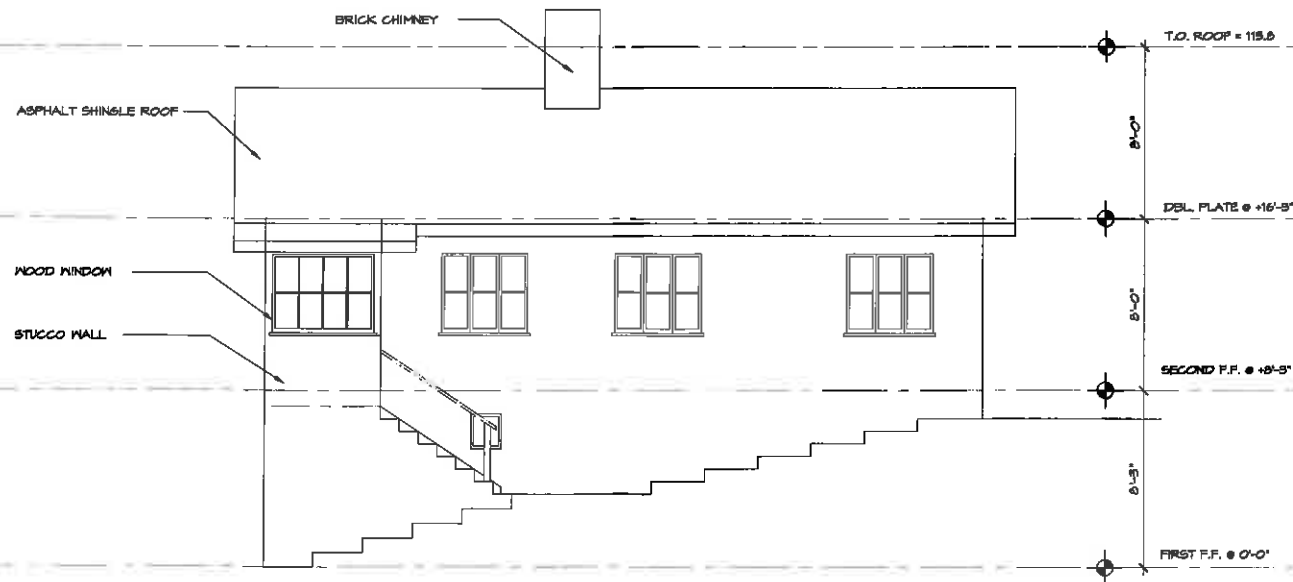
Half-Size on 12x18



**(E) LEFT ELEVATION - NORTH**  
SCALE: 1/4" = 1'-0"



**(E) FRONT ELEVATION - WEST**  
SCALE: 1/4" = 1'-0"



**(E) RIGHT ELEVATION - SOUTH**  
SCALE: 1/4" = 1'-0"



**(E) REAR ELEVATION - EAST**  
SCALE: 1/4" = 1'-0"

REVISION	No.

CONSULTANT:

ARCHITECT  
**ERIC MILLER ARCHITECTS, INC.**  
 157 GRAND suite 106 PACIFIC GROVE, CA 93950  
 PHONE (831) 372-0410 • FAX (831) 372-7840 • WEB: www.ericmillerarchitects.com

(E) EXTERIOR ELEVATIONS

JOB NAME: **Ybarro Residence**  
 Casanova S NE of Ocean  
 Carmel, CA  
 010-214-017-000

DATE: 4/24/13  
 SCALE: 1/4" = 1'-0"  
 DRAWN: AD  
 JOB NUMBER: 1232

Half-Size on 12x18

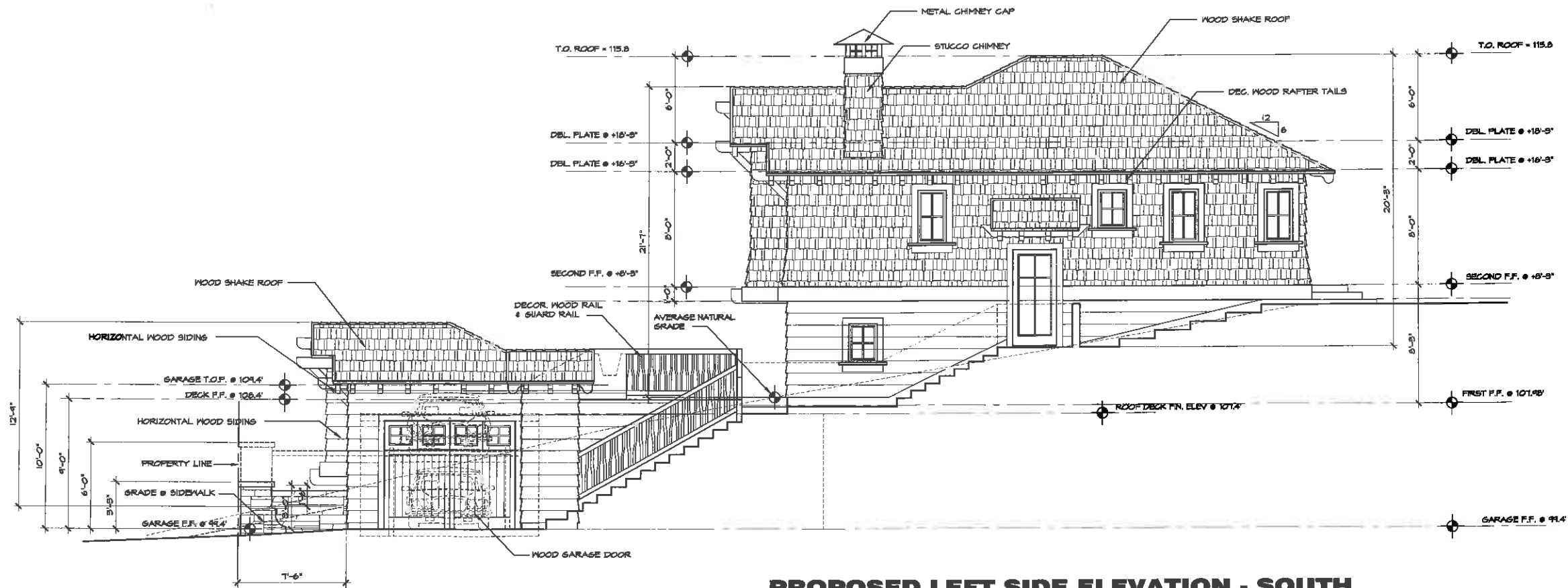
UPDATED - 11/7/13

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**PROPOSED FRONT ELEVATION - WEST**

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



**PROPOSED LEFT SIDE ELEVATION - SOUTH**

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



REVISION	No.

CONSULTANT:

ARCHITECT  
**ERIC MILLER ARCHITECTS, INC.**  
 157 GRAND SUITE 106 PACIFIC GROVE, CA 93950  
 PHONE (831) 372-0410 • FAX (831) 372-7840 • WEB: www.ericmillerarchitects.com

PROPOSED EXTERIOR ELEVATIONS

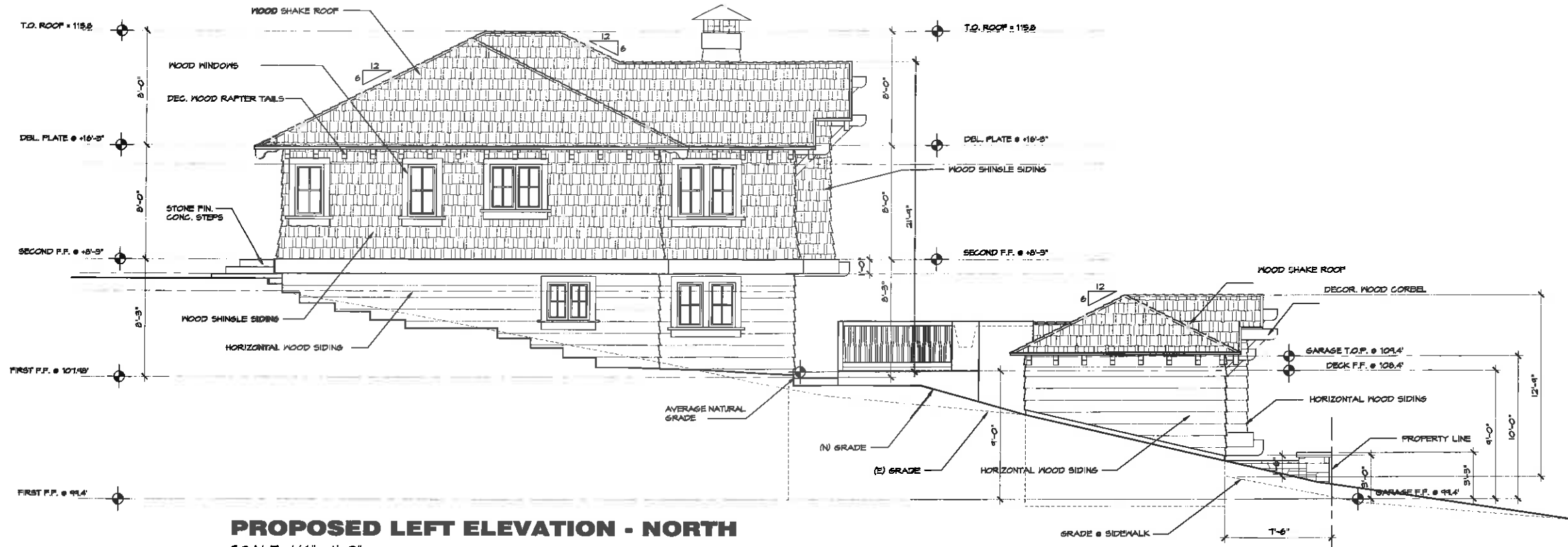
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 Casanova 5 NE of Ocean  
 Carmel, CA  
 010-214-017-000

DATE: 9/30/13  
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 JOB NUMBER: 1232

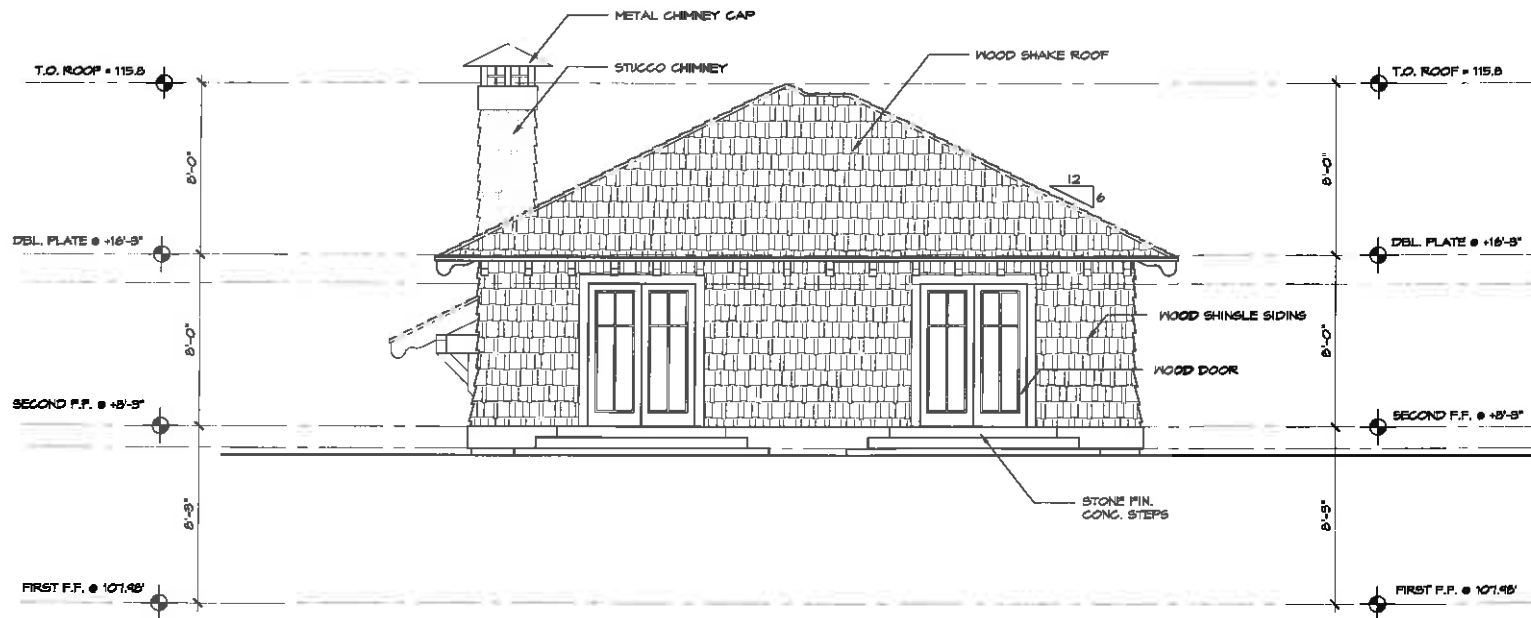
**A.3.1**  
 SHEET OF

- 34 -





**PROPOSED LEFT ELEVATION - NORTH**  
SCALE: 1/4" = 1'-0"



**PROPOSED REAR ELEVATION - EAST**  
SCALE: 1/4" = 1'-0"

REVISION	No.

CONSULTANT:

ARCHITECT  
**ERIC MILLER ARCHITECTS, INC.**  
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PROPOSED EXTERIOR ELEVATIONS

JOB NAME: **Ybarro Residence**  
 Casanova 5 NE of Ocean  
 Carmel, CA  
 010-214-017-000

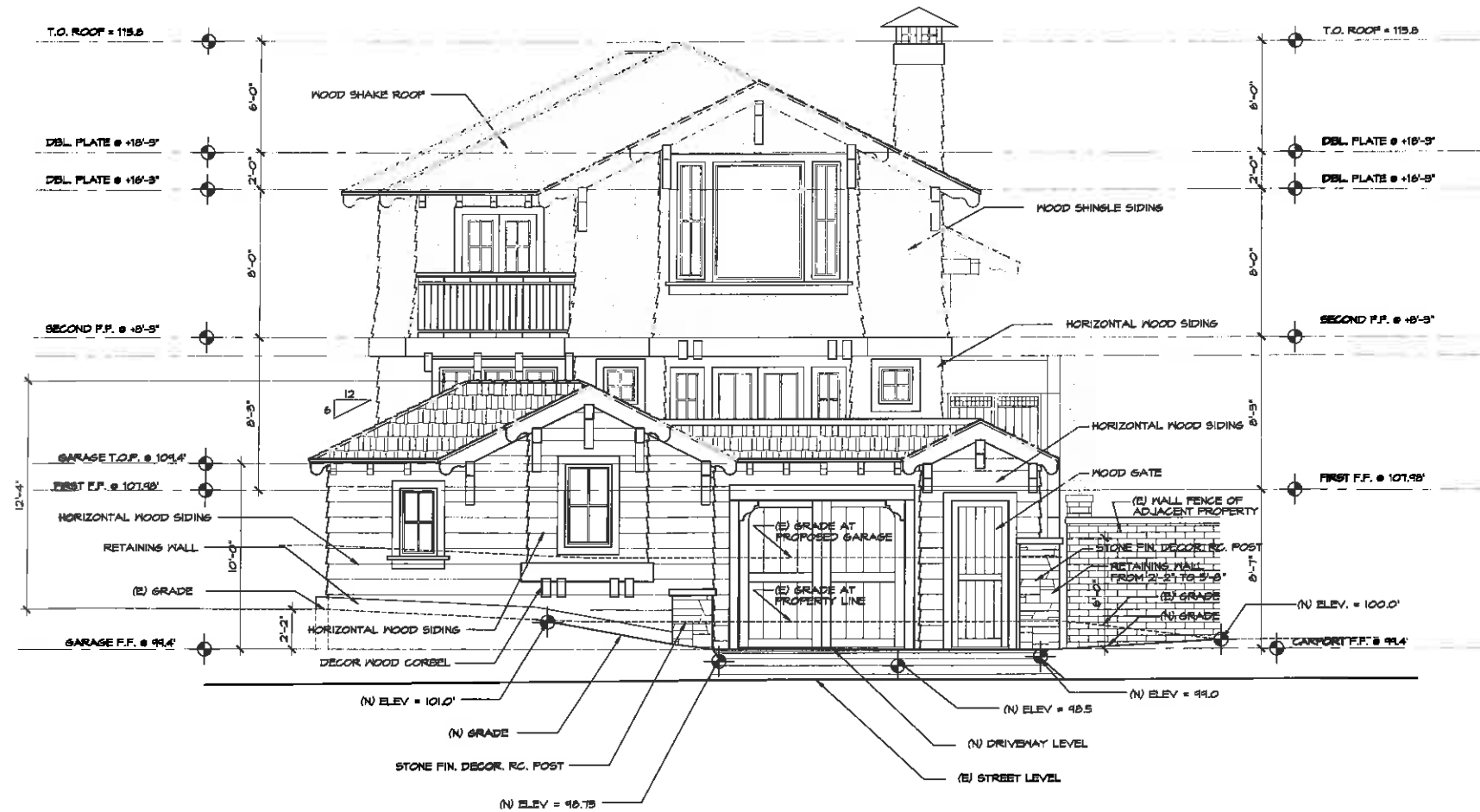
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 DRAWN: DM  
 JOB NUMBER: 1252

**A.3.2**  
 SHEET OF

35

Half-Size on 12x18

UPDATED - 11/14/13



**FRONT ELEVATION**

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



REVISION	No.

CONSULTANT:

ARCHITECT

**ERIC MILLER ARCHITECTS, INC.**

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 PHONE (831) 372-0410 • FAX (831) 372-7940 • WEB: www.ericmillerarchitects.com

FRONT ELEVATION

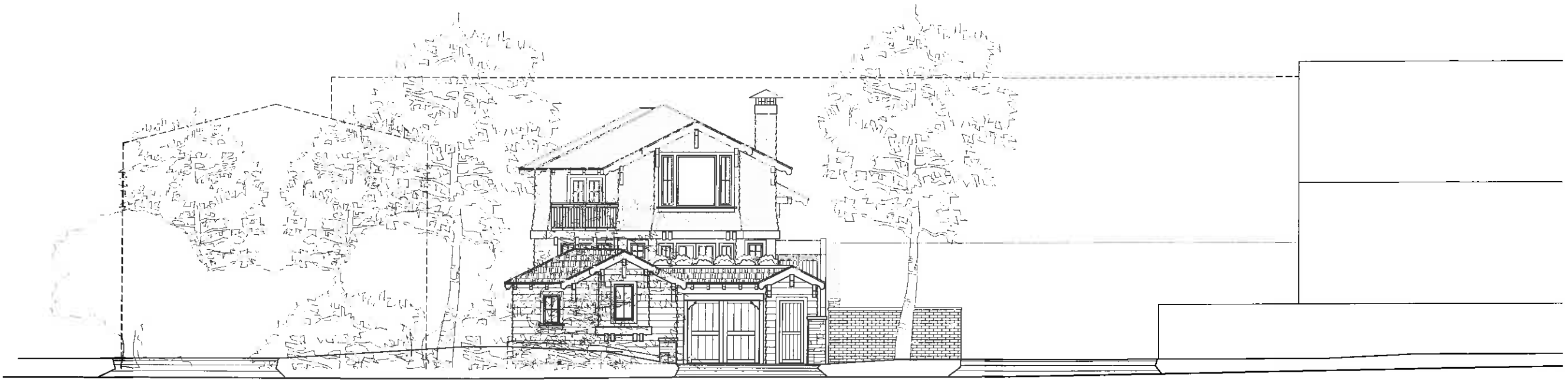
JOB NAME: **Ybarra Residence**  
 Casanova 5 NE of Ocean  
 Carmel, CA  
 010-214-017-000

DATE: 10/16/13  
 SCALE: 1/4" = 1'-0"  
 DRAWN: DM  
 JOB NUMBER: 12.92

**A.3.3**  
 SHEET OF

36 -

Half-Size on 12x18



**PROPOSED STREET ELEVATION**

REVISION	No.

CONSULTANT:

ARCHITECT  
**ERIC MILLER ARCHITECTS, INC.**  
 157 GRAND AVENUE, SUITE 108 PACIFIC GROVE, CA 93950  
 PHONE (831) 372-0410 • FAX (831) 372-7940 • WEB: www.ericmillerarchitects.com

PROPOSED STREET ELEVATION

JOB NAME: **Ybarro Residence**  
 Casanova 5 NE of Ocean  
 Carmel, CA  
 010-214-017-000

DATE: 10/31/13  
 SCALE: 3/16"=1'-0"  
 DRAWN: DM  
 JOB NUMBER: 12.32

**A.3.4**  
 SHEET OF

-37-

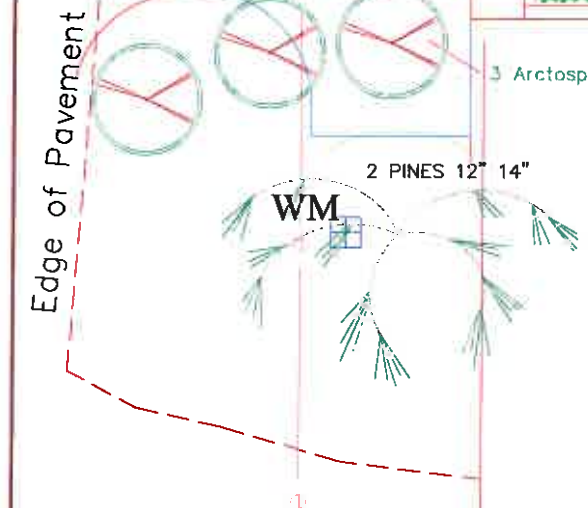
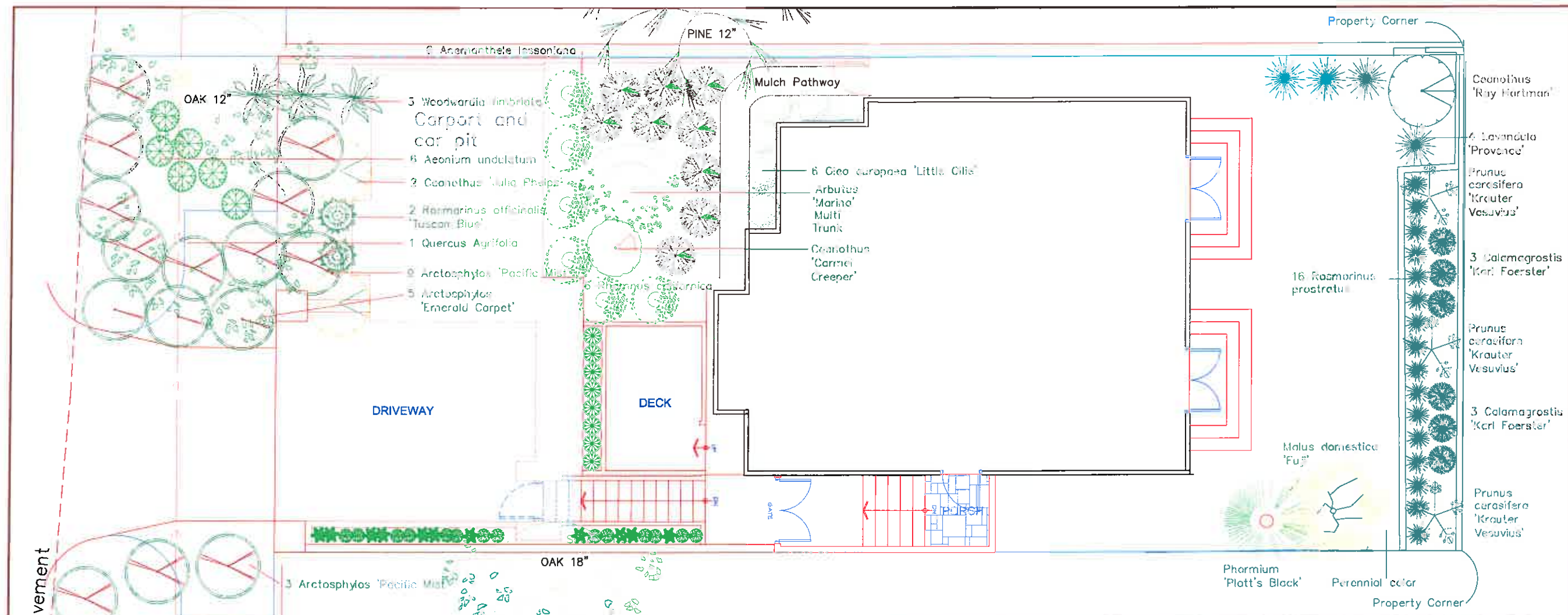


**CASANOVA STREET RENDERING**  
REMODEL CONCEPT



Eric Miller Architects, Inc.  
157 Grand Suite 106 Pacific Grove, CA  
93950  
831-372-0410

**ERIC MILLER ARCHITECTS, Inc.**  
157 GRAND suite 106 PACIFIC GROVE, CALIFORNIA 93950 831-372-0410



### PLANTS

QTY	SIZE	BOTANICAL NAME	COMMON NAME
6	5g	Aeonium undulatum	Saucer plant
1	15g	Quercus agrifolia	Coast Live Oak
9	1g	Anemanthele lessoniana	New Zealand Wind Grass
1	24"	Arbutus 'marina'	Marina Arbutus
12	5g	Arctostaphylos spp. 'Pacific Mist'	Pacific Mist Manzanita
5	5g	Arctostaphylos spp. 'Emerald Carpet'	Emerald Carpet Manzanita
6	1g	Calamagrostis acutiflora 'Karl Foester'	Fountain Reed Grass
1	5g	Ceanothus 'Carmel Creeper'	California Lilac
2	5g	Ceanothus 'Julia Phelps'	California Lilac
1	5g	Ceanothus 'Ray Hartman'	California Lilac
2	24"	Malus domestica	Fuji Apple Espalier
4	5g	Lavandula provence	French Lavender
8	5g	Olea europaea 'Little Ollie'	Dwarf Olive
1	5g	Phormium tenax 'Platts Black'	Platt's Black New Zealand Flax
12	1g	Perennials/ Herb Garde	Perennials/ Herb Garden
3	15g	Prunus cerasifera 'Krauter Vesuvius'	Ornamental Plum Tree
6	5g	Rhamnus californica 'Leatherleaf'	Coffeeberry
16	1g	Rosmarinus prostratus	Rosemary
2	5g	Rosmarinus officinalis 'Tuscan Blue'	Upright Rosemary
14	1g	Sesleria spp. 'Greenlee'	John Greenlee's Moor Grass
16	2g	Succulents	Succulents
3	5g	Woodwardia fimbriata	Giant Chain Fern

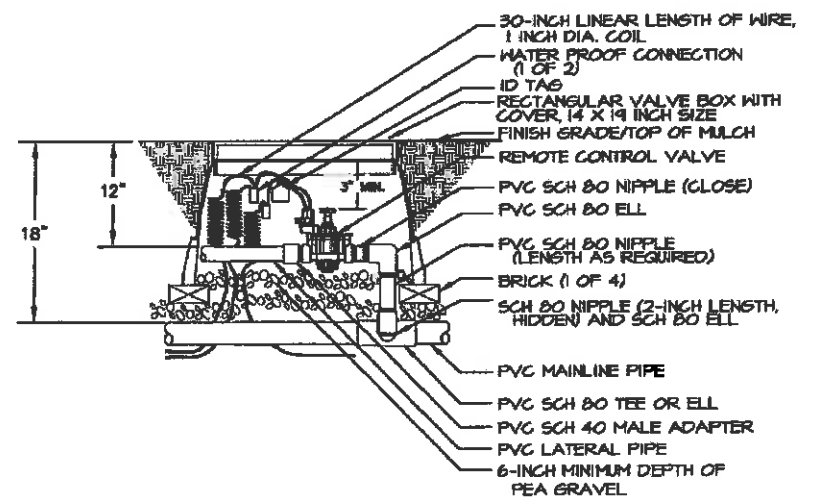
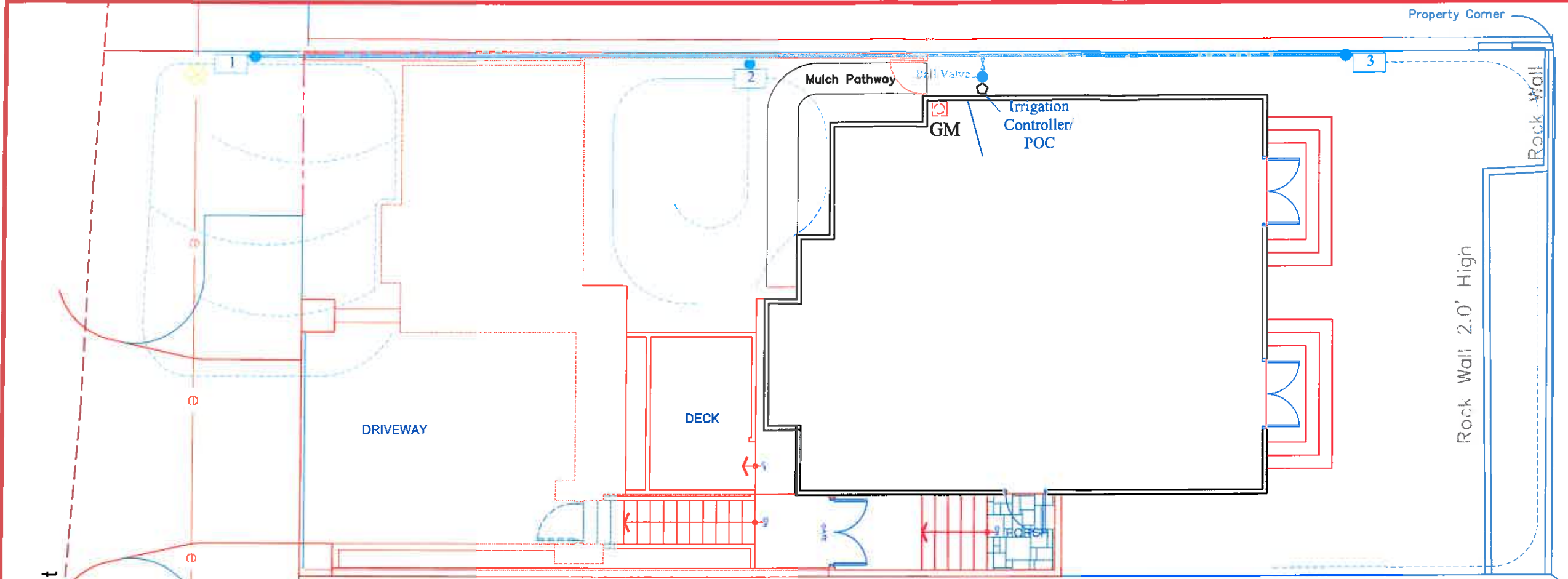
Michelle Comeau  
 Landscape Design  
 &  
 Installation  
 P.O. Box 6327  
 Carmel, Ca. 93921  
 P: 831-620-0111  
 F: 831-620-0105  
 michelle@comeauidesign.com

Ybarro Residence  
 Casanova 5 NE of Ocean  
 Carmel, California

Landscape Plan Prepared For:

Sheet Title:  
**Planting Plan**  
 Date: 9/25/2013  
 Scale: 1'0" = 1/4"  
 Drawn By: JCL  
 Revised: 1/13/2013

Sheet: 1  
 of: 2



**IRRIGATION LEGEND**

- DRIP VALVE
- 1" 7311 REMOTE CONTROL VALVE, NELSON PLASTIC VALVE BOX
- 1" BRASS BALL VALVE MATCO
- 1" # 975XL WILKINS REDUCED PRESSURE W/ Y STRAINER
- ESP SMT Rainbird Smart
- 1" MAIN LINE, SCH. 40, 18" DEEP
- 3/4" b - 401 CHAMPION BENT NOSE GARDEN VALVE

**IRRIGATION TIMETABLE**

SPRING (AS NECESSARY ACCORDING TO WEATHER)  
 VALVES 1, 2, 3 M, W, F 45 MIN

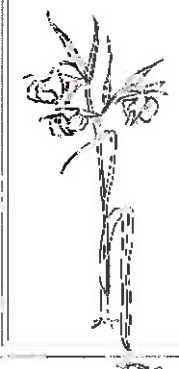
SUMMER  
 VALVES 1, 2, 3 M, W, F 45 MIN

FALL  
 VALVES 1, 2, 3 M, W, F 45 MIN

WINTER (AS NECESSARY ACCORDING TO WEATHER)  
 VALVES 1, 2, 3 M, W, F 45 MIN

**VALVE DETAIL**

STATION #	TYPE	LOCATION
1	DRIP	FRONT ENTRANCE
2	DRIP	COURTYARD
3	DRIP	REAR OF HOUSE
4	DRIP	SPARE VALVE



**Michelle Comeau**  
 Landscape Design  
 &  
 Installation  
 P.O. Box 6327  
 Carmel, Ca. 93921  
 P: 831-620-0111  
 F: 831-620-0105  
 michelle@comeau-design.com

**Ybarro Residence**  
 Casanova 5 NE of Ocean  
 Carmel, California

Landscape Plan Prepared For:

Sheet Title:  
**Irrigation Plan**  
 Date: 9/26/2013  
 Scale: 1'0" = 1/4"  
 Drawn By: JCL  
 Revised: 11/13/2013

Sheet: 2  
 of 2



CITY OF CARMEL-BY-THE-SEA

Planning Commission Report

January 23, 2014

**To:** Chair Paterson and Planning Commissioners

**From:** Rob Mullane, AICP, Community Planning and Building Director RM

**Submitted by:** Bryce Ternet, Contract Planner

**Subject:** Consideration of a Use Permit (UP 13-22) to establish a retail wine shop with wine tasting as an ancillary use in an existing commercial space located in the Central Commercial (CC) Zoning District

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**Recommendation:**

Determine the appropriate action. Staff has provided findings and conditions of approval should the Planning Commission choose to approve the Use Permit (UP 13-22).

**Application:** UP 13-22                      **APN:** 010-201-005  
**Block:** 74                                      **Lot:** 6  
**Location:** SS of Ocean Avenue between Monte Verde and Lincoln Streets  
**Applicant:** Jennifer Smith (Paraiso Vineyards)  
**Property Owner:** Dennis LeVett

**Background and Project Description:**

The project site is a commercial building located within the Court of the Golden Bough on Ocean Avenue between Monte Verde and Lincoln Streets. The proposed location is not visible from Ocean Avenue or any other roadway. The applicant, Jennifer Smith, is an employee and representative for Paraiso Vineyards Winery. Paraiso Vineyards Winery, which is a Monterey County winery with its own vineyards in Monterey County, is requesting to open a wine shop with an ancillary use of wine tasting. The applicant would sell wines produced by Paraiso Vineyards Winery in addition to wine-related retail items. The proposed hours of operation are from 11:00 a.m. to 7:00 p.m., 7 days a week.

The subject commercial space is approximately 240 square feet in size. Window seating is currently installed in the commercial space, and the applicant wishes to retain this seating, which would accommodate a maximum of 8 patrons. The size of the tasting bar would be 6-8 feet long and the proposed retail area would consist of a cabinet no larger than 4-5 x 8 feet and would hold wine-related merchandise. A floor plan of the subject commercial space is included as Attachment D.

**Staff analysis:**

**Use Permit:** CMC 17.14.040.B requires a Use Permit for an ancillary use of 10% or more of the floor area of the primary use. In this case, the primary use would be retail sale of wine and the ancillary use would be wine tasting. The criterion for allowing an ancillary use is that it is compatible with the primary use. The Commission has determined in the past that wine tasting is an acceptable ancillary use to the retail sales of wine.

**Wine Tasting Policy:** Below is a summary of each component of the adopted wine tasting policy followed by an analysis of the proposal's compliance with the policy.

- *The primary purpose of wine tasting should be to encourage patrons to purchase wine for consumption off-site. Establishments should not operate as a wine bar where the primary purpose would be for patrons to drink wine.*
- *In order to avoid the appearance of a bar, the wine tasting service and seating area should generally be limited to no more than 30% of the floor area of the retail space.*

**Analysis:** The subject space is approximately 240 square feet in size. The proposed tasting bar area and proposed seating would represent approximately 1/2 of the commercial space, which would be in excess of the policy's recommendation to limit to no more than 30% of the floor area of a retail space to wine tasting service and seating. Staff recommends that one of the proposed seating areas be eliminated and instead be devoted to retail purposes. A special condition has been added to address this issue requiring the elimination of one of the seating areas with the space instead being devoted to retail purposes. This would allow the space to be occupied by a higher percentage of retail use, which would be more consistent with the primary use of a retail wine shop and would reduce the potential for the tasting room to appear as a wine bar. Even with this reduction in wine tasting service and seating area, the proposed use would likely still exceed 30% of the floor area of the commercial space; however, staff believes the increased space is justified based on the limited overall size of the subject space and its off-street location.



- *Tasting should only involve traditional wine-based products such as still wines, sparkling wines or Port, no other alcoholic beverages should be permitted to be tasted or purchased.*
- *The maximum serving size should be 2 ounces per serving. Customers should not be permitted to drink bottles of purchased wine in the store, and no wine tasting should take place on public property.*
- *Light snacks may be allowed; however, appetizers and/or meals should not be permitted.*

Analysis: The applicant is proposing to only serve wine and no other alcoholic beverages. The winery would operate under a duplicate 02 (ABC) tasting license and would be consistent with the above mentioned criteria (Attachment E). The original cover letter provided by the applicant, included as Attachment B, indicates the serving size for wines would be two ounces. The applicant has not proposed to be able to serve appetizers and/or meals. If approved, the Use Permit would be conditioned with the requirement that the samples be provided in a maximum of two ounce pours and that any food served would only include light snacks consistent with the Wine Tasting Policy.

- *In order to encourage diversity and maintain a balanced mix of uses, one retail location offering wine tasting should not be located directly adjacent to another retail location offering wine tasting (not including restaurants). Generally, not more than five establishments offering tasting should be permitted along any one block.*

Analysis: The Wine Tasting Policy defines a block as including “*all commercial spaces on both sides of a street located between the next two cross streets. For example, no more than five wine tasting establishments should be permitted along San Carlos Street between Ocean and Seventh Avenues.*”

The project site is in a commercial building located within the Court of the Golden Bough on Ocean Avenue between Monte Verde and Lincoln Streets. The Court of the Golden Bough is primarily only accessible from Ocean Avenue. The subject commercial space is set back approximately 200 feet from Ocean Avenue and is not visible from Ocean Avenue or its adjacent sidewalk.

There are currently no other wine retail stores with ancillary wine tasting on the subject block and, therefore, there would not be more five wine tasting venues located on a block if Paraiso Vineyards Winery's proposed use permit was approved.

- *Night time hours should be limited to no later than 10:00 p.m.*

**Analysis:** The proposed hours of operation are from 11:00 a.m. to 7:00 p.m., 7 days a week. The proposed wine shop would close three hours earlier than the maximum that is allowed under the policy.

- *Wines originating from Monterey County vineyards and wineries and locating their off-site tasting rooms in Carmel are desired and strongly encouraged.*

**Analysis:** The applicant, Paraiso Vineyards, is a Monterey County winery with its own vineyards in Monterey County and the applicant would be using the proposed space as an off-site tasting room. Staff notes that the wine shop would operate under a Duplicate 02 (ABC) tasting license.

**Alternatives:** The Planning Commission may require a further reduction in area devoted to wine tasting in order to reach 30% of the area, or may require additional changes as deemed necessary to achieve compliance with the City Municipal Code, Commercial Design Guidelines, and the City's Wine Tasting Room Policy.

**Environmental Review:** The application qualifies for a Class 3 Categorical Exemption from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303 of the State CEQA Guidelines. Class 3 exemptions include projects involving limited new construction projects and conversion of small structures.

#### **ATTACHMENTS:**

- Attachment A – Findings for Approval
- Attachment B – Conditions of Approval
- Attachment C – Applicant Cover Letters
- Attachment D – Floor Plan

CITY OF CARMEL-BY-THE-SEA

DEPARTMENT OF COMMUNITY PLANNING AND BUILDING

FINDINGS FOR APPROVAL

UP 13-22

Jennifer Smith

Paraiso Vineyards

SS of Ocean Avenue between Monte Verde and Lincoln Streets

Block 74, Lot 6

APN: 010-201-005

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**CONSIDERATION:**

Consideration of a Use Permit (UP 13-22) to establish a retail wine shop with wine tasting as an ancillary use in an existing commercial space located in the Central Commercial (CC) Zoning District

**FINDINGS OF FACT:**

1. The commercial space is located within the Court of the Golden Bough on Ocean Avenue between Monte Verde and Lincoln Streets. The commercial space is 240 square feet in size.
2. The applicant applied for a Use Permit on November 22, 2013, to allow for retail wine sales with wine tasting as an ancillary use. The applicant provided supplemental information in support of the application on December 16, 2013, and the application was deemed complete for processing on December 30, 2013.
3. CMC Section 17.14.040 requires Planning Commission review for all Use Permits involving ancillary uses of 10% or more.
4. The proposed uses are classified as follows according to the North American Industrial Classification System (NAICS):  
  
Primary Use  
Retail Sales – 60% (wine, wine related merchandise)  
  
Ancillary Use  
Wine Tasting – 40%
5. The application qualifies for a Class 3 Categorical Exemption from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303 of the State CEQA Guidelines. Class 3 exemptions include projects involving limited new construction projects and conversion of small structures.

**FINDINGS FOR DECISION:**

1. The proposed use is not in conflict with the General Plan.
2. The proposed use, as conditioned, will comply with all zoning standards applicable to the use and zoning district.
3. The granting of the Use Permit will not set a precedent for the approval of similar uses whose incremental effect will be detrimental to the City, or will be in conflict with the General Plan.
4. The proposed use will not make excessive demands on the provision of public services, including water supply, sewer capacity, energy supply, communication facilities, police protection, street capacity and fire protection.
5. The proposed use will not be injurious to public health, safety or welfare and provides adequate ingress and egress.
6. The proposed use will be compatible with surrounding land uses and will not conflict with the purpose established for the district within which it will be located.
7. The proposed use will not generate adverse impacts affecting health, safety, or welfare of neighboring properties or uses.
8. With conditions applied, the proposed use would generally be consistent with the adopted Wine Tasting Policy.

**REQUIRED FINDINGS (CMC 17.64.060 – Ancillary Uses):**

1. The ancillary use of wine tasting is compatible with the primary use of retail wine sales.
2. The proposed uses will not exhibit a character of multiple, unrelated activities combined into one business.
3. The store will continue to contribute to the character and diversity of the commercial district.

CITY OF CARMEL-BY-THE-SEA

DEPARTMENT OF COMMUNITY PLANNING AND BUILDING

CONDITIONS OF APPROVAL

UP 13-22

Jennifer Smith

Paraiso Vineyards

SS of Ocean Avenue between Monte Verde and Lincoln Streets

Block 74, Lot 6

APN: 010-201-005

---

**CONSIDERATION:**

Consideration of a Use Permit (UP 13-22) to establish a retail wine shop with wine tasting as an ancillary use in an existing commercial space located in the Central Commercial (CC) Zoning District

**SPECIAL CONDITIONS:**

1. This permit authorizes the retail sale of wine with an ancillary use of wine tasting based on the percentages identified in the Findings for Approval (approximately 60% Retail Sales, and not more than 40% Wine Tasting).
2. The applicant shall eliminate 50% of proposed seating (i.e. seating for 4 persons) from originally-proposed seating with this Use Permit's application and to designate this space for retail purposes.
3. All wines available for purchase and/or tasting shall be produced by Paraiso Vineyards or its affiliate.
4. The store is permitted to operate between the hours of 11 a.m. and 7 p.m. daily.
5. Tasting shall involve traditional wine based products such as still wines, sparkling wines or Port. No other alcoholic beverages are permitted to be tasted or sold.
6. The maximum serving size shall be 2 ounces per serving. Customers are not permitted to drink bottles of purchased wine in the store, and no wine tasting shall take place on public property or in the courtyard.
7. The applicant shall obtain, and provide copies to the Community Planning and Building staff, any applicable licenses with the ABC prior to operation.
8. All exterior alterations and/or sign changes, and interior renovations that may require a building permit, require approval from the Department of Community Planning and Building prior to commencing work.

9. The use shall be conducted in a manner consistent with the presentations and statements submitted in the application and at the public hearing, as conditioned or revised prior to approval and any change in the use which would alter the findings or conditions adopted as part of this permit shall require approval of a new Use Permit by the Planning Commission.
10. This Use Permit shall become void and of no further force or effect if the use is not initiated within six months and/or upon termination or discontinuance of the use for any period of time exceeding six months.
11. Violations of the terms of this Use Permit or ordinances of the City may constitute grounds for revocation of this Use Permit and the associated business license by the Planning Commission.
12. Approval of this application does not permit an increase in water use on the project site. Should the Monterey Peninsula Water Management District determine that the use would result in an increase in water use as compared to the previous use, this Use Permit will be scheduled for reconsideration.
13. The applicant agrees, at its 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.

\*Acknowledgement and acceptance of conditions of approval.

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date



**P A R A I S O**  
V I N E Y A R D S

**RECEIVED**

**NOV 22 2013**

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

**Date: November 21, 2013**

**Request: Use Permit and Business license for Alexander Smith/Paraiso Vineyards**

**Applicants: Alexander Smith/Paraiso Vineyards, Jason and Jennifer Smith**

**Address: Court of the Golden Bough – Ocean between Lincoln and Monte Verde**

Letter of Intent: Alexander Smith by Paraiso Vineyards would like to open a winery tasting room in the historical court of the Golden Bough. Our alcohol license has been applied for through the ABC office in Salinas, Ca and would allow 2-ounce pours or taste of all Alexander Smith and Paraiso wines.

The purpose of our business is to drive retail sales, increase marketing and wine club sign-ups for Alexander Smith/Paraiso Vineyards. We propose to be open 7 days a week from 11am – 7pm. We are anticipating 4 employees, no more than 2 working at a time. We will apply for two signs, fitting all Carmel City requirements. We will also have very limited retail items such as hats, shirts, corkscrews and logo glassware.

The renovation required at the location will be minimal and limited to exchanging or replacing the flooring, adding a tasting bar, interior paint, ceiling lighting fixtures, possibly replacing windows, however, keeping the charm and design of current windows.

We will send public notices to property owners within 300ft and will deliver public notices to all residents within 100ft of the location.

Thank you,

Jennifer Smith



**P A R A I S O**  
V I N E Y A R D S

**RECEIVED**

**DEC 16 2013**

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

December 16, 2013

City of Carmel-by-the-Sea  
Attention: Bryce Ternet, contract planner

RE: Re-submittal - Application Completeness Review  
Use Permit (UP 13-22)  
SS of Ocean Avenue between Monte Verde and Lincoln Streets  
Blk 74; Lot 6 APN: 010-201-005

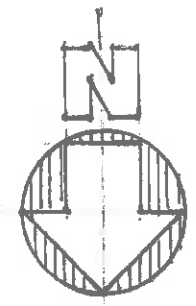
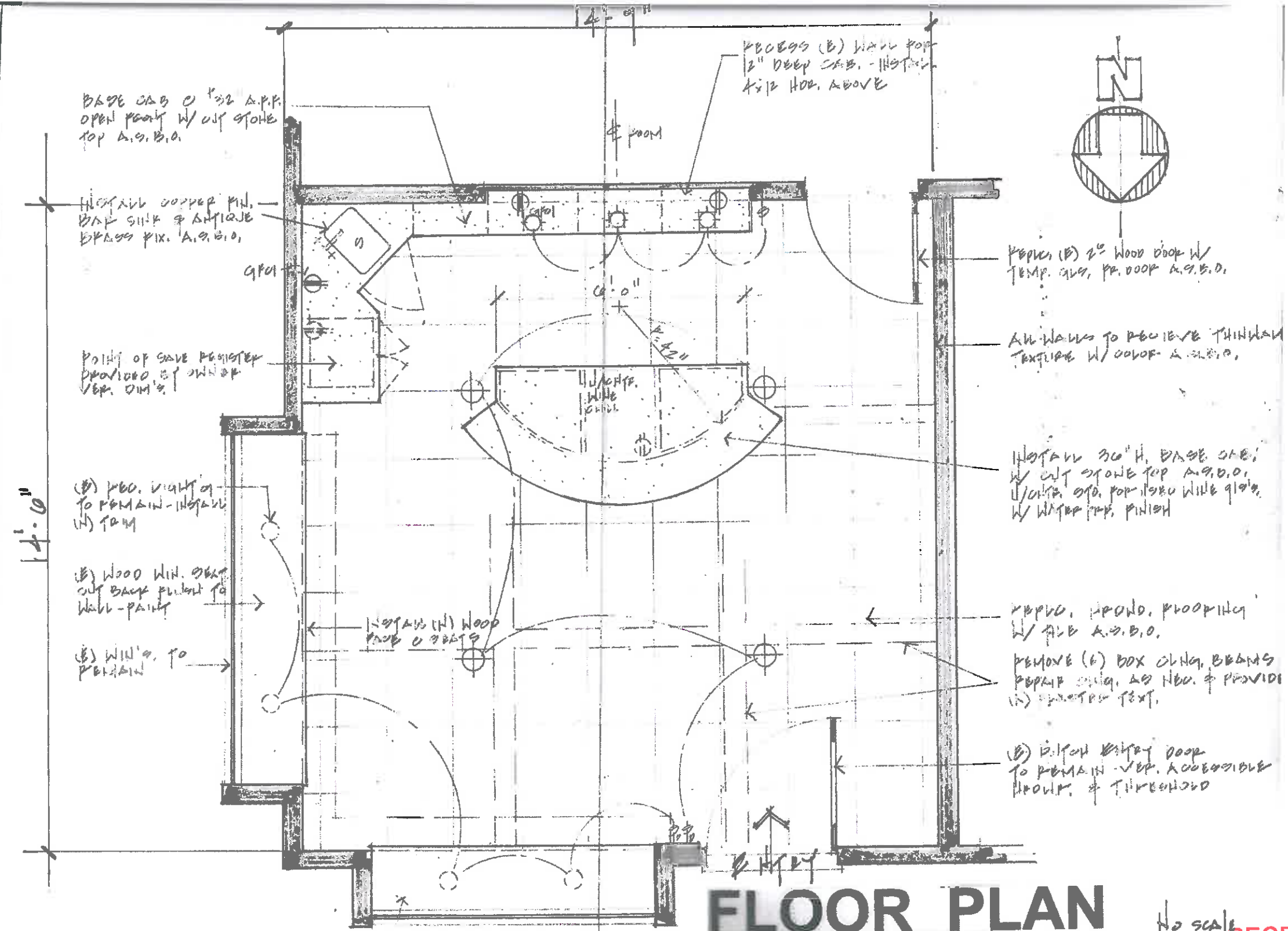
1. Provide a more detailed site plan identifying areas proposed for retail area sales within the space. Clarify if any seating is proposed, and include dimensions of the wine tasting bar.
  - Please see updated diagram attached
  - The window seating is currently there, we would like to continue to use it as is. The size of the space will limit the size of our tasting bar to 6-8ft. With the window seating the tasting bar would be standing only for customers. The window seats would be the only seating area. The proposed retail area would consist of a cabinet no larger than 4-5ft x 8ft and will hold hats, tee-shirts, wine logo glasses and corkscrews.
2. Provide additional information on the wines proposed to be served in the tasting room. The City's Wine Tasting Policy strongly encourages wines that originate from Monterey County vineyards and wineries.
  - The wines being served will be estate grown from Monterey County. Primarily small lot limited release Pinot Noir and Chardonnay. All family owned and produced by Alexander Smith/Paraiso Vineyards.
3. Please also include in your response letter additional clarification if the space would be proposed for special events, such as wine club meetings. If special events are proposed, please provide details of such events such as how many are proposed to occur each calendar year, hours for these events, and maximum number of attendees.
  - We are not proposing to hold special events and or wine club meetings at this time.

Thank you for your time I look forward to hearing from you soon.

Jennifer M. Smith  
Alexander Smith/Paraiso Vineyards

CC: Dennis LeVette  
Po Box 6286  
Carmel, Ca 93921





# FLOOR PLAN

No Scale RECEIVED

JAN 15 2014  
 City of Carmel-by-the-Sea  
 Planning & Building Dept.



CITY OF CARMEL-BY-THE-SEA

Planning Commission Report

January 23, 2014

**To:** Chair Dallas and Planning Commissioners

**From:** Rob Mullane, AICP, Community Planning and Building Director RM

**Submitted by:** Marc Wiener, Senior Planner

**Subject:** Consideration of a Design Review (DR 13-37) and Sign (SI 13-40) applications for alterations to an existing storefront located in the Central Commercial (CC) Zoning District

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**Recommendation:**

Approve Design Review (DR 13-37) and Sign (SI 13-40) applications for alterations to an existing storefront

**Applications:** DR 13-37 and SI 13-40                      **APN:** 010-141-003  
**Location:** Mission Street 2 lots northwest of 7th Ave  
**Block:** 77    **Lots:** 15, 17, 19 & 21  
**Applicant:** Nashwan Hamza (Anton & Michel)      **Property Owner:** Tony Salameh

**Background and Project Description:**

The project site is a commercial building located on Mission Street two lots northwest of Seventh Avenue at the Court of the Fountains. The commercial space is occupied by Anton and Michel Restaurant, which operates under Use Permit B.A. 82-19. The restaurant is permitted for 130 interior seats and 32 exterior seats and is located in the Court of the Fountains. Anton and Michel recently remodeled the interior of the restaurant. This remodel was completed in January 2013, and photographs of the interior remodel are included as Attachment C.

The applicant's request is to remodel the front facade of the building to be consistent with the updated look of the interior. The proposed remodel would provide the building facade with an updated Contemporary-style appearance. The proposed remodel includes the following features:

- Replace the existing fabric awning above the entry doors with a new black aluminum entry awning with opal-colored polycarbonate panels.
- Replacement of the existing wood main entry doors with tempered glass doors.
- New plaster keystone around the main entry doors to match the corners of the building.
- Alterations to the menu box windows and light fixtures on both sides of the entry doors.
- New black aluminum signs to replace the existing wood signs.

While this project could qualify for a track one design review permit, staff has referred this proposal to the Planning Commission for a decision given the nature of the proposed changes and the visibility of the site.

**Staff analysis:**

**Facade Design:** Pursuant to CMC Seq. 17.14.010, the basic standard of review in the Commercial District is whether *“the project constitutes an improvement over existing conditions – not whether the project just meets minimum standards.”* In addition to this standard, the Commercial Design Guidelines are also used in evaluating the proposed design. Below is a list of applicable Commercial Guidelines used in evaluating modifications to existing buildings with staff analyses.

**Commercial Design Guideline A.1:** *“Modifications to buildings should respect the history and traditions of architecture of the commercial districts. Basic elements of design integrity and consistency throughout each building should be preserved or restored.”*

**Analysis:** The proposed facade remodel is compatible with the existing architectural style of the building. The remodel would maintain the original proportions of the façade, while providing an updated look. Staff notes that the gray colored plaster keystone currently at the corners of the building would be replicated and applied around the entry doors.

The applicant is proposing to revise the design of the awning, the menu box windows, the two business signs, and the light fixtures on both sides of the entry doors. Staff notes that these features would be maintained at their existing locations to maintain the spatial distribution of components of the existing building facade.

While staff supports the majority of the proposed changes, one concern is the proposed metal awning with the opal-colored polycarbonate panels located above the entry doors. In staff's opinion, the awning would be compatible with the architecture of the building, but would not

be consistent with other buildings in the Commercial District and may be inappropriate. Further analysis of the proposed awning is in the following section.

**Commercial Design Guideline A.5:** *“Building walls facing public streets and walkways should provide visual interest to pedestrian. Variations such as display windows, changes in building form, and changes in material, texture, or color are appropriate.”*

**Commercial Design Guideline E:** *“Building materials and colors should respect traditions already established in the commercial district. The use of richly detailed wood, tile, molding, corbels, brick and stone are encouraged” and “Muted painted colors, which blend with the natural surroundings, are appropriate. Bright and primary colors should be avoided.”*

Analysis: The appearance and color of the building would be consistent with its existing look and would provide visual interest to pedestrians. Staff notes that the applicant is proposing to remove some of the wood from the front façade. The wood doors would be replaced with tempered glass, the wood signs would be replaced with metal signs, and the wood shutters would be replaced with the plaster keystone. Staff could support these changes as they provide an updated look to the building and are consistent with the Contemporary-style architecture of the building facade.

Staff is, however, concerned with the proposal to replace the fabric awning with a metal awning with opal-colored polycarbonate panels. Polycarbonate would have a “plastic” appearance and is not a traditional material used in the commercial district. The white/opal-colored panels would also appear bright and may not be complimentary to the existing design theme of the complex. The Commission should discuss whether the proposed awning is appropriate. If the Commission has concerns, it could continue the hearing or provide specific direction on required revisions and then condition the approval with a requirement that the applicant work with staff to revise the design of the awning.

**Signage:** CMC 17.40 requires Planning Commission approval for more than one business sign and encourages signs made of natural materials such as wood, glass, wrought iron, ceramic and stone.

The building currently has two wood business signs located on both sides of the entry that were approved by the Design Review Board in 1980 under permit D.R. 80-29. The applicant is proposing to replace the two existing wood signs with two new black-painted metal signs.

The proposed signs would each be 3.6 square feet in size and would match the size and locations of the original signs.

Staff could support the proposal to replace the two business signs as a continuation of the existing conditions. The proposal would maintain the symmetry of the facade that is also provided by the two menu box windows and light fixtures.

With regard to sign material, the applicant is proposing painted metal to be consistent with the updated Contemporary-style appearance of the building. Staff notes that the Planning Commission has previously approved painted metal signs at other locations, such as the GBG clothing store located at the southwest corner of Mission Street and Seventh Avenue. The GBG sign is also made of aluminum and is painted black. A painted metal sign was also approved by the Planning Commission at Vesuvio restaurant.

***Environmental Review:*** The proposed project is categorically exempt from CEQA requirements, pursuant to Section 15301 (Class 1) – Existing Facilities.

**ATTACHMENTS:**

- Attachment A – Site Photographs
- Attachment B – Applicant Letter/Interior Photographs
- Attachment C – Project Findings
- Attachment D – Project Plans

**Attachment A – Site Photographs**

**Project site facing west on Mission Street**



**Neighboring buildings (Court of the Fountains) facing west on Mission Street**



Neighboring buildings (Court of the Fountains) facing west on Mission Street



Neighboring buildings facing west on Mission Street – North of Project Site



**Attachment B - Applicant Letter/Interior Photographs**

December 3, 2013

City of Carmel-By-The-Sea  
Planning Commission Design Review Board

Adrian Lopez  
Forma Design Studio  
PO Box 2094  
Carmel-By-The-Sea CA 93921  
[www.FormaDesignStudio.com](http://www.FormaDesignStudio.com)

RE: ANTON AND MICHEL RESTAURANT  
EXTERIOR FAÇADE RENOVATION  
DESIGN CONCEPT

**GENERAL**

This proposed exterior façade remodel is a follow up to a large scale interior remodel of the restaurant that was completed in January of 2013. The newly remodeled interior necessitated addressing the design of the front exterior to also update its appearance. The proposed design changes are modest in scope and are focused on removing some existing design elements surrounding the front door that do not blend with the overall architecture of the building, and reintroducing some details that are more true to that style.

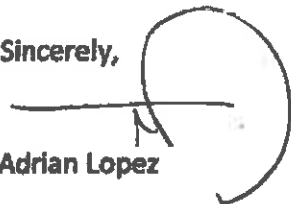
**CURRENT**

The current building is somewhat neo classic with a red brick exterior with a decorative cement eve detail and cement quoins on the corners. The restaurant is one of several buildings in a complex built around the Courtyard of the Fountains that are all of the same architectural style. The front façade of the restaurant has some architectural details that are at odds with the overall architecture. The two front doors are painted wood and glass with painted wood shutters and a large cloth awning above. The two signs are also made of carved wood.

**PROPOSED CHANGES**

Since there are no wood details on any of the buildings in the complex, we are proposing to replace them with details that are more in keeping with the overall architectural style. The wood elements described before would be replaced with the following: Double tempered glass door to lighten the entry. Replace the wood shutters with a cement quoin surround to match the same cement quoin detail that exists on the corners of the building. We will also be removing the existing cloth covered awning which because of its steep pitch covers much of the detail above the doors, and replace it with a flat black aluminum awning with a frosted polycarbonate roof covering. The flat style of the awning is designed to minimize its appearance and allow more visible exposure of the building details above. The new black metal elements proposed to the front façade would blend well with the existing metal details around the building improving consistency in the design.

Sincerely,

A handwritten signature in black ink, appearing to be 'A. Lopez', written over a horizontal line. The signature is stylized and somewhat cursive.

Adrian Lopez





FerrisStivo@gmail.com | tel: + 831 521 9824

Anton & Michel Carmel, California

INTERIOR REMODEL 01|15|2013

## Attachment C – Findings for Approval

DR 13-37 (Anton & Michel)  
 January 23, 2014  
 Findings for Approval  
 Page 1

For each of the required findings listed below, staff has indicated whether the submitted plans support adoption of the findings. For all findings checked "no" the staff report discusses the issues to facilitate the Planning Commission decision-making. Findings checked "yes" may or may not be discussed in the report depending on the issues.		
<b>Municipal Code Findings</b>	YES	NO
1. The project constitutes an improvement over existing site conditions pursuant to CMC 17.14.010.	✓	
2. The building is permitted two business signs with Planning Commission approval pursuant to CMC 17.40.020.B.	✓	
<b>Commercial Design Guideline Findings</b>		
3. The modifications to the building respect the history and traditions of architecture in the commercial districts.	✓	
4. Basic elements of design integrity and consistency throughout each building would be preserved or restored.		
5. The building wall facing the street provides visual interest to pedestrians. Variations such as display windows, changes in building form, and changes in material, texture, or color are appropriate.	✓	
6. The building design is sensitive to the context of the neighborhood in which it is located.	✓	
7. Any deviations from the Commercial Design Guidelines are considered minor and reasonably relate to good design principles and specific site conditions.	✓	

DATE	REVISION



P.O. Box 2094 Carmel, CA 95021  
 Tel: 415.751.5074 / Fax: 415.751.5073  
 Email: forma@formastudio.com | contact@formastudio.com

**DIVISION 1 - GENERAL REQUIREMENTS**

- 1.1 THE WORK TO BE DONE BY EACH CONTRACTOR INCLUDES THE FURNISHING OF ALL LABOR, MATERIALS, SERVICES, AND EQUIPMENT NECESSARY FOR THE CONSTRUCTION AND COMPLETION OF THIS PROJECT, INCLUDING SITEWORK. ALL WORK PERFORMED AND MATERIALS SUPPLIED SHALL COMPLY WITH THE FOLLOWING:
  - 1.1.1 THESE NOTES AND DRAWINGS.
  - 1.1.2 ALL APPLICABLE LOCAL, STATE, AND FEDERAL CODES, ORDINANCES, AND REGULATIONS LISTED IN THESE DOCUMENTS.
  - 1.1.3 WORKMANSHIP SHALL MEET NORMAL PROFESSIONAL STANDARDS OF THE TRADE AND SHALL MEET THE DESIGNER'S AND OWNER'S SATISFACTION WITHIN THE STANDARDS NORMALLY PROVIDED BY VARIOUS TRADES.
  - 1.1.4 INSTALLATION OF EQUIPMENT AND MATERIAL SHALL BE IN STRICT CONFORMANCE WITH MANUFACTURER'S INSTRUCTIONS AND/OR APPLICABLE ASSOCIATION STANDARDS.
  - 1.1.5 ALL MATERIALS SHALL BE NEW UNLESS OTHERWISE NOTED, AND SHALL BE EQUAL TO OR SUPERIOR TO THOSE ITEMS SPECIFIED IF A SUBSTITUTION IS APPROVED. NO SUBSTITUTIONS SHALL BE MADE WITHOUT THE DESIGNER'S PRIOR WRITTEN APPROVAL.
- 1.2 SITE VERIFICATION - EACH CONTRACTOR AND SUB-CONTRACTOR SHALL CAREFULLY EXAMINE THE SITE AND MAKE ALL INSPECTIONS NECESSARY IN ORDER TO DETERMINE THE FULL EXTENT OF THE WORK REQUIRED TO MAKE THE COMPLETED WORK CONFORM TO THE DRAWINGS AND SPECIFICATIONS. THE CONTRACTOR SHALL SATISFY HIMSELF AS TO THE NATURE AND LOCATION OF THE WORK, CONDITIONS, THE CONFORMATION AND CONDITION OF THE EXISTING GROUND SURFACE AND THE CHARACTER OF EQUIPMENT AND FACILITIES NEEDED PRIOR TO AND DURING PROSECUTION OF THE WORK. THE CONTRACTOR IS RESPONSIBLE FOR ALL UNUSUAL CONDITIONS ENCOUNTERED ON THE SITE DURING THE COURSE OF CONSTRUCTION EXCEPT THOSE BELOW EXISTING SLABS OR GRADE OF WHICH THE CONTRACTOR MAY NOT HAVE KNOWLEDGE. ALL SUCH EXISTING CONDITIONS SHALL BE INCORPORATED INTO THE CONTRACTOR'S BID PROPOSAL, WHETHER SHOWN ON THE DRAWINGS OR NOT. ANY INACCURACIES OR DISCREPANCIES BETWEEN THE ACTUAL FIELD CONDITIONS AND THE DRAWINGS AND SPECIFICATIONS MUST BE BROUGHT TO THE ATTENTION OF THE OWNER AND DESIGNER IN ORDER TO CLARIFY THE EXACT NATURE OF THE WORK PERFORMED.
- 1.3 CONSTRUCTION DOCUMENTS
  - 1.3.1 THESE DRAWINGS ARE INTENDED AS A GUIDE ONLY FOR CONSTRUCTION. DEVIATIONS FROM THE DRAWINGS MUST BE APPROVED BY THE OWNER.
  - 1.3.2 THE CONTRACTOR IS FULLY RESPONSIBLE FOR OBSERVATION OF CONSTRUCTION AND PROPER EXECUTION OF WORK SHOWN ON THE DRAWINGS, AS WELL AS FOR PERFORMANCE OF WORK ON THIS PROJECT. THE DESIGNER IS NOT RESPONSIBLE FOR METHODS USED, SAFETY ON, IN, OR ABOUT THE JOB SITE, OR FOR TIMELINESS OF PERFORMANCE OF CONSTRUCTION WORK.
  - 1.3.3 THE CONTRACTOR IS RESPONSIBLE FOR THE ACCURACY OF ALL MATERIAL TAKE-OFFS FROM THESE DOCUMENTS. HE MUST VERIFY DIMENSIONS OF ALL EXISTING OR BUILT-IN ITEMS.
  - 1.3.4 THE DESIGNER IS NOT RESPONSIBLE FOR ANY DEVIATION FROM OR INTERPRETATION OF CONSTRUCTION DOCUMENTS MADE BY THE CONTRACTOR WITHOUT OBTAINING WRITTEN DIRECTION FROM THE DESIGNER FIRST.
  - 1.3.5 THESE DRAWINGS ARE NOT APPROVED FOR CONSTRUCTION UNTIL THEY ARE REVIEWED BY A QUALIFIED PLAN CHECK EXAMINER AND STAMPED "APPROVED" BY THE BUILDING DEPARTMENT AND A BUILDING PERMIT IS ISSUED.
- 1.4 THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE BUILDING LINES AND LEVELS. THE CONTRACTOR SHALL COMPARE CAREFULLY THE LINES AND LEVELS SHOWN ON THE DRAWINGS WITH EXISTING LEVELS FOR LOCATION AND CONSTRUCTION OF THE WORK AND SHALL CALL THE ARCHITECT'S ATTENTION TO ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK.
- 1.5 ALL TRADES SHALL DO THEIR OWN CUTTING, FITTING, PATCHING, ETC. TO MAKE THE SEVERAL PARTS COME TOGETHER PROPERLY AND FIT IT TO REDUCE OR BE RECEIVED BY WORK OF OTHER TRADES.
- 1.6 NEW AND REPAIR WORK IN THIS PROJECT WHICH ENCOMPASSES SIMILAR ITEMS IN EXISTING WORK SUCH AS STUCCO, DRYWALL, CEILING AND FASCIA, TRIM, GUTTERS AND DOWNSPOUTS, ELECTRICAL SWITCHING AND RECEPTACLE PLATES, AND OTHER ITEMS, SHALL MATCH EXISTING MATERIAL, INSTALLATION, FINISH, AND COLOR UNLESS OTHERWISE NOTED.
- 1.7 ALL TRADES SHALL, AT ALL TIMES, KEEP THE PREMISES FREE FROM ACCUMULATION OF WASTE MATERIALS OR RUBBISH CAUSED BY THEIR WORK. AT THE COMPLETION OF THE WORK THEY SHALL REMOVE ALL RUBBISH, TOOLS, SCAFFOLDING, AND SURPLUS MATERIAL AND LEAVE THE JOB IN A ROOMY CLEAN CONDITION. CONTRACTOR SHALL PERFORM FINAL CLEAN UP.
- 1.8 THE CONTRACTOR SHALL COORDINATE AND SCHEDULE ALL WORK WITH THE APPROVAL OF THE OWNER AND WITH MINIMUM DISRUPTION. THE OWNER SHALL BE CONSULTED BEFORE ANY BUILDING SERVICES ARE TEMPORARILY CUT OFF, TEMPORARILY RE-ROUTE ANY UTILITIES REQUIRED BY THE OWNER FOR CONTINUOUS SERVICE.
- 1.9 THE CONTRACTOR SHALL PROVIDE ALL SHIELDING AND BRACING REQUIRED TO ADEQUATELY PROTECT PERSONS, EXISTING CONSTRUCTION, AND ADJACENT PROPERTY, AND TO ENSURE THE SAFETY OF THE STRUCTURE THROUGHOUT THE CONSTRUCTION PERIOD, INCLUDING ANY SHIELDING DESIGN DRAWINGS WHICH MAY BE REQUIRED. THE CONTRACTOR SHALL PROVIDE, AT HIS OWN EXPENSE, ERECTION LAYOUTS AND DRAWINGS REQUIRED BY LAW, OSHA, OR FOR GENERAL SAFE CONSTRUCTION PRACTICES.
- 1.10 THE DESIGNER RESERVES THE RIGHT TO HAVE ANY WORK NOT DONE CORRECTLY AS PER DRAWINGS, SPECIFICATIONS, CONTRACT, OR ANY OTHER MEANS OF COMMUNICATION CORRECTED AT NO ADDITIONAL COST TO OWNER.
- 1.11 THE CONTRACTOR SHALL CARRY IN FORCE ALL NEEDED INSURANCE, LICENSES, FEES, PERMITS, TAXES AS REQUIRED BY LAW FOR THE DURATION OF THE PROJECT.

**GENERAL NOTES**

- 1. ALL WORK SHALL CONFORM TO THE 2010 EDITION OF THE CALIFORNIA BUILDING CODE (CBC) AND TO ALL CITY AND/OR PLANNING AND BUILDING DEPARTMENT REGULATIONS OF THE LOCAL JURISDICTION. SEE ADDITIONAL CODE REFERENCES ON PROJECT TITLE SHEET.
- 2. EXTERIOR PLASTER LATH WALL ASSEMBLIES SHALL BE A 3-COAT SYSTEM INCLUDING TWO LAYERS OF GRADE "D" PAPER WHEN APPLIED OVER WOOD BASE SHEATHING. WEAP SCREENS ARE REQUIRED.
- 3. EXTERIOR LIGHTING: ALL EXTERIOR LIGHTING SHALL BE UNOBTRUSIVE, DOWN-LIT, COMPATIBLE WITH THE LOCAL AREA AND CONSTRUCTED OR LOCATED SO THAT ONLY THE INTENDED AREA IS ILLUMINATED AND OFF-SITE GLARE IS FULLY CONTROLLED. EXTERIOR LIGHTS SHALL HAVE RECESSED LIGHTING ELEMENTS. EXTERIOR LIGHT SOURCES THAT WOULD BE DIRECTLY VISIBLE FROM CRITICAL VIEWSHED AREAS, AS OPENED IN SECTION 22.148.020.4, ARE PROHIBITED. LIGHTING SHALL COMPLY WITH THE REQUIREMENTS OF THE CALIFORNIA ENERGY CODE SET FORTH IN THE CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART 8.
- 4. SAFETY GLASS SHALL BE INSTALLED IN ALL LOCATIONS SUBJECT TO HUMAN IMPACT INCLUDING ALL DOORS AND GLASS WITHIN 24 INCHES OF DOOR EDGES.
- 5. TREE AND ROOT PROTECTION: TREES WHICH ARE LOCATED CLOSE TO THE CONSTRUCTION SITE SHALL BE PROTECTED FROM INADVERTENT DAMAGE FROM CONSTRUCTION EQUIPMENT BY FENCING OFF THE CANOPY DRIFTLINES AND/OR CRITICAL ROOT ZONES (WHICHEVER IS GREATER) WITH PROTECTIVE MATERIALS, WRAPPING TRUNKS WITH PROTECTIVE MATERIALS, AVOIDING FILL OF ANY TYPE AGAINST THE BASE OF THE TRUNKS AND AVOIDING AN INCREASE IN SOIL DEPTH AT THE FEEDING ZONE OR JUMP LINE OF THE RETAINED TREES. TREE PROTECTION MEASURES, APPROVED BY A CERTIFIED ARBORIST, SHALL BE INSTALLED PRIOR TO ISSUANCE OF BUILDING PERMITS AND IS SUBJECT TO THE APPROVAL OF THE RMA - DIRECTOR OF PLANNING.
- 6. EXTERIOR DOOR LANDINGS ARE REQUIRED TO BE AS WIDE AS THE DOORWAY AND EXTEND A MINIMUM OF 36" IN THE DIRECTION OF TRAVEL. CBC 1008.1.5
- 7. SWAYS AND HANDRAILS SHALL CONFORM TO CBC REQUIREMENTS.
- 8. GUARDRAILS SHALL BE PROVIDED WHEN STAIRS OR LANDINGS ARE OVER 30" ABOVE GRADE. OPENINGS SHALL NOT PERMIT PENETRATION OF A 4" DIAMETER SPHERE. GUARDRAILS SHALL BE A MINIMUM OF 42" HIGH AT LANDINGS AND 34" HIGH WHEN SERVING AS A HANDRAIL. CBC 1013
- 9. 1008.4.2 RISER HEIGHT AND TREAD DEPTH: STAIR RISER HEIGHTS SHALL BE 7 INCHES MAXIMUM AND 4 INCHES MINIMUM. THE RISER HEIGHT SHALL BE MEASURED VERTICALLY BETWEEN THE LEADING EDGES OF ADJACENT TREADS. RECTANGULAR TREAD DEPTHS SHALL BE 11 INCHES MEASURED HORIZONTALLY BETWEEN THE VERTICAL PLANES OF THE FOREMOST PROJECTION OF ADJACENT TREADS AND AT A RIGHT ANGLE TO THE TREADS LEADING EDGE.
- 10. 1008.5 STAIRWAY LANDINGS: THERE SHALL BE A FLOOR OR LANDING AT THE TOP AND BOTTOM OF EACH STAIRWAY. THE WIDTH OF LANDINGS SHALL NOT BE LESS THAN THE WIDTH OF STAIRWAYS THEY SERVE. EVERY LANDING SHALL HAVE A MINIMUM DIMENSION MEASURED IN THE DIRECTION OF TRAVEL EQUAL TO THE WIDTH OF THE STAIRWAY. SUCH DIMENSION NEED NOT EXCEED 48 INCHES WHERE THE STAIRWAY HAS A STRAIGHT RUN. DOORS OPENING INTO A LANDING SHALL NOT REDUCE THE LANDING TO LESS THAN ONE-HALF THE REQUIRED WIDTH.
- 11. 1011.4 INTERNALLY ILLUMINATED EXITS SIGNS: ELECTRICALLY POWERED, SELF-LUMINOUS AND PHOTOLUMINESCENT EXITS SIGNS SHALL BE Labeled AND LABELED IN ACCORDANCE WITH UL 924 AND SHALL BE INSTALLED IN ACCORDANCE WITH CBC 1011.4.1 SHALL BE ILLUMINATED AT ALL TIMES.
  - 1011.5 EXTERNALLY ILLUMINATED EXITS SIGNS: EXTERNALLY ILLUMINATED EXITS SIGNS SHALL COMPLY WITH SECTIONS 1011.5.1 THROUGH 1011.5.3. 1011.5.1 GRAPHICS: EVERY EXITS SIGN AND DIRECTIONAL EXITS SIGN SHALL HAVE PLAINLY LEGIBLE LETTERS NOT LESS THAN 8 INCHES HIGH WITH THE PRINCIPAL STROKES OF THE LETTERS NOT LESS THAN 1/8 INCH WIDE. THE WORD "EXIT" SHALL HAVE LETTERS HAVING A WIDTH NOT LESS THAN 2 INCHES WIDE, EXCEPT THE LETTER "I", AND THE MINIMUM SPACING BETWEEN LETTERS SHALL NOT BE LESS THAN 3/8 INCH (9.5 MM). SIGN LARGER THAN THE MINIMUM ESTABLISHED IN THIS SECTION SHALL HAVE LETTER WIDTHS, STROKES AND SPACING IN PROPORTION TO THEIR HEIGHT. THE WORD "EXIT" SHALL BE IN HIGH CONTRAST WITH THE BACKGROUND AND SHALL BE CLEARLY DISCERNIBLE WHEN THE MEANS OF EXITS SIGN ILLUMINATION IS OR IS NOT ENERGIZED. IF A CHEVRON DIRECTIONAL INDICATOR IS PROVIDED AS PART OF THE EXITS SIGN, THE CONSTRUCTION SHALL BE SUCH THAT THE DIRECTION OF THE CHEVRON DIRECTIONAL INDICATOR CANNOT BE READILY CHANGED.
  - 1011.5.2 EXIT SIGN ILLUMINATION: THE FACE OF AN EXITS SIGN ILLUMINATED FROM AN EXTERNAL SOURCE SHALL HAVE AN INTENSITY OF NOT LESS THAN 5 FOOT-CANDELES (54 LUX).
  - 1011.5.3 POWER SOURCE: EXITS SIGNS SHALL BE ILLUMINATED AT ALL TIMES. TO ENSURE CONTINUED ILLUMINATION FOR A DURATION OF NOT LESS THAN 90 MINUTES IN CASE OF PRIMARY POWER LOSS, THE SIGN ILLUMINATION MEANS SHALL BE CONNECTED TO AN EMERGENCY POWER SYSTEM PROVIDED FROM STORAGE BATTERIES, UNIT EQUIPMENT OR AN ON-SITE GENERATOR. THE INSTALLATION OF THE EMERGENCY POWER SYSTEM SHALL BE IN ACCORDANCE WITH CHAPTER 27.

# ANTON & MICHEL RESTAURANT

## MISSION ST. BETWEEN OCEAN AVE. & 7TH ST. CARMEL BY THE SEA, CALIFORNIA

### -TENANT IMPROVEMENTS-

DESIGN TEAM ASSOCIATED WITH THIS PROJECT

STRUCTURAL ENGINEER:  
 Christian Lee & Assoc. Inc  
 19 Quail Run Circle, Suite B  
 Salinas, CA. 93907  
 Phone: (831) 424-9000

GENERAL CONTRACTOR:  
 Hamza Design & Construction, Inc.  
 481 El Dorado Street  
 Monterey, CA. 93940  
 Phone: (831) 658-0634

- APPLICABLE CODES FOR THIS PROJECT:
- 2010 California Building Code (CBC)
  - 2010 California Residential Code (CRC)
  - 2010 California Fire Code (CFC)
  - 2010 California Plumbing Code (CPC)
  - 2010 California Mechanical Code (CMC)
  - 2010 California Electrical Code (CEC)
  - 2008 California Energy Code (CEC)
  - 2010 Monterey County Code (MCC)

# Anton & Michel RESTAURANT

PROPOSED FRONT SIGN TO REPLACE EXISTING

Scale 3"=1'-0" 3

**SCOPE OF WORK:**

TENANT IMPROVEMENTS  
 Front Entry Renovation:  
 Replace Existing Entry Door, Entry Awning, and Business Signs. Remove Existing Decorative Door Shutters. Install New Plaster keystone Around Front Door, Replace Exterior Light Fixtures, Renovate Menu Displays.

OWNER: T.R. LEIDIG PROPERTIES  
 1 LOWER RAGDSLE DRIVE BLG. 1, SUITE 100  
 MONTEREY, CA. 93940  
 Phone: \_\_\_\_\_

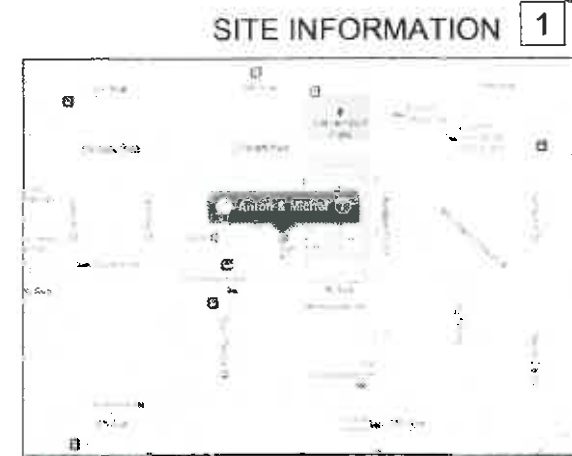
TENANT: ANTHONY SALAMEH  
 PO BOX 4917  
 CARMEL, CA. 93921  
 Phone: (831) 625-8526

**SITE INFORMATION:**

MISSION ST. BETWEEN OCEAN AVE. & 7TH ST.  
 CARMEL BY THE SEA, CALIFORNIA  
 A.P.N. : 010-141-003-000 BLK 77, LOT 15,17,19,21  
 Occupancy Group: A-2  
 Constr. Type: V-N  
 Zoning Designation: COMMERCIAL.

**BUILDING DATA:**

EXISTING BUILDING AREA: (NO CHANGE)  
 Trees To Be Removed: None  
 Water company : CALAM



PROPOSED PLANS

SHEET G-1.1 TITLE SHEET - SITE INFORMATION - NOTES

SHEET A-1.1 FLOOR PLAN - EXT. ELEVATIONS - DETAILS

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 DEC 30 2013

SHEET INDEX 2

# ANTON & MICHEL RESTAURANT

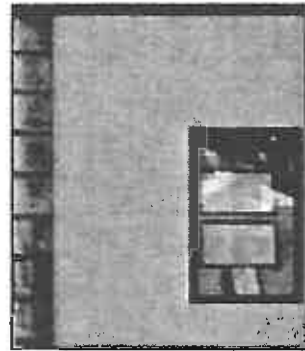
APN 010-141-003 Block 77  
 CARMEL BY THE SEA, CALIFORNIA

Job Number 2012-20  
 Date 11-25-13  
 Revision  
 Drawn By AA

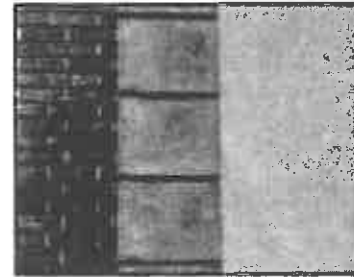
Sheet Number  
**G-1.1**  
 90 of Sheets  
 INDEX SHEET



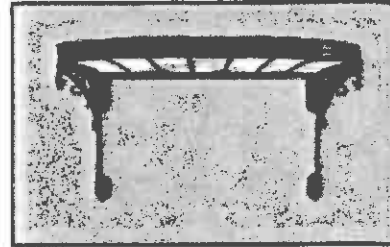
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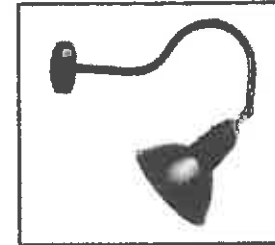
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PROPOSED AWNING  
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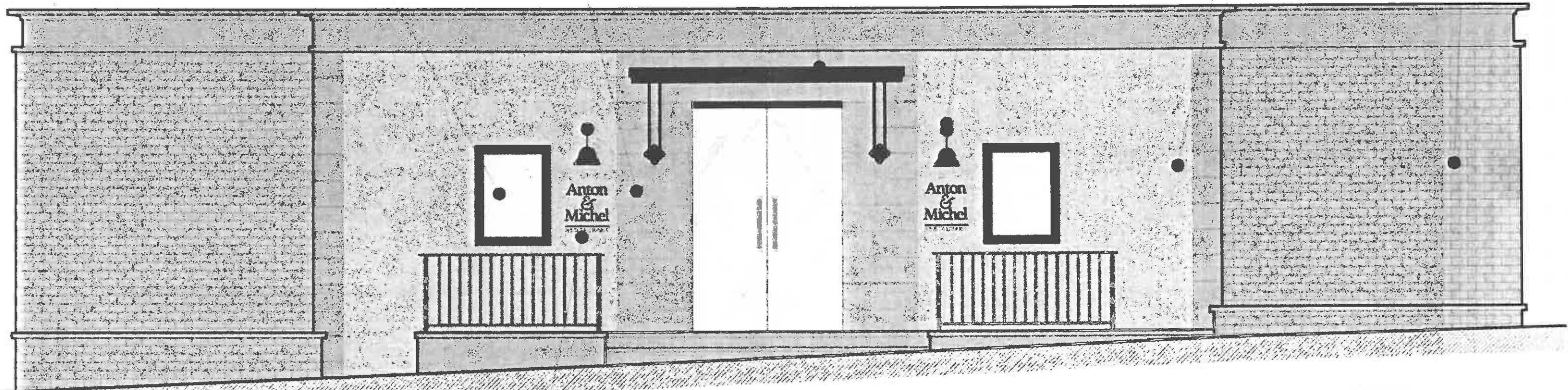
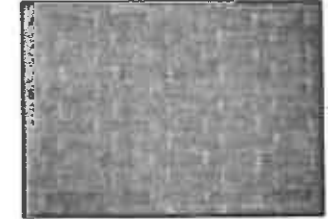
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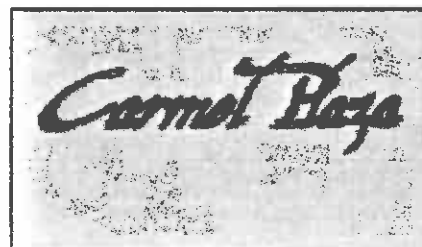
EXISTING PLASTER WALL  
Color: Barely Dawn - Kelly Moore



EXISTING BRICK WALL  
Color:



PROPOSED LETTERING SIGN  
Color: Black



**Anton & Michel Restaurant**  
MISSION ST. BETWEEN OCEAN AVE. & 7TH ST.  
CARMEL BY THE SEA, CALIFORNIA  
A.P.N : 010-141-003-000 - BLK 77

92-



CITY OF CARMEL-BY-THE-SEA

Planning Commission Report

January 23, 2014

**To:** Chair Dallas and Planning Commissioners

**From:** Rob Mullane, AICP, Community Planning and Building Director RM

**Submitted by:** Marc Wiener, Senior Planner

**Subject:** Consideration of a Design Study (DS 12-111 RV-02) for revisions to an approved new residence on a property located in the Single-Family Residential (R-1) Zoning District

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**Recommendation:**

Review the proposed railing designs, and provide direction to the applicant.

<b>Application:</b>	DS 12-111 RV-02	<b>APN:</b>	010-266-013
<b>Location:</b>	SE Corner of Ocean Ave and Carmelo Street		
<b>Block:</b>	M	<b>Lots:</b>	2 and 4
<b>Applicant:</b>	Chris Boqua	<b>Property Owners:</b>	Bill and Adriana Hayward

**Background and Project Description:**

On February 13, 2013, the applicant received approval for Design Study (DS 12-111) for the construction of a new residence located at the SE corner of Ocean Avenue and Carmelo Street. The approved finish materials included: wood-shingle siding, a stone veneer, unclad wood windows, and a wood-shake roof.

On May 30, 2013, the applicant submitted a plan revision application for alterations to the design including: minor modifications to the window design, a trellis on the front porch, the installation of a wrought-iron railing around the deck, and a zinc metal roof. Staff approved the revisions to the window design and the trellis because the changes were relatively minor and consistent with the City's Residential Design Guidelines. However, staff forwarded the wrought-iron railing design and metal roof to the Planning Commission for review.

The proposed wrought-iron railing and zinc metal roof were denied by the Planning Commission on August 14, 2013. The applicants filed an appeal of these denied design components, and on September 10, 2013, the City Council overturned the denial of the zinc roof but upheld the denial of the proposed railing design.

**Railing:** The residence was originally approved with an open wood railing/guardrail. The revised design reviewed by the Planning Commission at the August 14, 2013 meeting included a solid wood-shingle guardrail for privacy. The upper 18-inch portion of the guardrail consisted of decorative wrought iron. The proposed railing was denied, primarily because the Planning Commission did not support the use of wrought iron.

Staff notes that the Planning Commission did express support for the solid wood railing, but preferred that the design remain simple and not include any metal. Staff continued to work with the applicant on the guardrail design, and based on the discussion that occurred at the August Planning Commission meeting, staff approved a solid 36-inch high wood guardrail, with the upper 12-inch portion consisting of vertical wood balusters. An image of the staff-approved design is included as Attachment A.

The applicant has submitted a new Plan Revision (DS 12-111; RV-02) application requesting a revision to the design approved by staff. The applicant is proposing three options for the guardrail, each consisting of wood. Staff has referred the guardrail design to the Planning Commission for a decision or other direction.

**Staff Analysis:**

**Denial Review:** Pursuant to CMC 17.52.170: *“Any project or application denied and not subsequently approved by the City Council on appeal shall prohibit the implementation of the specific project or activity requested in the application. No applications for substantially the same project or activity on the same property may be submitted for a period of one year following a denial unless the application contains changes to address the reason(s) for the denial of the first application, or the City’s plans or ordinances have been amended to remove the cause for the original denial. Permits denied without a prejudice shall not be subject to this limitation.”*

The first step in the process is determining whether the Planning Commission should take action on the proposed guardrail design, given that a proposal to revise the design was denied by the Planning Commission six months ago, on August 14, 2013.

Staff notes that the guardrail design presented to the Planning Commission at the August 2013 meeting included metal, which was the primary basis for denial. In this revised proposal, the applicant is proposing three separate options for a wood guardrail, which is consistent with the direction given by the Planning Commission at the August 2013 meeting.

***Railing/Guardrail Design:*** With regard to architectural details, Residential Design Guideline 9.2 states the following:

- *“Keep building forms, materials and details simple and visually restrained”*
- *“Design features that increase the visual prominence of the building should be avoided”*
- *“Avoid visual complexity. Too many different materials or excessive details create a busy appearance and should be simplified”*
- *“Avoid overly ornate details”*

The applicant is proposing three options for the guardrail design. The following is an overview of the proposed guardrail designs:

Option #1: (Page 1 of Project Plans) – The applicant is proposing a 42-inch high wood guardrail. The lower 30 inches of the guardrail would consist of solid decorative wood paneling. The upper 12 inches of the guardrail would consist of vertical wood balusters.

Option #2: (Page 2 of Project Plans; Alt. ‘A’) – Alternative ‘A’ is for a 42-inch high wood guardrail. The lower 30 inches of the guardrail would consist of wood shingle siding to match the residence. The upper 12 inches of the guardrail would consist of twisted vertical wood balusters. This proposal is similar to the one approved by staff, with the exception of the twisted balusters that present a more decorative appearance for the railing.

Option #3: (Page 3 of Project Plans; Alt. ‘B’) – Alternative ‘B’ is for a 42-inch high wood guardrail. The lower 28 inches of the guardrail would consist of wood shingle siding to match the residence. The upper 14 inches of the guardrail would consist of open wood paneling with a decorative pattern.

***Design Analysis:*** Of the three options being presented, Option #2 (Alt. ‘A’) appears the least decorative and is most consistent with the Residential Design Guidelines. However, staff notes



that all three proposals appear more decorative and notice-attracting than the Planning Commission's original approval of the railing on February 13, 2013, as well as the existing staff approval of the railing from August 21, 2013. Staff's recommendation to the Planning Commission is to review the three proposed railing designs and provide direction to the applicant.

**Environmental Review:**

The proposed project has been determined to qualify for a Class 1 Categorical Exemption from CEQA, pursuant to Section 15301 of the CEQA Guidelines (Existing Facilities).

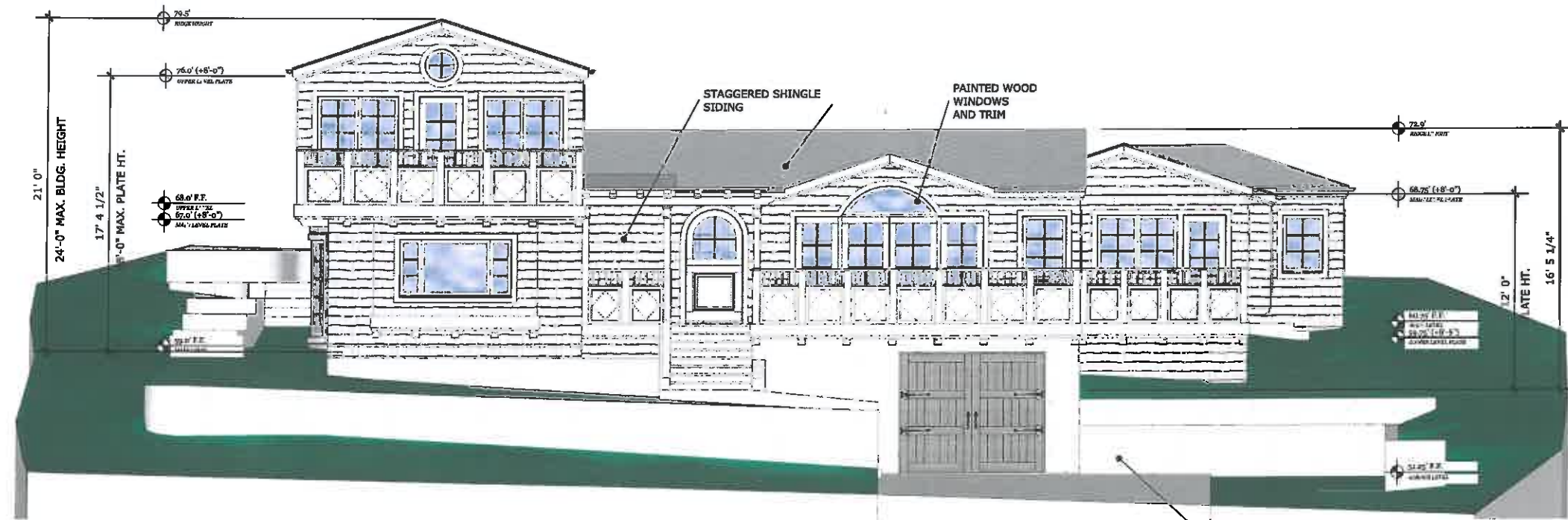
**ATTACHMENTS:**

- Attachment A – Elevation Drawing Staff-Approved Railing from 8/21/13
- Attachment B – Elevation Drawings of Proposed Revised Railing Alternatives

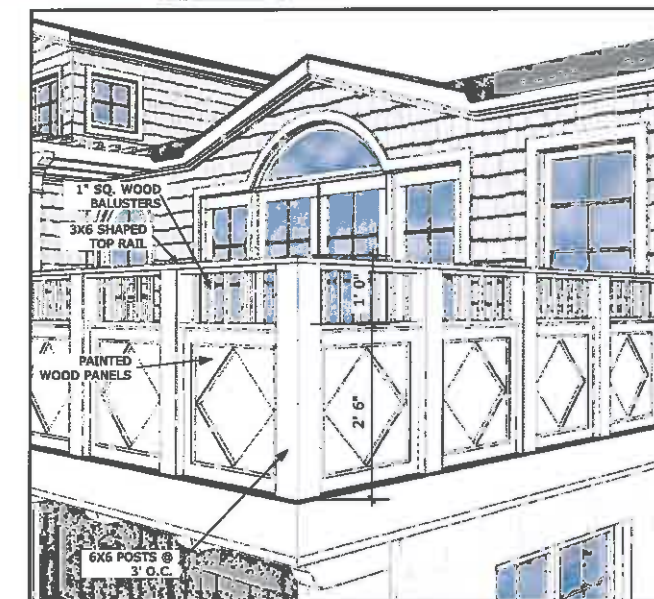
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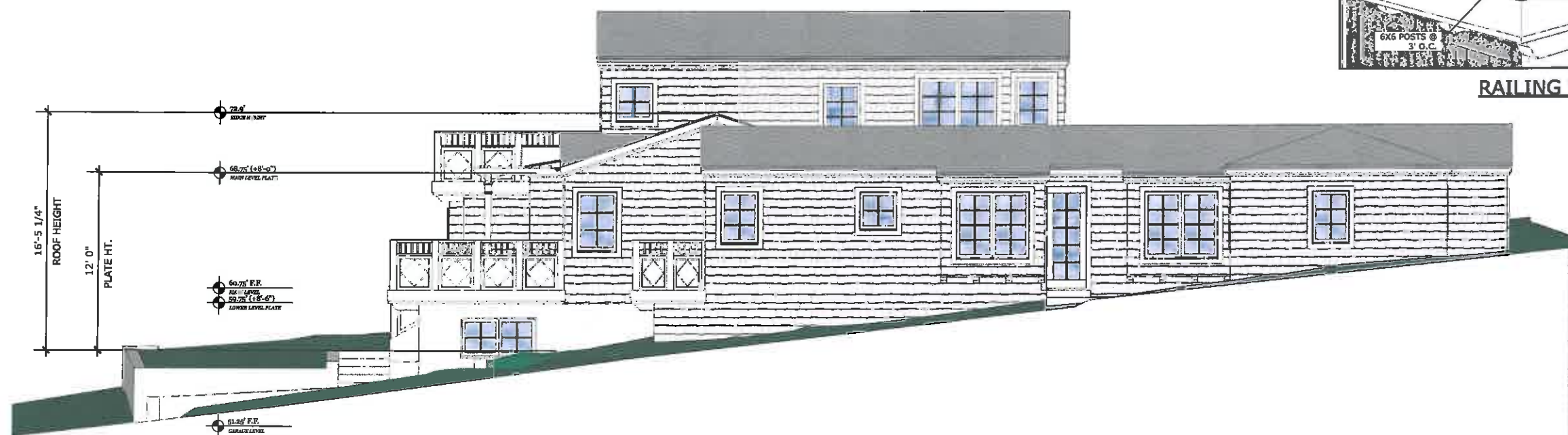
City of Carmel-by-the-Sea  
Planning & Building Dept.



West (Front) Elevation - Carmelo



RAILING VIEW



South (Side) Elevation

**Stocker & Allaire**  
General Contractors, Inc.  
Lic. # 504797

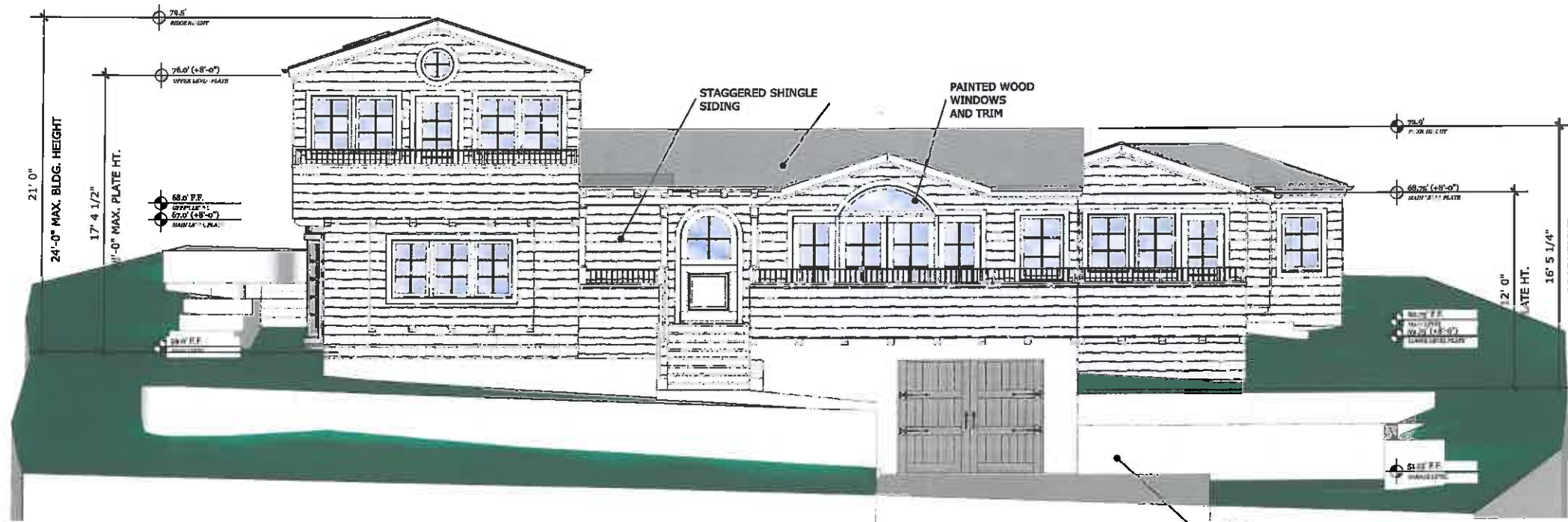
21 Mendocino Court Monterey, CA 93940  
CST. 375.1880 Fax 375.1480

SE Corner Carmelo and Ocean  
1/4" = 1' February 05, 2013

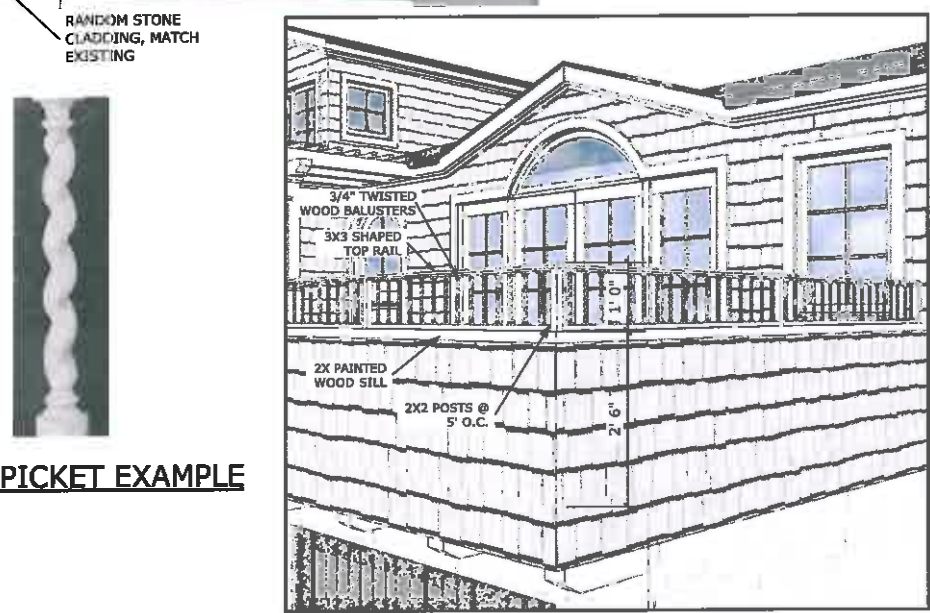
**Hayward Residence  
Elevations  
(Proposed Railing)**

Revisions:

4/04/13 - Client Update
5/03/13 - Updated Plans
5/23/13 - Updated Plans
9/23/13 - Updated Plans
12/20/13 - Railing Sub.

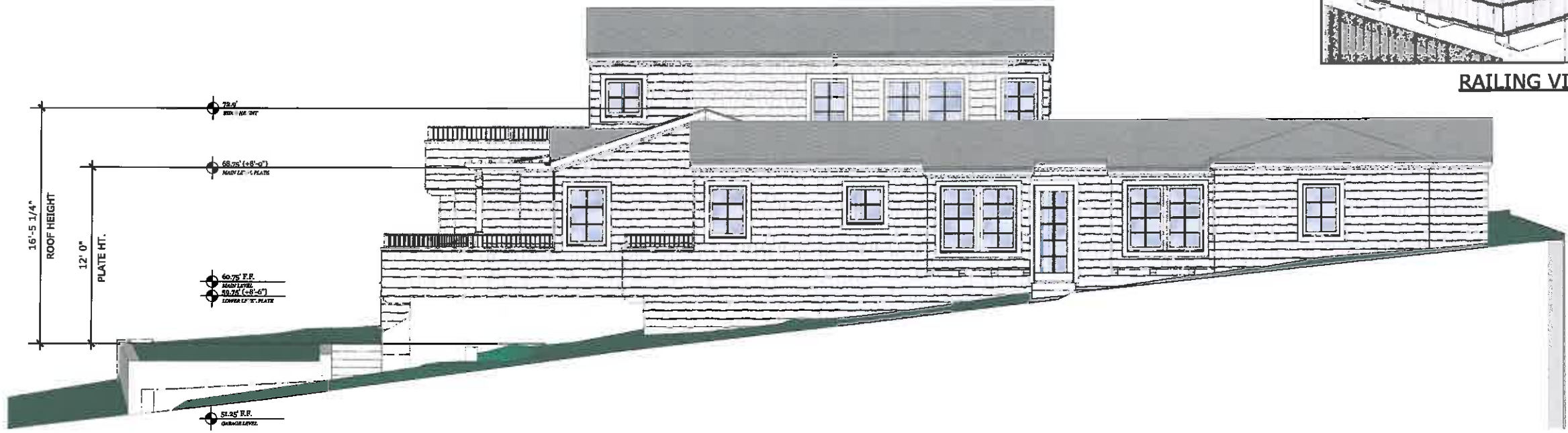


**West (Front) Elevation - Carmelo**



**WOOD PICKET EXAMPLE**

**RAILING VIEW**



**South (Side) Elevation**

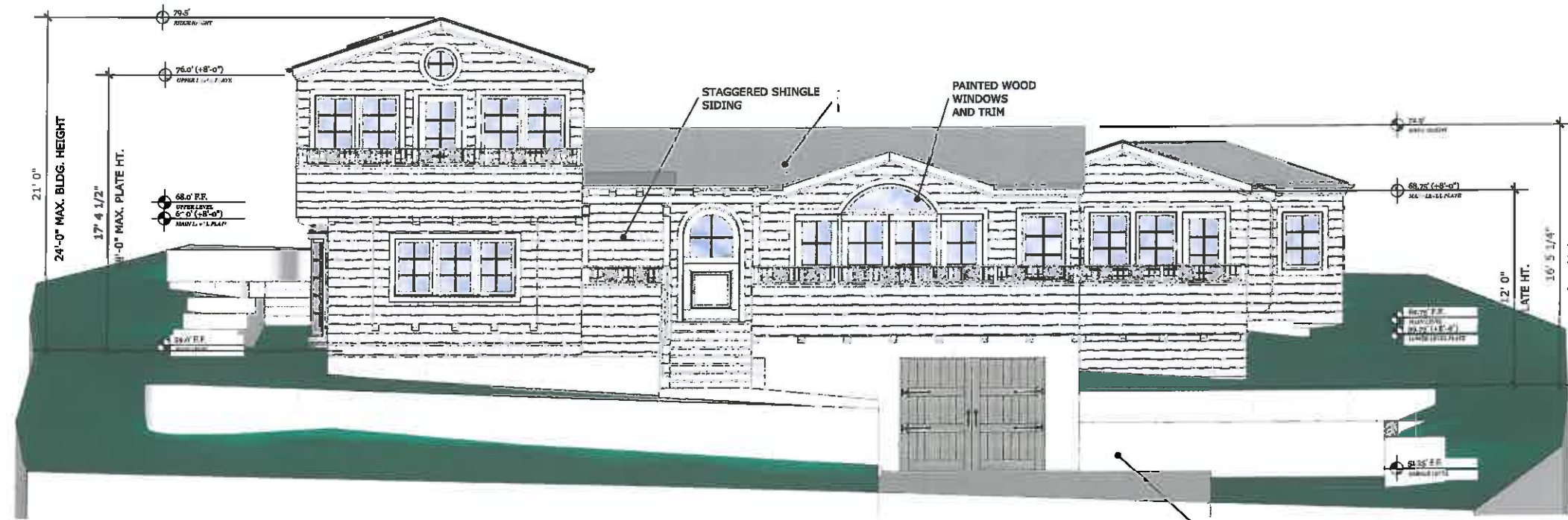
**Stocker & Allaire**  
 General Contractors, Inc.  
 Lic. # 504797  
 21 Mandeville Court Monterey, CA 93940  
 831.375.1890 Fax 831.375.1480

SE Corner Carmelo and Ocean  
 1/4" = 1'  
 February 05, 2013

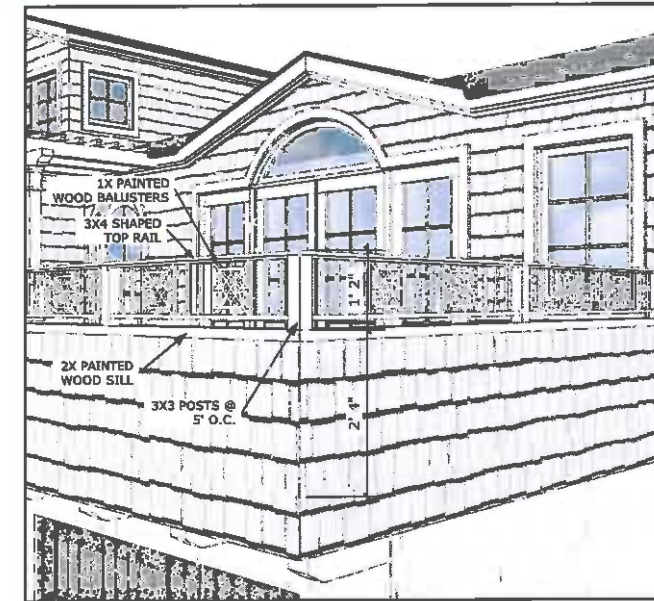
**Hayward Residence  
 Elevations (Alternate 'A')**

Revisions:  
 4/04/13 - Client Update  
 5/01/13 - Updated Plans  
 5/23/13 - Updated Plans  
 9/23/13 - Updated Plans  
 12/20/13 - Railing Sub.

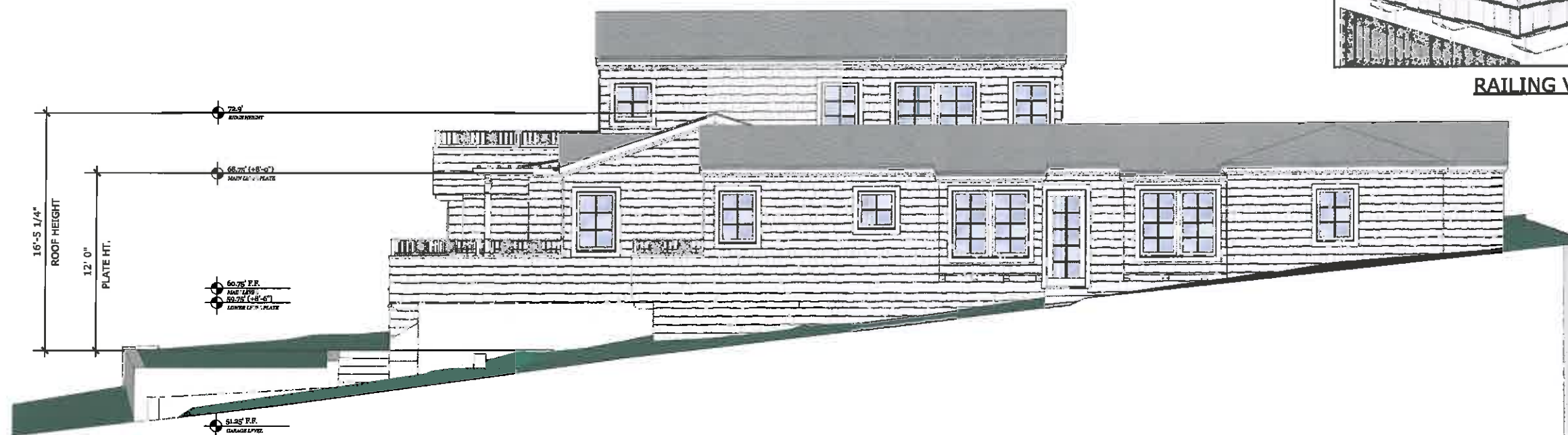
**ALT. 'A'**



**West (Front) Elevation - Carmelo**



**RAILING VIEW**



**South (Side) Elevation**

**Stocker & Allaire**  
General Contractors, Inc.  
Lic. # 504797

21 Mendocino Court Monterey, CA 93940  
831.375.1600 Fax 831.375.1480

SE Corner Carmelo and Ocean

1/4" = 1' February 05, 2013

**Hayward Residence  
Elevations (Alternate 'B')**

- Revisions:
- 4/04/13 - Client Update
  - 5/01/13 - Updated Plans
  - 5/23/13 - Updated Plans
  - 9/23/13 - Updated Plans
  - 12/20/13 - Railing Sub.

**ALT. 'B'**



CITY OF CARMEL-BY-THE-SEA

Planning Commission Report

January 23, 2014

**To:** Chair Paterson and Planning Commissioners

**From:** Rob Mullane, AICP, Community Planning and Building Director RM

**Submitted by:** Marc Wiener, Senior Planner

**Subject:** Consideration of a Design Study (DS 13-125) application for the construction of a carport in the front-yard setback of a property located in the Single-Family Residential (R-1) Zoning District

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**Recommendation:**

Approve the Design Study (DS 13-125) for the construction of a detached carport located in the front-yard setback subject to the attached findings and conditions

**Application:** DS 13-125                      **APN:** 010-263-004  
**Location:** Casanova Street five parcels southwest of Eighth Ave  
**Block:** I                                      **Lot:** 11  
**Applicant:** Joshua Stewman              **Property Owner:** Janet Blincoe

**Background and Project Description:**

The project site is located on Casanova Street five parcels southwest of Eighth Avenue and is developed with a one-story residence that is clad with stucco siding, wood windows and that contains a steep pitched wood-shingle roof. Parking for the property is currently provided by an uncovered parking pad located in the front-yard setback on the south side of the property.

The property previously shared a driveway with the neighboring property to the north, which provided access to a parking pad located in the front-yard setback of the subject property. However, on June 13, 2012, the Planning Commission approved a remodel of the subject residence that permitted the applicant to abandon the use of the shared driveway on the north side of the property and establish a new driveway on the south side of the property. (Staff notes that staff has recently determined that an uncovered parking pad is not allowed in the front-yard setback, pursuant to CMC Section 17.38.020.F.1.)

The applicant's request is to construct a 200-square foot detached carport located in the 15-foot front-yard setback. The proposed carport would be 10 feet high and would include a standing-seam copper metal roof and a wood entry gate. The proposal also includes a new front entry gate at the front of the property, new landscaping, and the removal of 120 square feet of site coverage. Staff notes that Planning Commission approval is required to locate detached parking structures in the front-yard setback.

PROJECT DATA FOR THE 4,000-SQUARE FOOT SITE:			
Site Considerations	Allowed	Existing	Proposed
Floor Area	2,400 sf	2,545 sf *	2,545 sf*
Site Coverage	556 sf (13.9%)	1,116 sf (27.9%)	996 sf (24.9%)
Trees (upper/lower)	3/1 trees	0/2 trees	0/2 trees
Ridge Height (1 <sup>st</sup> /2 <sup>nd</sup> )	18 ft.	18 ft. (main residence)	10 ft. (carport)
Plate Height (1 <sup>st</sup> /2 <sup>nd</sup> )	12 ft.	10 ft. (main residence)	7 ft. 6 in. (carport)
Setbacks	Minimum Required	Existing	Proposed
Front	15 ft.	21 ft.	0 ft. (carport)
Composite Side Yard	10 ft. (25%)	12 ft. (64.5%)	No Change
Minimum Side Yard	3 ft.	4 ft.	1.5 ft. (carport)
Rear	15 ft.	5 ft.	No Change
*Includes 200 square feet for parking			

**Staff Analysis:**

**Detached Carport:** Design Guideline 6.2 states that “*parking facilities that maintain or enhance variety along the street edge are encouraged.*” CMC 17.10.030 allows for detached garages and carports to encroach into the front- and/or side-yard setbacks if certain standards can be met. These standards include avoiding impacts on significant trees and providing diversity to the streetscape.

The subject property currently contains a parking pad in the 15-foot front-yard setback. The applicant is proposing to construct a 200-square foot detached carport in the area of the existing parking pad in order to provide covered parking. The proposed carport would be located at the front (eastern) property line and approximately 1.5 feet from the southern side

property line. Staff notes that options for locating the parking structure farther back on the site are limited in this case.

The proposed location of the carport does not appear to present significant impacts to neighboring properties, including the adjacent property to the south. The carport would be partially screened by an existing oak tree, and would be compatible with the design of the surrounding residences.

With regard to the carport design, the proposed carport would be 10 feet high and constructed of wood posts with a wood gate at the front. The applicant is proposing an “eyebrow” shaped roof design with a copper metal roof. Staff supports the proposed design and location of the carport. However, one concern is the proposal for a copper metal roof, which is further discussed in the following section of this staff report.

***Roofing Material:*** Section 9.8 of the City’s Residential Design Guidelines states the following: *Roof materials should be consistent with the architectural style of the building and with the context of the neighborhood.*

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

The carport roof has a curved “eyebrow” design that is essentially a flat roof. Staff notes that wood shingles or composition shingles do not perform well on a flat roof, and typically tar-and-gravel or cap-sheet roofing materials are used on flat-roofed structures. The applicant is proposing a copper roof for performance as an architectural feature of the carport.

As noted above, Residential Design Guideline 9.8 discourages the use of metal roofing materials. However, the City has approved a few metal roofs over the past several years with a standard being set that the roof material is a natural metal that will patina over time as opposed to a painted metal alloy. The Commission should discuss whether the proposed copper roofing material would be appropriate for the carport. Staff has requested that the applicant bring a sample of the roofing material to the meeting for the Planning Commission’s review.

**Site Coverage/Landscaping:** The site currently contains 1,116 square feet of site coverage and exceeds the allowed site coverage by 560 square feet. Staff notes that 336 square feet of site coverage is contained in the shared driveway, which is currently used by the adjacent property to the north and was abandoned by the applicant as part of the 2012 remodel project.

The City's typically requires non-conforming site coverage to be reduced as part of any development project. The applicant is proposing to remove 120 square feet of site coverage, to bring the total site coverage down to 996 square feet (660 square feet when deducting the shared driveway). Staff notes that the allowed site coverage for this site is 556 square feet. Staff could support the proposed reduction in site coverage, but the Commission should discuss whether additional site coverage should be reduced.

The site plans indicates that new drought-tolerant landscaping will be planted in the front-yard setback. Condition #4 requires that applicant to submit a final landscape plan prior to the issuance of the building permit.

**ROW Encroachment:** The public ROW at the front of the property lacks excessive pavement and appears relatively natural. However, there are several small boulders in the public ROW. A condition has been drafted requiring that the boulders be removed. Staff notes that Residential Design Guideline 1.7 states that *"only the City is authorized to add paving or boulders in the public right-of-way."*

**Environmental Review:**

The proposed project is categorically exempt from CEQA requirements, pursuant to Section 15303 (Class 3) – New Construction or Conversion of Small Structures. The inclusion of a detached carport to an existing single-family residence would qualify for this CEQA Categorical Exemption.

**ATTACHMENTS:**

- Attachment A – Site Photograph
- Attachment B – Findings for Approval
- Attachment C – Conditions of Approval
- Attachment D – Neighbor Letters
- Attachment E – Project Plans



**Attachment A – Site Photograph**

Project site facing west on Casanova



Project site facing southwest on Casanova (Note: Boulders in the public ROW)



**Attachment B – Findings for Approval**

DS 13-125 (Casanova 5 SW LLC)  
 January 23, 2014  
 Findings for Approval  
 Page 1

**FINDINGS REQUIRED FOR CONCEPT DESIGN STUDY ACCEPTANCE (CMC 17.64.8 and LUP Policy P1-45)**

For each of the required design study findings listed below, staff has indicated whether the submitted plans support adoption of the findings. For all findings checked "no" the staff report discusses the issues to facilitate the Planning Commission decision-making. Findings checked "yes" may or may not be discussed in the report depending on the issues.

<b>Municipal Code Finding</b>	YES	NO
1. The project conforms with all zoning standards applicable to the site, or has received appropriate use permits and/or variances consistent with the zoning ordinance.	✓	
2. The project is consistent with the City’s design objectives for protection and enhancement of the urbanized forest, open space resources and site design. The project’s use of open space, topography, access, trees and vegetation will maintain or establish a continuity of design both on the site and in the public right of way that is characteristic of the neighborhood.	✓	
3. The project avoids complexity using simple/modest building forms, a simple roof plan with a limited number of roof planes and a restrained employment of offsets and appendages that are consistent with neighborhood character, yet will not be viewed as repetitive or monotonous within the neighborhood context.	✓	
4. The project is adapted to human scale in the height of its roof, plate lines, eave lines, building forms, and in the size of windows doors and entryways. The development is similar in size, scale, and form to buildings on the immediate block and neighborhood. Its height is compatible with its site and surrounding development and will not present excess mass or bulk to the public or to adjoining properties. Mass of the building relates to the context of other homes in the vicinity.	✓	
5. The project is consistent with the City’s objectives for public and private views and will retain a reasonable amount of solar access for neighboring sites. Through the placement, location and size of windows, doors and balconies the design respects the rights to reasonable privacy on adjoining sites.	✓	
6. The design concept is consistent with the goals, objectives and policies related to residential design in the general plan.	✓	
7. The development does not require removal of any significant trees unless necessary to provide a viable economic use of the property or protect public health and safety. All buildings are setback a minimum of 6 feet from significant trees.	✓	

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

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

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

**Attachment C - Conditions of Approval**

DS 13-125 (Casanova 5 SW LLC)

January 23, 2014

Conditions of Approval

Page 1

<b>Approval Conditions</b>		
<b>No.</b>	<b>Standard Conditions</b>	
1.	This approval constitutes a Design Study authorizing the a detached carport in the front-yard setback of a residence located in the R-1 Zoning District. All work shall conform to the approved plans of January 23, 2014, except as conditioned by this permit.	✓
2.	The project shall be constructed in conformance with all requirements of the local R-1 zoning ordinances. All adopted building and fire codes shall be adhered to in preparing the working drawings. If any codes or ordinances require design elements to be changed, or if any other changes are requested at the time such plans are submitted, such changes may require additional environmental review and subsequent approval by the Planning Commission.	✓
3.	This approval shall be valid for a period of one year from the date of action unless an active building permit has been issued and maintained for the proposed construction.	✓
4.	All new landscaping shall be shown on a landscape plan and shall be submitted to the Department of Community Planning and Building and to the City Forester prior to the issuance of a building permit. The landscape plan will be reviewed for compliance with the landscaping standards contained in the Zoning Code, including the following requirements: 1) all new landscaping shall be 75% drought-tolerant; 2) landscaped areas shall be irrigated by a drip/sprinkler system set on a timer; and 3) the project shall meet the City's recommended tree density standards, unless otherwise approved by the City based on site conditions. The landscaping plan shall show where new trees will be planted when new trees are required to be planted by the Forest and Beach Commission or the Planning Commission.	✓
5.	Trees on the site shall only be removed upon the approval of the City Forester or Forest and Beach Commission as appropriate; and all remaining trees shall be protected during construction by methods approved by the City Forester.	✓
6.	All foundations within 15 feet of significant trees shall be excavated by hand. If any tree roots larger than two inches (2") are encountered during construction, the City Forester shall be contacted before cutting the roots. The City Forester may require the roots to be bridged or may authorize the roots to be cut. If roots larger than two inches (2") in diameter are cut without prior City Forester approval or any significant tree is endangered as a result of construction activity,	✓

	the building permit will be suspended and all work stopped until an investigation by the City Forester has been completed. Twelve inches (12") of mulch shall be evenly spread inside the dripline of all trees prior to the issuance of a building permit.	
7.	Approval of this application does not permit an increase in water use on the project site. Should the Monterey Peninsula Water Management District determine that the use would result in an increase in water beyond the maximum units allowed on a 4,000-square foot parcel, this permit will be scheduled for reconsideration and the appropriate findings will be prepared for review and adoption by the Planning Commission.	✓
8.	The applicant shall submit in writing to the Community Planning and Building staff any proposed changes to the project plans as approved by the Planning Commission on January 23, 2014, prior to incorporating changes on the site. If the applicant changes the project without first obtaining City approval, the applicant will be required to either: a) submit the change in writing and cease all work on the project until either the Planning Commission or staff has approved the change; or b) eliminate the change and submit the proposed change in writing for review. The project will be reviewed for its compliance to the approved plans prior to final inspection.	✓
9.	Exterior lighting shall be limited to 25 watts or less per fixture and shall be no higher than 10 feet above the ground. Landscape lighting shall be limited to 15 watts or less per fixture and shall not exceed 18 inches above the ground.	✓
10.	All skylights shall use nonreflective glass to minimize the amount of light and glare visible from adjoining properties. The applicant shall install skylights with flashing that matches the roof color, or shall paint the skylight flashing to match the roof color.	N/A
11.	The Carmel stone façade shall be installed in a broken course/random or similar masonry pattern. Setting the stones vertically on their face in a cobweb pattern shall not be permitted. Prior to the full installation of stone during construction, the applicant shall install a 10-square foot section on the building to be reviewed by planning staff on site to ensure conformity with City standards.	N/A
12.	The applicant shall install unclad wood framed windows. Windows that have been approved with divided lights shall be constructed with fixed wooden mullions. Any window pane dividers, which are snap-in, or otherwise superficially applied, are not permitted.	N/A
13.	The applicant agrees, at his or her sole expense, to defend, indemnify, and hold harmless the City, its public officials, officers, employees, and assigns, from any liability; and shall reimburse the City for any expense incurred, resulting from, or	✓

	in connection with any project approvals. This includes any appeal, claim, suit, or other legal proceeding, to attack, set aside, void, or annul any project approval. The City shall promptly notify the applicant of any legal proceeding, and shall cooperate fully in the defense. The City may, at its sole discretion, participate in any such legal action, but participation shall not relieve the applicant of any obligation under this condition. Should any party bring any legal action in connection with this project, the Superior Court of the County of Monterey, California, shall be the situs and have jurisdiction for the resolution of all such actions by the parties hereto.	
14.	The driveway material shall extend beyond the property line into the public right of way as needed to connect to the paved street edge. A minimal asphalt connection at the street edge may be required by the Superintendent of Streets or the Building Official, depending on site conditions, to accommodate the drainage flow line of the street.	✓
15.	This project is subject to a volume study.	✓
16.	Approval of this Design Study shall be valid only with approval of a Variance.	N/A
17.	A hazardous materials waste survey shall be required in conformance with the Monterey Bay Unified Air Pollution Control District prior to issuance of a demolition permit.	✓
18.	The applicant shall include a storm water drainage plan with the working drawings that are submitted for building permit review. The drainage plan shall include applicable Best Management Practices and retain all drainage on site through the use of semi-permeable paving materials, French drains, seepage pits, etc. Excess drainage that cannot be maintained on site, may be directed into the City's storm drain system after passing through a silt trap to reduce sediment from entering the storm drain. Drainage shall not be directed to adjacent private property.	✓
19a.	An archaeological reconnaissance report shall be prepared by a qualified archaeologist or other person(s) meeting the standards of the State Office of Historic Preservation prior to approval of a final building permit. The applicant shall adhere to any recommendations set forth in the archaeological report. All new construction involving excavation shall immediately cease if materials of archaeological significance are discovered on the site and shall not be permitted to recommence until a mitigation and monitoring plan is approved by the Planning Commission.	N/A
19b.	All new construction involving excavation shall immediately cease if cultural resources are discovered on the site, and the applicant shall notified the Community Planning and Building Department within 24 hours. Work shall not	N/A

	be permitted to recommence until such resources are properly evaluated for significance by a qualified archaeologist. If the resources are determined to be significant, prior to resumption of work, a mitigation and monitoring plan shall be prepared by a qualified archaeologist and reviewed and approved by the Community Planning and Building Director. In addition, if human remains are unearthed during excavation, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and distribution pursuant to California Public Resources Code (PRC) Section 5097.98.	
20.	Prior to the roof sheathing inspection, the applicant shall obtain a building height certification from a California licensed surveyor.	✓
<b>Special Conditions</b>		
21.	As shown on the submitted plans, the applicant shall reduce the site coverage to 120 square feet.	✓
22.	Prior to applying for a Building Permit, the applicant shall submit revised plans that show, label, and dimension where appropriate, all existing and proposed improvements on the property and in the public ROW. Fence and gate height and materials shall be noted, as well as the width of the driveway easement, type of surface materials in the driveway easement, and the width of the decomposed granite pathway (3-ft maximum in the ROW).	
23.	The applicant shall remove all boulders from the public ROW at the front of the property prior to the issuance of the building permit.	✓

\*Acknowledgement and acceptance of conditions of approval.

\_\_\_\_\_  
 Property Owner Signature

\_\_\_\_\_  
 Printed Name

\_\_\_\_\_  
 Date

V. W. (Bill) Souveroff  
Casanova Street, 4 SW of 8<sup>th</sup> Avenue  
P.O. Box 281  
Carmel, Ca 93921  
Phone: (831) 620-1848

January 15, 2014

Robert Mullane  
Planning & Building Department Director  
City of Carmel-by-the-Sea

RECEIVED

JAN 15 2014

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

RE: Casanova 5SW of 8<sup>th</sup> Ave. Carport Plans  
Design Study (DS 13-125)

Dear Mr. Mullane,

In response to the Public Notice of December 27, 2013, following are our comments to the proposed plans. We understand this will come before the Planning Commission on January 23, 2014. I had the opportunity to review the plans at the Planning Department and have seen the wood pole and orange tape setup.

My wife and I live directly to the north of the house involved. We have no fundamental problem with an addition of a carport at the south side of that house and are happy to cooperate with our new neighbor.

Because this will be the only house in our neighborhood with a detached garage or carport in the front setback, I offer the following comments and issues and assume your department would normally consider them as part of its review.

1. The carport should be located as close as possible to the south property line to minimize its visibility and prominence, and it is an obvious location sheltered just behind the tree at the street. The plans and layout would appear to try and do that and it should be assured it is done. We would be opposed to any other location significantly different than that as it would introduce major issues related to the Design Guidelines.
2. The structure style should be as minimal and non-obtrusive as possible to avoid visual mass and bulk when seen from the street, especially since it is located close to the front property line and could loom somewhat large at the street and from our house. Whatever is approved should assure that is done and fits into the neighborhood, as well.
3. The plans show a curved copper roof with copper visible from the street and certainly from our house. There is nothing like it in the neighborhood and I don't know if that is allowed. The main house roof has wood shingles and a copper roof could add too many visual styles and materials. A low pitch roof slope is highly desirable. Maybe there is another acceptable solution more compatible with the area and site.
4. I don't know if a carport entrance is allowed at the front property line and leave that to your department as to whether it is acceptable and visually appropriate so close to the street.



5. There appear to be two gates/doors at the front of the carport at the front property line. No details were shown. What they would look like as seen from the street and whether they will add a bulky look should be reviewed. Solid and full height might be too bulky. (Properly done, however, they could be a nice looking buffer from a car parked in the car port if done in a visually acceptable way.
6. There is no objection to the new smaller entry gate at the location shown. It and the added landscape areas appear fine.
7. While not part of the carport plan, I noted the fence in the front will be relocated to the front property line. There is no objection to that.
8. However, it will be important that the extension of the north side fence to the front property line be as shown on the carport plans. That is, a flaring out curving to follow the current entry access to the driveway at the north. (Generally as on Drawing A-1.1) We need the space for driving and visibility and safety reasons into and out of our driveway there. (This is noted because the three-dimensional sketch showed a straight fence at that point.)

We unfortunately will be out of town on the 23<sup>rd</sup> and unable to attend the Planning Commission meeting. In addition to your use, please assure these comments are given to the Commission.

Thank you. If there are any questions let me know.

Bill Souveroff

**Marc Wiener**

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**Subject:** FW: New Car Port Casanova Street, 5 SW of 8th

**RECEIVED**

**JAN 15 2014**

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

From: Maria Roden  
Sent: Wednesday, January 15, 2014 8:29 PM  
To: Rob Mullane  
Subject: New Car Port Casanova Street, 5 SW of 8th

I am concerned about the proposed car port structure at the above address. I hope the city will give thoughtful consideration concerning its size, style and aesthetic presence on the street. It is particularly out of character and once erected we fear will set a precedent for future unsuitable structures. We live at Casanova 3 NE of 9th. Thank you.  
Maria and Danny Roden  
Sent from my iPhone

# JANET BLINCOE RESIDENCE

## PROJECT TEAM

**OWNERS:** JANET BLINCOE  
CASANOVA, 5 SW of 8th St.  
CARMEL-BY-THE-SEA, CA 93921  
(847) 774-4958

**DESIGNER:** HOMELIFE DESIGN STUDIO - JOSHUA STEWMAN  
1042 EGAN AVE.  
PACIFIC GROVE, CA 93950  
(831) 920-8814 - joshua@homelifedesignstudio.com

**CONTRACTOR:** STEVE BLALOCK BUILDING & DESIGN  
1161 SYLVAN PLACE  
MONTEREY, CA 93940  
(831)238-2980  
CA CONTRACTORS LIC.# 528023

**STRUCTURAL ENGINEER:** PACIFIC ENGINEERING GROUP  
9699 BLUE LARKSPUR LANE, SUITE 202  
MONTEREY, CA 93940  
(831) 333-0644

## PROJECT INFORMATION

**PROPERTY ADDRESS:** CASANOVA 5 SW of 8TH ST.  
CARMEL-BY-THE-SEA, CA 93921

**ASSESSOR'S PARCEL #:** 010-263-004-000

**ZONING:** R-1  
**OCCUPANCY GROUP:** SINGLE FAMILY RESIDENTIAL  
**TYPE OF CONSTRUCTION:** TYPE 5 - WOOD FRAMED

**LOT SIZE (Sqft.):** - 4000 sqft.  
**SITE COVERAGE:** - (E) 1316 sqft. = 32.9% SITE COVERAGE (including 326 sqft easement)  
- (P) 996 sqft. = 24.9% - An 8% REDUCTION IN SITE COVERAGE  
(Still including the 326 sqft. driveway easement)

**HOUSE SIZE (Sqft.):** - (E) 2545 sqft. (previously included a parking pad)  
**HOUSE SIZE (Sqft.):** - (P) 2545 sqft. (now includes a 200' carport)

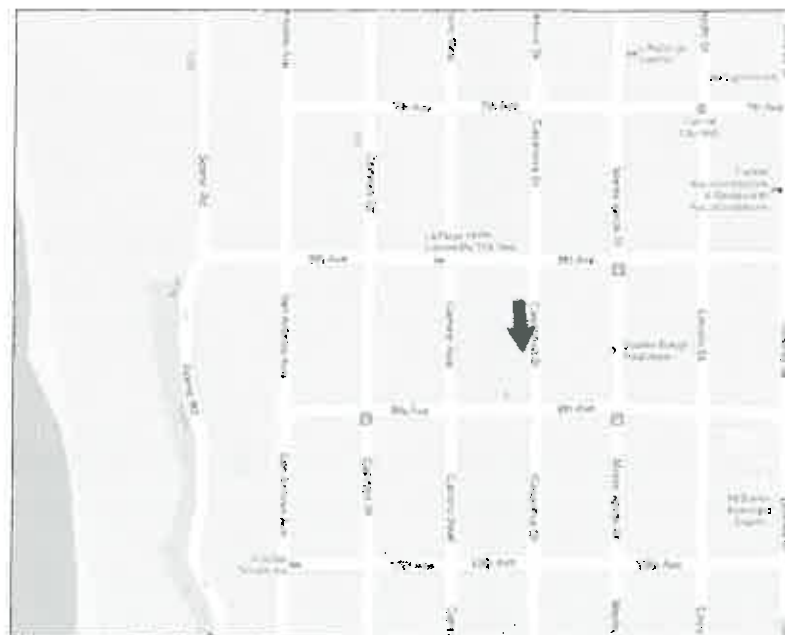
**CODE EDITIONS:** 2010 CALIFORNIA BUILDING,  
MECHANICAL, PLUMBING, ELECTRICAL,  
CFC, & 2010 CALIFORNIA ENERGY CODE

**NO TREE REMOVAL OR GRADING**

## SITE PHOTO



## SITE MAP



CARMEL-BY-THE-SEA, CA 93921

## DRAWING INDEX

ARCHITECTURAL		STRUCTURAL	
A-0.1	(E) PROJECT TITLE PAGE		
A-1.0	(E) SITE PLAN		
A-1.1	(P) SITE PLAN		
A-3.0	(P) CARPORT ELEVATIONS		
L-1	(P) FRONT YARD LANDSCAPING PLAN		

## ADDITIONAL PROJECT INFORMATION

**PROJECT DESCRIPTION:** THIS IS A NEW 200 SQFT. CARPORT FOR AN EXISTING SINGLE FAMILY RESIDENCE ON CASANOVA. CURRENTLY THERE ARE NO COVERED PARKING SPACES ON SITE. THIS PROPOSAL WOULD PROVIDE 1 COVERED PARKING SPACE AND A NEW FRONT ENTRY GATE.

## GENERAL NOTES:

- CONTRACTOR TO VERIFY ALL DIMENSIONS AND NOTIFY DESIGNER OF ANY DISCREPANCIES BEFORE PROCEEDING.
- PLUMBING PLAN AND LAYOUT TO BE SUBMITTED BY CONTRACTOR BEFORE BUILDING INSPECTION.
- ALL GLAZING SUBJECT TO HUMAN IMPACT SHALL BE TEMPERED GLASS OR WIRE SAFETY GLASS (CBC 2406.1.2.3.4).
- THIS PROJECT SHALL COMPLY WITH THE 2010 CALIFORNIA BUILDING, PLUMBING, MECHANICAL, ELECTRICAL, AND FIRE CODES, AND THE 2010 CALIFORNIA ENERGY CODE.
- THE STRUCTURAL ENGINEER OF RECORD SHALL GO ON REGULAR JOBSITE VISITS AT SIGNIFICANT CONSTRUCTION STAGES AND AT THE COMPLETION OF THE STRUCTURAL SYSTEM. AT THE CONCLUSION OF THE WORK INCLUDED IN THE PERMIT, THE STRUCTURAL OBSERVER SHALL SUBMIT TO THE BUILDING OFFICIAL A WRITTEN STATEMENT THAT SITE VISITS HAVE BEEN MADE AT KEY STAGES OF CONSTRUCTION, SHALL IDENTIFY ANY REPORTED DEFICIENCIES THAT HAVE NOT BEEN RESOLVED AND SHALL SUBMIT A DESIGN REQUIRED TO REPAIR THE DEFICIENCIES.

## FIRE DEPARTMENT NOTES:

- ALL BUILDINGS SHALL HAVE A PERMANENTLY POSTED ADDRESS WHICH SHALL BE PLACED AT EACH DRIVEWAY ENTRANCE AND VISIBLE FROM BOTH DIRECTIONS OF TRAVEL ALONG THE ROAD. IN ALL CASES, THE ADDRESS SHALL BE POSTED AT BEGINNING OF CONSTRUCTION AND SHALL BE MAINTAINED THEREAFTER AND THE ADDRESS SHALL BE VISIBLE AND LEGIBLE FROM THE ROAD ON WHICH THE ADDRESS IS LOCATED.
- SIZE OF LETTERS, NUMBERS, AND SYMBOLS FOR ADDRESS SHALL BE A MINIMUM OF 3" LETTER HEIGHT, 3/8" STROKE, CONTRASTING WITH THE BACKGROUND COLOR OF THE SIGN.

RECEIVED

DEC 31 2013

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

HOMELIFE DESIGN STUDIO



HOMELIFE  
DESIGN STUDIO

1042 EGAN AVE. • PACIFIC GROVE, CALIFORNIA 93950  
TEL: 831-920-8814 • joshua@homelifedesignstudio.com

PROJECT:

JANET BLINCOE  
RESIDENCE

CASANOVA, 5 SW of 8th St.  
CARMEL, CA 93921

APN: 010-263-004-000

PROJECT NO: 10-13

OWNER:

JANET BLINCOE  
CARMEL, CA 93921  
ph. 920-8814

SHEET TITLE:

PROJECT  
COVER PAGE

SCALE:  
NA

DRAWN BY: JOSHUA I. STEWMAN

PRINT DATE: DECEMBER 31, 2013

PLANNING PERMIT SUBMITTAL DATE: 12-31-2013

BUILDING PERMIT SUBMITTAL DATE: -

DATE ISSUED FOR CONSTRUCTION: -

REVISIONS:

FILE: VIEW:

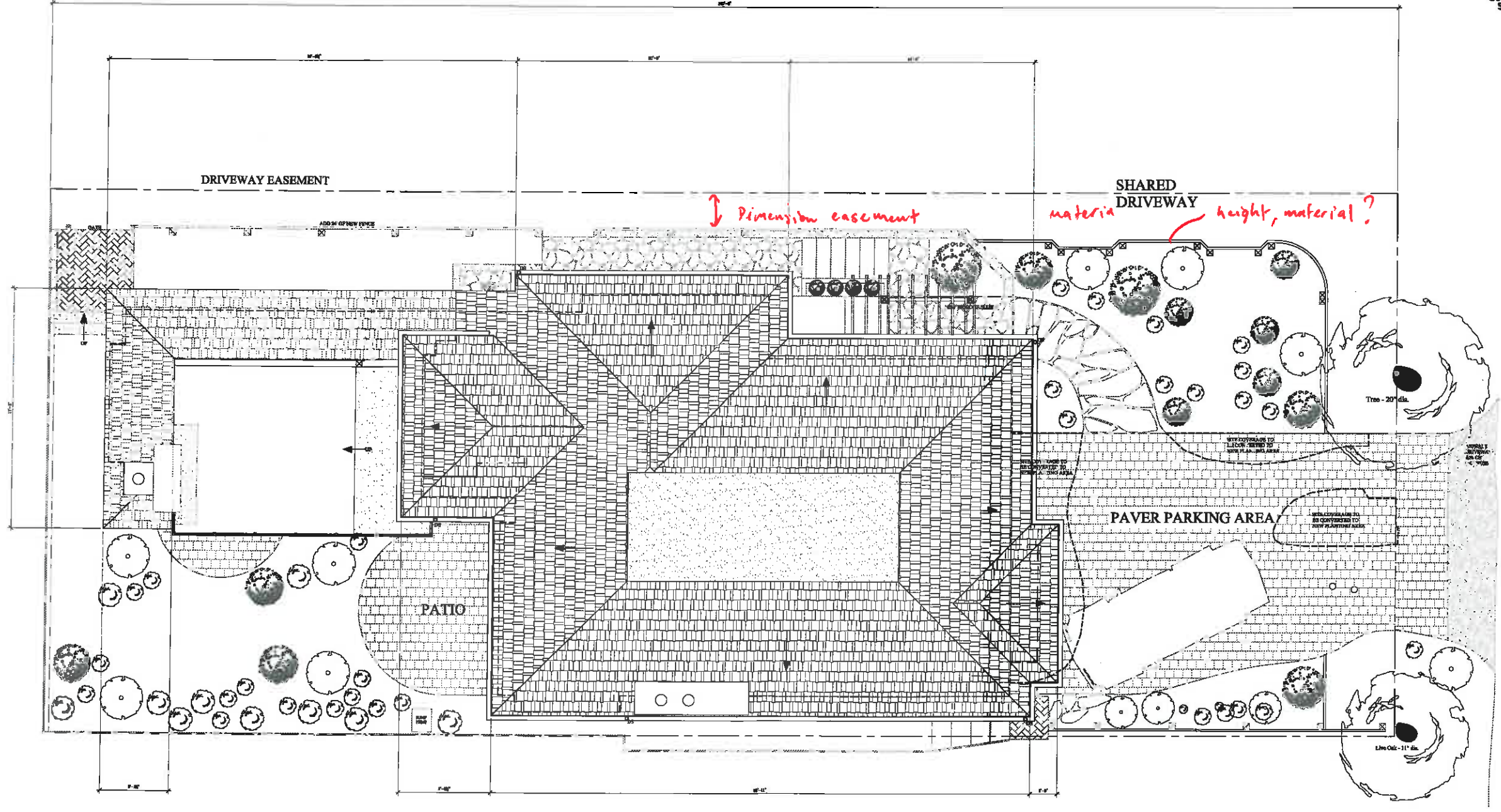
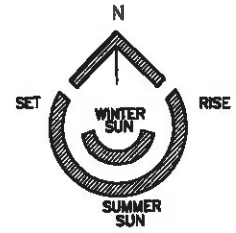
Use of this drawing and its contents is restricted to the original project and for which it was prepared. The use or reproduction by any means, in whole or in part, for purposes other than those stated in the title block, without the express written consent of the author, is prohibited.

SHEET NUMBER:

A-0.1

SHEET 1 OF 5 SHEETS

1042 EGAN AVE. • PACIFIC GROVE, CALIFORNIA 93950  
TEL: 831-920-8814 • joshua@homelifedesignstudio.com



CASANOVA AVE.

**HOMELIFE DESIGN STUDIO**

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PROJECT:  
**JANET BLINCOE RESIDENCE**  
 CASANOVA, 5 SW of 8th St.  
 CARMEL, CA 93921

APN: 010-263-004-000  
 PROJECT NO: 10-13  
 OWNER:  
 JANET BLINCOE  
 CARMEL, CA 93921  
 ph. 920-8814

SHEET TITLE:  
**(E) SITE PLAN**

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

DRAWN BY: JOSHUA I. STEWMAN  
 PRINT DATE: DECEMBER 31, 2013  
 PLANNING PERMIT SUBMITTAL DATE: 12-31-2013  
 BUILDING PERMIT SUBMITTAL DATE:  
 DATE ISSUED FOR CONSTRUCTION:

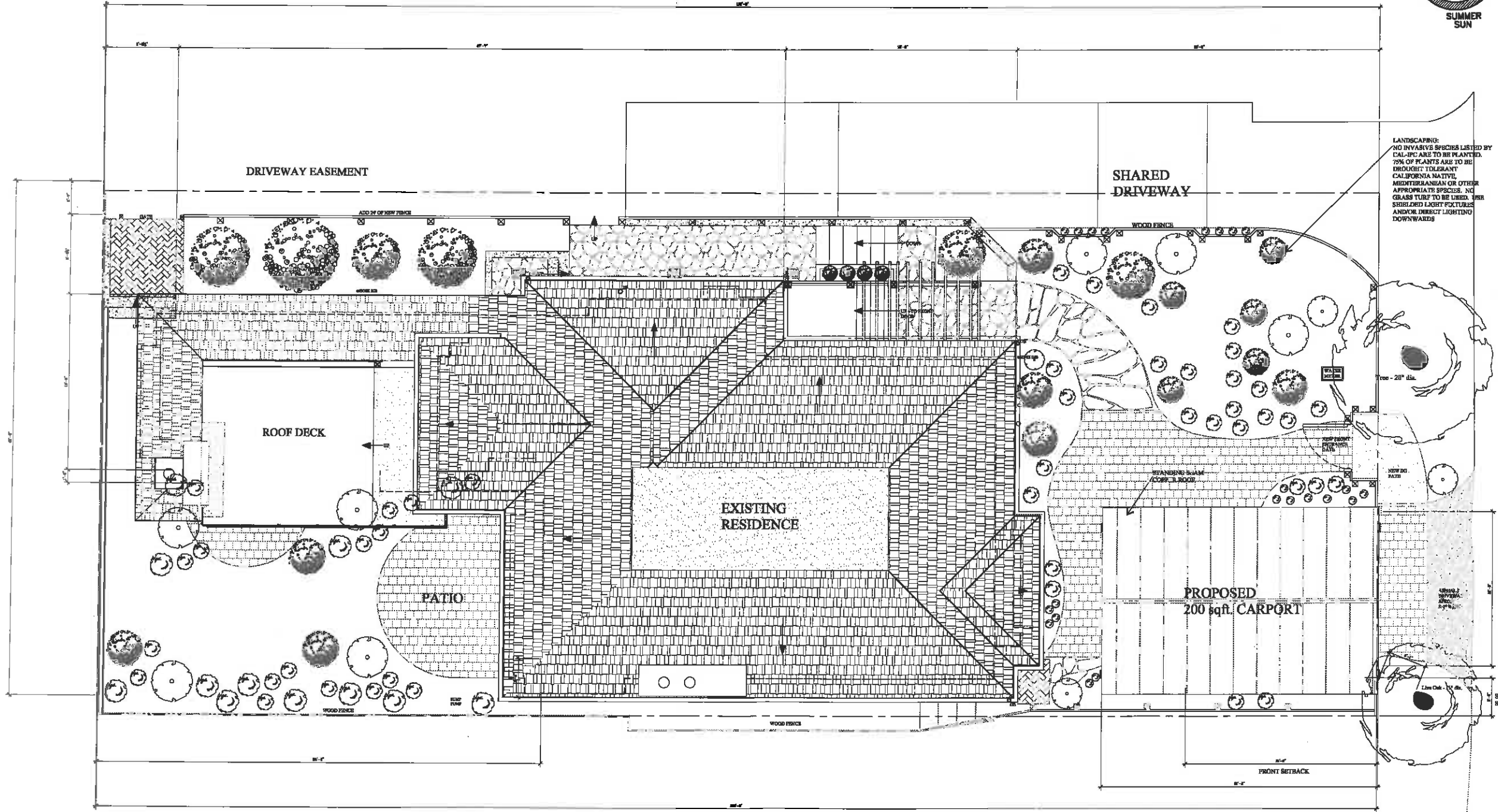
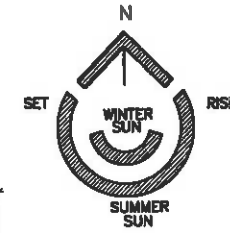
REVISIONS:

**(E) SITE PLAN**  
 ARCHITECTURAL SCALE: 1/4"=1'

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SHEET NUMBER:  
**A-1.0**  
 SHEET 2 OF 5 SHEETS



LANDSCAPING:  
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CASANOVA AVE.

HOMELIFE DESIGN STUDIO



HOMELIFE DESIGN STUDIO

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PROJECT:

**JANET BLINCOE RESIDENCE**

CASANOVA, 5 SW of 8th St.  
 CARMEL, CA 93921

APN: 010-263-004-000

PROJECT NO: 10-13

OWNER:

JANET BLINCOE  
 CARMEL, CA 93921  
 ph. 920-8814

SHEET TITLE:

**(P) SITE PLAN**

SCALE:

1/4" = 1'-0"

DRAWN BY: JOSHUA I. STEWMAN

PRINT DATE: DECEMBER 31, 2013

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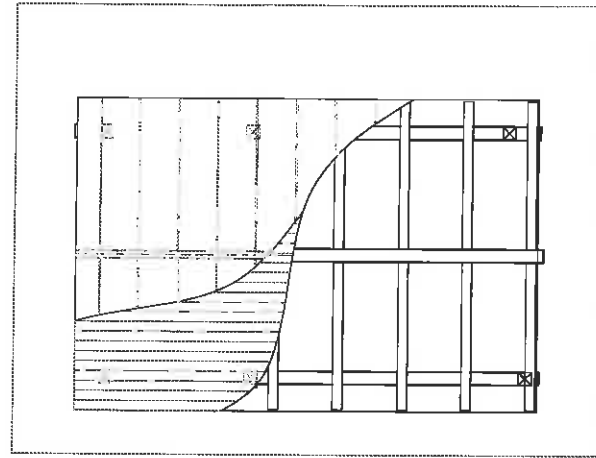


**(P) SITE PLAN**

ARCHITECTURAL SCALE: 1/4"=1'

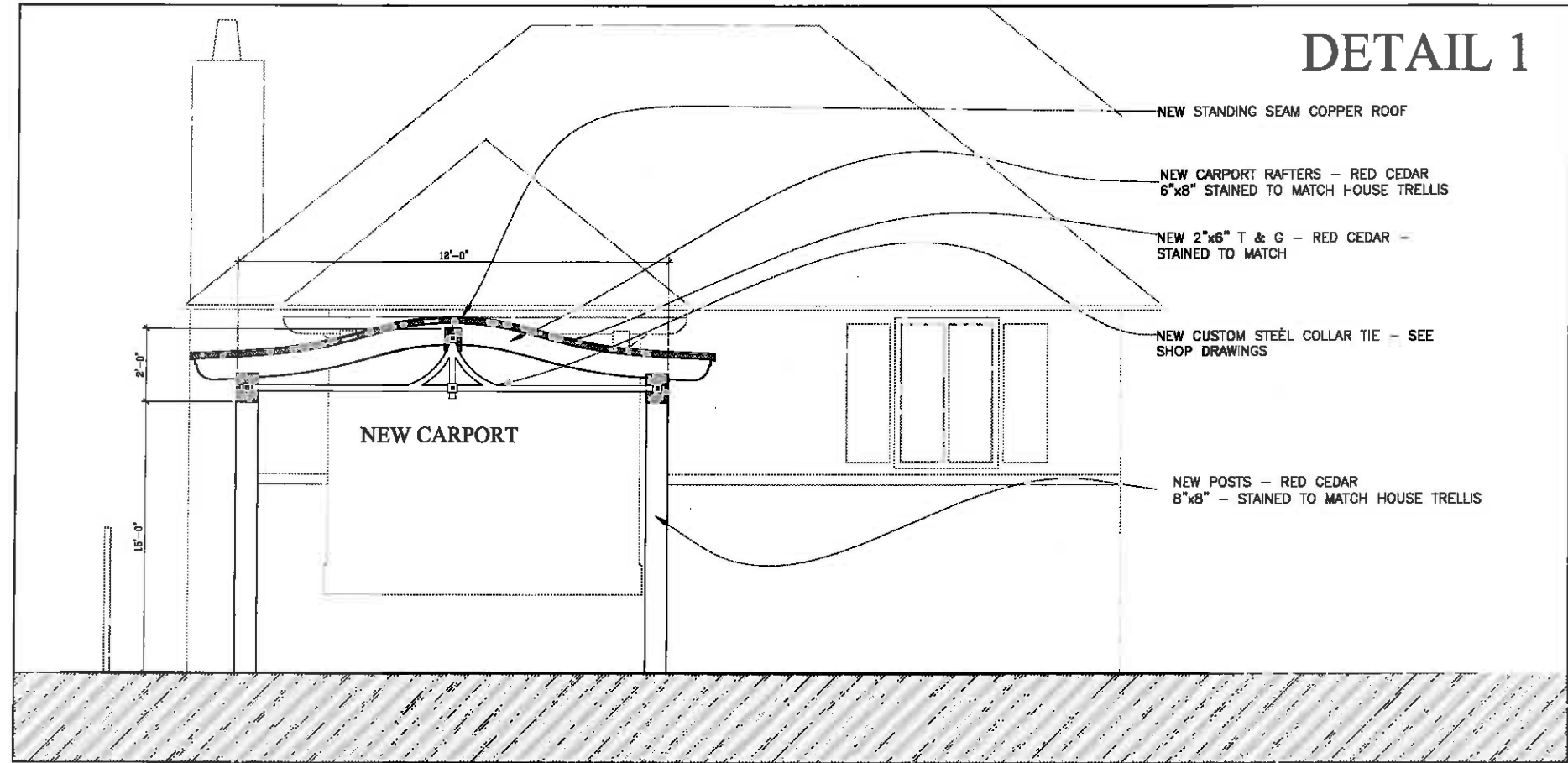


## DETAIL 2



(N) ROOF FRAMING PLAN

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



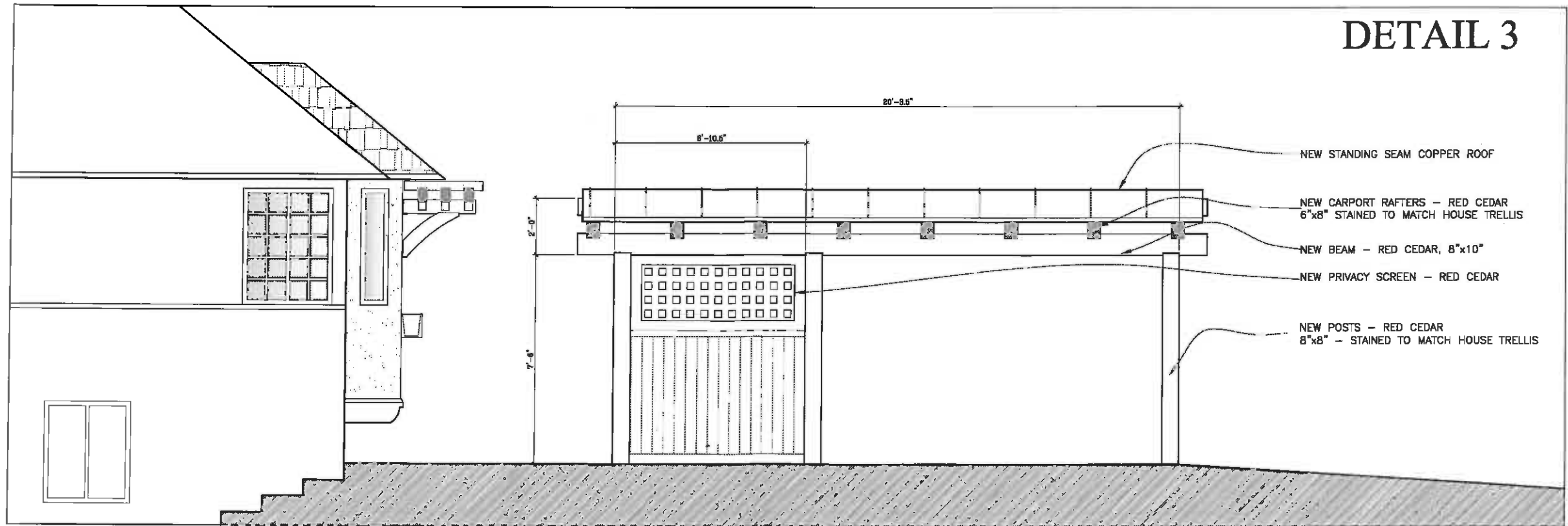
## DETAIL 1

- NEW STANDING SEAM COPPER ROOF
- NEW CARPORT RAFTERS - RED CEDAR 6"x8" STAINED TO MATCH HOUSE TRELLIS
- NEW 2"x6" T & G - RED CEDAR - STAINED TO MATCH
- NEW CUSTOM STEEL COLLAR TIE - SEE SHOP DRAWINGS
- NEW POSTS - RED CEDAR 8"x8" - STAINED TO MATCH HOUSE TRELLIS

NEW CARPORT

(N) FRONT TRELLIS DETAIL

ARCHITECTURAL SCALE: 1/2" = 1'-0"



## DETAIL 3

- NEW STANDING SEAM COPPER ROOF
- NEW CARPORT RAFTERS - RED CEDAR 6"x8" STAINED TO MATCH HOUSE TRELLIS
- NEW BEAM - RED CEDAR, 8"x10"
- NEW PRIVACY SCREEN - RED CEDAR
- NEW POSTS - RED CEDAR 8"x8" - STAINED TO MATCH HOUSE TRELLIS

(N) CARPORT - SIDE DETAIL

ARCHITECTURAL SCALE: 1/2" = 1'-0"

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PROJECT:

**JANET BLINCOE RESIDENCE**  
CASANOVA, 5 SW of 8th St.  
CARMEL, CA 93921

APN: 010-263-004-000

PROJECT NO: 10-13

OWNER:

JANET BLINCOE  
CARMEL, CA 93921  
ph. 920-8814

SHEET TITLE:

**(P) CARPORT ELEVATIONS**

SCALE:  
1/2" = 1'-0"

DRAWN BY: JOSHUA I. STEWMAN

PRINT DATE: DECEMBER 31, 2013

PLANNING PERMIT SUBMITTAL DATE: 12-31-2013

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SHEET 4 OF 5 SHEETS

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PLANT LIST - TYPE & CONTAINER SIZE

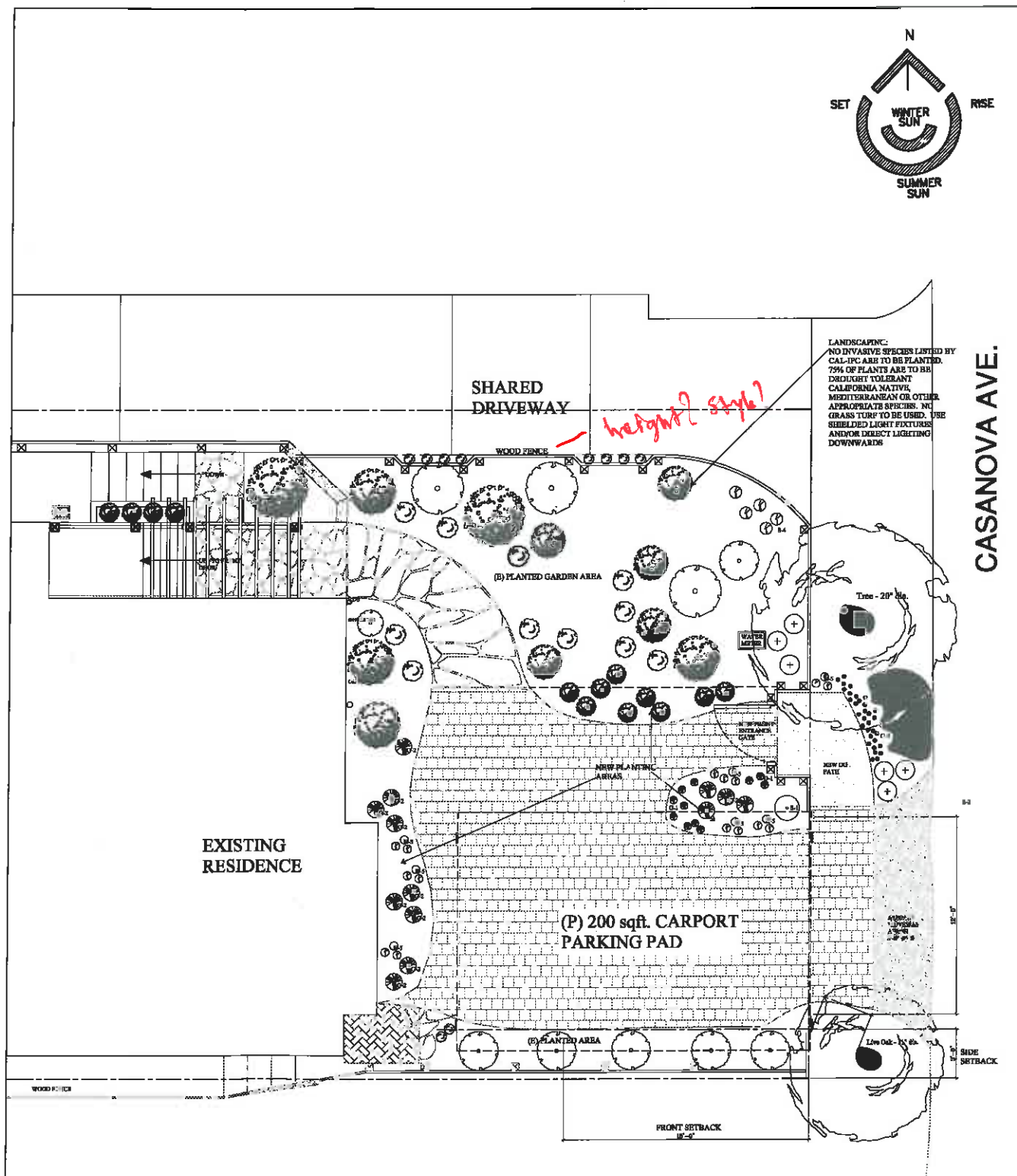
PLANT TYPE	SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY.
SHRUBS	⊙ S-1	ROSMARINUS TORCAYANUS ALT.	ROMMARY HERB	3 GALLON	1
	⊙ S-2	ROSMARINUS TORCAYANUS	ROMMARY	1 GALLON	4
	⊙ S-3	BRONXHYLLUM PACIFICUM	LEZZARD TAIL	1 GALLON	3
	⊙ S-4	LAVENDULA X INTERMEDIA 'VIVIDUS'	LAVENDER	1 GALLON	13
SHRUB COVER	⊙ S-5	ARCTOSTAPHYLOS UMBELLATA GRANDIS G. 'YANKEE POINT'	MANGONIA DUAST LILAC	1 GALLON	8
GRASSES	⊙ G-1	CAREX DENSA ALTA PAPA PLASORACULAS		QUARTS	11
	⊙ G-2	TRICHOPOGON SIMPSONIENSIS ALT. CALAMAGROSTIS HUTCHINGS	WIDE GRASS	QUARTS	4
	⊙ G-3	HELYX MOJIS HELYX COMMUNIS	MATYR DUNE GRASS	QUARTS	30

I CERTIFY THAT THIS LANDSCAPING AND IRRIGATION PLAN COMPLIES WITH ALL MONTEREY COUNTY LANDSCAPING REQUIREMENTS INCLUDING USE OF NATIVE, DROUGHT-TOLERANT, NON-INVASIVE SPECIES, LIMITED TURF, AND LOW-FLOW, WATER CONSERVING IRRIGATION FIXTURES.

THE IRRIGATION PROPOSED USES MATCHED PERCIPITATION SPRAY HEADS WITH A MAJORITY OF THE ZONES DESIGNATED AS DRIP TYPE WATER SAVING DISPERSAL. TEMPORARY WATERING SCHEMES FOR NATIVE CALIFORNIA PLANTS. THESE ZONES WILL BE REMOVED ONCE THE PLANTS ARE ESTABLISHED.

PLANTS NEAR THE BUILDING ENTRANCE ARE CHARACTERISTICALLY GARDEN ESQUE AND THEREFORE THIS HYDROZONE IS MODERATELY MORE IRRIGATED.

JOSHUA STEWMAN, LEED AP



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CASANOVA, 5 SW of 8th St. CARMEL, CA 93921

APN: 010-263-004-000

PROJECT NO: 10-13

OWNER:

JANET BLINCOE  
CARMEL, CA 93921  
ph. 920-8814

SHEET TITLE:

(P) FRONT YARD LANDSCAPING PLAN

SCALE:

1/2" = 1'-0"

DRAWN BY: JOSHUA L. STEWMAN

PRINT DATE: DECEMBER 31, 2013

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L-1

SHEET 5 OF 5 SHEETS

(P) FRONT YARD LANDSCAPING PLAN

ARCHITECTURAL SCALE: 1/2"=1'





CASANOVA 5 SW of 8th  
CARPORT PROPOSAL







FRONT PERSPECTIVE 1



FRONT PERSPECTIVE 2

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PROJECT:

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RESIDENCE

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APN: 010-263-004-000

PROJECT NO: 10-13

OWNER:

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CARMEL, CA 93921  
ph. 920-8814

SHEET TITLE:

EXTERIOR  
PERSPECTIVES

SCALE:

DRAWN BY: JOSHUA I. STEWMAN

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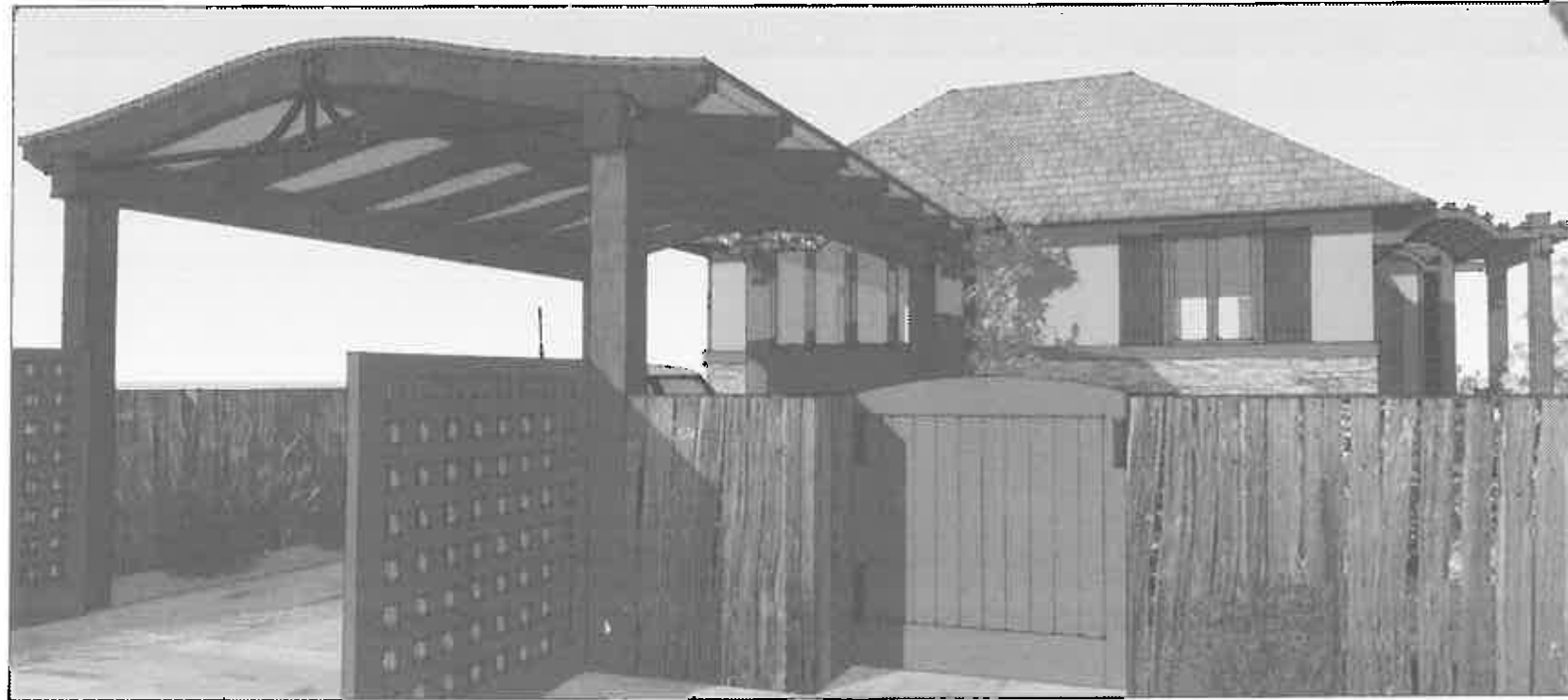
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FRONT PERSPECTIVE 3



FRONT PERSPECTIVE 4

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PROJECT:

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PROJECT NO: 10-13

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ph. 920-8814

SHEET TITLE:

EXTERIOR  
PERSPECTIVES

SCALE:

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CITY OF CARMEL-BY-THE-SEA

Planning Commission Report

January 23, 2014

**To:** Chair Dallas and Planning Commissioners

**From:** Rob Mullane, AICP, Community Planning and Building Director RM

**Submitted by:** Marc Wiener, Senior Planner

**Subject:** Consideration of Design Study (DS 13-132) and associated Coastal Development Permit and Use Permit (UP 13-23) applications for the alteration of an existing residence located in the Single-Family Residential (R-1) District

---

**Recommendation:**

Approved the Design Study (DS 13-132) and the associated Coastal Development Permit and Use Permit (UP 13-23) subject to the attached findings and conditions

**Application:** DS 13-132/UP 13-23                      **APN:** 010-154-002  
**Block:** 131    **Lots:** 5 & Northern half of 7  
**Location:** San Carlos St. 3 parcels southwest of 11th Ave.  
**Applicant:** Darren Davis                                      **Property Owners:** Mark and Becky Conger

**Background and Project Description:**

The project site is located on San Carlos Street three parcels southwest of Eleventh Avenue. The property is developed with a two-story residence that is clad with wood-shingle siding, composition-shingle roofing and unclad wood windows. There is an existing 270-square foot guesthouse with a bathroom on the lower level the residence. A Determination of Historic Ineligibility for the subject residence was issued by the Community Planning and Building Department on July 5, 2005, based on a review by the City's Historic Preservation Consultant: Kent Seavey. The Determination of Ineligibility was re-issued by Planning Staff on July 30, 2013.

The applicant is proposing to remodel and expand the existing residence. The project includes the following features:

- A 209-square foot expansion of the residence, including additions to front and rear elevations of the residence
- Addition of a new entry porch on the front elevation
- New shed-roof element above the garage to replace a 30-square foot roof-top deck
- Replacement of the glass sunroom on rear elevation with wood-shingle walls to match the existing footprint
- New 2' x 2' skylight at the rear of the residence
- Proposal to bring the site coverage into compliance by reducing it from 1,565 to 781 square feet
- Removal of certain public right-of-way (ROW) encroachments (i.e., brick pavers and landscaping rocks)

Due to the limited scope of this project, staff has scheduled this application for final review. However, if the Commission has concerns or issues that cannot be addressed at this hearing, the project could be continued to a second meeting.

<b>PROJECT DATA FOR A 6,000 SQUARE FOOT SITE:</b>			
<b>Site Considerations</b>	<b>Allowed</b>	<b>Existing</b>	<b>Proposed</b>
Floor Area	2, 460 sf (41%)	1,764 sf (29.4%)	1,973sf (32.8%)*
Site Coverage	781 sf (13%)	1,565 sf (26%)	781 sf (13%)
Trees (upper/lower)	4/3	1/12	1/12
Ridge Height (1 <sup>st</sup> /2 <sup>nd</sup> )	18 ft./24 ft.	15.5 ft./20 ft.	16 ft. 8 in./20 ft.
Plate Height (1 <sup>st</sup> /2 <sup>nd</sup> )	12 ft./18 ft.	9.5 ft./15 ft. 4 in.	11 ft. 10 in./15 ft. 4 in.
<b>Setbacks</b>	<b>Minimum Required</b>	<b>Existing</b>	<b>Proposed</b>
Front	15 ft.	26.5 ft.	24.5 ft.
Composite Side Yard	15 ft. (25%)	19.5 ft. (32.5%)	15.5 ft. (25.8%)
Minimum Side Yard	3 ft.	3.5 ft.	No Change
Rear	15 ft.	31 ft.	No Change
* Includes 200-square foot garage and 200-square foot parking pad located on driveway			

### **Staff Analysis:**

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

The site contains thirteen trees, seven of which are classified as significant. The applicant is not proposing to remove any of the trees on the property. The proposed deck at the rear of the residence would be located within the 6-foot setback of one significant tree located on the south side of the property. The City Forester has reviewed the proposal and does not have any issues, so long as the deck footings are hand excavated as required by Standard Condition #6.

The site currently contains only one upper-canopy tree. The City Forester recommends that one additional new upper-canopy tree be planted on the property. A condition of approval has been drafted regarding this recommendation.

**Privacy & Views:** Residential Design Guidelines 5.1 through 5.3 pertain to maintenance of “privacy of indoor and outdoor spaces in a neighborhood” and maintenance of “view opportunities.”

The proposed alterations to the residence are minimal and would not create any new privacy or view impacts to neighboring properties. Staff notes that the applicant is proposing to rebuild the deck at the rear of the residence at its original 188-square foot size, and near the original location. Staff notes no privacy impacts posed by the reconstruction of the deck.

The applicant is also proposing to expand the rear dining room, which includes two new windows on the south elevation. The size and location of the windows do not appear to pose impacts on the privacy of the adjacent property to the south.

**Mass & Bulk:** Residential Design Guidelines 7.1 through 7.5 encourage a building’s mass to relate “to the context of other homes nearby” and to “minimize the mass of a building as seen from the public way or adjacent properties.” Residential Design Guideline 7.6 states to “avoid design treatments that produce a top-heavy appearance such as large cantilevered building elements.”

The applicant is proposing to expand the residence by 209 square feet. The proposed additions are primarily at the rear of the residence and would not increase the appearance of building mass to the street. Staff notes that the residence would still be 487 square feet below the allowed floor area with the proposed additions.

***Building & Roof Form:*** Residential Design Guidelines 8.1 through 8.3 states that *"building forms should be simple. Basic rectangles, L or U-shapes are typical" and "basic gable and hip roofs are traditional and their use is encouraged" and "in general, moderately pitched roofs (4:12 to 6:12) are preferred."*

In staff's opinion, the applicant has done a nice job of integrating the additions into the existing residence without creating a "busy" or complicated appearance. The additions would have a gabled roof design with an 8.5:12 pitch to match the existing residence.

***Finish Materials:*** Residential Design Guideline 9.4 states that *"when design details and surface materials are selected, they should be used throughout the full exterior of the building to maintain consistency."*

The applicant is proposing wood-shingle siding, composition-shingle roofing, and unclad wood windows and doors to match the existing residence. Staff notes that the proposal to replace the sunroom with wood-shingle walls is more consistent with the existing materials and architectural style of the residence. The proposed use of finish materials is consistent with Residential Design Guideline 9.4.

***Site Coverage/Landscaping:*** The applicant is proposing to reduce the site coverage from 1,565 to 781 square feet to bring the property into compliance with the allowed site coverage. A special condition has been drafted requiring that the site coverage be brought into compliance as indicated on the plans.

With regard to landscaping, the project plans note that the site is currently landscaped with mature shrubs, ground cover and trees. The applicant has noted that the existing landscaping will be protected during construction. Standard Condition #4 requires the applicant to submit a landscape plan prior to the issuance of a building permit. For this project, the landscape plan would document what is currently on the property as well as what is proposed in the public ROW along San Carlos Street. The City Forester and Community Development Director will evaluate the landscape plan to determine if it is consistent with City standards.

***Guesthouse Use Permit:*** Pursuant to CMC 17.08.050.C, guesthouses are permitted on sites of 6,000 square feet or greater and are not allowed to have any cooking facilities. The approval of a residential Use Permit is required for the authorization of a guesthouse. Pursuant to CMC 17.68.030, a guesthouse is defined as: *“An attached or detached residential dwelling unit without kitchen or cooking facilities...Guesthouses that are attached to the primary dwelling are not required to have inter-accessibility with the primary dwelling.”*

There is currently a 270-square foot finished area on the lower level of the residence that contains a bedroom, sunroom, and full bathroom and that is not inter-accessible with the main residence. The lower-level room qualifies as a guesthouse as defined by CMC 17.68.030. Construction of the room was permitted in 1985 through Building Permit #85-53. However, a Residential Use Permit was not first secured for the guesthouse prior to issuance of the Building Permit.

As part of the proposal to alter the existing residence, the applicant is required to obtain a Residential Use Permit (UP 13-23) for the guesthouse. Staff notes that the guesthouse would be maintained at its approximate size of 270 square feet. The bathroom would be maintained at its existing location in the guesthouse, but would be slightly expanded to add a new sink. The applicant is proposing to rebuild the sunroom that is attached to the guesthouse with wood-shingle walls.

Residential Use Permit findings have been prepared for the Planning Commission’s consideration. A special condition has been drafted that the guesthouse not be used as a subordinate unit.

***Guesthouse Parking:*** CMC Section 17.10.030.F states: *“On-Site Parking Requirements. Required parking spaces shall be provided by a garage, carport or parking pad measuring at least 10 feet by 20 feet having practical ingress and egress for a vehicle. Tandem parking is allowed in this district. All required parking shall be provided on-site and shall be counted as floor area and exterior volume.”* This section of the code also requires one parking space per guesthouse.

The applicant is proposing to designate a second off-street parking space on the driveway, in tandem with the garage. As indicated in the above code section, tandem parking is permitted in the Single-Family Residential (R-1) Zoning District. Given the constraints of providing a second off-street parking space on the site, staff supports the proposed tandem parking

arrangement. Staff notes that the data table on the project plans includes 200 square feet of floor area for the guesthouse parking space.

**Public ROW:** With regard to the public ROW, Residential Design Guideline 1.7 states that *“natural soil, shredded bark and wood chips are preferred surface materials. Gravel is prohibited”* and *“only the City is authorized to add paving or boulders in the public right-of-way.”*

The public ROW at the front of the property contains a 6-inch high rock-wall planter, a concrete pathway, landscaping, and gravel. Photographs in of the public ROW at the front of the property are included as Attachment A.

The project plans include a proposal to remove certain identified public ROW encroachments “in accordance with City standards.” The applicant is proposing to remove the rock-wall planter and brick-paver walkway located in the public ROW. Staff also recommends that the applicant also remove the gravel from the public ROW, which can be replaced with shredded bark or wood chips as encouraged by the Residential Design Guideline 1.7. A condition has been drafted requiring that the encroachments and gravel be removed. A separate condition has been drafted requiring that the applicant make any appropriate changes to the existing landscaping or secure an encroachment permit for retention of landscaping that is not determined by staff to be informal and drought-tolerant.

#### **Environmental Review:**

The proposed project is categorically exempt from CEQA requirements, pursuant to Section 15301 (Class 1) – Existing Facilities.

#### **ATTACHMENTS:**

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



**Attachment A – Site Photographs**

**Project site facing west on San Carlos Street**



**Public ROW at front of the property on San Carlos Street**



Rear of the property facing east



## Attachment B – Findings for Approval

DS 13-132/UP 13-23 (Conger)

January 23, 2014

Findings for Approval

Page 1

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

8. The proposed architectural style and detailing are simple and restrained in character, consistent and well integrated throughout the building and complementary to the neighborhood without appearing monotonous or repetitive in context with designs on nearby sites.	✓	
9. The proposed exterior materials and their application rely on natural materials and the overall design will as to the variety and diversity along the streetscape.	✓	
10. Design elements such as stonework, skylights, windows, doors, chimneys and garages are consistent with the adopted Design Guidelines and will complement the character of the structure and the neighborhood.	✓	
11. Proposed landscaping, paving treatments, fences and walls are carefully designed to complement the urbanized forest, the approved site design, adjacent sites, and the public right of way. The design will reinforce a sense of visual continuity along the street.	✓	
12. Any deviations from the Design Guidelines are considered minor and reasonably relate to good design principles and specific site conditions.	✓	
<b>Use Permit - General Findings (Guesthouse)</b>		
13. The proposed use is not in conflict with the General Plan.	✓	
14. The proposed use will comply with all applicable zoning standards.	✓	
15. The granting of the Use Permit will not set a precedent for the approval of similar uses whose incremental effect will be detrimental to the City, or will be in conflict with the General Plan.	✓	
16. The proposed use will not make excessive demands on the provision of public services, including water supply, sewer capacity, energy supply, communication facilities, police protection, street capacity and fire protection.	✓	
17. The proposed use will not be injurious to public health, safety or welfare and provides adequate ingress and egress.	✓	
18. The proposed use will be compatible with surrounding land uses and will not conflict with the purpose established for the district within which it will be located.	✓	
19. The proposed use will not generate adverse impacts affecting health, safety, or welfare of neighboring properties or uses.	✓	
<b>Coastal Development Findings (CMC 17.64.B.1):</b>		
20. Local Coastal Program Consistency: The project conforms with the certified Local Coastal Program of the City of Carmel-by-the Sea.	✓	
21. Public access policy consistency: The project is not located between the first	✓	

public road and the sea, and therefore, no review is required for potential public access.		
--	--	--

## Attachment C – Conditions of Approval

DS 13-132/UP 13-23 (Conger)

January 23, 2014

Conditions of Approval

Page 1

Approval Conditions		
No.	Standard Conditions	
1.	This approval constitutes Design Study, Coastal Development Permit, and Use Permits authorizing the alterations to an existing residence. All work shall conform to the approved plans of January 23, 2014 except as conditioned by this permit.	✓
2.	The project shall be constructed in conformance with all requirements of the local R-1 zoning ordinances. All adopted building and fire codes shall be adhered to in preparing the working drawings. If any codes or ordinances require design elements to be changed, or if any other changes are requested at the time such plans are submitted, such changes may require additional environmental review and subsequent approval by the Planning Commission.	✓
3.	This approval shall be valid for a period of one year from the date of action unless an active building permit has been issued and maintained for the proposed construction.	✓
4.	All new landscaping shall be shown on a landscape plan and shall be submitted to the Department of Community Planning and Building and to the City Forester prior to the issuance of a building permit. The landscape plan will be reviewed for compliance with the landscaping standards contained in the Zoning Code, including the following requirements: 1) all new landscaping shall be 75% drought-tolerant; 2) landscaped areas shall be irrigated by a drip/sprinkler system set on a timer; and 3) the project shall meet the City's recommended tree density standards, unless otherwise approved by the City based on site conditions. The landscaping plan shall show where new trees will be planted when new trees are required to be planted by the Forest and Beach Commission or the Planning Commission.	✓
5.	Trees on the site shall only be removed upon the approval of the City Forester or Forest and Beach Commission as appropriate; and all remaining trees shall be protected during construction by methods approved by the City Forester.	✓
6.	All foundations within 15 feet of significant trees shall be excavated by hand. If any tree roots larger than two inches (2") are encountered during construction, the City Forester shall be contacted before cutting the roots. The City Forester may require the roots to be bridged or may authorize the roots to be cut. If roots larger than two inches (2") in diameter are cut without prior City Forester approval or any significant tree is endangered as a result of construction activity, the building permit will be suspended and all work stopped until an investigation	✓

	by the City Forester has been completed. Twelve inches (12") of mulch shall be evenly spread inside the dripline of all trees prior to the issuance of a building permit.	
7.	Approval of this application does not permit an increase in water use on the project site. Should the Monterey Peninsula Water Management District determine that the use would result in an increase in water beyond the maximum units allowed on a 6,000-square foot parcel, this permit will be scheduled for reconsideration and the appropriate findings will be prepared for review and adoption by the Planning Commission.	✓
8.	The applicant shall submit in writing to the Community Planning and Building staff any proposed changes to the project plans as approved by the Planning Commission on January 23, 2014, prior to incorporating changes on the site. If the applicant changes the project without first obtaining City approval, the applicant will be required to either: a) submit the change in writing and cease all work on the project until either the Planning Commission or staff has approved the change; or b) eliminate the change and submit the proposed change in writing for review. The project will be reviewed for its compliance to the approved plans prior to final inspection.	✓
9.	Exterior lighting shall be limited to 25 watts or less per fixture and shall be no higher than 10 feet above the ground. Landscape lighting shall be limited to 15 watts or less per fixture and shall not exceed 18 inches above the ground.	✓
10.	All skylights shall use nonreflective glass to minimize the amount of light and glare visible from adjoining properties. The applicant shall install skylights with flashing that matches the roof color, or shall paint the skylight flashing to match the roof color.	✓
11.	The Carmel stone façade shall be installed in a broken course/random or similar masonry pattern. Setting the stones vertically on their face in a cobweb pattern shall not be permitted. Prior to the full installation of stone during construction, the applicant shall install a 10-square foot section on the building to be reviewed by planning staff on site to ensure conformity with City standards.	N/A
12.	The applicant shall install unclad wood framed windows. Windows that have been approved with divided lights shall be constructed with fixed wooden mullions. Any window pane dividers, which are snap-in, or otherwise superficially applied, are not permitted.	✓
13.	The applicant agrees, at his or her sole expense, to defend, indemnify, and hold harmless the City, its public officials, officers, employees, and assigns, from any liability; and shall reimburse the City for any expense incurred, resulting from, or	✓

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



	Community Planning and Building Department within 24 hours. Work shall not be permitted to recommence until such resources are properly evaluated for significance by a qualified archaeologist. If the resources are determined to be significant, prior to resumption of work, a mitigation and monitoring plan shall be prepared by a qualified archaeologist and reviewed and approved by the Community Planning and Building Director. In addition, if human remains are unearthed during excavation, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and distribution pursuant to California Public Resources Code (PRC) Section 5097.98.	
	<b>Special Conditions</b>	
20.	The applicant shall plant one upper-canopy tree of substantial size and caliber and of a species approved by the City Forester. The location, size, and species of this tree shall be noted on a revised landscape plan, and this plan shall be submitted with the Building Permit application plan set. Prior to issuance of the Certificate of Occupancy the trees shall be planted on site located approximately 10 feet from any building.	✓
21.	Prior to issuance of the Certificate of Occupancy the applicant shall remove 784 square feet of site coverage as indicated on the approved plans.	✓
22.	Prior to issuance of a Building Permit, the applicant shall submit revised landscape plans for review by the City Forester and Community Planning and Building Director. The revised plans shall be submitted with the Building Permit application plan set and shall indicate removal of the gravel in the City ROW and replacement with shredded bark or wood chips as well as the type of plants that are proposed to be retained.	✓
23.	The guesthouse shall not be used as a subordinate unit as defined in CMC 17.68.	✓

\*Acknowledgement and acceptance of conditions of approval.

\_\_\_\_\_  
 Property Owner Signature

\_\_\_\_\_  
 Printed Name

\_\_\_\_\_  
 Date

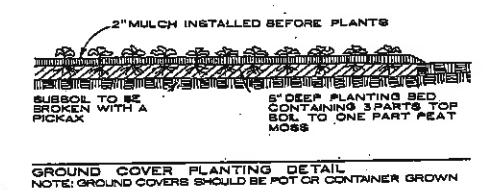
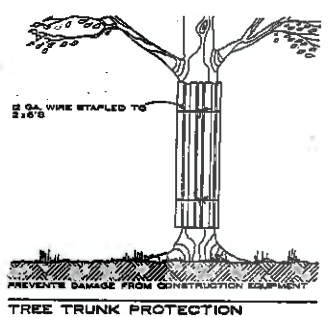
REVISIONS	BY
10-24-13	D
10-31-13	D
11-15-13	D
12-14-13	D

**PLAN INDEX**

SHEET	DESCRIPTION
A1	PROPOSED SITE PLAN
A2	EXISTING FLOOR PLANS
A3	EXISTING ROOF PLAN AND EXT. ELEVATIONS
A4	PROPOSED FLOOR PLANS
A5	PROPOSED ROOF PLAN AND EXT. ELEVATIONS
A6	FLOOR LEVEL MAP
A7	STREET ELEVATIONS
C1	EXISTING SITE PLAN WITH TAKE DOWN
1	EXISTING SURVEY MAP

**LANDSCAPE NOTES**

- EXISTING SITE IS FULLY LANDSCAPED WITH MATURE SHRUBS, GROUND COVER, AND TREES. OWNER SHALL PROTECT AND MAINTAIN LANDSCAPING DURING CONSTRUCTION.
- ANY SHRUBS OR GROUND COVER DAMAGED DURING CONSTRUCTION SHALL BE REMOVED AND REPLANTED WITH LIKE PLANTS. PLANTING SHALL BE AS STATED BELOW.
- SHRUB PLANTING HOLES TO BE TWO TIMES THE SIZE OF THE CONTAINER DIAMETER AND 3" DEEPER. BACKFILL WITH ONE PART NATIVE SOIL AND ONE PART NITROGENIZED ORGANIC AMENDMENTS. FIRM PLANT SOIL AND WATER SOAK IN MINIMAL BASINS AT PLANTS.
- APPLY SLOW RELEASE FERTILIZER 16-8-8 TO ENTIRE PLANTED SITE. APPLY PRE-EMERGENT WEED CONTROL AFTER PLANTING PER MANUFACTURERS RECOMMENDATIONS.
- INSTALL DRIP IRRIGATION ON ALL PLANTED AREAS IN ACCORDANCE WITH MANUFACTURER AND LOCAL CODES. NATURAL UN-PLANTED AREAS NEED NOT BE IRRIGATED.
- INSTALL AN IRRIGATION TIME CLOCK AND RAIN SENSOR PER LOCAL CODES.
- WATERING SCHEDULE SHALL CONFORM WITH LOCAL CODES.
- EXISTING NON-CONFORMING PAVED AREAS SHALL BE REMOVED IN ACCORDANCE WITH PLANS. BARE GROUND SHALL BE COVERED WITH TOP SOIL AND 3" OF NATURAL WOOD MULCH FROM NATIVE TREES.



**FLOOD AREA RATIO (MAX 2400 SF)**

MAIN FLOOR: EXIST'G	1000 SF
ADDITIONS	209
LOWER FLOOR-EXIST'G GARAGE	294
EXIST'G GUEST RM	270
EXIST'G GUEST PARKING	200
<b>TOTAL</b>	<b>1973</b>
<b>LOT AREA</b>	<b>2000</b>

98.7%

**VOLUME AT ADDITIONS**

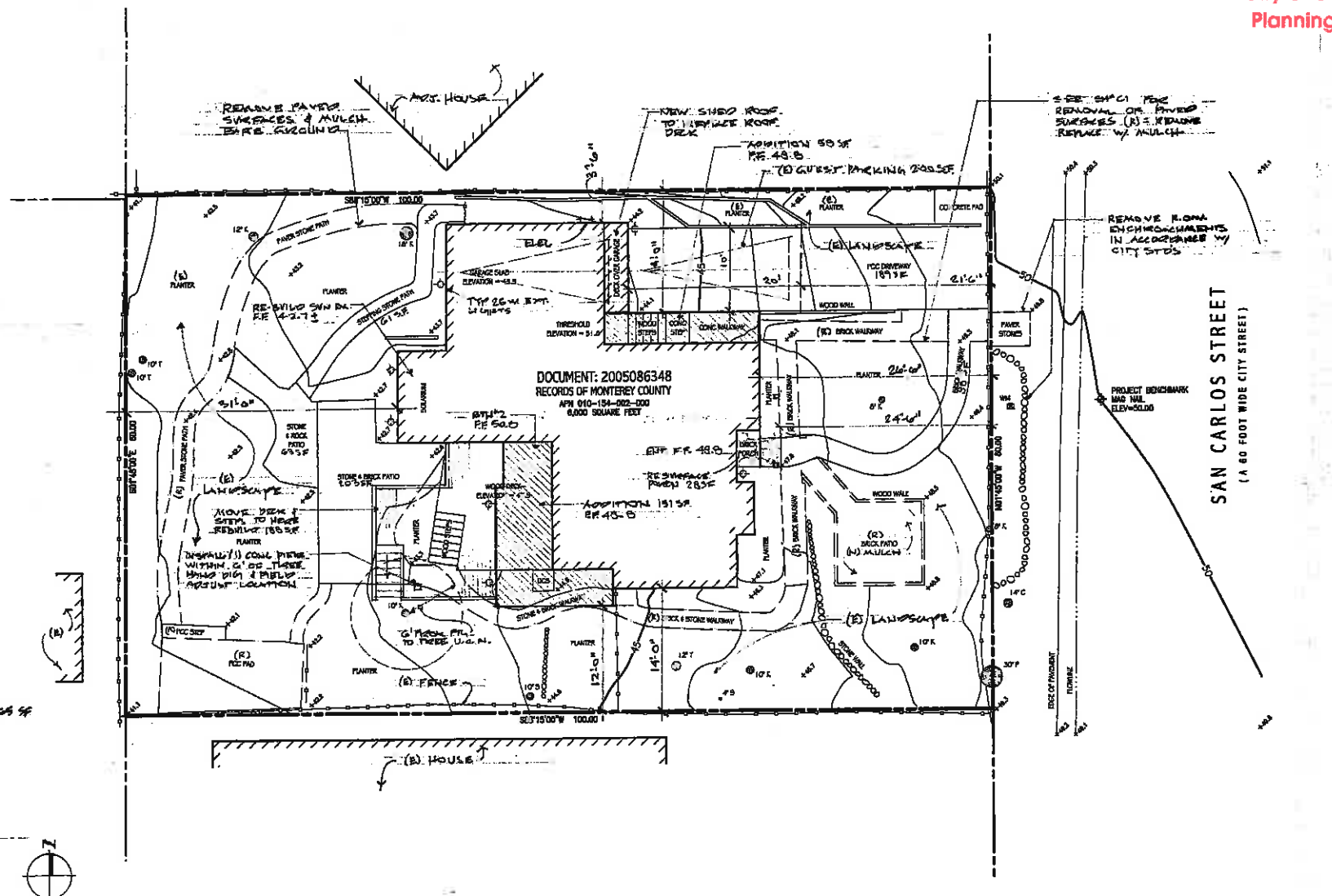
MAXIMUM BASE FLOOR AREA	2400 SF
EXISTING FLOOR AREA & PARKING	1764
AVAILABLE FLOOR AREA FOR ADDITIONS	636 SF
AVAILABLE VOLUME FROM 12 X 6 IN. UNIFORM VOLUME	8,352 CF
PROPOSED VOLUME TO BE USED (SEE SH-10)	2,473 CF
UNIFORM VOLUME	4,879 CF

**LAND COVERAGE**

LAND COVERAGE MUST BE REDUCED TO 70% S.F.

DESCRIPTION	TO REMAIN	TO REMOVE
CONC. DR. & DR. WALK	189	58
NORTH SIDE WALK	0	100
RET. DRIVE WALK/PORCH	116	94
SOUTH SIDE WALK	0	12
REAR DRIVE PATIO	203	35
REAR COUL PATIO	0	15
REAR PAVED WALK	0	15
REAR STONE WALK	0	15
REAR DRIVE (RE-BUILD)	61	188
<b>TOTAL</b>	<b>781 SF</b>	<b>784 SF = (6)1504 SF</b>

- NOTES**
- NO FILL, NO EXCAVATION
  - NO CHANGE TO SITE DRAINAGE
  - EXIST'G LAND COVERAGE 1869 SF
  - (R) = REMOVE



**RECEIVED**

JAN 14 2014


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

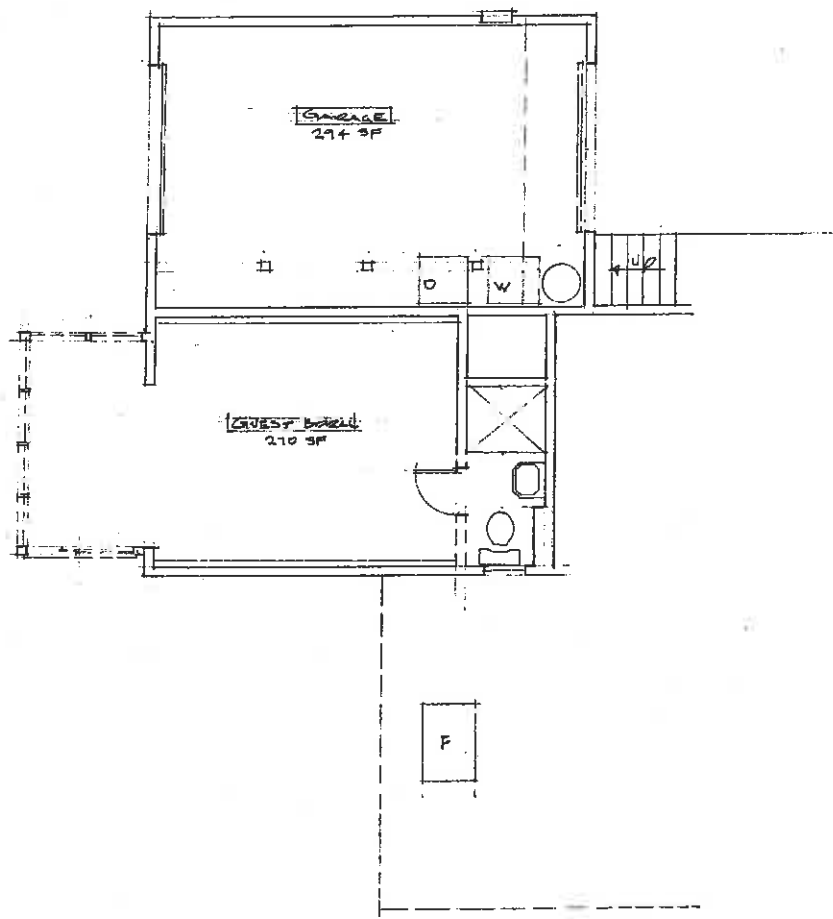
BLDG DESIGN & CONSULTANTS  
**draft**  
2180 GARDEN RD., SUITE 83 / MONTEREY, CA 93940 / (831) 466-5965 / FAX 466-5988

**CONGER RESIDENCE**  
SAN CARLOS STREET, 3 S.W. OF ELEVENTH  
CARMEL-BY-THE-SEA, CALIFORNIA  
APN: 010-154-002-000  
LOT 5 AND THE NORTH 1/2 OF LOT 7, BLOCK 131

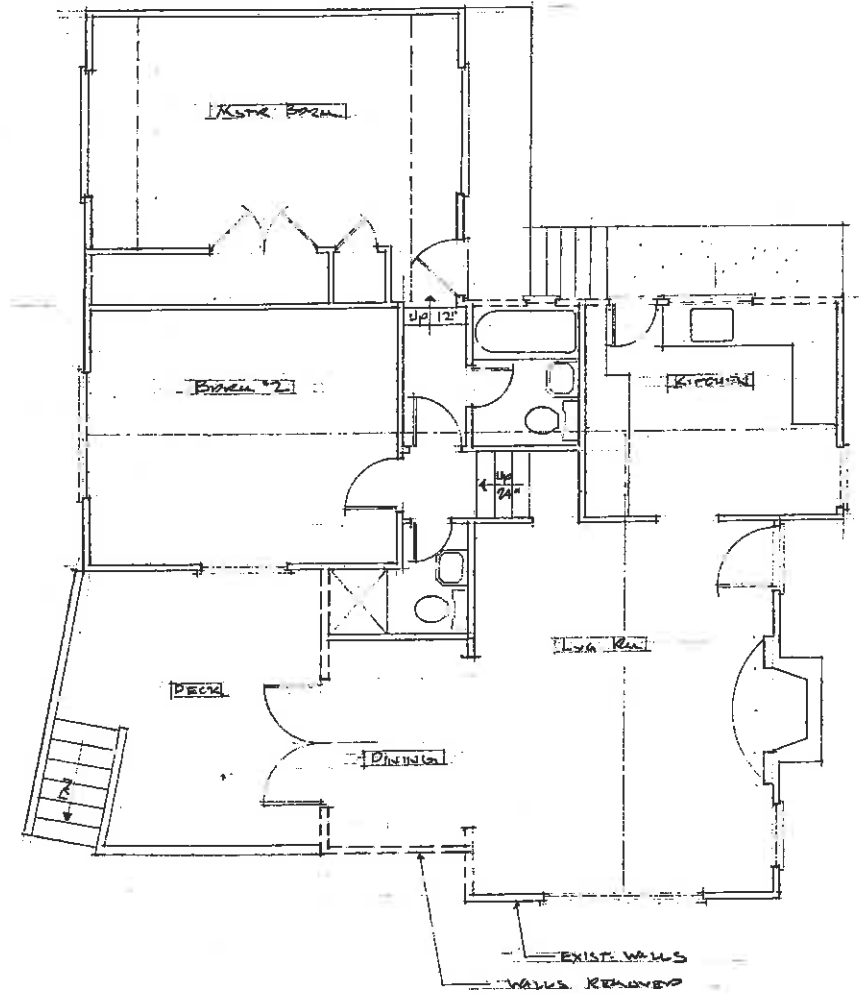
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OF: 3 Sheets

REVISIONS	BY
10-23-13	D
10-31-13	D
11-15-13	D
12-14-13	D


  
 BUILDING DESIGN & CONSULTING
   
 2100 GARDEN RD., SUITE 50 / MONTEREY, CA 95040 / (831) 464-6868 / FAX 831-464-6868




EXIST. LWR. FLOOR PLAN 1/4"=1'-0"



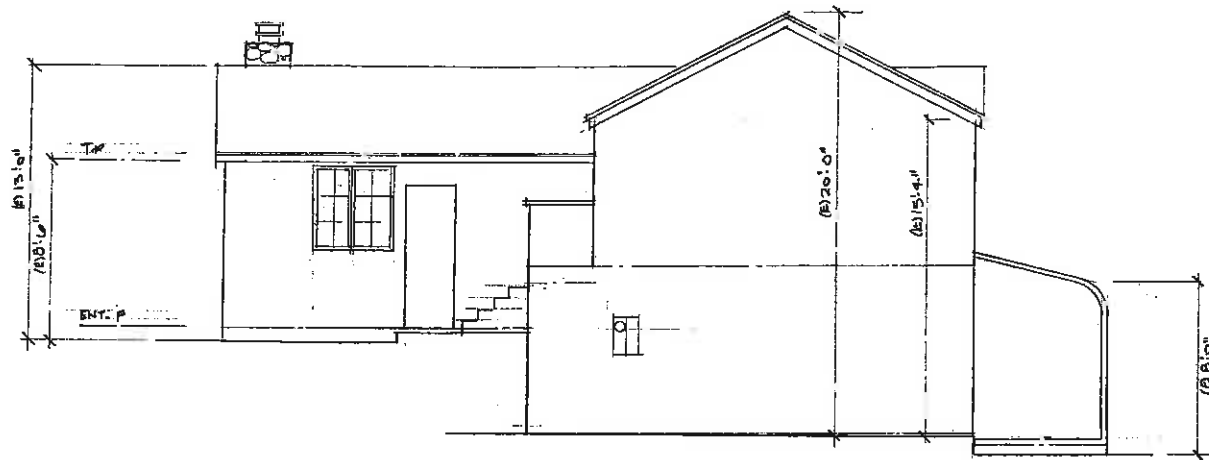
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WALL LEGEND
   
 EXIST. WALLS
   
 WALLS REMOVED

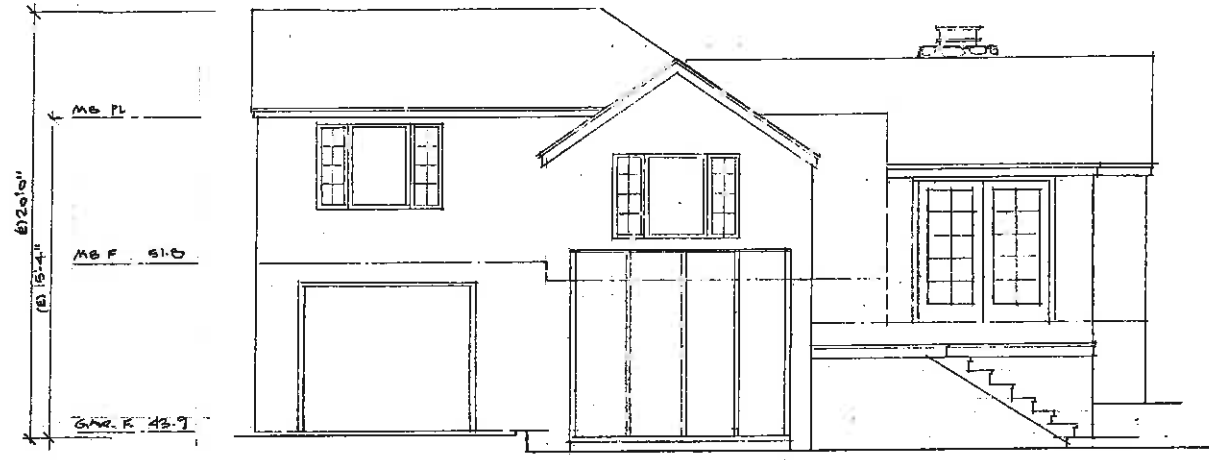


**CONGER RESIDENCE**  
 SAN CARLOS STREET, 3 S.W. OF ELEVENTH  
 CARMEL-BY-THE-SEA, CALIFORNIA  
 APN: 010-154-002-000 PH: 858 395-8548  
 LOT 5 AND THE NORTH 1/2 OF LOT 7, BLOCK 131

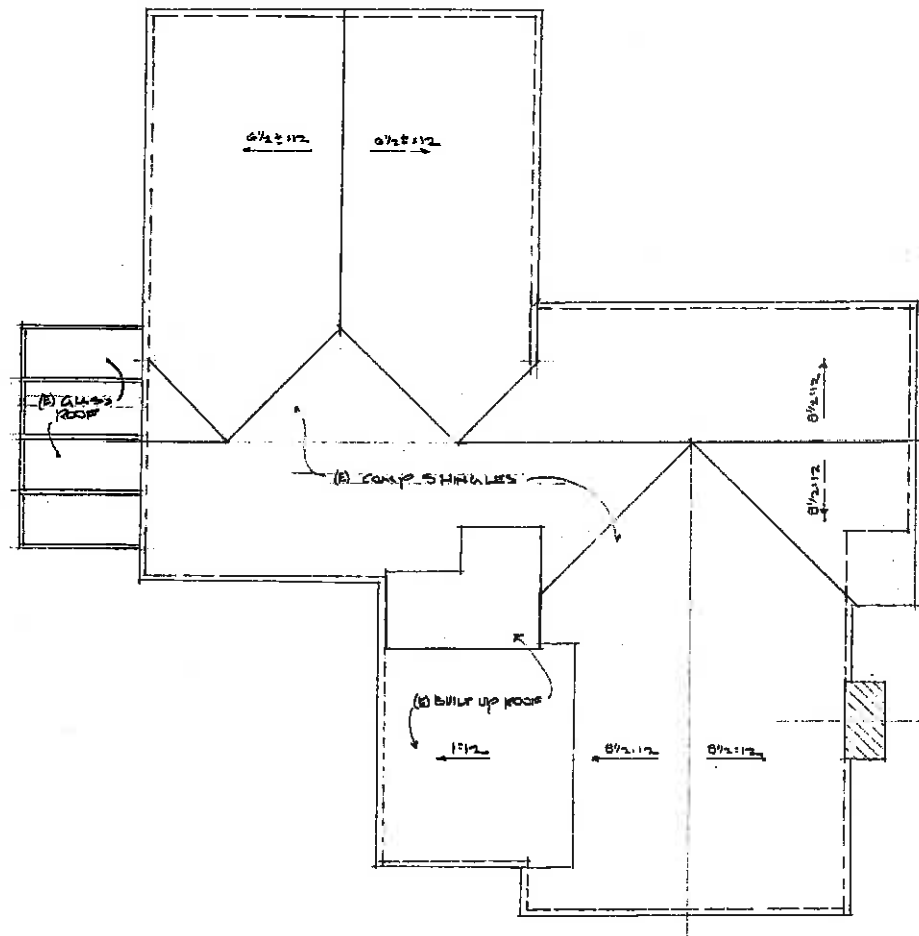
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 Of: 2 Sheets



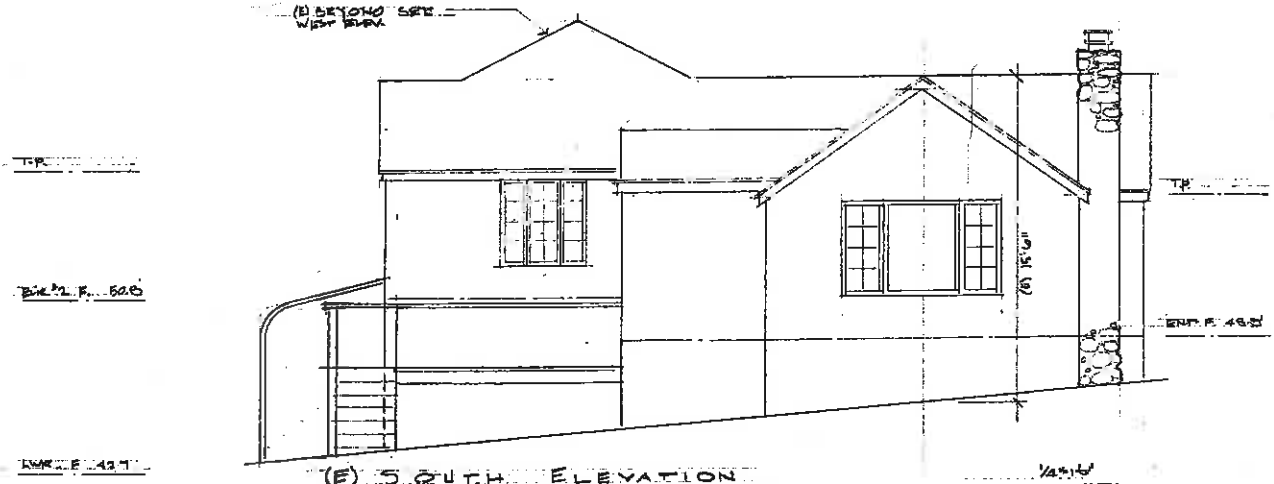
(E) NORTH ELEVATION 1/4"=1'-0"



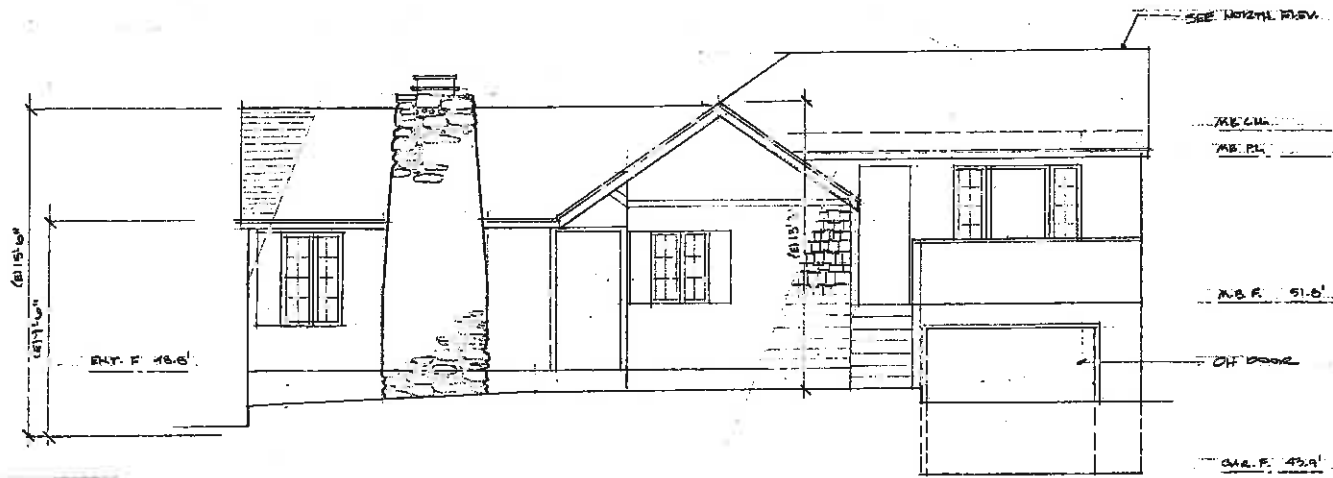
(E) WEST ELEVATION 1/4"=1'-0"



EXISTING ROOF PLAN 1/4"=1'-0"

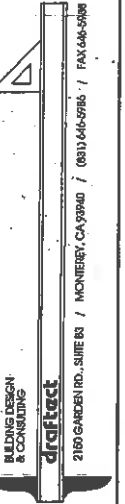


(F) SOUTH ELEVATION 1/4"=1'-0"



(E) EAST ELEVATION 1/4"=1'-0"

REVISIONS	BY
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11-15-13	D
12-1-13	D

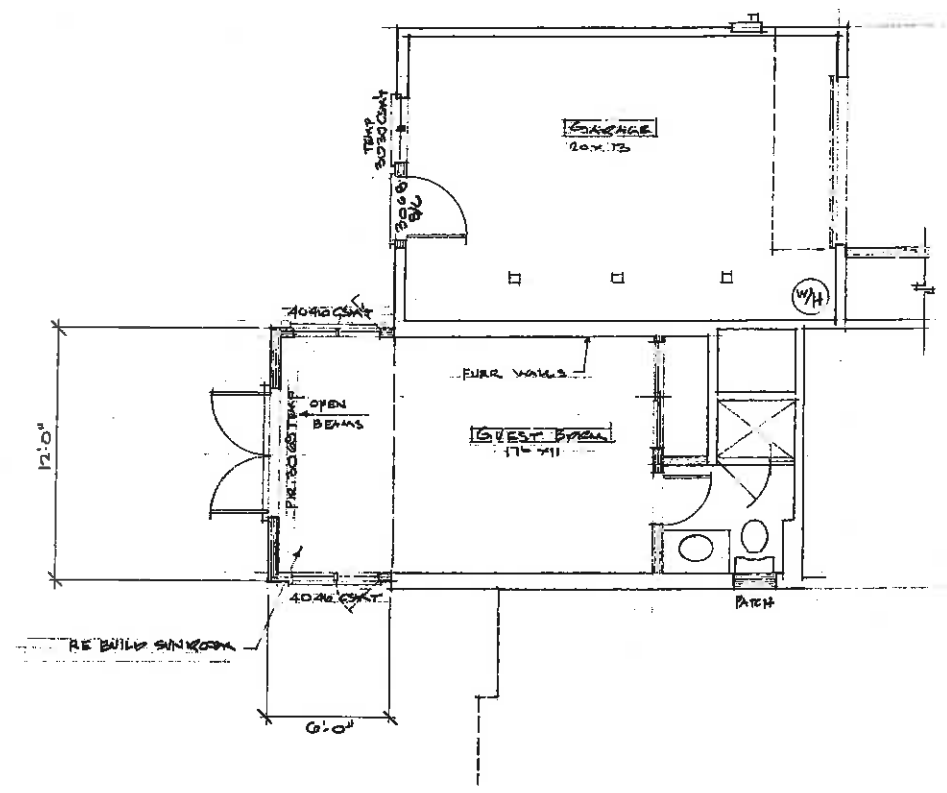


**CONGER RESIDENCE**  
 SAN CARLOS STREET, 3 S.W. OF ELEVENTH  
 CARMEL-BY-THE-SEA, CALIFORNIA  
 APN: 070-154-002-000 PH: 888 395-8646  
 LOT 5 AND THE NORTH 1/4 OF LOT 7, BLOCK 131

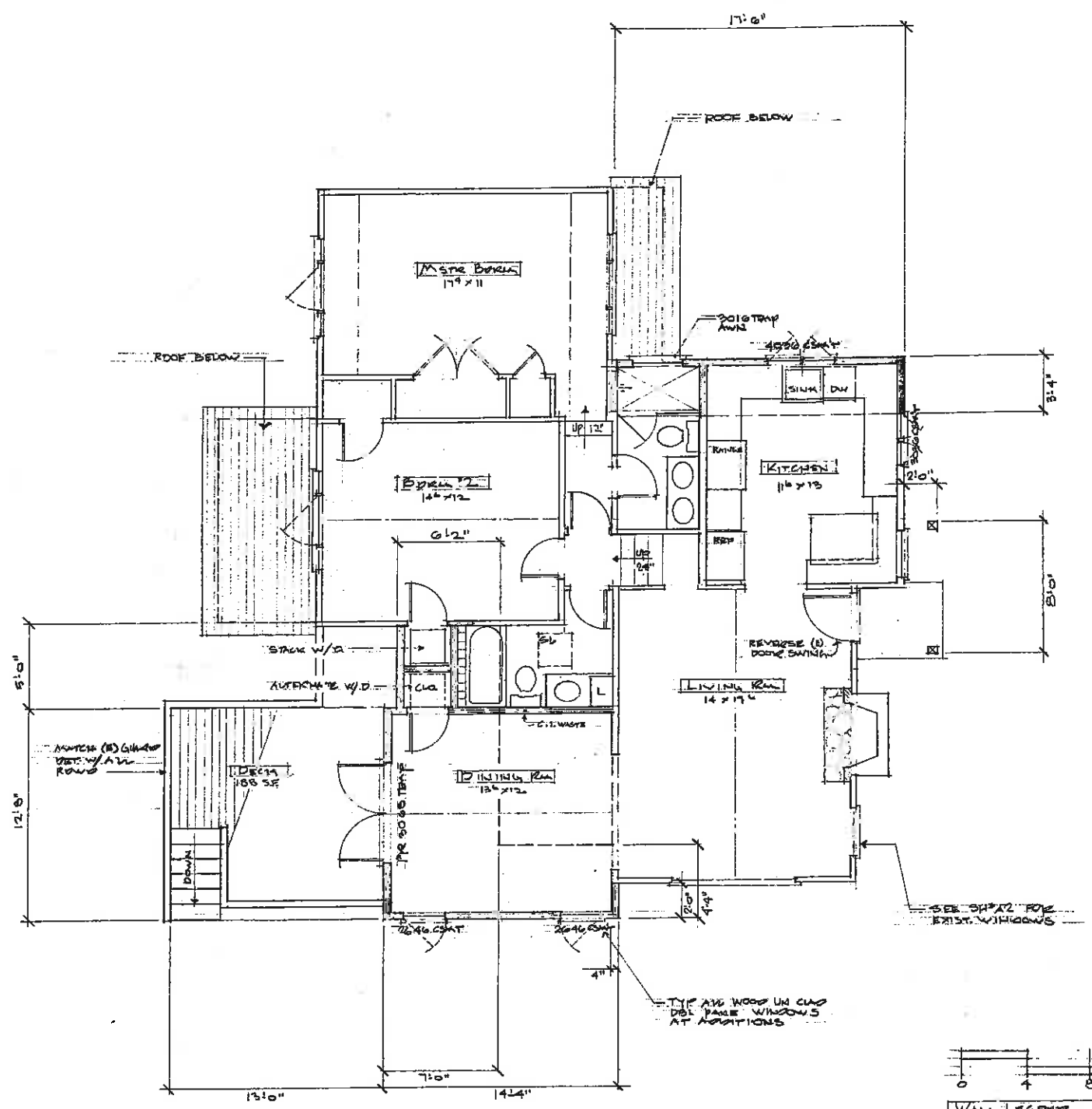
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Sheet	A3
Of	3

REVISIONS	BY
10-23-13	D
10-31-13	D
11-15-13	D
12-14-13	D

BUILDING DESIGN & CONSULTING  
**draft**  
 2150 CALLE LINDO, SUITE B3 / MONTEREY, CA 93940 / (831) 666-9988 / FAX 666-9988



LOWER FLOOR



MAIN FLOOR

WALL LEGEND  
 EXIST. WALLS  
 NEW WALLS  
 NEW WINDOWS  
 1/4" = 1'-0"  
 N

**CONGER RESIDENCE**  
 SAN CARLOS STREET, S.W. OF ELEVENTH  
 CARMEL-BY-THE-SEA, CALIFORNIA  
 APN: 010-154-002-000 PH: 858 385-8546  
 LOT 5 AND THE NORTH 1/4 OF LOT 7, BLOCK 131

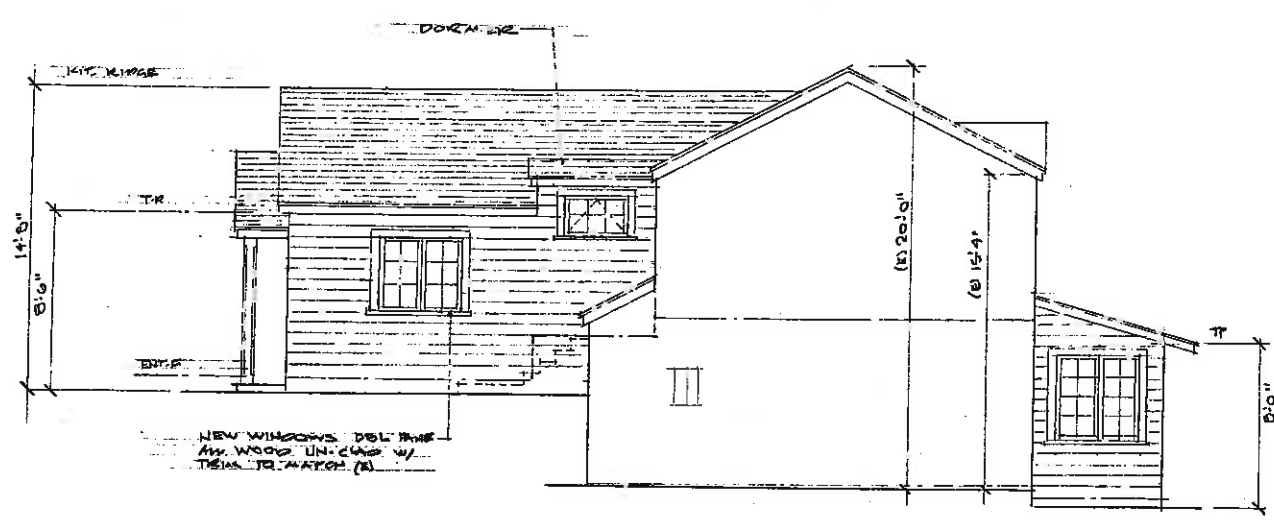
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 Scale  
 Drawn  
 Job 52-2013  
 Sheet  
 Of Sheets

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10-31-13	D
11-15-13	D
12-14-13	D

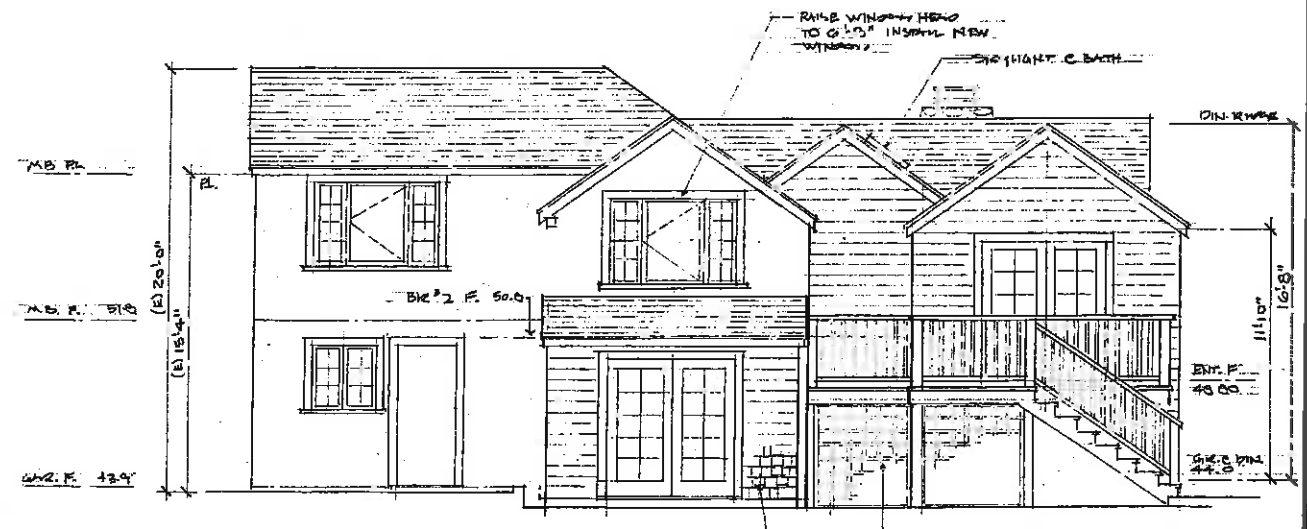
BUILDING DESIGN & CONSULTING  
**draft**  
 2180 GARDEN RD., SUITE 101 / MONTEREY, CA 95060 / (831) 666-8886 / FAX (831) 666-8888

**CONGER RESIDENCE**  
 SAN CARLOS STREET, S.W. OF ELEVENTH  
 CARMEL-BY-THE-SEA, CALIFORNIA  
 APN: 010-154-002-000 PH: 868-395-8546  
 LOT 9 AND THE NORTH 1/4 OF LOT 7, BLOCK 131

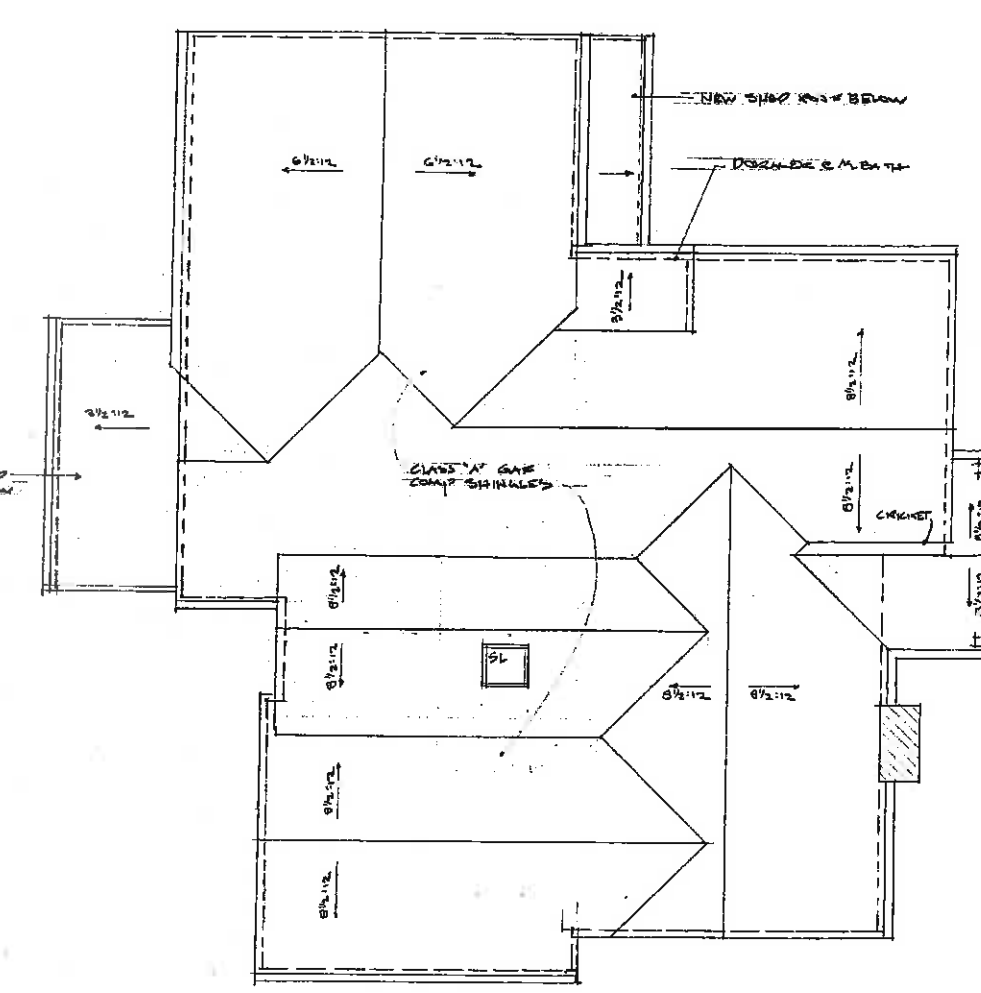
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 Of: 5 Sheets



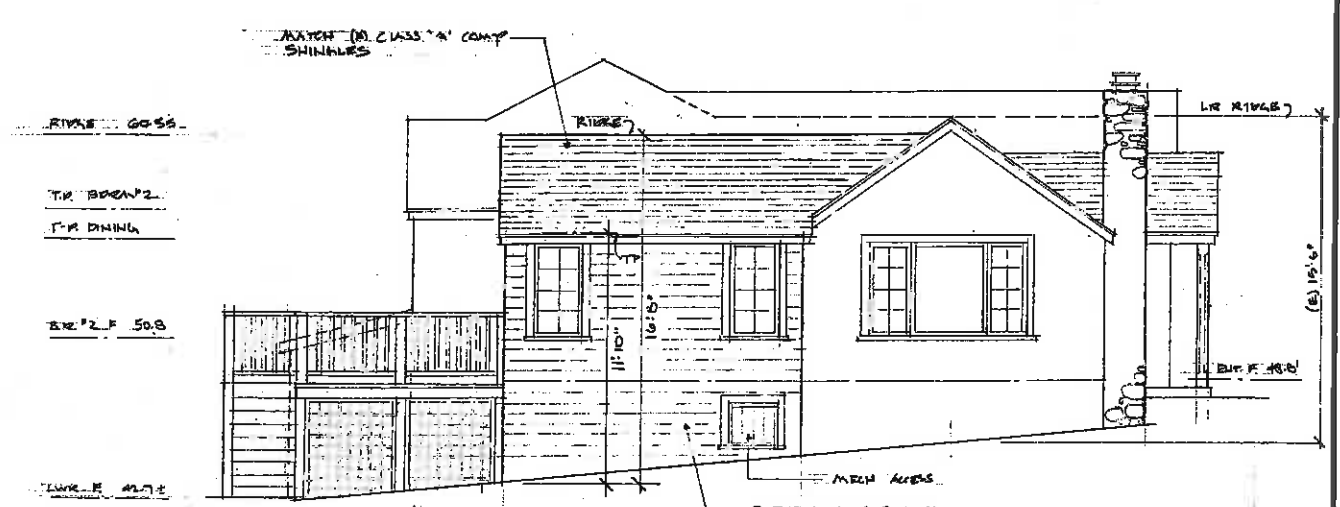
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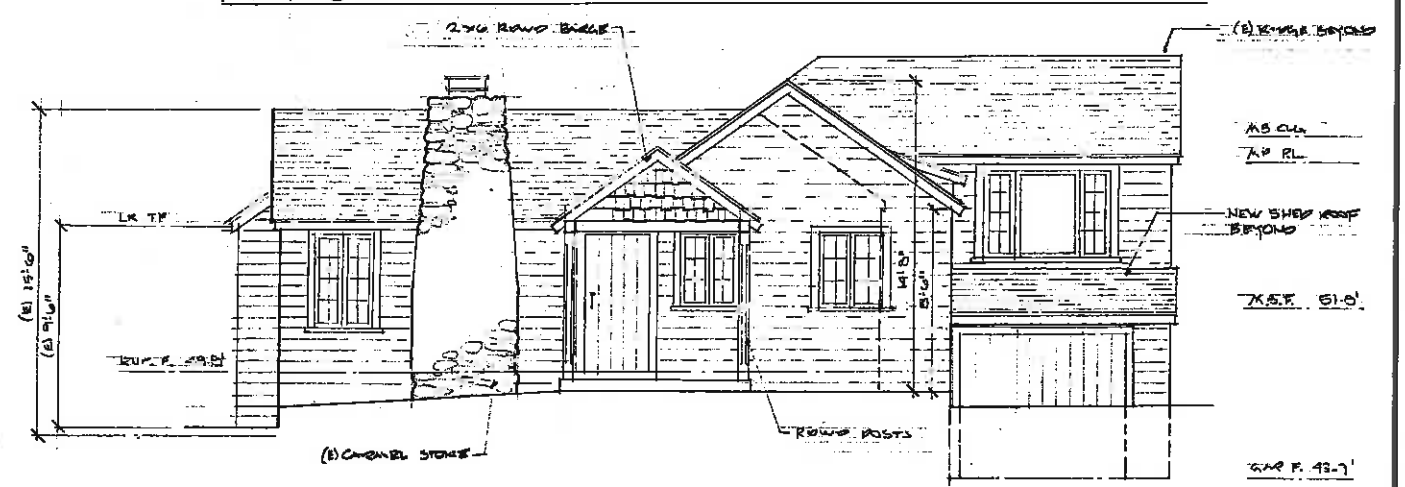
PROPOSED WEST ELEVATION 1/4" = 1'-0"



PROPOSED ROOF PLAN 1/4" = 1'-0"



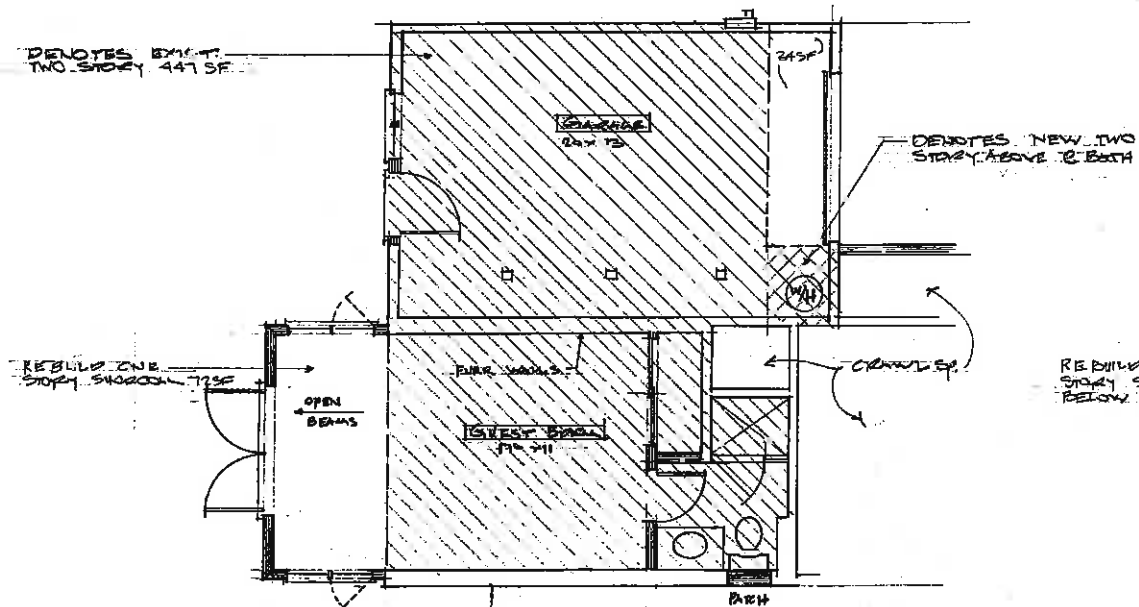
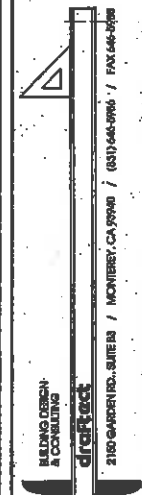
PROPOSED SOUTH ELEVATION 1/4" = 1'-0"



PROPOSED EAST ELEVATION 1/4" = 1'-0"



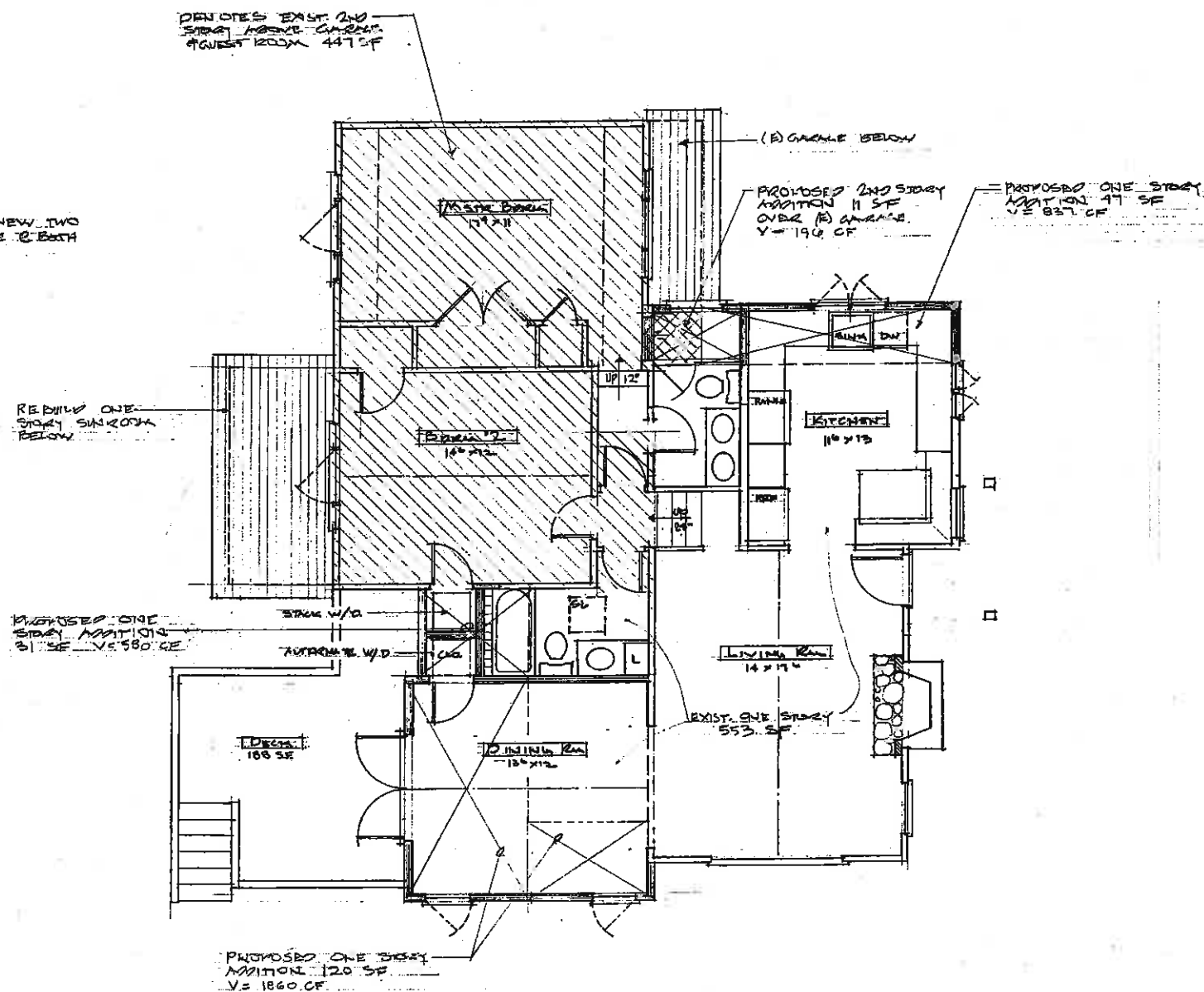
REVISIONS	BY
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10-31-13	D
11-15-13	D
12-14-13	D



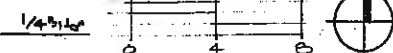
FLOOR AREA TABLE

EXIST. ONE STORY AT MAIN FLOOR	553
AT LOWER FLOOR	34
EXIST. TWO STORY AT MAIN FLOOR	447
AT LOWER FLOOR	447
PROPOSED ONE STORY AT MAIN FLOOR	190
AT LOWER FLOOR (REBUILD)	72
PROPOSED TWO STORY AT MAIN FLOOR	11
AT LOWER FLOOR (2) STORY	11
<b>TOTAL</b>	<b>1773 SF</b>

LOWER FLOOR LEVEL MAP



MAIN FLOOR LEVEL MAP

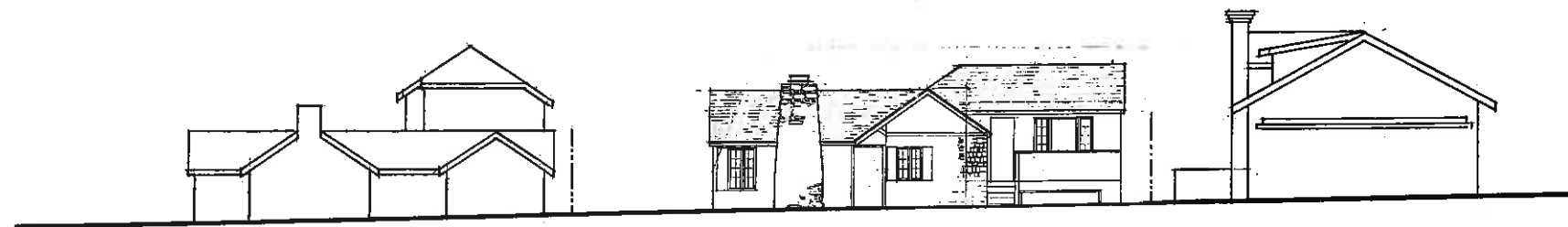


**CONGER RESIDENCE**  
 SAN CARLOS STREET, 3 S.W. OF ELEVENTH  
 CARMEL-BY-THE-SEA, CALIFORNIA  
 APN: 010-184-002-000 PH: 858 385-8646  
 LOT 5 AND THE NORTH 1/2 OF LOT 7, BLOCK 631

Date 10-10-13  
 Scale  
 Drawn  
 Job 57-2013  
 Sheet  
**AG**  
 of Sheets

REVISIONS	BY

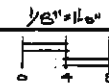
BUILDING DESIGN & CONSTRUCTION  
**draft**  
 2150 GARDEN RD., SUITE 201 / MONTEREY, CA 93940 / (831) 646-5986 / FAX 646-5813



EXISTING STREET ELEVATION



PROPOSED STREET ELEVATION



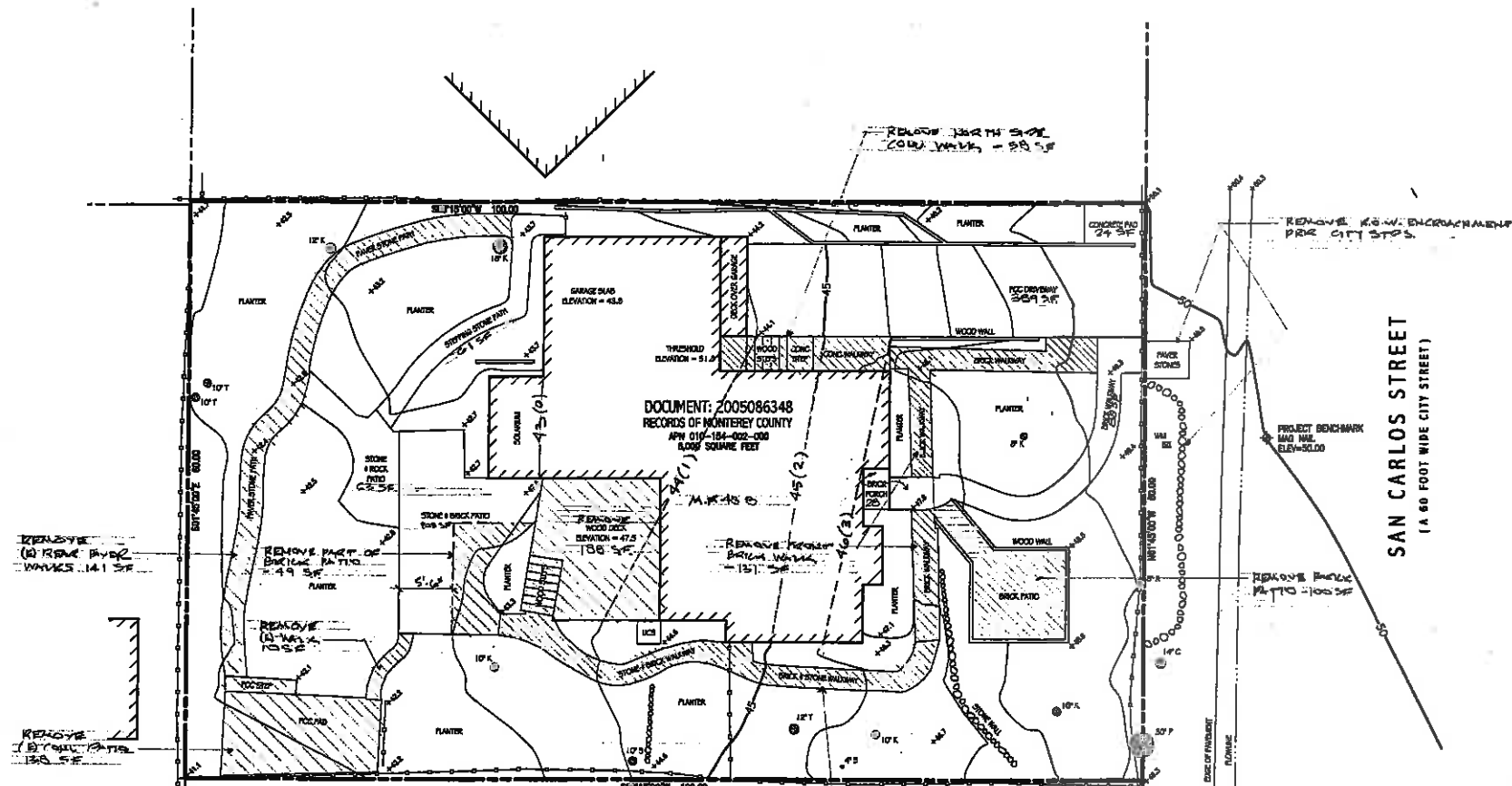
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 SAN CARLOS STREET, 3 S.W. OF ELEVENTH  
 CARMEL-BY-THE-SEA, CALIFORNIA  
 APN: 010-154-002-000 PH: 858 395-8546  
 LOT 5 AND THE NORTH 1/4 OF LOT 7, BLOCK 131

Date	12-1-13
Scale	
Drawn	
Job	52-2013
Sheet	A7
Of	Sheets



REVISIONS	BY
11-15-13	D
12-14-13	D

BUILDING DESIGN & CONSULTING  
**draft**  
 2100 GARDEN RD., SUITE B3 / MONTEREY, CA 95040 / (831) 466-8866 / FAX 466-8863



AVG. GR.

LINE	LENGTH	
0	11	0
1	83	23
2	32	64
3	52	96
SUM	108	193

193 ÷ 108 = 1.78 (44.78) AVG. GR.

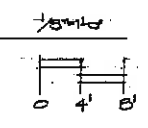
LAND COVERAGE

LAND COVERAGE MUST BE REDUCED TO 781.5 SF

DESCRIPTION	TO REMAIN	TO REMOVE
CONC. D.W.	189	
CONC. PAD & DR.	24	
NORTH SIDE WALK	0	58
FRT. BRICK WALK/PORCH	116	171
FRT. BRICK PATIO		94.0
SOUTH SIDE WALK		112.4
REAR BRICK PATIOS	203	138
REAR CONC. PATIO		151
REAR PAVED WALKS		
REAR STONE WALK	61	
REAR DECK (RE BUILD)	188	
TOTAL	781 SF	784 SF = (815) SF

- NOTES
1. NO FILL, NO EXCAVATION
  2. NO CHANGE TO SITE DRAINAGE
  3. EXIST. LAND COVERAGE 1866 SF
  4. (R) = REMOVE

EXISTG. SITE PLAN w/ TAKE DOWN & GRADING

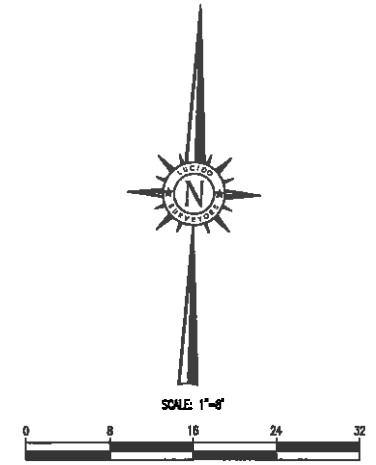
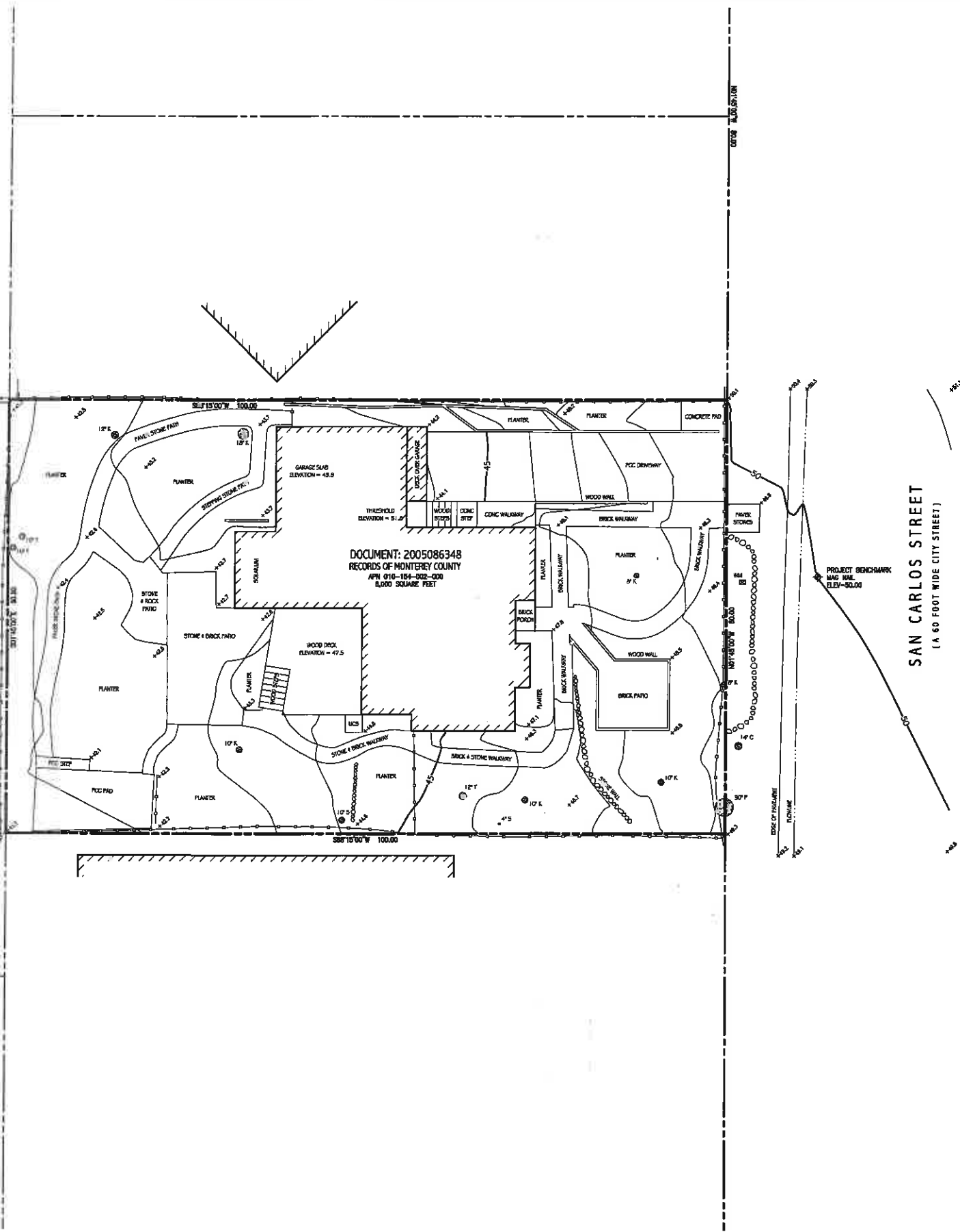


**CONGER RESIDENCE**  
 SAN CARLOS STREET, 3 S.W. OF ELEVENTH  
 CARMEL-BY-THE-SEA, CALIFORNIA  
 APN: 010-164-002-000 PH: 856 385-8848  
 LOT 5 AND THE NORTH 1/2 OF LOT 7, BLOCK 131

Date 10-31-13  
 Scale  
 Drawn  
 Job 52-2013  
 Sheet  
 Of Sheets

**LEGEND:**

- RECORD BOUNDARY
- RECORD RIGHT OF WAY
- RECORD LOT LINE
- ◆ PROJECT BENCHMARK
- SO --- CONTOUR (MAJOR)
- CONTOUR (MINOR)
- EDGE OF PAVEMENT
- EDGE OF DRIVEWAY
- BUILDING OUTLINE
- ⊠ WATER METER
- UTILITY ON CONCRETE SLAB
- STONE WALL
- WOOD FENCE
- CARMEL STONE
- PORTLAND CEMENT CONCRETE
- CONCRETE
- 12" K TREE WITH SIZE AND TYPE
- CYPRESS
- PINE
- OAK
- TREE
- SHRUB
- SPOT ELEVATION



**RECORD DESCRIPTION:**

The land referred to herein is situated in the State of California, County of Monterey, City of Carmel described as follows:

LOT 5 AND THE NORTH 1/2 OF LOT 7, IN BLOCK 131, AS SHOWN ON THE MAP ENTITLED, "CARMEL-BY-THE-SEA," FILED MARCH 7, 1902 IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF MONTEREY, STATE OF CALIFORNIA, IN VOLUME 1 OF MAPS, "CITIES AND TOWNS", AT PAGE 2.

**BASIS OF BEARINGS:**

THE BEARING OF SOUTH 01°48'00" EAST AS SHOWN ON THE MAP FILED IN VOLUME 28, PAGE 78, OF SURVEYS, AS FOUND MONUMENTED AND SHOWN HEREON IS THE BASIS OF BEARINGS FOR THIS SURVEY.

**BENCHMARK:**

ELEVATIONS FOR THIS SURVEY ARE BASED ON AN ASSUMED DATUM. AN ELEVATION OF 50.00 HAS BEEN ASSIGNED TO A MAG NAIL FOUND IN THE PAVEMENT NEAR THE EASTERLY BOUNDARY OF THE SUBJECT PROPERTY AS SHOWN HEREON.

**NOTES:**

1. BOUNDARY LOCATIONS SHOWN HEREON WERE DETERMINED WITH THE BENEFIT OF A FIELD SURVEY SUPPLEMENTED BY RECORD DATA. ALL BOUNDARY DATA SHOWN HEREON ARE FROM THE RECORDS, (SEE VOLUME 28, PAGE 78 OF SURVEYS AND VOLUME 1, PAGE 2 OF CITIES & TOWNS FOR RECORD DATA.
2. ENTITLEMENTS OR ENCUMBRANCES AFFECTING THIS PROPERTY MAY NOT NECESSARILY BE SHOWN.
3. DISTANCES SHOWN ARE EXPRESSED IN FEET AND DECIMALS THEREOF.
4. CONTOUR INTERVAL = ONE FOOT.
5. POSITION AND DIMENSIONS (IF ANY) OF BUILDINGS AND WALLS ARE SHOWN HEREON APPROXIMATE ONLY DUE TO IRREGULAR SHAPE OF TRIM, BRICK FACING, POP-OUTS, BULL NOSE CORNERS, ETC.
6. NOT ALL UTILITY BOXES AND/OR UTILITY STRUCTURES ARE SHOWN INCLUDING BUT NOT LIMITED TO HOSE BIBS AND IRRIGATION VALVES. ONLY THE VISIBLE UTILITY BOXES AND/OR UTILITY STRUCTURES THAT WERE CONSIDERED TO CONVEY THE GENERAL UTILITY CONDITIONS ARE SHOWN.
7. THIS MAP CORRECTLY REPRESENTS A SURVEY PREPARED BY ME AND/OR UNDER MY DIRECTION, FROM FIELD DATA COLLECTED IN OCTOBER OF 2013.

**TOPOGRAPHIC SITE SURVEY**  
OF  
**SAN CARLOS STREET 3 SW OF ELEVENTH**  
PER  
**DOCUMENT: 2005086348**  
**RECORDS OF MONTEREY COUNTY**

CITY OF CARMEL, COUNTY OF MONTEREY, STATE OF CALIFORNIA

PREPARED FOR  
**Becky Conger**

by **LUCIDO SURVEYORS** Del Rey Oaks, California

SCALE: 1" = 8' PROJECT No. 1202 OCTOBER 2013

APN 010-154-002-000 52-2013





CITY OF CARMEL-BY-THE-SEA

Planning Commission Report

January 23, 2014

**To:** Chair Dallas and Planning Commissioners

**From:** Rob Mullane, AICP, Community Planning and Building Director *RM*

**Submitted by:** Marc Wiener, Senior Planner

**Subject:** Consideration of Final Design Study (DS 13-75) and the associated Coastal Development Permit for alterations to an existing single-family residence located in the Single-Family Residential (R-1), Beach and Riparian, and Archaeological Significance (AS) Overlay Zoning Districts

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**Recommendation:**

Approve the Final Design Study (DS 13-75) and the associated Coastal Development Permit subject to the attached findings and conditions

**Application:** DS 13-75                      **APN:** 010-253-012  
**Location:** San Antonio Avenue 4 parcels northeast of Ocean Avenue  
**Block:** HH                                      **Lot:** 10  
**Applicant:** John Mandurrago              **Property Owner:** Jonathan & Jennifer Lambert

**Background and Project Description:**

The project site is located on San Antonio Avenue four parcels northeast of Ocean Avenue and is developed with a three-story residence that is 3,196 square feet in size. The residence is clad with a combination of stucco and horizontal-wood siding. The residence is non-conforming with regard to floor area and building height.

On November 13, 2013, the Planning Commission reviewed a proposal for modifications to the subject property. The Planning Commission continued the application with a request for changes. The applicant has submitted a new design that addresses the Planning Commission's recommendations and also reduces the scope of the project. The following is summary of the proposed exterior alterations.

- Carmel stone veneer is proposed on the deck/planter structure located on the front elevation (note: photograph of proposed Carmel stone shown on page D13 of plans)
- New wood railing with 6" x 6" posts proposed at the top of the deck/planter structure
- Elimination of a chimney on the front elevation and establishment of a chimney on the south elevation
- A new gable roof element and window is proposed on the front elevation
- Elimination of a 6' x 6' skylight on the front elevation
- Elimination of an outdoor chimney/fireplace on the rear (east) elevation
- Several new unclad wood windows throughout the residence
- The elimination of 1,354 square feet of site coverage to bring the property into compliance with the site coverage allowance
- New 4-foot high wood fence with 3-foot high stone columns on the front property line.

PROJECT DATA FOR A 5,400-SQUARE FOOT SITE:			
Site Considerations	Allowed	Existing	Proposed
Floor Area	2,279 sf (43%)	3,196 sf (59%)	3,196 sf (59%)
Site Coverage	717 sf (13%)	2,064 sf (59%)	710 sf (13%)
Ridge Height (1 <sup>st</sup> /2 <sup>nd</sup> )	18 ft./18 ft.	26.5 ft.	No Change
Plate Height (1 <sup>st</sup> /2 <sup>nd</sup> )	12 ft./18 ft.	24.5 ft.	No Change
Setbacks	Minimum Required	Existing	Proposed
Front	15 ft.	27 ft.	No Change
Composite Side Yard	15 ft. (25%)	12 ft. (20%)	No Change
Minimum Side Yard	3 ft.	4 ft.	No Change
Rear	3 ft.	1.5 ft.	No Change

**Staff analysis:**

**Previous Hearing:** The following is a list of changes requested by the Planning Commission and a staff analysis on how the applicant has or has not complied:

1. *The applicant shall reduce the site coverage to be in compliance with the allowed 717 square feet.*

Analysis: The applicant is proposing to reduce the site coverage from 2,064 square feet to 710 square feet as recommended by the Planning Commission. Site coverage would be removed from the driveway, rear patio, and walkways on the property.

2. *The applicant shall withdraw the proposal to expand the footprint of the deck on the front elevation.*

Analysis: In the proposal reviewed by the Planning Commission on November 13, 2013, the applicant had proposed to extend the deck at the front of the residence approximately 4 feet south, into the planter portion of the structure at the front of the residence. The Planning Commission was concerned with the increase in non-conforming site coverage and required the applicant to maintain the original footprint of the deck. The applicant has revised the design to comply with this requirement. Staff notes that the applicant is now proposing to retain the entire planter structure. In the last proposal reviewed by the Planning Commission the applicant had proposed to remove the southern 9 feet of the structure.

3. *The applicant shall eliminate the proposal for wrought iron railings from the design.*

Analysis: The applicant had originally proposed wrought iron railings around the front deck/planter structure and on the third level balcony. The design has been revised and the applicant is now proposing a wood railing with 6" x 6" posts.

4. *The applicant shall eliminate the existing skylight from the front elevation.*

Analysis: There is an existing 6' x 6' skylight on the front elevation that would become more prominent to the street view with the proposed removal of the front chimney. The applicant is proposing to remove the skylight as recommended by the Planning Commission.

5. *The applicant shall revise the design of the front fence to be a wood grape-stake fence.*

Analysis: The applicant had originally proposed a 3-foot high wrought iron fence with 3-foot high stone columns on the front property line. Per the recommendation of the Planning Commission, the applicant has revised the design and is now proposing a 4-foot high wood fence with stone columns. The columns would be clad with a Carmel stone veneer to match the stone proposed on the residence. The wood is proposed to be either grape stake or resawn redwood, as indicated on Sheet D-13 of the plan set (Attachment D). The Planning Commission

should provide guidance to the applicant on which proposal is preferred or whether additional revisions are needed.

**Project Revisions:** Since the project was reviewed on November 13, 2013, the applicant has made some revisions to the design to reduce the scope of the project. The following are three alterations that were proposed at the last review, but have since been withdrawn from the project.

1. The applicant had proposed to eliminate a 9-foot section of the planter on the south end of the residence. The applicant is now proposing to retain the entire structure.
2. A new wood staircase and entry door were proposed on the front (west) elevation. The applicant has withdrawn this proposal and is now proposing to maintain the entrance on the south end of the residence.
3. The applicant had proposed a new roof element on the rear elevation that would provide space for an interior staircase used to provide access to the third level. However, the floor plan has been revised and the applicant has is now able to construct the staircase without any exterior changes to the building.

Elevation drawings, from the November 13, 2013 meeting, are included for comparison as Attachment E.

**ROW Encroachment/Driveway:** There is natural vegetation and brush in the City ROW that the applicant intends to remove. Staff notes that the original plans included a proposal for a stone pathway extending into the City ROW. The applicant has revised the design and is now proposing a 3-foot wide decomposed granite pathway, which along with informal, drought-tolerant landscaping, does not require an encroachment permit.

**Environmental Review:** The proposed project has been determined to qualify for a Class 1 Categorical Exemption from CEQA, pursuant to Section 15301 of the CEQA Guidelines (Existing Facilities).

**ATTACHMENTS:**

- Attachment A – Site Photograph
- Attachment B – Findings for Approval

- Attachment C – Conditions of Approval
- Attachment D – Project Plans
- Attachment E – Previous Proposed Elevation Drawings (dated 11/13/13)

**Attachment A – Site Photograph**

**Project Site – On San Antonio Facing East**





## Attachment B – Findings for Approval

DS 13-75 (Lambert)  
 January 23, 2014  
 Findings for Approval  
 Page 1

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

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

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

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

## Attachment C - Conditions of Approval

DS 13-75 (Lambert)  
January 23, 2014  
Conditions of Approval  
Page 1

Approval Conditions		
No.	Standard Conditions	
1.	This approval constitutes Design Study and Coastal Development permits authorizing the alterations to an existing residence. All work shall conform to the approved plans of January 23, 2014, except as conditioned by this permit.	✓
2.	The project shall be constructed in conformance with all requirements of the local R-1 zoning ordinances. All adopted building and fire codes shall be adhered to in preparing the working drawings. If any codes or ordinances require design elements to be changed, or if any other changes are requested at the time such plans are submitted, such changes may require additional environmental review and subsequent approval by the Planning Commission.	✓
3.	This approval shall be valid for a period of one year from the date of action unless an active building permit has been issued and maintained for the proposed construction.	✓
4.	All new landscaping shall be shown on a landscape plan and shall be submitted to the Department of Community Planning and Building and to the City Forester prior to the issuance of a building permit. The landscape plan will be reviewed for compliance with the landscaping standards contained in the Zoning Code, including the following requirements: 1) all new landscaping shall be 75% drought-tolerant; 2) landscaped areas shall be irrigated by a drip/sprinkler system set on a timer; and 3) the project shall meet the City's recommended tree density standards, unless otherwise approved by the City based on site conditions. The landscaping plan shall show where new trees will be planted when new trees are required to be planted by the Forest and Beach Commission or the Planning Commission.	✓
5.	Trees on the site shall only be removed upon the approval of the City Forester or Forest and Beach Commission as appropriate; and all remaining trees shall be protected during construction by methods approved by the City Forester.	✓
6.	All foundations within 15 feet of significant trees shall be excavated by hand. If any tree roots larger than two inches (2") are encountered during construction, the City Forester shall be contacted before cutting the roots. The City Forester may require the roots to be bridged or may authorize the roots to be cut. If roots larger than two inches (2") in diameter are cut without prior City Forester approval or any significant tree is endangered as a result of construction activity, the building permit will be suspended and all work stopped until an investigation	✓

	by the City Forester has been completed. Twelve inches (12") of mulch shall be evenly spread inside the dripline of all trees prior to the issuance of a building permit.	
7.	Approval of this application does not permit an increase in water use on the project site. Should the Monterey Peninsula Water Management District determine that the use would result in an increase in water beyond the maximum units allowed on a 5,400-square foot parcel, this permit will be scheduled for reconsideration and the appropriate findings will be prepared for review and adoption by the Planning Commission.	✓
8.	The applicant shall submit in writing to the Community Planning and Building staff any proposed changes to the project plans as approved by the Planning Commission on January 23, 2014, prior to incorporating changes on the site. If the applicant changes the project without first obtaining City approval, the applicant will be required to either: a) submit the change in writing and cease all work on the project until either the Planning Commission or staff has approved the change; or b) eliminate the change and submit the proposed change in writing for review. The project will be reviewed for its compliance to the approved plans prior to final inspection.	✓
9.	Exterior lighting shall be limited to 25 watts or less per fixture and shall be no higher than 10 feet above the ground. Landscape lighting shall be limited to 15 watts or less per fixture and shall not exceed 18 inches above the ground.	✓
10.	All skylights shall use non-reflective glass to minimize the amount of light and glare visible from adjoining properties. The applicant shall install skylights with flashing that matches the roof color, or shall paint the skylight flashing to match the roof color.	✓
11.	The Carmel stone façade shall be installed in a broken course/random or similar masonry pattern. Setting the stones vertically on their face in a cobweb pattern shall not be permitted. Prior to the full installation of stone during construction, the applicant shall install a 10-square foot section on the building to be reviewed by planning staff on site to ensure conformity with City standards.	✓
12.	The applicant shall install unclad wood framed windows. Windows that have been approved with divided lights shall be constructed with fixed wooden mullions. Any window pane dividers, which are snap-in, or otherwise superficially applied, are not permitted.	✓
13.	The applicant agrees, at his or her sole expense, to defend, indemnify, and hold harmless the City, its public officials, officers, employees, and assigns, from any liability; and shall reimburse the City for any expense incurred, resulting from, or in connection with any project approvals. This includes any appeal, claim, suit,	✓

	or other legal proceeding, to attack, set aside, void, or annul any project approval. The City shall promptly notify the applicant of any legal proceeding, and shall cooperate fully in the defense. The City may, at its sole discretion, participate in any such legal action, but participation shall not relieve the applicant of any obligation under this condition. Should any party bring any legal action in connection with this project, the Superior Court of the County of Monterey, California, shall be the situs and have jurisdiction for the resolution of all such actions by the parties hereto.	
14.	The driveway material shall extend beyond the property line into the public right of way as needed to connect to the paved street edge. A minimal asphalt connection at the street edge may be required by the Superintendent of Streets or the Building Official, depending on site conditions, to accommodate the drainage flow line of the street.	✓
15.	This project is subject to a volume study.	✓
16.	Approval of this Design Study shall be valid only with approval of a Variance.	N/A
17.	A hazardous materials waste survey shall be required in conformance with the Monterey Bay Unified Air Pollution Control District prior to issuance of a demolition permit.	✓
18.	The applicant shall include a storm water drainage plan with the working drawings that are submitted for building permit review. The drainage plan shall include applicable Best Management Practices and retain all drainage on site through the use of semi-permeable paving materials, French drains, seepage pits, etc. Excess drainage that cannot be maintained on site, may be directed into the City's storm drain system after passing through a silt trap to reduce sediment from entering the storm drain. Drainage shall not be directed to adjacent private property.	✓
19a.	An archaeological reconnaissance report shall be prepared by a qualified archaeologist or other person(s) meeting the standards of the State Office of Historic Preservation prior to approval of a final building permit. The applicant shall adhere to any recommendations set forth in the archaeological report. All new construction involving excavation shall immediately cease if materials of archaeological significance are discovered on the site and shall not be permitted to recommence until a mitigation and monitoring plan is approved by the Planning Commission.	N/A
19b.	All new construction involving excavation shall immediately cease if cultural resources are discovered on the site, and the applicant shall notified the Community Planning and Building Department within 24 hours. Work shall not be permitted to recommence until such resources are properly evaluated for significance by a qualified archaeologist. If the resources are determined to be	N/A

	significant, prior to resumption of work, a mitigation and monitoring plan shall be prepared by a qualified archaeologist and reviewed and approved by the Community Planning and Building Director. In addition, if human remains are unearthed during excavation, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and distribution pursuant to California Public Resources Code (PRC) Section 5097.98.	
20.	Prior to the roof sheathing inspection, the applicant shall obtain a building height certification from a California licensed surveyor.	N/A
<b>Special Conditions</b>		
21.	The applicant shall plant one upper-canopy tree of substantial size and caliber and of a species approved by the City Forester. Prior to issuance of the Certificate of Occupancy the trees shall be planted on site located approximately 10 feet from any building. The trees shall also be shown on the final landscape plan submitted with the building permit application.	✓
22.	The applicant's final landscape plan shall indicate the type of material for the proposed pedestrian pathway and driveway, including those portions in the City ROW. Any proposed plants or other materials (e.g., woodchips) in the ROW shall also be indicated on the landscape plan. The landscape plans shall be reviewed and approved by Planning staff, prior to issuance of the Building Permit.	✓
23.	Prior to issuance of the Certificate of Occupancy the applicant shall remove 1,354 square feet of site coverage as indicated on the approved plans.	✓
24.	Landscape lighting shall not exceed 15 Watts/fixture. Prior to Building Permit issuance, the landscape plans shall be revised to indicate that the landscaping lighting is of a maximum of 15 Watts (incandescent equivalent).	✓

\*Acknowledgement and acceptance of conditions of approval.

\_\_\_\_\_  
 Property Owner Signature

\_\_\_\_\_  
 Printed Name

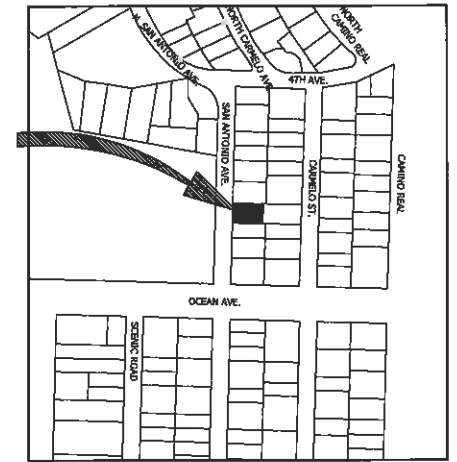
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RECEIVED

JAN 16 2014

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

PROJECT  
LOCATION



VICINITY MAP  
NTS

# LAMBERT RESIDENCE

SAN ANTONIO STREET

4 NE OF OCEAN AVENUE

## SHEET INDEX:

- D1 PROJECT INFORMATION
- D2 EXISTING SITE PLAN SURVEY
- D3 PROPOSED SITE PLAN
- D4 EXISTING FLOOR PLANS
- D5 EXISTING ROOF PLAN
- D6 EXISTING WEST & SOUTH ELEVATIONS
- D7 EXISTING NORTH & EAST ELEVATIONS
- D8 PROPOSED FLOOR PLANS
- D9 PROPOSED ROOF PLAN
- D10 PROPOSED WEST & SOUTH ELEVATIONS
- D11 PROPOSED NORTH & EAST ELEVATIONS
- D12 SITE LIGHTING PLAN

### OWNER:

JONATHAN & JENNIFER LAMBERT  
61 Ellenwood Avenue  
LOS GATOS, CA, 95030

### PROJECT INFORMATION:

ADDRESS: SAN ANTONIO, 4 NE OF OCEAN AVE.  
CARMEL, CA.

A.P.N.: 010-253-012-000

LEGAL DESC.: LOT: HP,  
BLOCK: 10

LOT AREA: 5,400 S.F.

ZONING: R1

MAX BLDG. HT: 18 FT

OCCUPANCY: R3, U1

CONST. TYPE: V, NR

PROJECT CODE COMPLIANCE:  
TITLE 24,  
2010 CALIFORNIA BUILDING CODE (CBC),  
2010 CALIFORNIA RESIDENTIAL CODE (CRC),  
2010 CALIFORNIA MECHANICAL CODE (CMC),  
2010 CALIFORNIA PLUMBING CODE (CPC),  
2010 CALIFORNIA ELECTRICAL CODE (CEC),  
2010 CALIFORNIA ENERGY CODE (CEC) AND  
CURRENT EDITION OF MONTEREY COUNTY CODE. (§18.02.070 MCC)

### BASE FLOOR AREA

EXISTING	
MAIN FLOOR	1,786.3 S.F.
UPPER FLOOR	320.9 S.F.
LOWER FLOOR	829.7 S.F.
GARAGE	259.1 S.F.
TOTAL	3,196.1 S.F.

ALLOWED	
	2,278.8 S.F.

PROPOSED	
MAIN FLOOR	1,786.5 S.F.
UPPER FLOOR	320.9 S.F.
LOWER FLOOR	829.7 S.F.
GARAGE	259.1 S.F.
TOTAL	3,196.1 S.F.

### SITE COVERAGE

ALLOWED	
22% of BFA or 10% of SITE AREA	501.4 S.F.
4% OF SITE AREA (50% PERVIOUS BONUS)	216.0 S.F.
TOTAL	717.0 S.F.

EXISTING	
IMPERVIOUS	1,824.9 S.F.
PERVIOUS	239.4 S.F.
TOTAL =	2,064.3 S.F.

PROPOSED	
IMPERVIOUS	0 S.F.
PERVIOUS	710 S.F.
TOTAL =	710 S.F.

LAMBERT RESIDENCE  
SAN ANTONIO 4 NE OF OCEAN AVENUE  
CARMEL, CA.  
A.P.N. 010-253-012

01-04-14

JOB NUMBER 1304

JOHN MANDURRAGO  
Design Studios

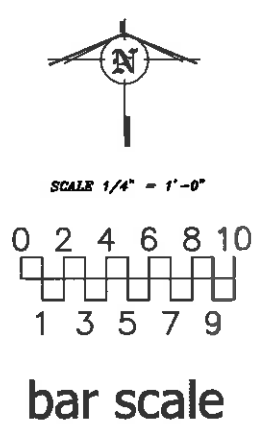
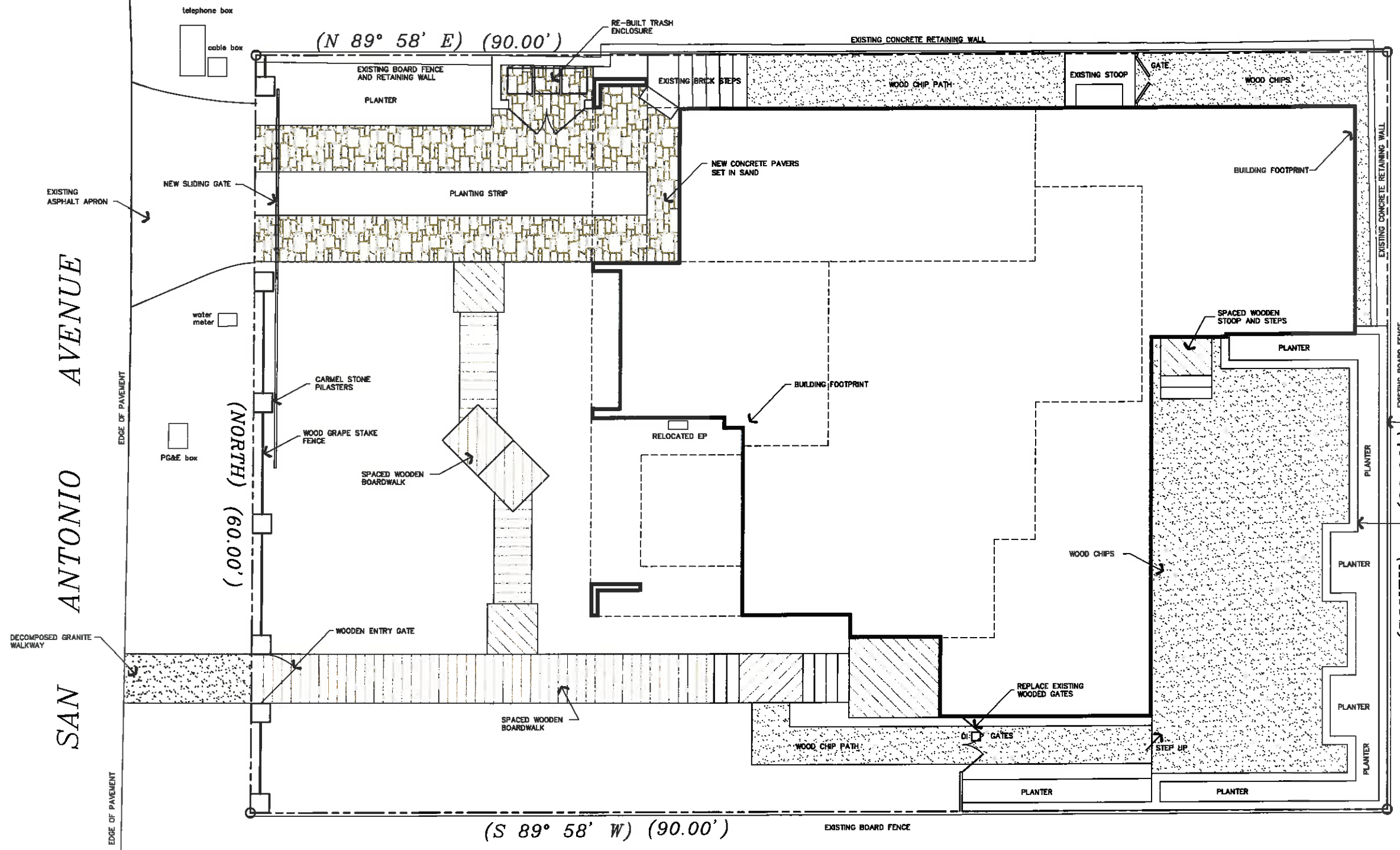
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P. O. BOX "R", CARMEL BY-THE-SEA, CA. 93921 831-625-1553





EXISTING HOUSE



### PROPOSED SITE PLAN

LAMBERT RESIDENCE  
SAN ANTONIO 4 NE OF OCEAN AVENUE  
CARMEL, CA.  
A.P.N. 010-253-012

01-04-14

JOHN MANDURRAGO  
*Design Studios*

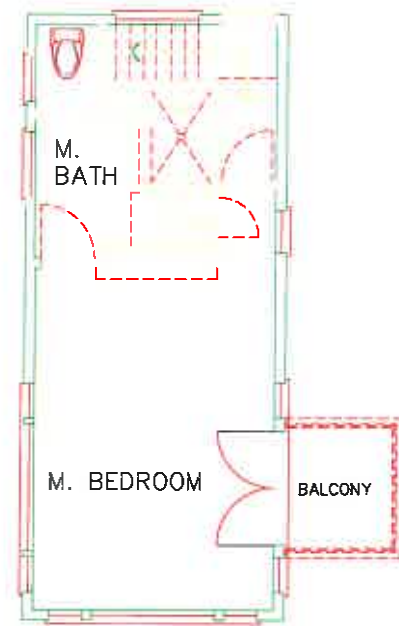
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SHEET NUMBER **D3**

P. O. BOX "R", CARMEL BY THE SEA, CA. 93921 831-825-1553

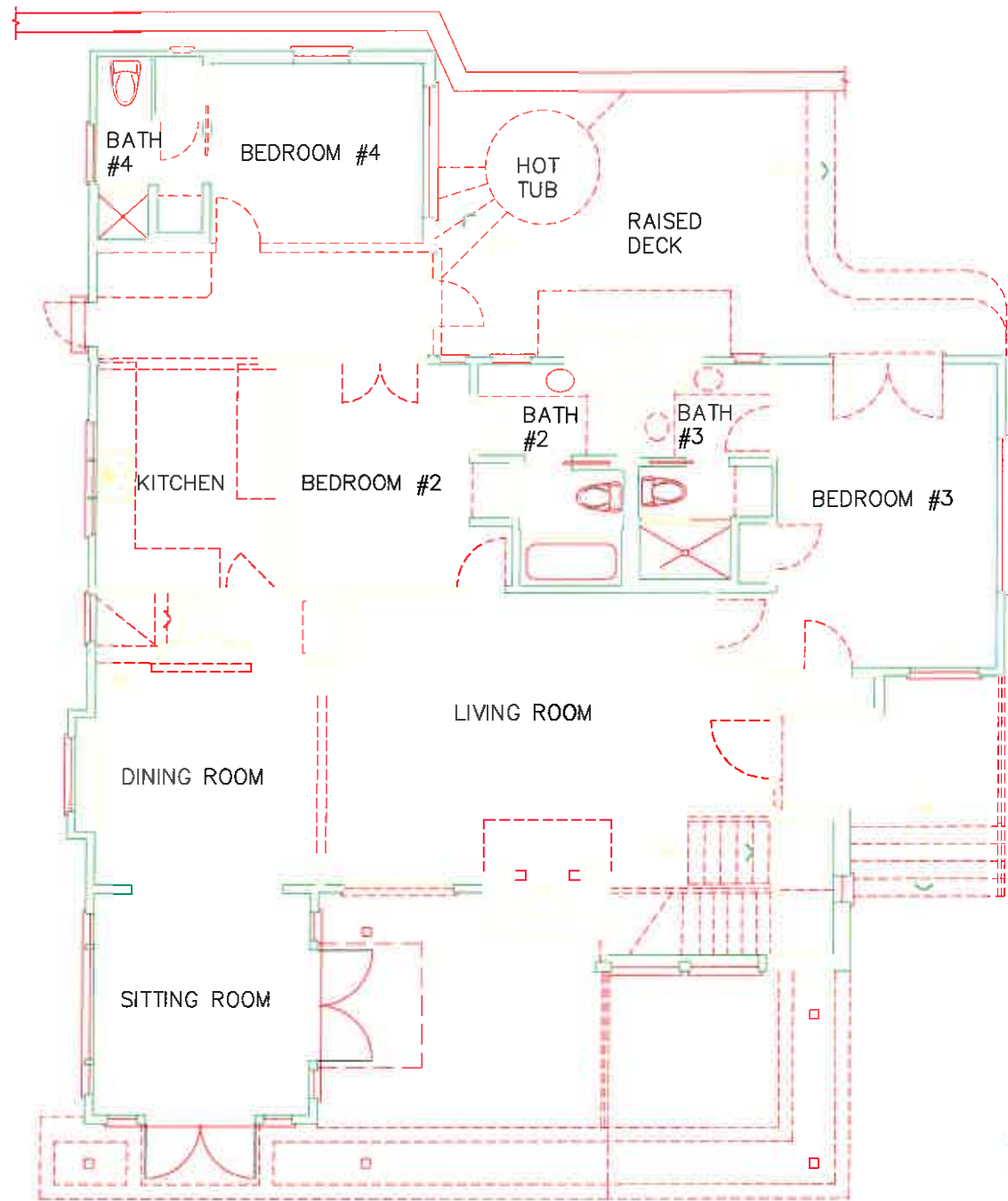
SAN ANTONIO AVENUE

EXISTING GARAGE

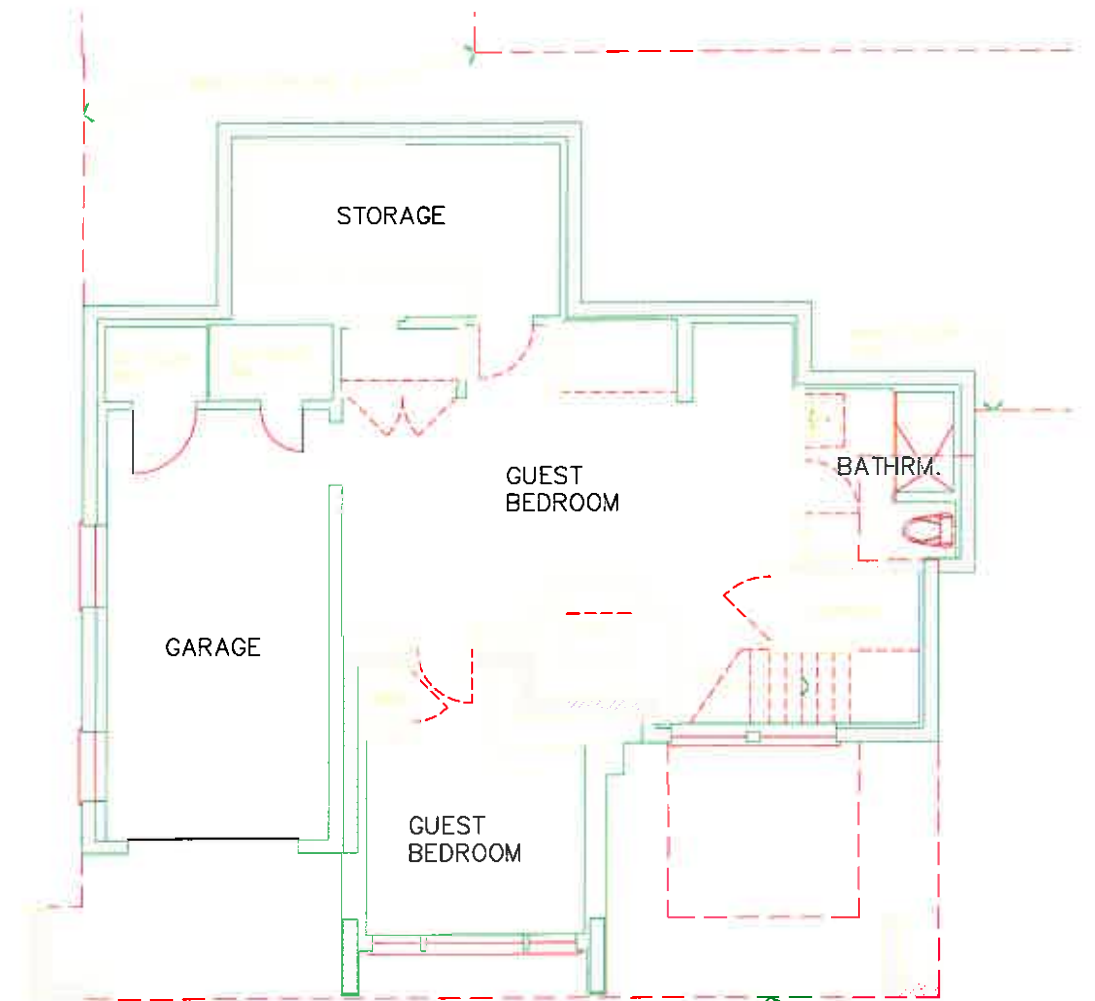
EXISTING HOUSE



UPPER FLOOR PLAN



MAIN FLOOR PLAN

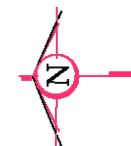


LOWER FLOOR PLAN

WALL LEGEND



EXISTING FLOOR PLANS



06-18-13

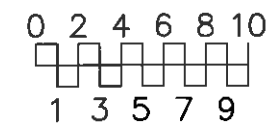
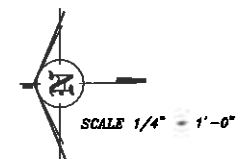
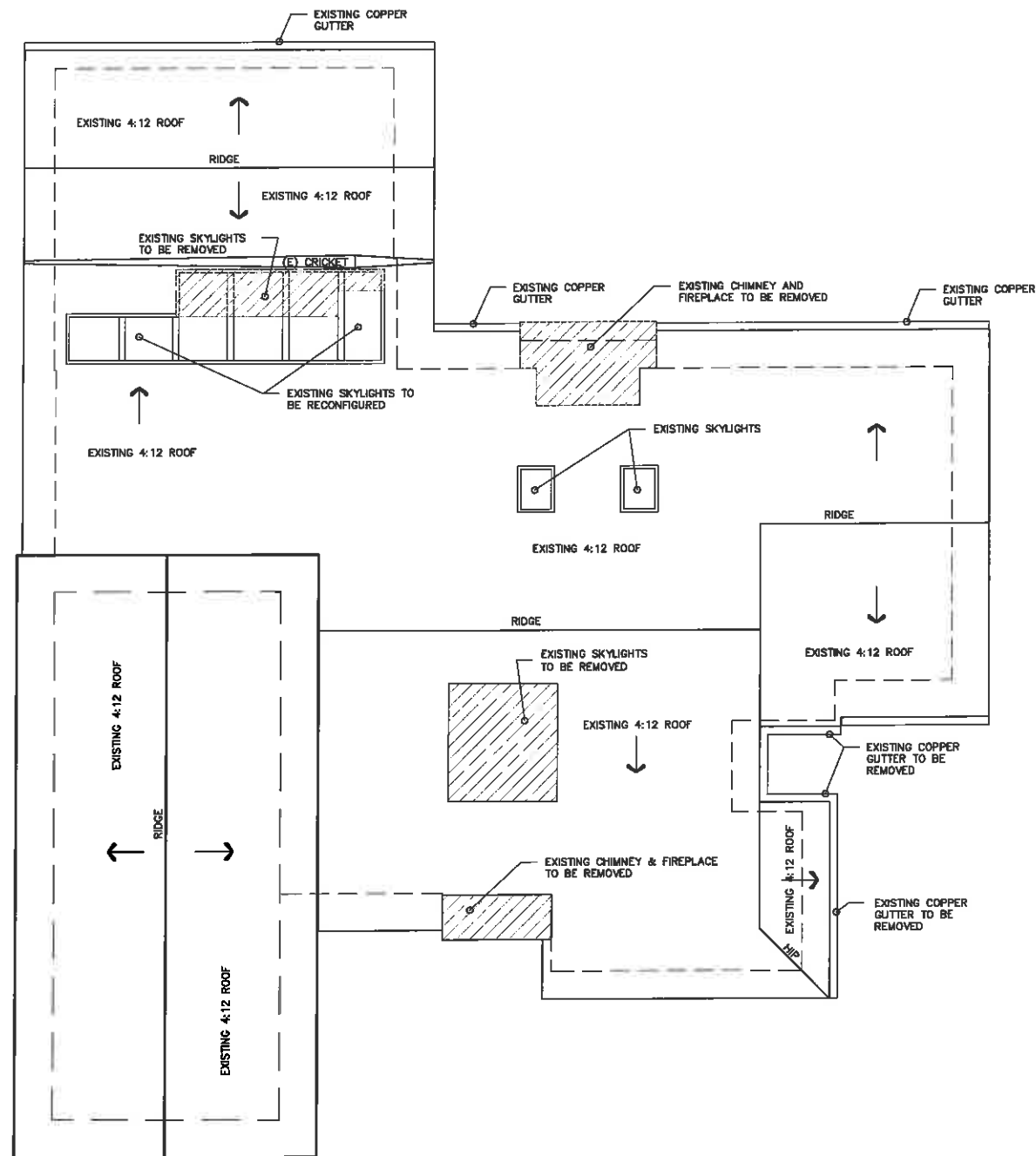
JOB NUMBER 1304

SHEET NUMBER D4

JOHN MANDURRAGO  
Design Studios

P. O. BOX 74, CARMEL BY-THE-SEA, CA. 93921 831-825-1553

LAMBERT RESIDENCE



bar scale

## EXISTING ROOF PLAN

01-04-14

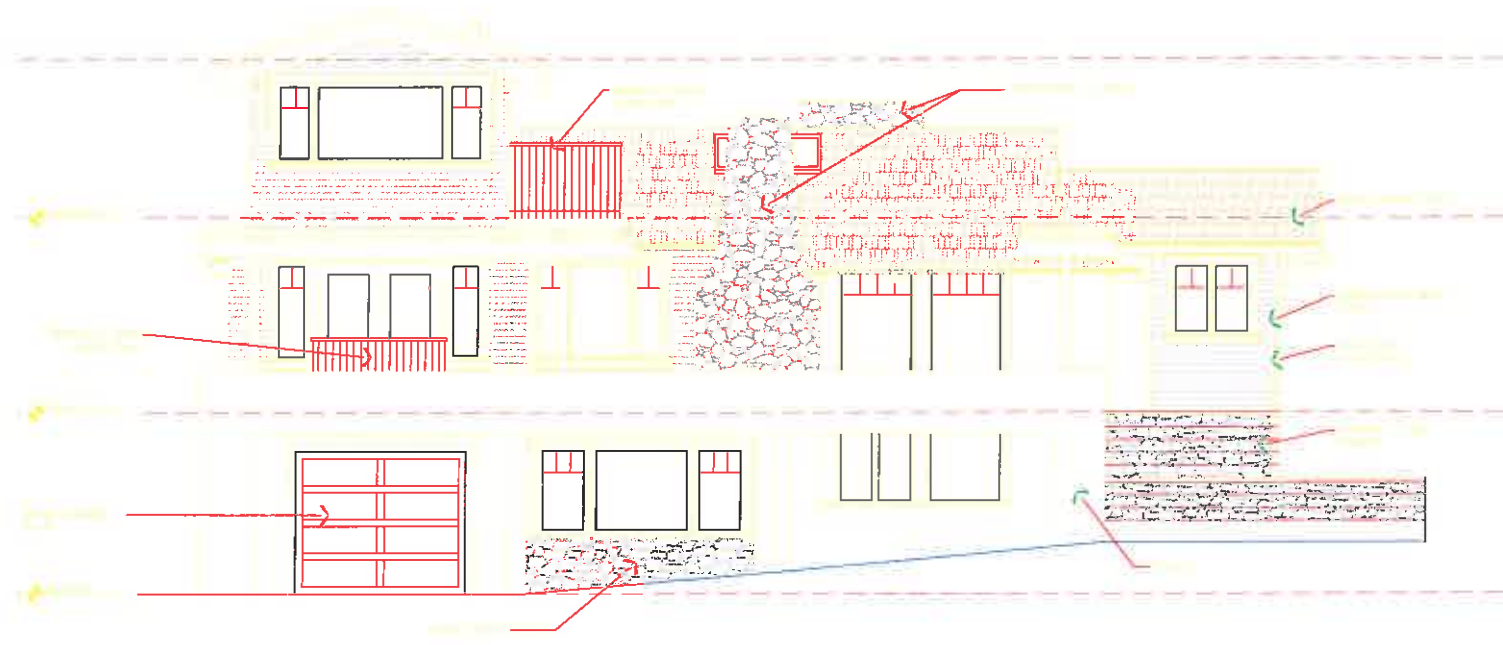
JOB NUMBER 1304

JOHN MANDURRAGO  
*Design Studios*

SHEET NUMBER D5

P. O. BOX "R", CARMEL BY THE SEA, CA. 93921 831-625-1553

LAMBERT RESIDENCE  
SAN ANTONIO 4 NE OF OCEAN AVENUE  
CARMEL, CA.  
A.P.N. 010-253-012

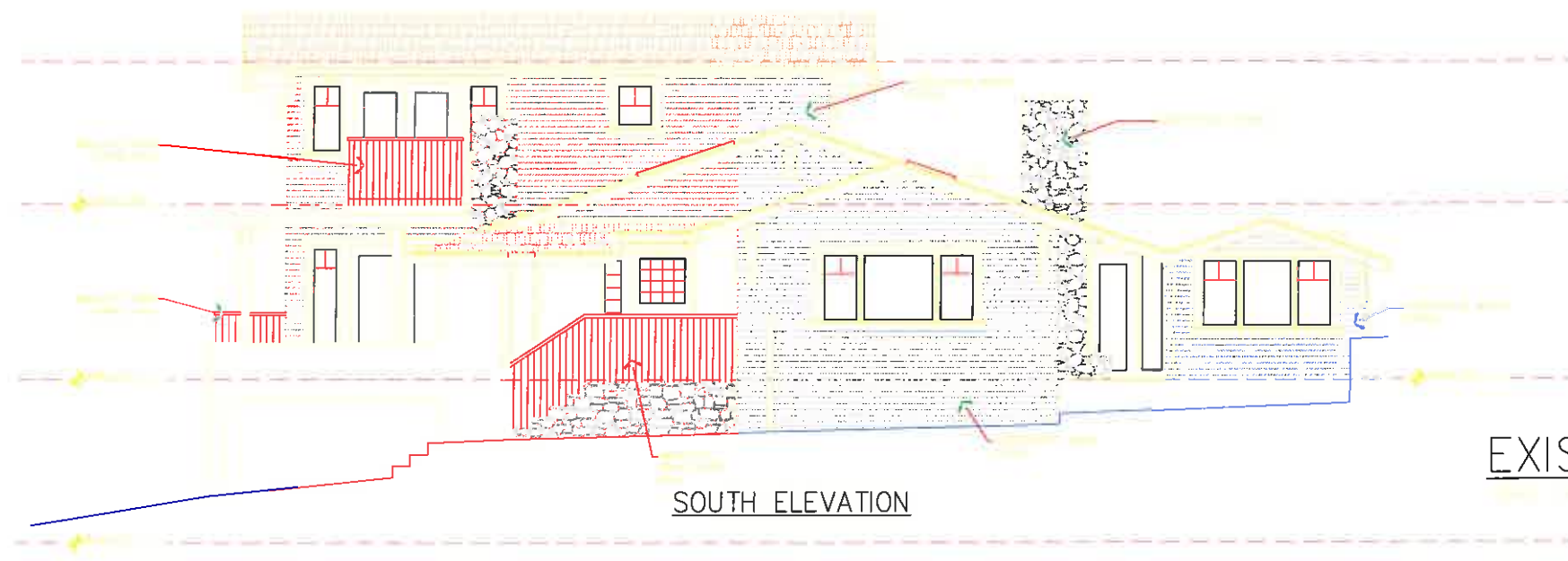


WEST ELEVATION

0 2 4 6 8 10

1 3 5 7 9

bar scale



SOUTH ELEVATION

EXISTING ELEVATIONS

LAMBERT RESIDENCE

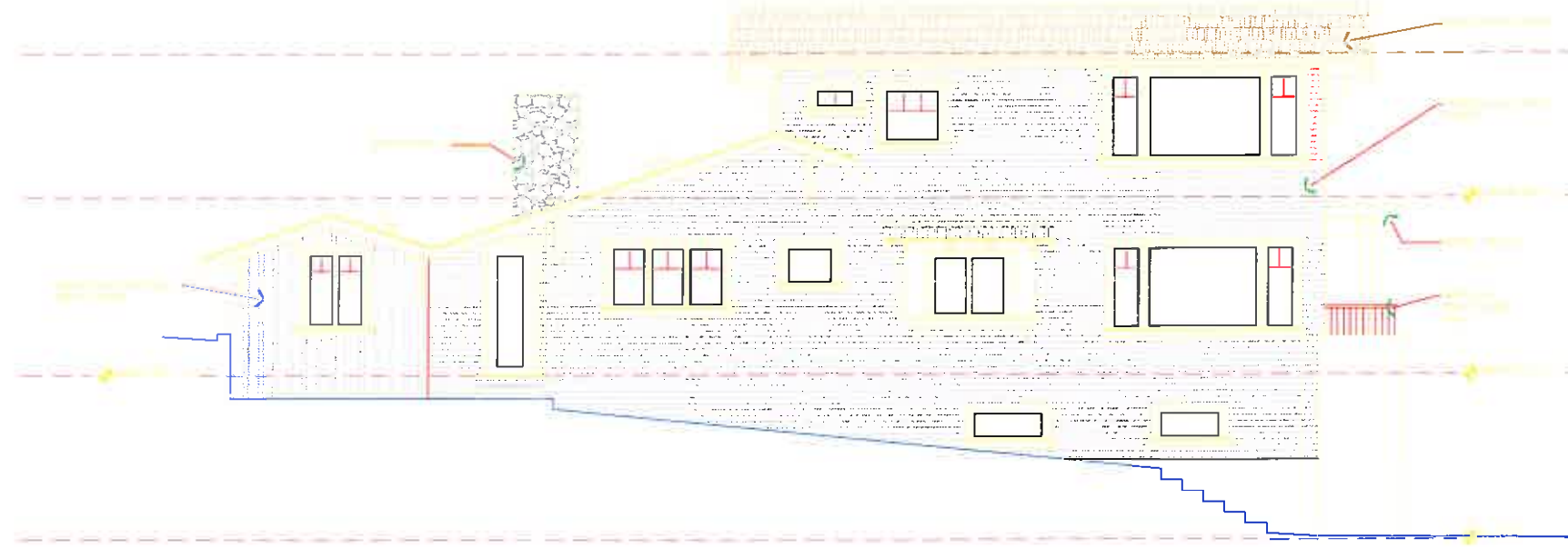
06-18-13

JOB NUMBER 1304

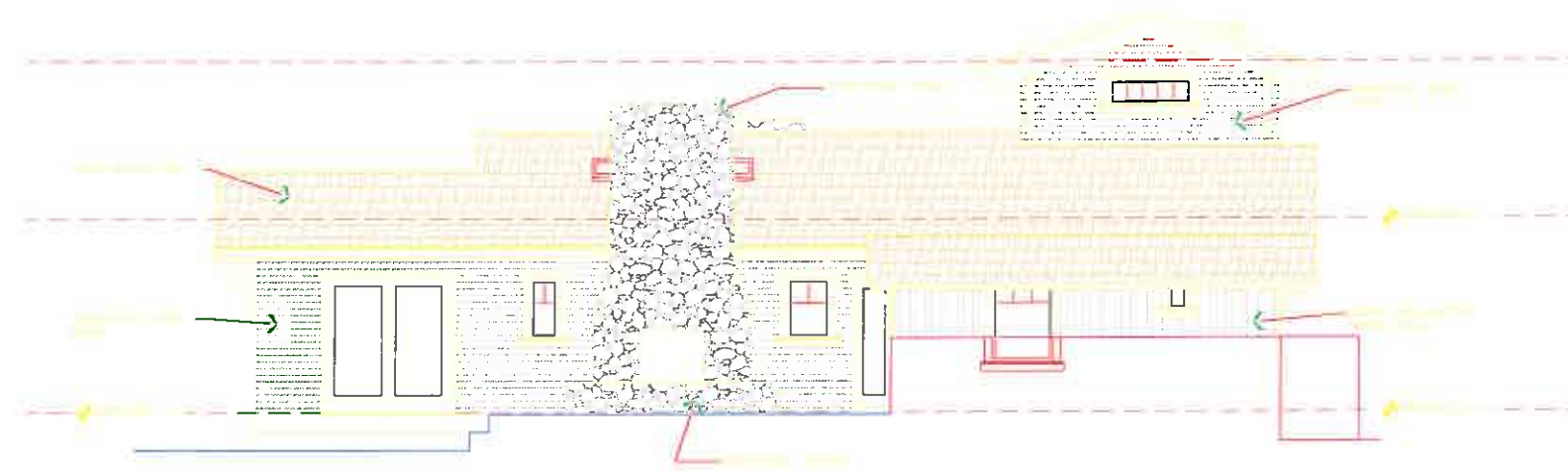
SHEET NUMBER D6

JOHN MANDURRAGO  
*Design Studios*

P. O. BOX "R", CARMEL BY-THE-SEA, CA. 93921 831-625-1553



NORTH ELEVATION



EAST ELEVATION

0 2 4 6 8 10  
1 3 5 7 9  
**bar scale**

EXISTING ELEVATIONS

06-18-13

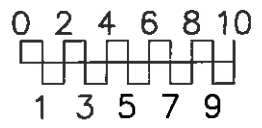
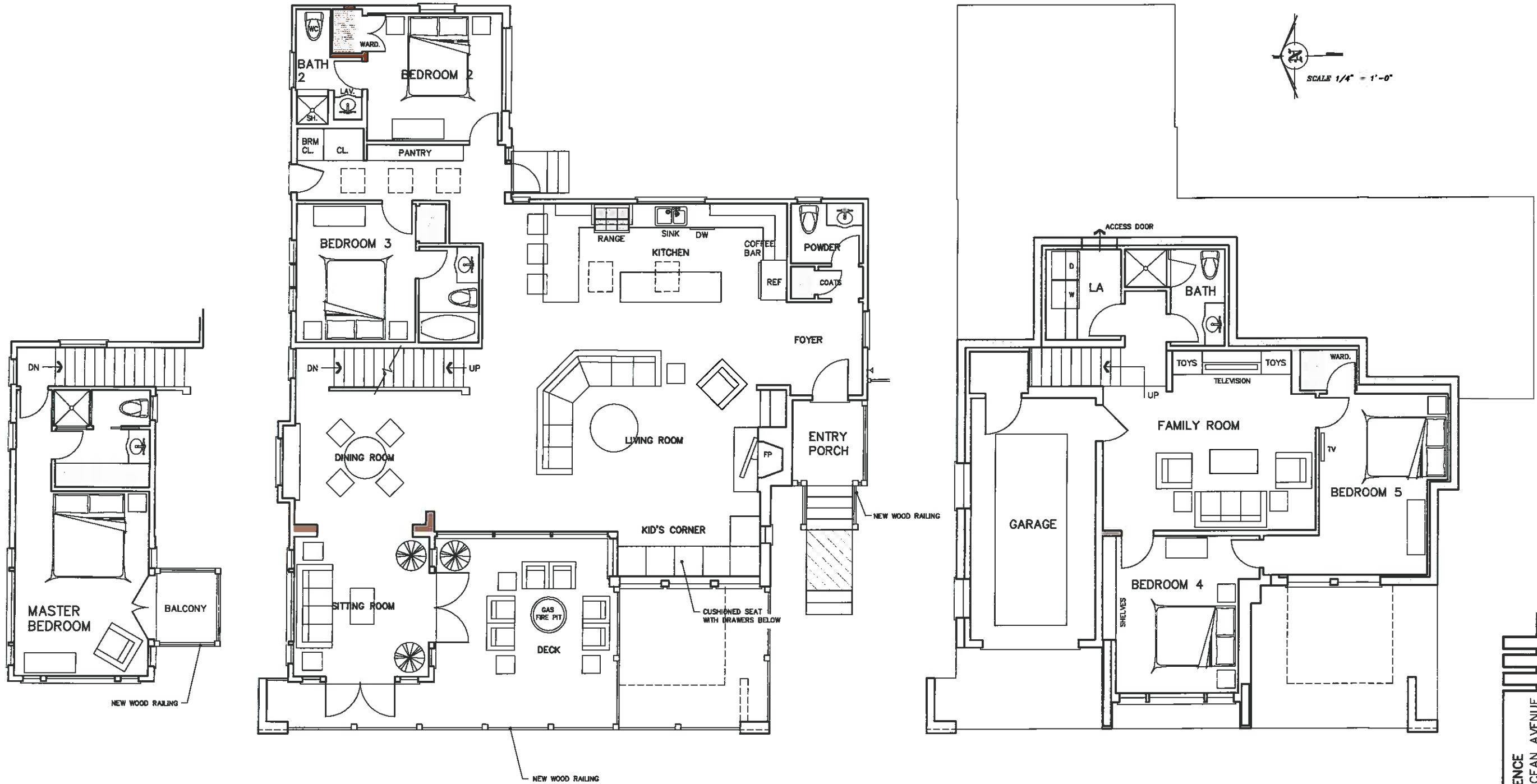
JOB NUMBER 1304

SHEET NUMBER **D7**

JOHN MANDURRAGO  
*Design Studios*

P. O. BOX 78, CARMEL BY THE SEA, CA 93921 831-625-1553

LAMBERT RESIDENCE



bar scale

**PROPOSED FLOOR PLANS**

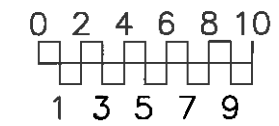
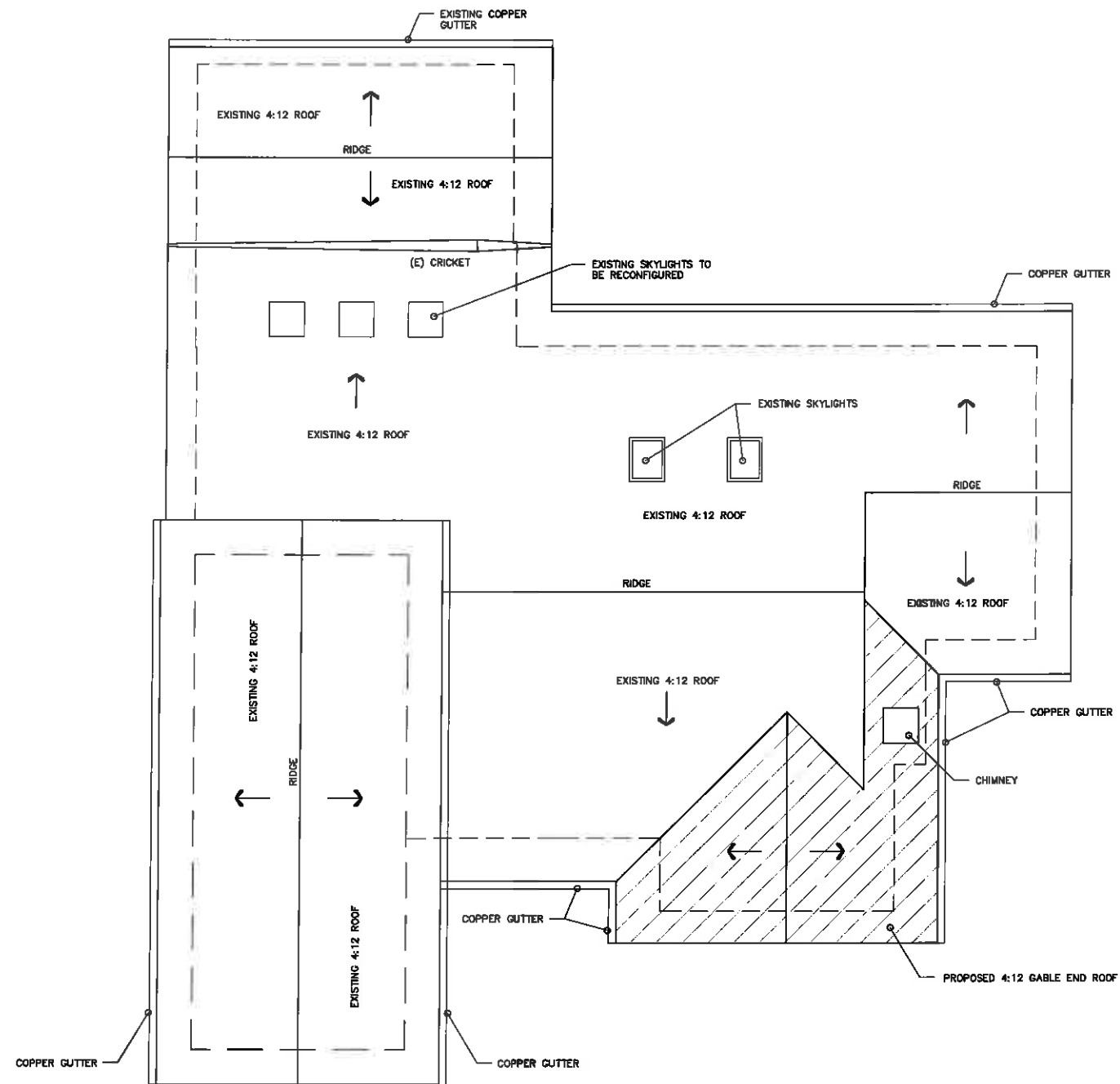
01-04-14

JOHN MANDURRAGO  
*Design Studios*

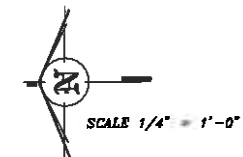
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SHEET NUMBER **D8**

LAMBERT RESIDENCE  
SAN ANTONIO 4 NE OF OCEAN AVENUE  
CARMEL, CA.  
A.P.N. 010-253-012

P. O. BOX "R", CARMEL BY-THE-SEA, CA. 93921 831-825-1553



bar scale



**PROPOSED  
ROOF PLAN**

LAMBERT RESIDENCE  
SAN ANTONIO 4 NE OF OCEAN AVENUE  
CARMEL, CA.  
A.P.N. 010-253-012

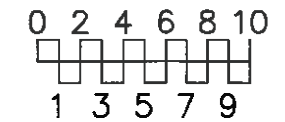
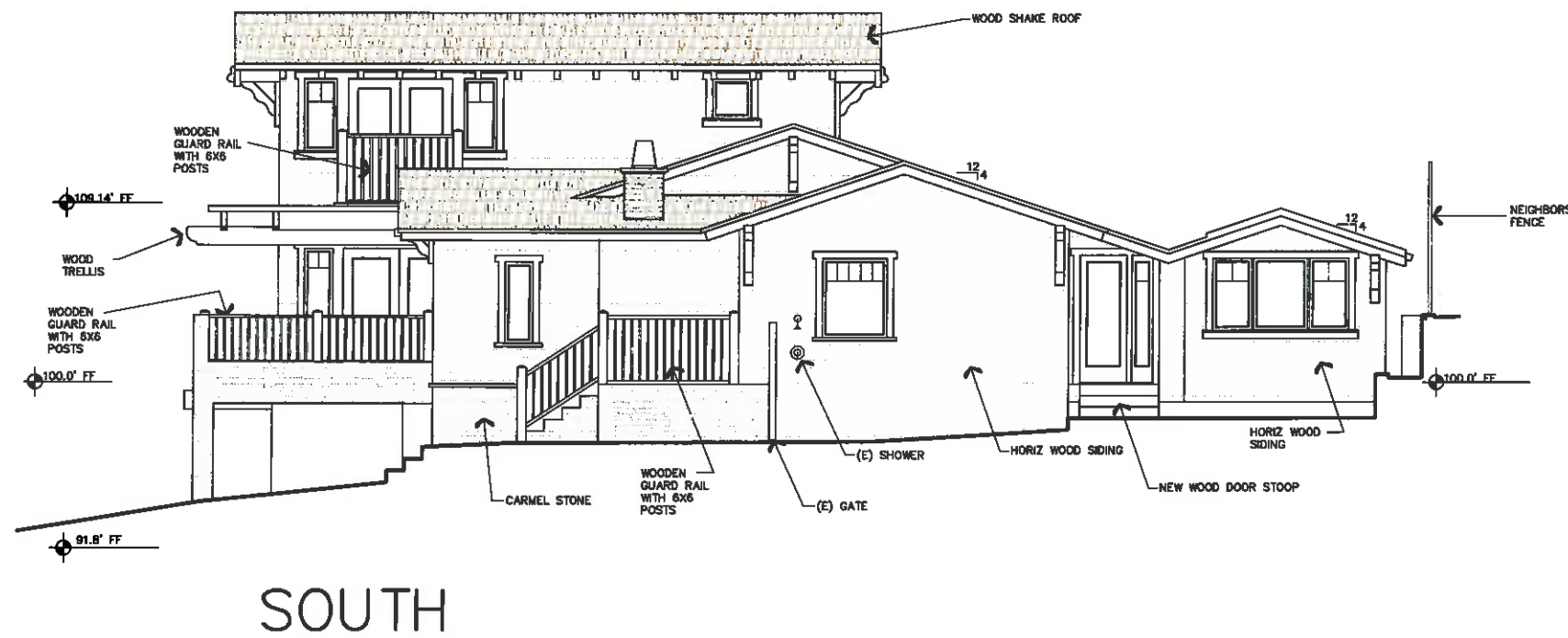
01-04-14

JOB NUMBER 1304

JOHN MANDURRAGO  
*Design Studios*

SHEET NUMBER **D9**

P. O. BOX "R", CARMEL BY THE SEA, CA. 93021 831-625-1553



bar scale

**PROPOSED  
EXTERIOR ELEVATIONS  
WEST & SOUTH**

SCALE 1/4" = 1'-0"

LAMBERT RESIDENCE  
SAN ANTONIO 4 NE OF OCEAN AVENUE  
CARMEL, CA.  
A.P.N. 010-253-012

01-04-14

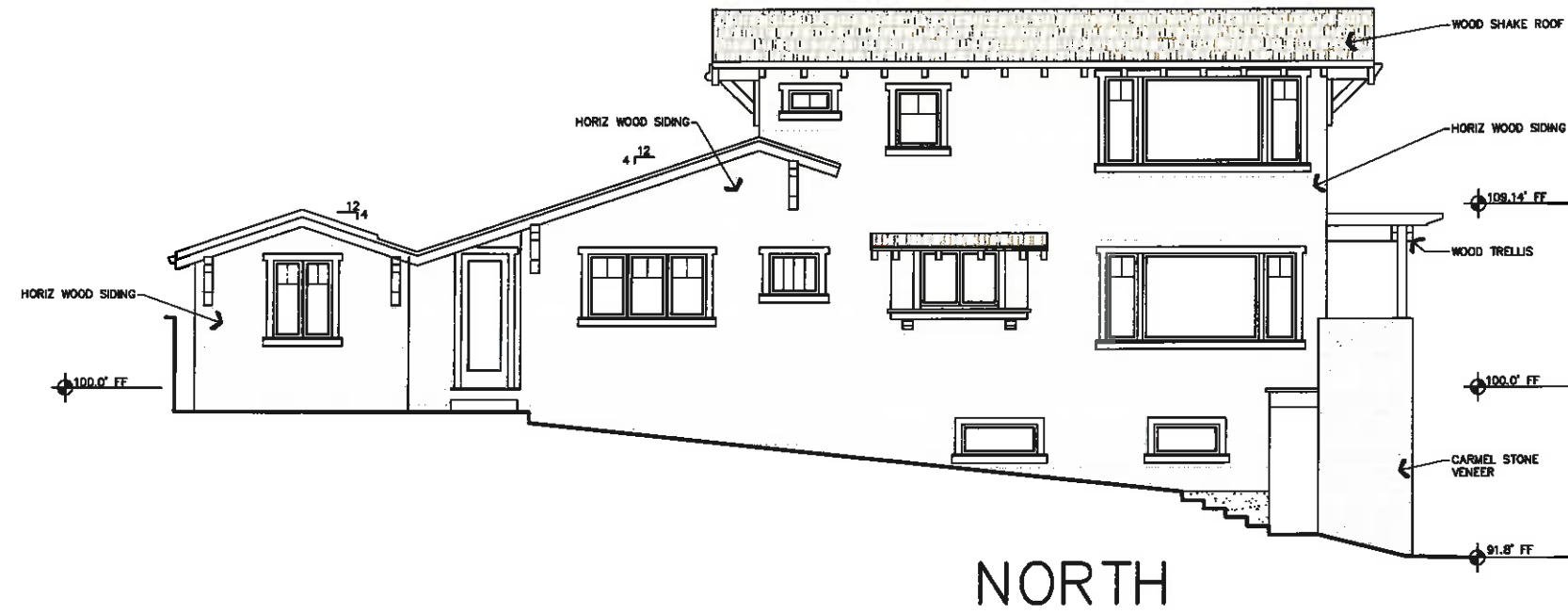
JOB NUMBER 1304

JOHN MANDURRAGO  
*Design Studios*

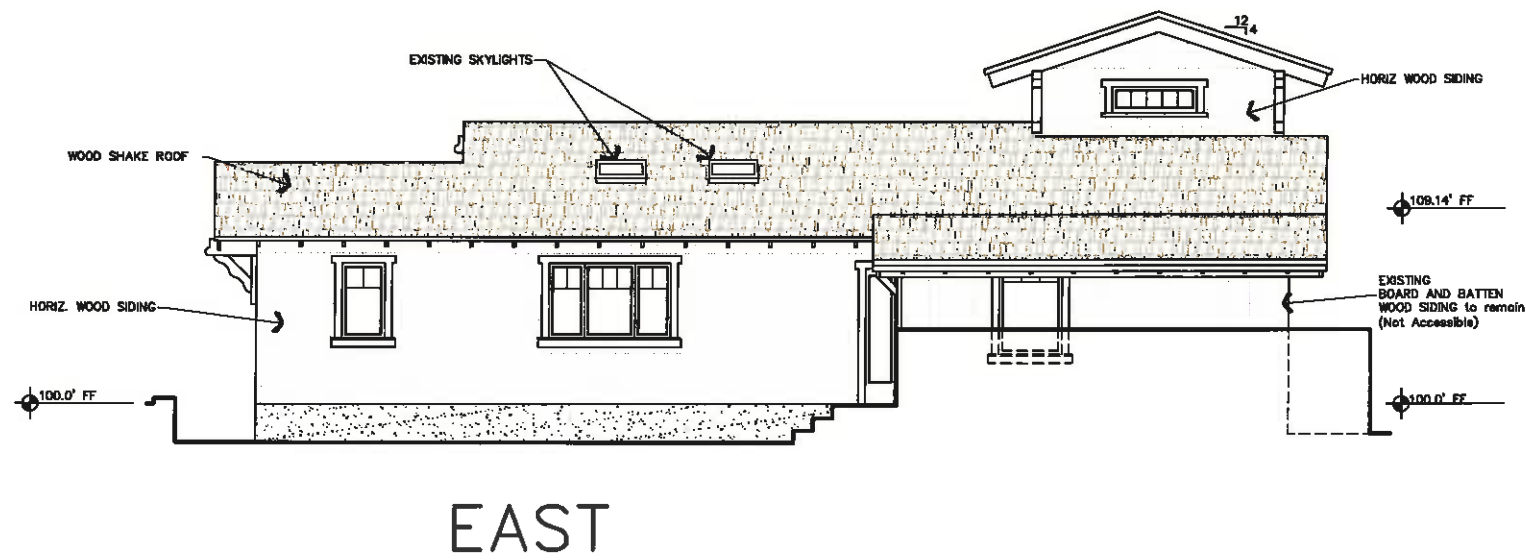
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P. O. BOX "R", CARMEL BY-THE-SEA, CA. 93921 831-825-1553

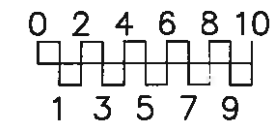




NORTH



EAST



bar scale

PROPOSED  
EXTERIOR ELEVATIONS  
EAST & NORTH

SCALE 1/4" = 1'-0"

JOHN MANDURRAGO  
*Design Studios*

P. O. BOX "K", CARMEL, BY-THE-SEA, CA 93921 831-625-1553

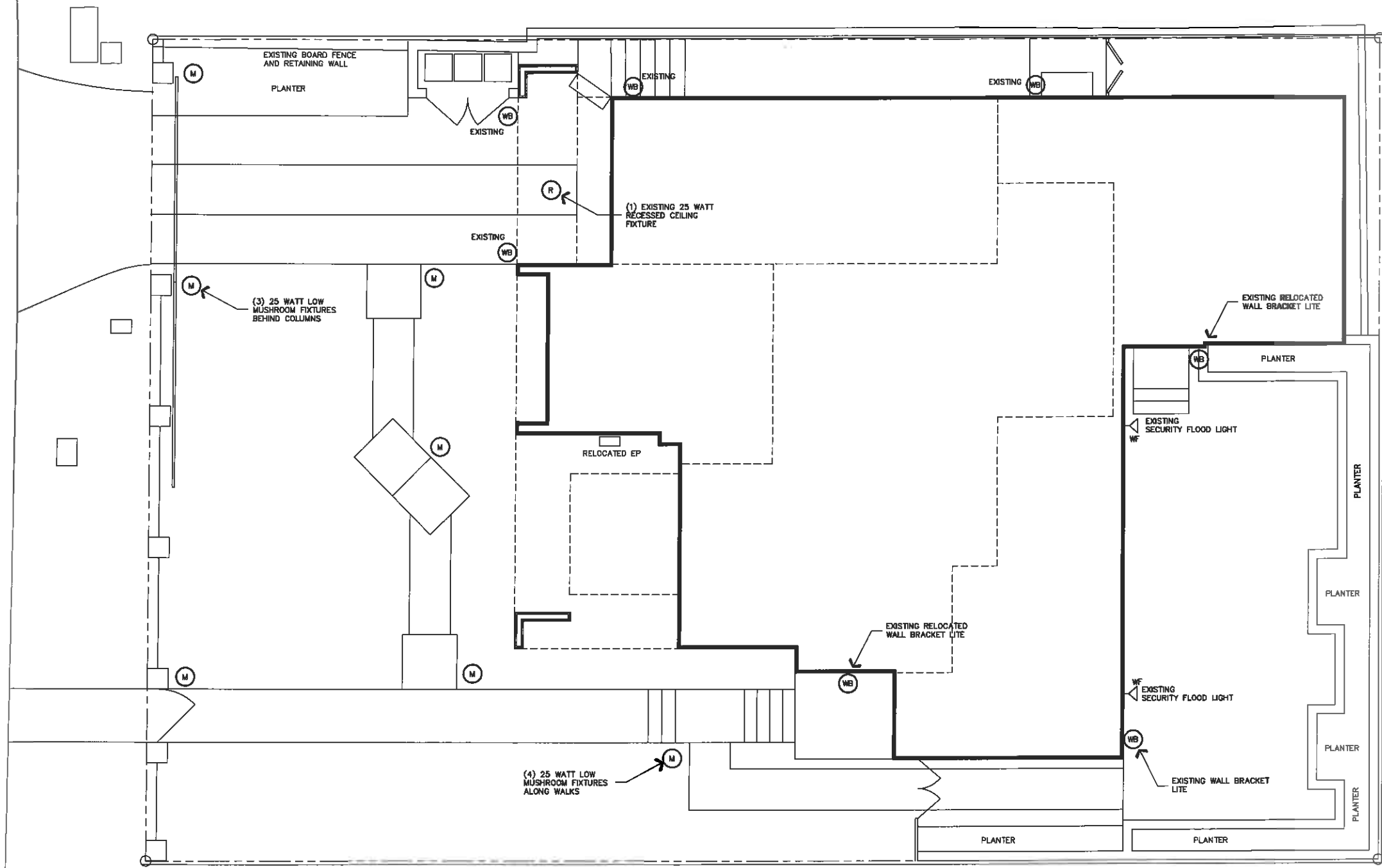
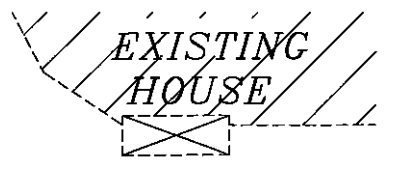
01-04-14

JOB NUMBER 1304

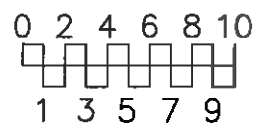
SHEET NUMBER D11

LAMBERT RESIDENCE  
SAN ANTONIO 4 NE OF OCEAN AVENUE  
CARMEL, CA.  
A.P.N. 010-253-012

SAN ANTONIO AVENUE

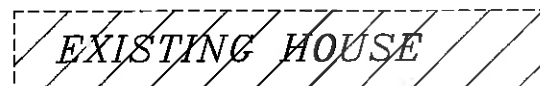
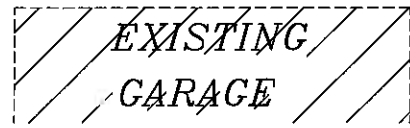


SCALE 1/4" = 1'-0"



bar scale

PROPOSED EXTERIOR LIGHTING



JOHN MANDURRAGO  
Design Studios

P. O. BOX "H", CARMEL BY-THE-SEA, CA. 93921 831-825-1553

01-04-14

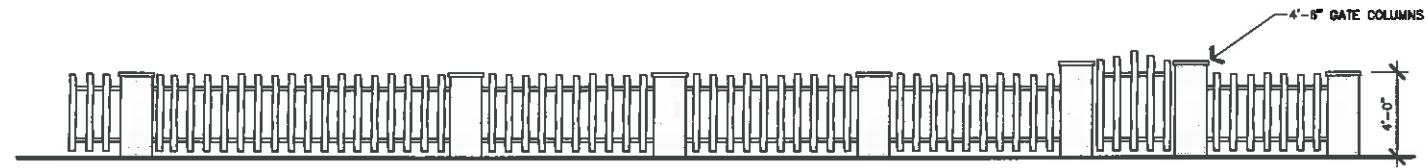
JOB NUMBER 1304

SHEET NUMBER D12

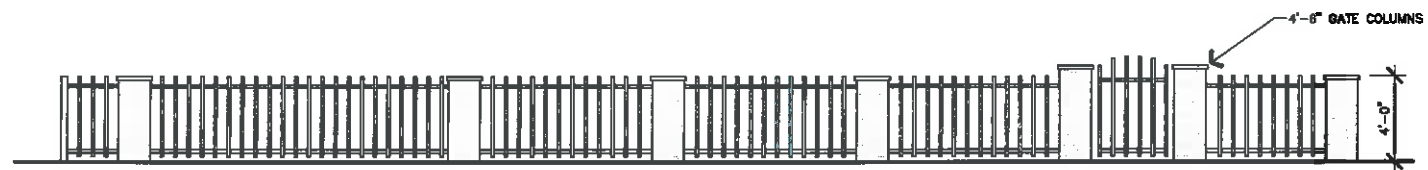
LAMBERT RESIDENCE  
SAN ANTONIO 4 NE OF OCEAN AVENUE  
CARMEL, CA.  
A.P.N. 010-253-012



Grape stake fence



Grape stake fence with Carmel Stone columns

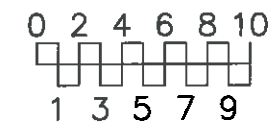


Resawn redwood fence with Carmel Stone columns



Carmel Stone columns

PROPOSED  
FENCE ELEVATIONS



bar scale

01-15-14

JOB NUMBER 1304

SHEET NUMBER D13

JOHN MANDURRAGO  
*Design Studios*

P. O. BOX 77, CARMEL BY-THE-SEA, CA. 95021 831-625-1553

LAMBERT RESIDENCE  
SAN ANTONIO 4 NE OF OCEAN AVENUE  
CARMEL, CA.  
A.P.N. 010-253-012

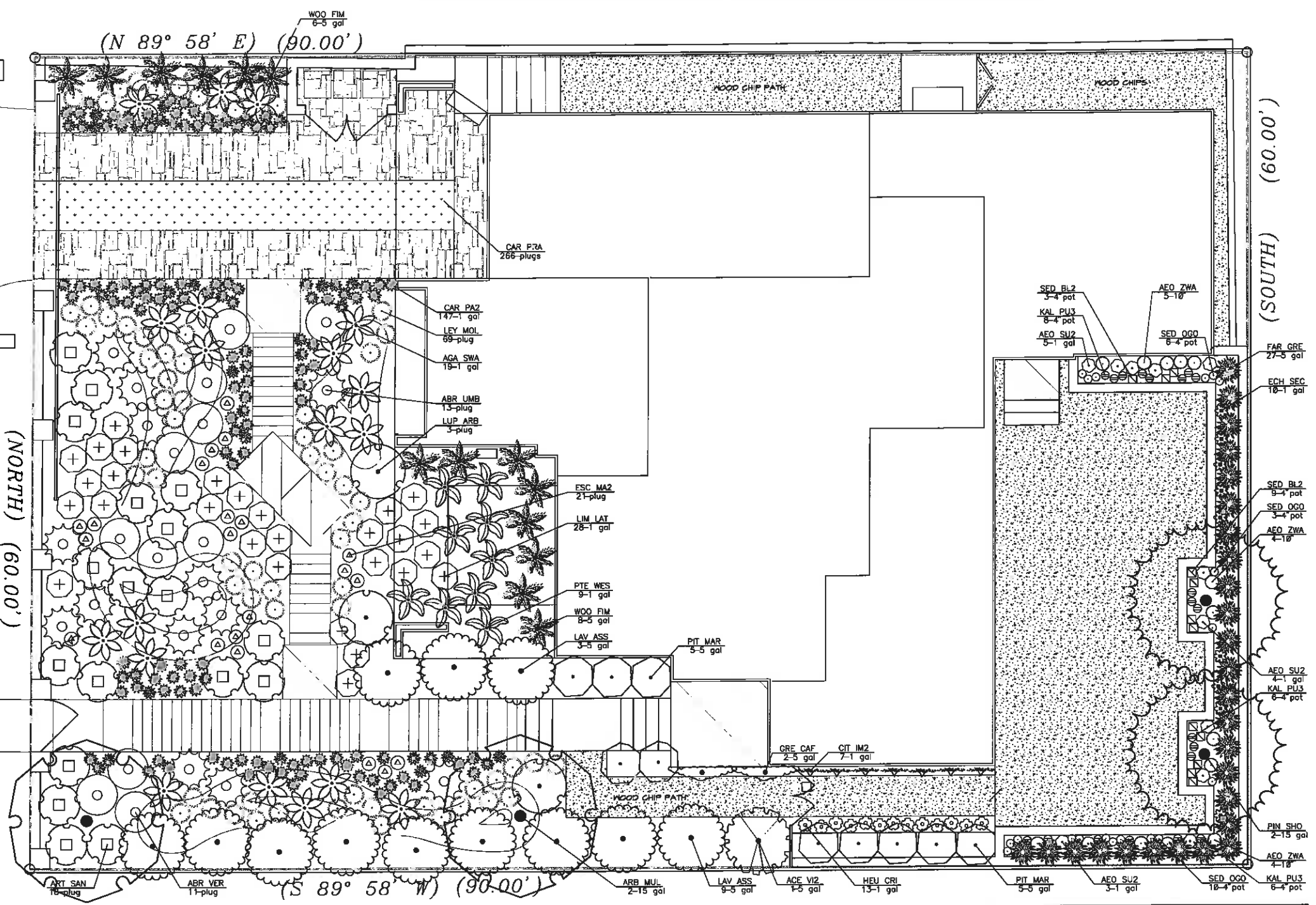
DATE:  
 01-10-2014  
 SCALE:  
 1/4" = 1'-0"  
 DRAWN BY:  
 MCW

SAN ANTONIO AVENUE

(NORTH) (60.00')

(SOUTH) (60.00')

(S 89° 58' W) (90.00')



PLANT\_SCHEDULE

TREES	QTY	COMMON NAME / BOTANICAL NAME	CONT	DUNE PLANT COMMUNITY	QTY	COMMON NAME / BOTANICAL NAME	CONT	SUCCULENTS	QTY	COMMON NAME / BOTANICAL NAME	CONT	
ARB MUL	2	Arbutus Multi-Trunk / Arbutus x 'Marina' Lower canopy tree	15 gal	ARB VER	11	Yellow Sand Verbena / Abronia latifolia	plug	AEO ZWA	13	Black Rose Aeonium / Aeonium arboreum 'Zwartkop'	10"	
PIN SHO	2	Shore Pine / Pinus cantorta Upper canopy tree	15 gal	ARB UMB	13	Pink Sand Verbena / Abronia umbellata	plug	AEO SU2	12	Aeonium / Aeonium x 'Sunburst'	1 gal	
SHRUBS	QTY	COMMON NAME / BOTANICAL NAME	CONT	ART SAN	18	Sandhill Sage / Artemisia pycnocephala	plug	AGA SWA	19	Agave / Agave attenuata 'Swan's Neck'	1 gal	
ACE VIZ	1	Virdis Japanese Maple / Acer palmatum 'Virdis'	5 gal	CAR PAZ	147	Sanddune Sedge / Carex pansa	1 gal	ECH SEC	10	Man and Chicks / Echeveria secunda	1 gal	
FAR GRE	27	Green Screen Bamboo / Fargesia robusta 'Green Screen'	5 gal	ESC MA2	21	California Poppy / Eschscholzia californica maritima	plug	KAL PU3	20	Pumila Kalanchoe / Kalanchoe pumila	4" pot	
LAV ASS	12	Mallow / Lavatera assurgentiflora	5 gal	LEY MOL	69	American Dunegrass / Leymus mollis	plug	SED OGO	19	Stonecrop / Sedum makinoi 'Ogan'	4" pot	
LIM LAT	28	Sea Lavender / Limonium latifolium	1 gal	LUP ARB	3	Tree Lupine / Lupinus arboreus	plug	SED BL2	12	Bloodgood Stonecrop / Sedum x 'Bloodgood'	4" pot	
PIT MAR	10	Tawhiwhi / Pittosporum tenuifolium 'Marjorie Channon'	5 gal	PTE WES	9	Westam Brackenfern / Pteridium aquilinum	1 gal	VINE/ESPAPLIER	QTY	COMMON NAME / BOTANICAL NAME	CONT	
WOO FIM	14	Giant Chain Fern / Woodwardia fimbriata	5 gal					CIT IM2	7	Improved Meyer Lemon Espalier / Citrus x 'Improved Meyer'	1 gal	
ANNUALS/PERENNIALS	QTY	COMMON NAME / BOTANICAL NAME	CONT					GRE CAF	2	Lavender Starflower / Grewia caffra	5 gal	
HEU CRI	13	Crimson Curts Coral Bells / Heuchera x 'Crimson Curts'	1 gal									
								GROUND COVERS	QTY	COMMON NAME / BOTANICAL NAME	CONT	SPACING
									266	Slender Sedge / Carex praegracilis	plugs	8" o.c.
									691 sf	Groundcover / Wood Chips Finely shredded	mulch	

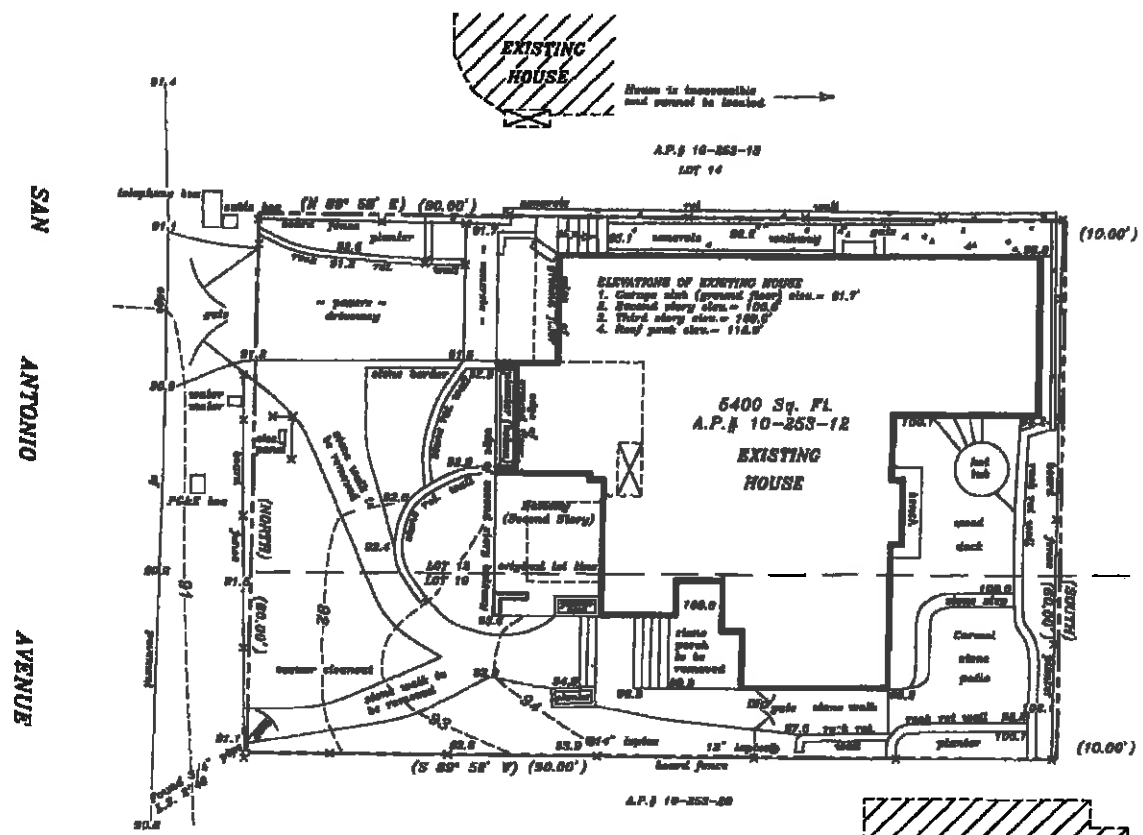
PROJECT TITLE:  
**Lambert Residence**  
 San Antonio Street  
 4 NE of Ocean Ave.  
 Carmel-by-the-Sea, CA 93921

A.P.N.: 010-253-012



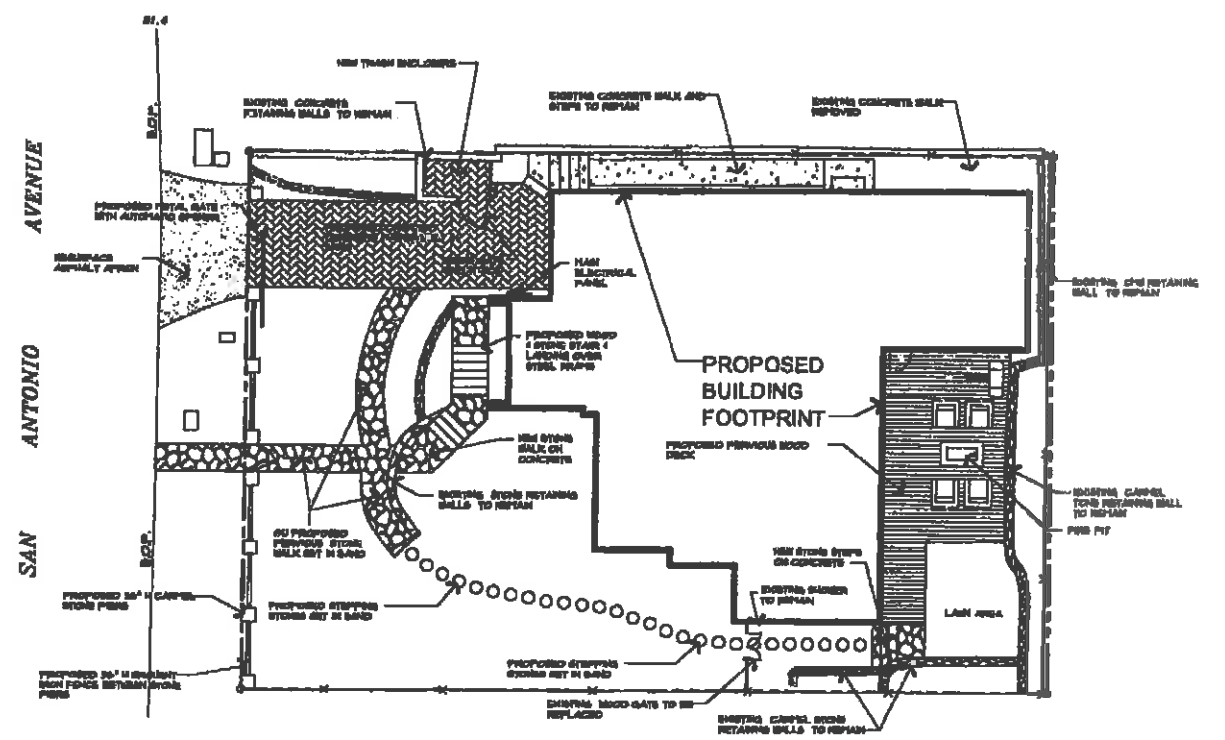
SHEET TITLE:  
**PLANTING PLAN**

SHEET #  
**L1.0**



ELEVATIONS OF EXISTING HOUSE  
 1. Garage slab (ground floor) elev. = 91.7'  
 2. Second story elev. = 106.0'  
 3. Third story elev. = 120.9'  
 4. Roof peak elev. = 112.9'

- NOTES:**
1. Dimensions shown in centimeters.
  2. Details found on old are as indicated; others are shown for reference only.
  3. Revised data is shown in parentheses (...).
  4. Dotted = hypothetical.



**SITE PLANS**  
 SCALE: 1/8" = 1'-0"

06-01-13

LAMBERT RESIDENCE  
 4 NE OF OCEAN AVENUE  
 CARMEI, CA.  
 A.P.N. 010-289-012

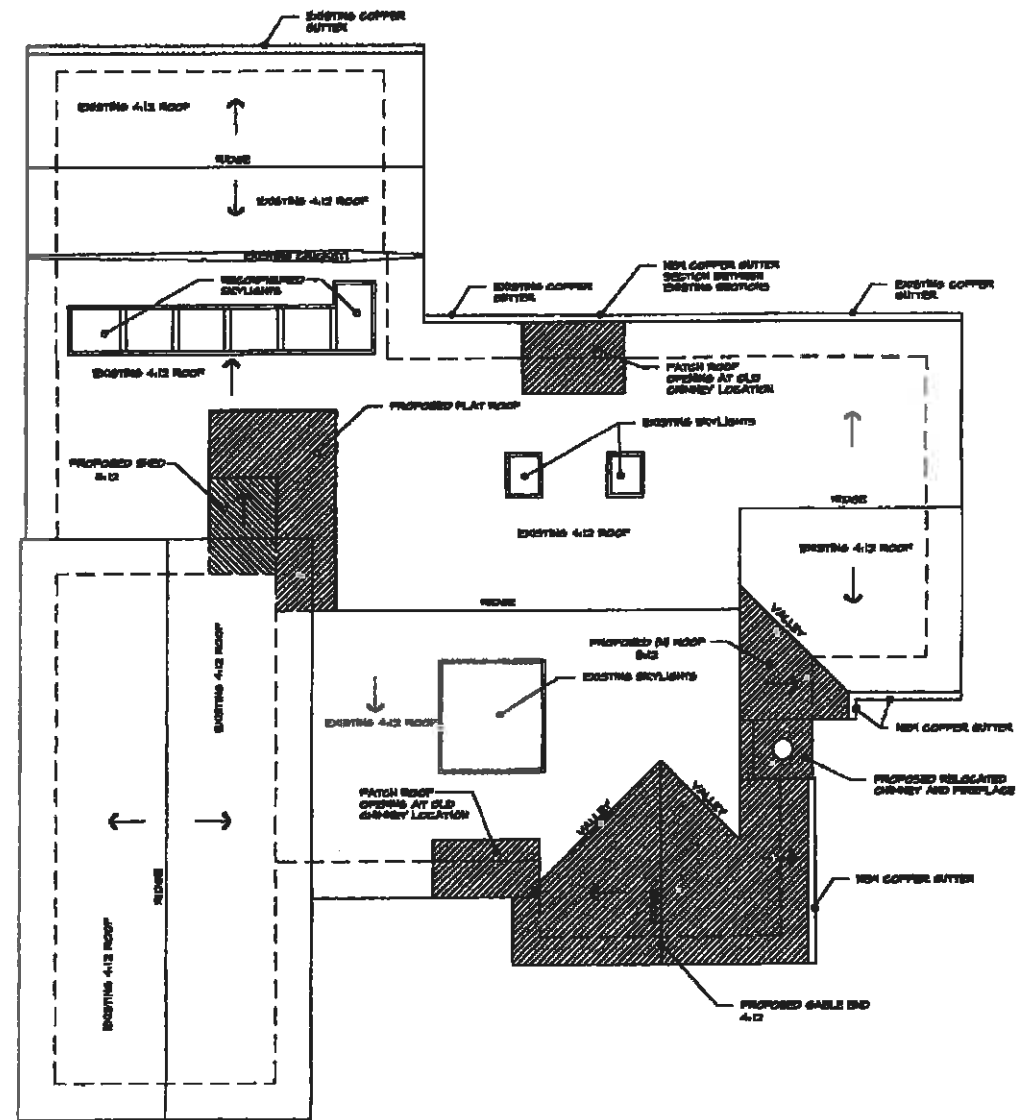
06-18-13

1304

D2

JOHN MANDURRAGO  
 Design Studios

R. & BOX "B", DUBLIN, CA 94568 TEL 925-831-4221 FAX 925-831-4222



**PROPOSED ROOF PLAN**

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

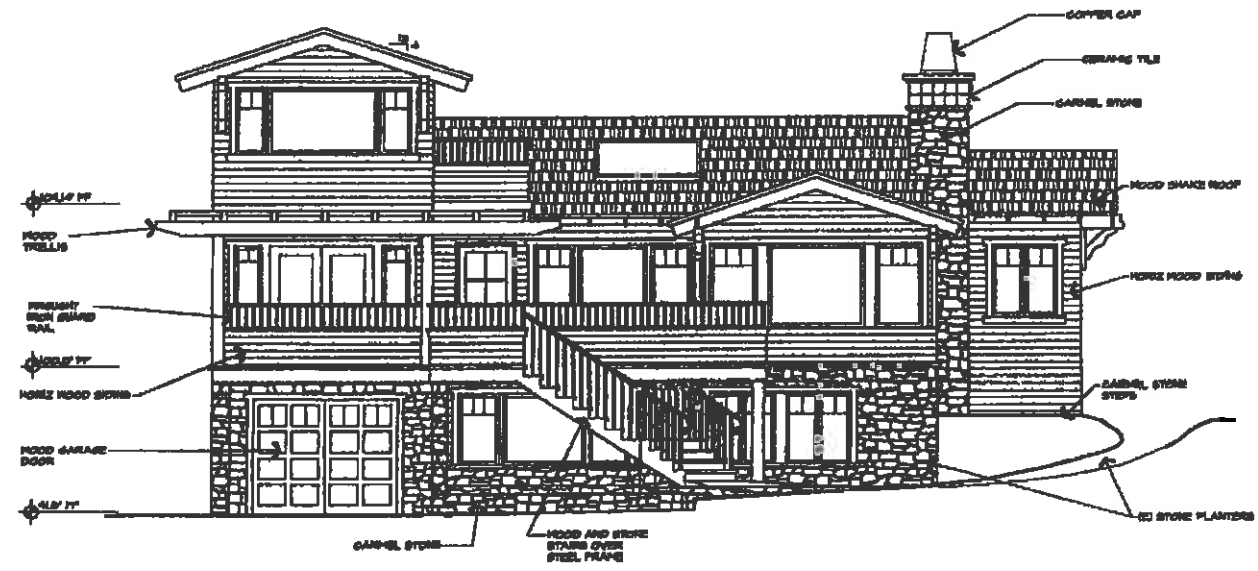
00-10-13  
1304

JOHN MANDURRAGO  
*Design Studios*

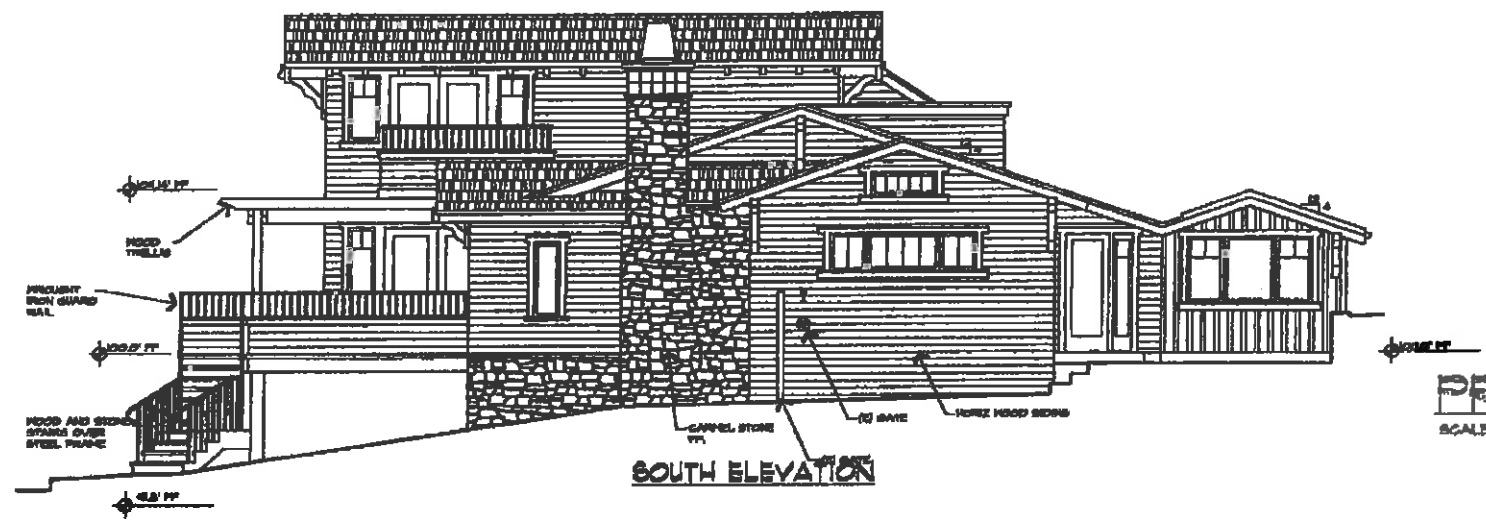
D8

P. O. BOX 77, CORRAL BRIDGE, CA 95021 925-432-4880

LAMBERT RESIDENCE  
4 NE OF OCEAN AVENUE  
CARMEL, CA  
A.P.N. 010-255-012



WEST ELEVATION



SOUTH ELEVATION

**PROPOSED ELEVATIONS**

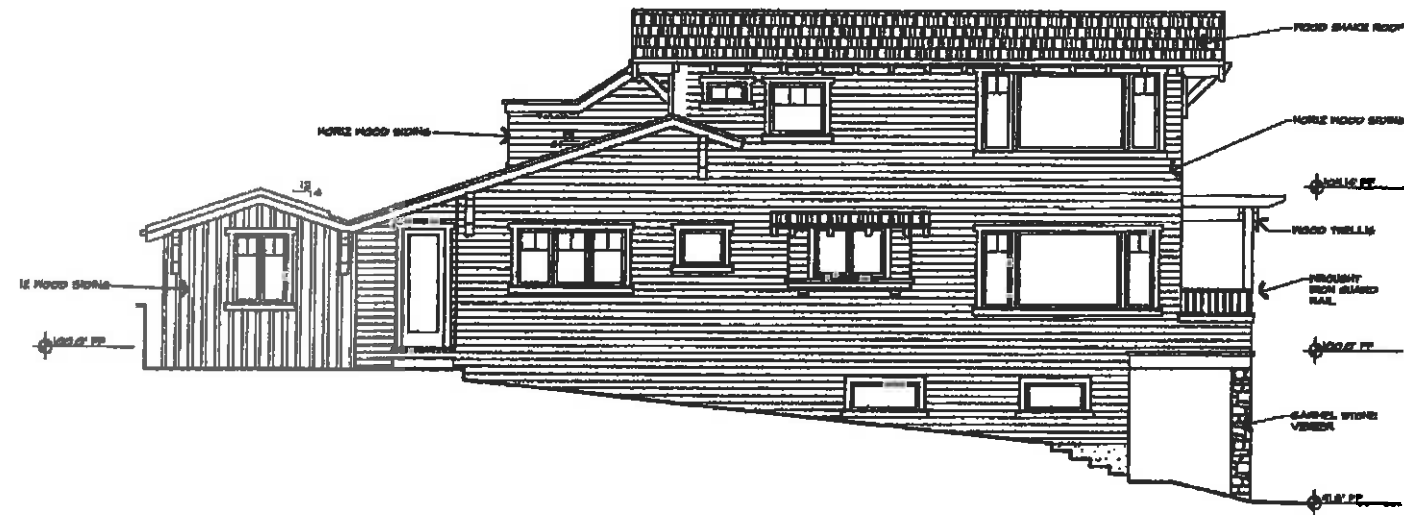
SCALE 1/4" = 1'-0"

LAMBERT RESIDENCE  
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 CARVEL, CA  
 A.P.N. 010-255-012

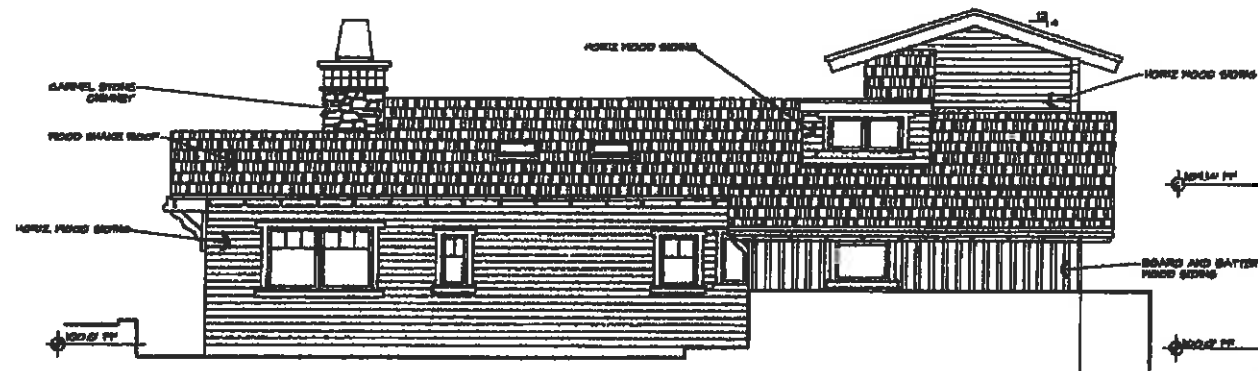
08-18-13  
 1304  
 D9

JOHN MANDURKAGO  
 Design Studios

P. O. BOX 77, CARVEL 97-92, CA 95821 531-538-1033



NORTH ELEVATION



EAST ELEVATION

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

LAMBERT RESIDENCE  
4 NE OF OCEAN AVENUE  
CARVEL, CA.  
A.P.N. 010-229-012

08-18-18  
1304  
= D10  
JOHN MANDURRAGO  
Design Studios  
A. S. 800 777 0000 271-700-0000 011-000-0000



PRELIMINARY DRAWING NOT FOR CONSTRUCTION  
ALL DIMENSIONS AND BUILDING FEATURES ARE APPROXIMATE.

50'-3"

(e) ENTRANCE

(e) PLANTER

MAIN DINING ROOM

38 SEATS

(e) ADA RESTROOM

STAIRS

STORAGE

RECEIVED

JAN 13 2014

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

STOR.

30'-9"

9'-9"

7'-0"

(N) 12' EXHAUST HOOD

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



ND FUSION LLC

8'-0"

4'-7<sup>3</sup>/<sub>4</sub>"

12'-6"

14'-6"

NORTH



ADAM JESELNICK  
ARCHITECT

© Adam Jeselnick, Architect 2014

S/w corner San Carlos and 6th  
Carmel-by-the-Sea, California

SCHMATIC FLOOR PLAN

Project Number: 1323  
Date: January 13, 2013



CITY OF CARMEL-BY-THE-SEA

Planning Commission Report

January 23, 2014

**To:** Chair Dallas and Planning Commissioners  
**From:** Rob Mullane, AICP, Community Planning and Building Director RM  
**Submitted by:** Marc Wiener, Senior Planner  
**Subject:** Consideration of a Use Permit (UP 13-20) to establish a restaurant located in the Central Commercial (CC) Zoning District

---

**Recommendation:**

Approve Use Permit (UP 13-20) subject to the attached findings and conditions

**Application:** UP 13-20 **APN:** 010-134-011  
**Location:** Southwest corner San Carlos Street and 6<sup>th</sup> Avenue  
**Block:** 71 **Lot:** 1  
**Applicant:** ND Fusion LLC (Affina Bistro) **Property Owner:** Leidig Draper Properties

**Background and Project Description:**

The project site is located at the southwest corner of San Carlos Street and Sixth Avenue in the Central Commercial (CC) Zoning District. The business space is 1,500 square feet in size and was previously occupied by a restaurant named Pernille, which vacated the space in 2007. The applicant is proposing to establish a new full-line restaurant named Affina Bistro. The proposed restaurant would include 47 seats, 9 of which would be located at a bar. The proposed hours of operation are from 11:00 a.m. to 10:00 p.m. daily, or later if possible.

The applicant has provided an overview of the proposed restaurant and a sample menu, which is included as Attachment A. The applicant states that: "Affina serves a fusion of east and west tapas utilizing small boutique style wineries in California and around the world at the best price accommodated by a cozy and fun atmosphere." The sample menu includes a variety of food offerings. The applicant has indicated that there would be an emphasis on serving wine and beer.

The applicant is proposing to remodel the interior of the restaurant, which includes the construction of a new kitchen and remodeling the restroom to comply with ADA requirements. The applicant has indicated that garbage storage would either be located within the restaurant or in an adjacent alley.

**Staff Analysis:**

**Restaurant Use Permit:** Full-line restaurants require a Conditional Use Permit to be issued by the Planning Commission. According to CMC Section 17.68.030, full line restaurants provide *“a full line of prepared food and drinks using non-disposable plates, glasses and utensils for immediate consumption on the site. These restaurants provide table service to patrons of all ages who pay after eating. Takeout service may be provided.”*

CMC Section 17.14.040.I (3) establishes the criteria for a full-line restaurant. The criteria for a full-line restaurant are listed below with a staff analysis on how the project complies with the requirements.

1. *Adequate facilities shall be provided on the site for the closed storage of trash and garbage generated by the use. The on-site storage shall be designed so that the area can be cleaned and the refuse removed without creating a public nuisance and without being placed on the sidewalks or other public ways. If the method of cooking used will generate hot ashes, a storage facility and disposal method shall first be approved by the Fire Department.*

Analysis: The applicant is currently working on an agreement with an adjacent property owner to establish a trash storage area in the adjacent alley that would comply with the above requirements. A photograph of the proposed location is included in Attachment A. Outdoor trash areas need to be enclosed in a roofed structure and outfitted with a fire sprinkler system. The applicant would also need to clarify the existing parking configuration in this area and what impact the trash enclosure would have on parking and circulation. If an agreement cannot be reached with the adjacent property owner, the applicant has the option of establishing the trash storage area within the restaurant, per the requirements of the Monterey County Health Department. Special Condition #19 requires that the applicant work with staff on establishing the trash storage area prior to applying for the building permit.

2. *At least one restroom shall be available for use by both sexes within, or conveniently adjacent to, the specific business premises and on the same property on which the use is located. This restroom shall comply with all provisions of the State Uniform Building and Plumbing Codes as to the required size, location and accessibility standards, and shall be available for use by both*

*the employees and patrons of the business.*

**Analysis:** The applicant is proposing to remodel an existing restroom within the restaurant that would be available to both sexes. Staff notes that the restroom would be ADA-compliant.

**3. *Drive-in, formula, and fast food establishments are prohibited.***

**Analysis:** The proposed restaurant, as represented by the applicant, would not exhibit characteristics of a drive-in, formula food, or fast food establishment as defined by CMC 17.70.020. A definition of these terms is included as Attachment E.

**4. *Any sale of alcoholic beverages shall be subordinate to this primary use.***

**5. *Substantially all foods from the standard menu shall be available for purchase during the hours that alcoholic beverages are being served except for the first hour and the last hour of each business day.***

**Analysis:** The applicant has indicated that restaurant would feature unique wines and beer and states that a goal of the restaurant is to “create a wine/food-centric atmosphere.” The restaurant would be permitted to sell alcoholic beverages such as wine and beer; however, consistent with the above standard, all foods from the standard menu shall be available for purchase during the hours that alcoholic beverages are being served except for the first hour and the last hour of each business day. Standard Condition #5 addresses this maximum allowance.

**6. *The applications, menus and plans indicate that the business will primarily be a restaurant – full line, and that no more than 20 percent of the total number of seats are at a bar or in a separate bar room.***

**Analysis:** The applicant has submitted a menu indicating that the business would operate as a full-line restaurant. The applicant is proposing a total of 47 seats, 9 of which would be located at a bar. Staff notes that 19% of the seating would be located at the bar and therefore the proposal meets the above requirement.

**7. *Customers shall be provided with individual menus while seated at a table or counter.***

**Analysis:** The applicant has not indicated whether the proposed restaurant would meet this

requirement. Staff will request that the applicant provide additional information at the meeting on the food service arrangement. Furthermore, Standard Condition #7 requires that the above standard is met.

8. *The maximum seating capacity shall not exceed the standards in the State Uniform Building and Fire Codes, the number of seats approved by the Planning Commission through public review, or the number of seats in the previous business, whichever is less. The seating capacity shall be posted on the premises.*

Analysis: The floor/seating plan proposes a total of 47 seats. The applicant has provided a letter from the Water Management District (Attachment A) indicating that the space has sufficient water credits to support 48 seats based on the previous occupancy of Pernille Restaurant.

In staff's opinion, the proposed seating plan would provide inadequate room for circulation within the restaurant. The City's Building Official has conducted a preliminary analysis of the seating plan and determined that it likely would not meet Building and Fire Codes as designed. However, staff notes that the floor/seating plan will be reviewed as part of the Building Permit - Plan Check process. The seating floor plan is subject to change, and depends on a full analysis of the kitchen, restroom, seating, access paths, etc.

Staff recommends that the Planning Commission approve the maximum of 47 seats as proposed by the applicant. However, it should be noted that Special Condition #21 states that this limit is a maximum, and may be reduced by the Building Official to meet the State Uniform Building and Fire Codes. Special Condition #21 also requires that the Use Permit (UP 13-20) be amended by the Planning Commission if it is determined that the allowed number of seats must be reduced.

**Hours of Operation:** The proposed hours of operation are from 11:00 a.m. to 10:00 p.m. daily. However, the applicant is requesting to stay open later than 10:00 p.m. if possible. Special Condition #20 requires that the restaurant close by 10:00 p.m. and states that no new customers shall be accepted after 10:00 p.m. The Commission should discuss whether the restaurant should be permitted to stay open past 10:00 p.m. Staff notes that the surrounding buildings contain commercial uses; however, several of these buildings have second-level apartments that could be impacted.

#### **Environmental Review:**

The application qualifies for a Class 3 Categorical Exemption from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15303 of the State CEQA Guidelines. Class 3

exemptions include projects involving limited new construction projects and conversion of small structures.

**ATTACHMENTS:**

- Attachment A – Site Photographs
- Attachment B – Applicant Letter, Menu, Water Management Letter
- Attachment C – Findings for Approval
- Attachment D – Conditions of Approval
- Attachment E – Code Section CMC 17.70.020.
- Attachment E – Floor/Seating Plan

**Attachment A – Site Photographs**

**Project site – Southwest corner of San Carlos and 6<sup>th</sup>**



**Project Site – On 6<sup>th</sup> Ave facing south (area of trash enclosure)**



AFFINA BISTRO

NOV 08 2013

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

Company Overview

ND Fusion LLC will be the operators of Affina. Affina is a comfort food “bistronomy” restaurant oriented towards fresh/local products and serving the freshest “farm to the table” products. The atmosphere of the restaurant is cozy and warm ambiance. The customers can choose from a selection of tapas, cheese, charcuteries and entrees, but also a selection of desserts and pastries available all day long. The selection of wine is in majority from local Monterey/ Carmel wineries, accompanied by variety of microbrewery beers.

Mission

" Affina serves a fusion of east and west tapas utilizing small boutique style wineries in California and around the world at the best price accommodated by a cozy and fun atmosphere."

Facility

The restaurant will be located at the corner of 6th and San Carlos Street, which was the former Pernille Restaurant for 42 years. The Premises that are the subject of this application (consisting of approximately 1,300 square feet) are located in the City of Carmel-by-the-Sea on the SW corner of San Carlos Street and Sixth Avenue, (Block 71, Lot 1) in the County of Monterey, State of California. The facility is located in the CC area (B of Carmel so we can would like to open at 11am and close at 10pm and later if possible.

The attached document from the Monterey Water Management, Carmel Fire Protection Associates and the Monterey County Health Department Division of Environmental Health Permit approves and acknowledges the location of the former Pernille restaurant, may have up to 48 seat restaurant.

There is already a hood attachment from the previous restaurant but we are applying for permits to make an energy efficient, brand new, full line kitchen. The current restroom facilities will be redesigned to comply with the ADA and an suitable closed garbage storage area that can be cleaned will be provided.

**Our Opportunity**

1. Variety of small boutiques wines and microbreweries offered in one place
2. Elegant food and wine pairings
3. Home base wine education experience
4. Introduce consumers to new and exciting microbreweries & wines every year
5. Fresh farm to table food pairing menu

**Our solutions**

1. Partner with Local Community NPO's
2. Create eclectic wine, beer and tapas menu
3. Fun, light, and elegant atmosphere
4. Create wine, beer & food tasting experience
5. Create a wine/food -centric atmosphere, where both novice and enthusiast wine lovers, winemakers, and foodies can come together to share their common enthusiasm for food and wine.



## ND FUSION Team and Key Roles

<p><b>Dexter Salazar</b></p> <p>General Manager</p> <p>Started as a Bartender for Tarpy's Roadhouse to working the floor at Dametra Cafe, Wine and liquor aficionado</p>	<p><b>Jasper Salazar</b></p> <p>Business Advisor/CFO</p> <p>A Business analyst for Management Information Systems Company</p>	<p><b>Nicolas Izard</b></p> <p>Executive Chef</p> <p>has worked for Joel Robuchon and numerous Michelin star restaurants. He started his career at the Superior School of French Cuisine.</p>
<p><b>Alex Facio</b></p> <p>Sous Chef</p> <p>Has worked for the French Laundry and was awarded the James Beard award</p>	<p><b>Shane Smit</b></p> <p>Public Relations</p> <p>Shane is a current recording artist, he was also in the band Overtone founded by Clint &amp; Dina Eastwood He has appeared in TV shows &amp; ads.</p>	<p><b>Nate Castillo</b></p> <p>Head Sommelier</p> <p>One of the youngest 2nd level sommelier and going for his 3<sup>rd</sup> level. Nate's main goal is becoming a master sommelier in 2years</p>

## Sales and Marketing

### Sales channels

1. Knowledgeable & Attentive staff
2. Utilizing event networks
3. Utilizing repeat customer base
4. Utilizing online social media marketing
5. Attract and create a local customer base

### Marketing activities

1. Advertising in local magazines
2. Utilizing social/online media marketing
3. Partnerships with winery and key hotels
4. Support/Sponsor nonprofit community events
5. Be an active member of the Carmel by the Sea Chamber of Commerce.

### A number of our Strategic Partners

Cima Collina Winery

Twisted Roots Winery

OH & Otter Cove Wines

Rombauer Winery

Silver Oak Winery

Monticello Winery

Cloud Monkey LLC

# AFFINA SAMPLE MENU

## Small Tasting Dishes

### **Carpaccio Tataki**

Thin slices of beef served with a soy reduction,  
Garlic aioli, young leaves of Arugula, drizzle of olive oil.

### **Rockin Oyster**

3 raw oysters, seasonal mignonette

### **Classic Burger**

Small burger with cheddar, mesclun, tomato, garlic aioli, potato galette,

### **Carmel Burger**

Small burger stuffed with Point Reyes Blue cheese, red wine onions, mesclun, potato galette,  
Cognac Pear Compote.

### **Latin Burger**

Small burger stuffed with jalapenos, tomatillo salsa, caramelized onions, chimichuri aioli, topped with manchego cheese.

### **Fragrant Thai Prawns**

Prawns wrapped in rice paper with a basil leaf and lemongrass,  
Served with a chili spiced tomato coulis

### **The Ginza**

Seared Red Tuna spiced with Espelette pepper, lemon aioli, green onions,  
Cilantro leaves, soy lime vinaigrette.

### **The Strait's Crab**

Singapore style fresh crab salad atop avocado puree, covered with a tomato jelly

### **Gravlax**

Homemade Salmon Gravlax, with caper aioli, thin julienne of red onions,

Crème fraiche, lemon zests.

### **Fresh Veggies**

Seasonal vegetables sautéed with fresh herbs atop

homemade beet and carrot coulis.

### **Far East Fries**

Homemade French fries served with Sriracha Ketchup and garlic aioli.

### **Balinese Potatoes Skins**

Crispy potatoes skins served with your choice of sauces.

## **Soups**

### **Prawn Bisque**

Homemade creamy safran prawn bisque, served with bread.

### **Thai Chicken Soup**

Lemongrass chicken soup with cilantro and a touch of Cayenne.

### **Seasonal Soup**

Vegetarian soup made with seasonal local vegetables.

### **Salmon Pattaya**

Pan seared salmon fillet with black rice and a creamy Thai curry sauce.

### **Catch of the day**

Daily catch of the day depending on availability.

### **Charcuterie and Cheese boards**

#### **Prosciutto**

Choice of Italian prosciutto di Parma, Hispanic Patta Negra or French Bayonne.

#### **Wild boar salami**

Gamey, juniper, clove

#### **Chorizo**

smokey, firm, paprika

#### **Terrines and pates**

Choice of Salmon terrine, Chicken pate, and vegetarian Eggplant terrine.

## **Salads**

### **House salad**

Mixed greens with cherry tomatoes, shaves of carrot, red wine vinaigrette.

### **Goat Cheese Salad**

Toasts of goat cheese salad atop Arugula, toasted walnuts and Champagne vinaigrette

### **Seared Tokyo Tuna Salad**

Mixed greens salad with a soy vinaigrette, green onions,  
Topped with 3 slices of seared red tuna with wasabi aioli.

## **Main Courses**

### **The New Yorker**

Grilled NY steak with a honey-soy glaze, candied ginger chips,  
and crispy garlic chips. Served with French fries or seasonal vegetables.

### **Indo-Chine Chicken**

Boneless chicken leg stuffed with mushroom duxelle, oven roasted,

Served with a fresh mushroom sauce.

### **Cheese selection**

Vacherin Mont D'or, France

Abbaye de Citeaux, France

Brie de Meaux, France

Point Reyes blue cheese, California

Goat Cheese, Big Sur, California

Aged Cheddar, Wisconsin

Camembert de Normandie, France

Manchego, Spain

Grana Padana, Italy

Buratta, Italy

The selection of charcuterie and cheese may vary depending of the seasons and availability from the producers and will change regularly.

## **Desserts**

### **Floating Island**

Poached Meringue served with homemade crème Anglaise, caramel coulis.

### **Chocolate Fondue**

Chocolate fondue served with 2 skewers of fresh fruits.

### **Traditional Chocolate Brownie**

Syrah flavoured chocolate

### **S'mores**

Crackers with marshmallows, and chocolate sauce.

### **Traditional Apple Pie**

Served warm with homemade vanilla ice-cream and caramel sauce.

Note: All of the above items will be suggested paired with a glass of wine



**MONTEREY PENINSULA  
WATER MANAGEMENT DISTRICT**

**COPY**

5 HARRIS COURT, BLDG. G  
POST OFFICE BOX 85  
MONTEREY, CA 93942-0085 • (831) 658-5601  
FAX (831) 644-9558 • <http://www.mpwmd.dst.ca.us>

October 11, 2007

Ms. Sally Rideout, Senior Planner  
EMC Planning Group Inc.  
301 Lighthouse Avenue, Suite C  
Monterey, California 93940

**Subject: Pernille Restaurant at WS of San Carlos St. btwn Ocean Ave & 6<sup>th</sup> St., Carmel  
(APN: 010-134-011)**

Dear Sally:

This letter responds to your request for confirmation on the potential Water Credits for the former Pernille Restaurant located at West Side of San Carlos Street between Ocean Avenue & 6<sup>th</sup> Street in Carmel. You provided information in the form of City of Carmel-by-the-Sea's Application for Building Permits dated April 19, 1957, November 23, 1966, March 1, 1989, a City of Carmel-by-the-Sea's Community Planning and Building Department October 3, 2007 letter stating that the building was utilized as a 48 seat restaurant since 1957, an email from Carmel Fire Protection Associates identifying the occupant load of 48 persons, and a July 1, 2006, Monterey County Health Department Division of Environmental Health Permit listing the use as a restaurant. This documentation was submitted to substantiate the historical use of the restaurant use.

The District acknowledges that the former Pernille Restaurant with the maximum of 48 seats was a lawful use that occurred on and after March 1, 1985. Under the current water use factors, the Water Credit for a 48 seat restaurant equates to 0.960 acre-feet of water use. This water use will be allowed for future reuse on the Site.

The District's Rule and Regulations, including the Non-Residential water use factors (Rule 24) are subject to change by action of the District's Board of Directors. Changes in the factor could reduce or increase the amount of Water Credits available, as the final determination of credit will be made when the use is permanently abandoned or the use changes to a less intensified use.

The decision to classify a 48 seat restaurant as a lawful use at the West Side of San Carlos Street between Ocean Avenue & 6<sup>th</sup> Street in Carmel is a determination of the Water District's General Manager. Determinations of the General Manager may be appealed to the District Board, in writing, within twenty-one (21) days after any such determination pursuant to District Rule 70. An appeal may be filed by the applicant or any other person.

If you have any questions, please call me at the Permit and Conservation Office at 658-5601.

Sincerely,

Gabriela Ayala  
Conservation Representative



**Attachment C – Findings for Decision**

CITY OF CARMEL-BY-THE-SEA

DEPARTMENT OF COMMUNITY PLANNING AND BUILDING

FINDINGS FOR DECISION

UP 13-20

ND Fusion LLC (Affina Bistro)

Southwest Corner San Carlos Street and 6<sup>th</sup> Avenue

Block 71; Lot 1

APN: 010-134-011

---

**CONSIDERATION:**

Consideration of a Use Permit (UP 13-20) to establish a restaurant located in the Central Commercial (CC) District

**FINDINGS OF FACT:**

1. The project site is located on the southwest corner of San Carlos Street and 6<sup>th</sup> Avenue in the Central Commercial (CC) Zoning District.
2. On November 8, 2013, the applicant submitted a Use Permit application to establish a new full-line restaurant at the subject location named Affina Bistro.
3. The applicant has provided a letter from the Monterey Peninsula Water Management District verifying that the subject parcel (APN: 010-134-011) contains water credits sufficient to support 48 restaurant seats.
4. Carmel Municipal Code Section 17.14 Schedule II-B establishes that full line restaurants are a conditionally permitted use and are subject to Planning Commission approval. This Use Permit (UP 13-20) supersedes all previous use permits at this location.
5. The application is exempt from the requirements of the California Environmental Quality Act (Class 3 – New Construction or Conversion of Small Structures).

**FINDINGS FOR DECISION:**

1. The proposed use, as conditioned, is not in conflict with the General Plan.
2. The proposed use, as conditioned, will comply with all zoning standards applicable to the use and zoning district.
3. The granting of the Use Permit will not set a precedent for the approval of similar uses whose incremental effect will be detrimental to the City, or will be in conflict with the General Plan.

4. The proposed use will not make excessive demands on the provision of public services, including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection.
5. The proposed use will not be injurious to public health, safety or welfare.
6. The proposed use will be compatible with surrounding land uses and will not conflict with the purpose established for the district within which it will be located.
7. The proposed use will not generate adverse impacts affecting health, safety, or welfare of neighboring properties or uses.

## **Attachment D – Conditions of Approval**

CITY OF CARMEL-BY-THE-SEA

DEPARTMENT OF COMMUNITY PLANNING AND BUILDING

### **CONDITIONS OF APPROVAL**

UP 13-20

ND Fusion LLC (Affina Bistro)

Southwest Corner San Carlos Street and 6<sup>th</sup> Avenue

Block 71; Lot 1

APN: 010-134-011

---

#### **PROJECT DESCRIPTION:**

Consideration of a Use Permit (UP 13-20) to establish a restaurant located in the Central Commercial (CC) District

#### **STANDARD CONDITIONS (Pursuant to CMC 17.14.040.I):**

1. This permit authorizes the use of a full-line restaurant as defined in Section CMC 17.68.030. No more than 20% of the seating is permitted at a bar or in a separate bar room.
2. Any sale of alcoholic beverages shall be subordinate to this primary use.
3. The applicant shall obtain all necessary permits from the Monterey County Health Department prior to building permit issuance.
4. The restaurant shall not operate as a "Drive-in, Formula Food or Fast Food" establishment as defined in CMC Section 17.70.
5. Substantially all foods from the standard menu shall be available for purchase during the hours that alcoholic beverages are being served except for the first hour and the last hour of each business day.
6. Food sold for consumption off the premises shall be incidental to the primary use. Such food shall be placed in covered containers or wrapping.
7. Customers shall be provided with individual menus while seated at a table or counter.
8. The sale of nonfood merchandise that is directly related to the use may be allowed when determined to be incidental to the primary use. The display of nonfood merchandise is prohibited.

9. Adequate facilities shall be provided on the site for the closed storage of trash and garbage generated by the use. The on-site storage shall be designed so that the area can be cleaned and the refuse removed without creating a public nuisance and without being placed on the sidewalks or other public ways. If the method of cooking used will generate hot ashes, a storage facility and disposal method shall first be approved by the Fire Department.
10. At least one restroom shall be available for use by both sexes within, or conveniently adjacent to, the specific business premises and on the same property on which the use is located. This restroom shall comply with all provisions of the State Uniform Building and Plumbing Codes as to the required size, location and accessibility standards, and shall be available for use by both the employees and patrons of the business.
11. Maximum seating capacity shall not exceed the standards in the State Uniform Building and Fire Codes, the number of seats approved by the Planning Commission through public review, or the number of seats in the previous business, whichever is less. The seating capacity shall be posted on the premises. This limit is a maximum and may be reduced by the Building Official to meet the State Uniform Building and Fire Codes.
12. Except as provided in CMC Sections 8.68.070 and 8.68.080, no restaurant shall provide prepared food to its customers in CFC-processed food packaging or polystyrene foam food packaging, nor shall any restaurant purchase, obtain, keep, sell, distribute, provide to customers or otherwise use in its business any CFC-processed food packaging or polystyrene foam food packaging. The restaurant shall comply with all other requirements in CMC Section 8.68.
13. The use shall be conducted in a manner consistent with the presentations and statements submitted in the application and at the public hearing, and any change in the use which would alter the findings or conditions adopted as part of this permit shall require approval of a new Use Permit by the City.
14. This Use Permit shall become void and in no further force or effect if the use is not initiated within six months and/or upon termination or discontinuance of the use for any period of time that exceeds six months.
15. Violations of the terms of this Use Permit or other ordinances of the City may constitute grounds for revocation of this Use Permit and the associated business license by the Planning Commission.
16. Approval of this application does not permit an increase in water use on the project site. Should the Monterey Peninsula Water Management District determine that the use would result in an increase in water use as compared to the previous use, this Use Permit will be scheduled for reconsideration.

17. A summary sheet of basic Use Permit requirements (allowed days, allowed hours, special mitigations) shall be posted on the premises or shall be available upon request by any enforcement officer of the City.
18. The applicant agrees, at its 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.

**SPECIAL CONDITIONS:**

19. The applicant shall work with staff on determining the design and area of the trash storage prior to submitting for a Building Permit.
20. Permitted hours of operation are from 11:00 a.m. to 10:00 p.m. daily. No new customers shall be accepted into the restaurant after 10:00 p.m.
21. The restaurant is permitted a maximum of 47 seats, which includes a maximum of 9 seats at the bar. This limit is a maximum and may be reduced by the Building Official to meet the State Uniform Building and Fire Codes. The Use Permit (UP 13-20) shall be amended by the Planning Commission if the Building Official determines that the number of seats must be reduced.

**\*Acknowledgement and acceptance of conditions of approval.**

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

## **Attachment E – Code Section 17.70.20 (Food Use Terms)**

### **17.70.020 Definitions.**

#### **Food Use Terms.**

**Drive-In Establishment.** A business that (1) prepares food intended for consumption in vehicles that may or may not be parked on the site; or (2) provides for the ordering of food while the customers are seated in vehicles.

**Formula Food Establishment.** A business that (1) is required by contractual or other arrangements to offer standardized menus, ingredients, food preparation, employee uniforms, interior decor, signage or exterior design; or (2) adopts a name, appearance or food presentation format that causes it to be substantially identical to another restaurant regardless of ownership or location.

**Fast Food Establishment.** A business where food is consumed on or off the site and food is (1) pre-made and wrapped before customers place orders, and/or (2) served with disposable tableware for on-site food consumption. A fast food establishment also exhibits two or more of the following characteristics:

1. Food is ordered from a wall menu at a service counter;
2. Food consumed on the premises is ordered while customers are standing;
3. Payment is made by customers before food is consumed;
4. The service counter is closer to an entry/exit than is the seating/dining area; and/or
5. The business interior is brightly illuminated (greater than eight candlefoot power as measured in a horizontal plane three feet above the floor).

**Take-out Food Establishment.** A business that offers ready-to-eat, prepared snack foods and full meals for immediate consumption off the site while patrons are walking or standing in the public right-of-way or are seated in vehicles.

**NO STAFF REPORT**

**THIS ITEM HAS REQUESTED A CONTINUANCE**