

**CITY OF CARMEL-BY-THE-SEA
PLANNING COMMISSION
REGULAR MEETING AGENDA (*Revised Agenda*)**

Regular Meeting
City Hall
East Side of Monte Verde Street
Between Ocean & Seventh Avenues

July 9, 2014
Wednesday
Tour – 2:00 p.m.
Meeting – 4:00 p.m.

I. CALL TO ORDER AND ROLL CALL

Commissioners: Jan Reimers, Chair
 Keith Paterson, Vice-Chair
 Michael LePage
 Don Goodhue
 Ian Martin

II. TOUR OF INSPECTION

Shortly after 2:00 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

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.

1. Consideration of draft minutes from June 11, 2014 Regular Meeting

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. SI 14-31 (Preferred Properties)
Carol Crandall, Preferred Properties
Southwest corner of Lincoln and 6 th
Blk: 73, Lot: 1
APN: 010-213-003 | Consideration of a Sign Permit (SI 14-31) for multiple temporary signs for an existing building located in the Central Commercial (CC) Zoning District |
| 2. UP 14-02 (Tudor Wines)
Christian and Dan Tudor
NW Cor. of Mission Street and 7 th Ave.
Block: 77, Lots: 15, 17, 19 & 21
APN: 010-141-003 | Consideration of a Use Permit (UP 14-02) 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 (Tudor Wines) |
| 3. DS 14-21 (Gordon)
Kathleen Gordon
NE Corner of Dolores and 2 nd Ave.
Blk: 10, Lots: west ½ of 18 & 20
APN: 010-126-021 | Consideration of Final Design Study (DS 14-21) and associated Coastal Development Permit application for the construction of a new residence located in the Single-Family Residential (R-1) Zoning District |
| 4. DS 13-77 RV 01 (Overett)
2011 Carmel Property Trust
San Antonio 2 parcels NW of 4 th
Block: SD, Lot: 10
APN: 010-321-047 | Consideration of a Plan Revision (DS 13-77 RV-01) to an approved Design Study for alterations to a historic residence located in the Single-Family Residential (R-1), Beach and Riparian (BR), and Archaeological |

Zoning Districts

5. DS 14-40 (Perry)
Frank and Renate Perry
Lobos 5 NW of 2nd Ave.
Blk: 18, Lot: 11
APN: 010-016-005
Consideration of Concept Design Study (DS 14-40) and associated Coastal Development Permit application for the substantial alteration of an existing residence located in the Single-Family Residential (R-1) Zoning District
6. DS 14-39 (Alexander)
Matt Alexander
Torres St. 2 NE of 3rd Ave.
Blk: 25, Lot: 18
APN: 010-102-011
Consideration of Concept Design Study (DS 14-39) and associated Coastal Development Permit application for the substantial alteration of an existing residence located in the Single-Family Residential (R-1) Zoning District
7. DS 14-26 (Bengard)
Tom and Terry Bengard
NE Cor. of Monte Verde and 11th
Blk: 114, Lots: west portions of 18 and 20
APN: 010-182-009
Consideration of Concept Design Study (DS 14-26) and associated Coastal Development Permit application for the substantial alteration of an existing residence located in the Single-Family Residential (R-1) Zoning District
8. CR 14-02 (Panattoni)
Carl D. Panattoni
10 Carmel Way
Blk: SD, Lot: parts of 7
APN: 010-321-020 & 010-321-021
Consideration of a Concept Review (CR 14-02) for alterations to two adjacent residences located in the Single-Family Residential (R-1), Park Overlay (P), Beach and Riparian (BR), and Archaeological Zoning Districts

X. DIRECTOR'S REPORT

1. Discussion on and possible revisions to Planning Commission Rules of Procedure process for appointing Chair and Vice Chair
2. Update from the Director

XI. SUB-COMMITTEE REPORTS

1. Report from Sub-Committees

XII. ADJOURNMENT

The next meeting of the Planning Commission will be:

Regular Meeting – Wednesday, August 13, 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, east side of Monte Verde between Ocean & 7th Avenues, during normal business hours.

**CITY OF CARMEL-BY-THE-SEA
PLANNING COMMISSION – MINUTES
SPECIAL MEETING OF JUNE 11, 2014**

I. CALL TO ORDER AND ROLL CALL FOR TOUR OF INSPECTION

PRESENT: Commission Members: LePage, Paterson, Goodhue, Martin, and Reimers

ABSENT: Commissioners Members: None

STAFF PRESENT: Rob Mullane, AICP, Community Planning & Building Director
Roxanne Ellis, Commission Secretary
Joe Headley, Building Official
Cindi Lopez, Community Services Assistant
Janet Bombard, Library and Community Services Director

II. TOUR OF INSPECTION

No items.

III. ROLL CALL

Chairwoman Reimers called the meeting to order at **4:04 p.m.**

IV. PLEDGE OF ALLEGIANCE

Members of the audience joined Commission Members in the pledge of allegiance.

V. ANNOUNCEMENTS/EXTRAORDINARY BUSINESS

Chair Reimers welcomed Commissioner Martin and thanked him for joining the Planning Commission and serving the Community.

Chair Reimers went on to read the City's Ordinance No. 96 (adopted in June 1929) that is behind the dais in the Council Chambers and that emphasizes that the City is a predominately residential city.

Rob Mullane, Community Planning and Building Director, introduced new, full-time Building Official Joe Headley to the Commission.

Joe Headley, Building Official, spoke briefly on his experience and thanked the Commission.

Mr. Mullane also recognized Cindi Lopez's service to the City and announced that she will be retiring at the end of June.

VI. APPEARANCES

Speaker #1: Barbra Livingston, thanked Chair Reimers for reading the ordinance and spoke of her concerns with the appearance of a brick wall and asked that staff review it.

Speaker #2: Loretta Todd requested a sign of scheduled events be posted at the park.

Speaker #3: Adam Jeselnick began to speak about a current project where they would like to make exterior paint changes.

The Commission asked that Mr. Jeselnick bring the item to staff so that it can go through the proper procedures.

Speaker #4: Fred Kern stated his disapproval with the processing time for application and with the responsiveness of Planning staff.

Mr. Mullane stated that Planning staff is limited and that City Council in their review of the new budget authorized additional resources to help handle the very heavy workload. The department receives a high volume of calls, emails, and other requests and is not always able respond as quickly as desired by applicant but they do always respond. He clarified that the specific claims of Mr. Kern regarding one of the Planning staff were inaccurate. Mr. Mullane also noted that the Planning process is independent and must remain independent of the expectations of an individual or their desired construction schedule.

Seeing no other speakers, Chair Reimers closed the public comment portion of the agenda.

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.

1. Consideration of draft minutes from May 15, 2014 Special Meeting.

Chair Reimers opened the public hearing, and asked if any member of the public wished to pull any items. Seeing no public speakers or requests to pull any items, Chair Reimers closed the public hearing.

Motion: Commissioner Goodhue made a motion to approve the consent agenda. The motion was seconded by Commissioner LePage and approved on the following vote:

AYES: COMMISSIONERS: LEPAGE, PATERSON,
GOODHUE & REIMERS
NOES: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: NONE
ABSTAIN: COMMISSIONERS: MARTIN

Commissioner Martin noted that he was abstaining because he was not on the Commission for the May 15, 2014 meeting.

VIII. CONSENT AGENDA (PULLED ITEMS)

There were no items pulled.

IX. PUBLIC HEARING

- | | |
|---|--|
| 1. AD 14-03 (Commercial Activities)
City of Carmel-by-the-Sea
Areas subject to the Beach and
Riparian Overlay District | Re-consideration of an Administrative
Determination (AD 14-03) for Clarification
on What Constitutes Commercial Activities in
the Beach and Riparian Overlay District |
|---|--|

Rob Mullane, Community Planning and Building Director, presented the staff report and spoke relative to past events and current events. He also stated that this item was being brought back for additional discussion to allow input from the public and key stakeholders. Mr. Mullane gave a brief summary on what was discussed at the first meeting on May 15th.

Chair Reimers opened the public hearing.

Speaker #1: Susan Love, Director for Run in the Name of Love, spoke on the history of the race and the positive feedback they receive from the Community.

Speaker #2: Monte Miller, Resident, stated his support in keeping the beaches public, as they are now.

Speaker #3: Tom Burns, Co-founder of the Carmel International Film Festival, gave a brief summary on the event and addressed questions from the Commission.

Speaker #4: Richard Pepe, thanked Mr. Mullane for reopening item. He acknowledged that it was clear that the Carmel by the Glass Event would not be able to take place in the beach and dunes area and stated his support for sport events that take place on the beach and are not for profit.

Speaker #5: Scott McKenzie, Resident, spoke his support for Carmel being a primarily residential community.

Speaker #6: Dory Ford, owner of a local catering company, stated his support for following any proposed regulations for commercial activities on the beach as long as they would allow him to continue to cater to events on the beach.

Speaker #7: Barbra Livingston expressed her appreciation to Mr. Mullane for the report he provided and asked that he repeat the four items that define commercial activity.

Seeing no other speakers, Chair Reimers closed the public hearing.

The Commission discussed what defines commercial activity and provided comments and questions related to: the exchange of money or services, restricting beach access, promotion of service/product, number of people events attract, preserving natural resources, and the primary purpose of the beach being recreational and social.

The Commission noted that sports camps that charge a fee for participation would be considered commercial activities, and hence may not use the beach areas. The Commission, however, was in support for Run in the Name of Love and The Filmmakers Dinner on the Beach, but noted that the Filmmaker's Dinner ought to revise their packages to make it clearer that there is not a specific charge for the Filmmaker's Dinner.

The Commission noted that one way of defining commercial activity is something that has a promotion of a service or product, regardless of whether there is a charitable beneficiary. Events should also not be exclusive, and instead should be open to the public. They should also not restrict or interfere with public access to the beach. The Commission requested that future requests for which it is difficult to determine if they would be considered commercial activity should be brought to the Commission by staff for a determination on a case by case basis.

Commissioner Paterson requested that staff inform the Board of major events that have been approved or disapproved so that the Planning Commission can be aware of events.

Mr. Mullane stated that direction from the Commission and the input from the public has been helpful in providing staff with a more clear understanding of what constitutes commercial activities in the beach and Riparian Overlay District. City Staff will also continue to refine the Special Events permit process and make sure that events that need a Coastal Development Permit are doing so. The events will then come back to the Planning Commission and have the opportunity for input from the public.

X. DIRECTOR'S REPORT:

The Director's report addressed the following:

- The City Council's approval of the 2014-2015 fiscal year budget
- The anticipated timeline for the Forest Theater repairs

- New City staff including City Clerk Catherine Raynor and Senior Human Resources Analyst Leticia Livian

Commissioner Paterson expressed his concern with the Films in the Forest Event being moved to the Vista Lobos parking lot without first coming before the Planning Commission. Mr. Mullane noted that the event is in the purview of the Community Activities & Cultural Commission, rather than the Planning Commission. The CA&CC meeting should have included some degree of advance notice, but that he will check to confirm what public notice was provided.

XI. SUB-COMMITTEE REPORTS:

No report, as there were not any recent subcommittee meetings.

XII. ADJOURNMENT:

There being no further business to come before the Commission, the meeting was adjourned by Chair Reimers at 6:04 pm.

The next meeting of the Planning Commission will be:

Regular Meeting – Wednesday, July 9, 2014, at 4:00 pm, with a tour of inspection to begin at approximately 2:00 p.m.

Roxanne Ellis
Acting Planning Commission Secretary

ATTEST:

Janet Reimers, Chairwoman



CITY OF CARMEL-BY-THE-SEA

Planning Commission Report

July 9, 2014

To: Chair Reimers and Planning Commissioners

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

Submitted by: Christy Sabdo, Contract Planner

Subject: Consideration of Temporary Signage (SI 14-31) for Preferred Properties in the Central Commercial (CC) District

Recommendation:

Approve temporary sign application (SI 14-31) subject to the attached conditions of approval

Application: SI 14-31 **APN:** 010-213-003
Block: 73 **Lots:** 1 to 10 excluding portions of 2 and 3
Location: SW Corner of Lincoln Street & 6th Avenue
Applicant: Carol Crandall **Property Owner:** Richard Gunner

Background and Project Description:

On June 20, 2014, the applicant, Ms. Carol Crandall of Preferred Properties, submitted a Sign Permit application requesting approval for a temporary display of up to 20 real estate listings (each on 8½ x 11-inch laminated sheets). The request is to display these listings on an 8 x 8-foot plywood panel at the exterior of the Preferred Properties real estate office's Lincoln Street frontage until the building, which was recently damaged by errant automobile, is repaired. The plywood panel is currently installed in front of the damaged area to the left (south) side of the office's entrance. The application is included as Attachment A, and site photographs are included as Attachment B.

The temporary signage replaces the real estate listings that were posted as interior signage in the windows prior to the single-car accident. The applicant estimates that the repairs will not be completed for at least 6-8 weeks.

Staff analysis:

In staff's opinion, the display of some level of temporary signage at this location seems reasonable, as does maintaining this temporary signage until the building is repaired. The issue for the Commission's consideration is whether the proposed number of temporary signs is appropriate. The request for display of 20 real estate listing signs would require approximately 40-50% of the 8 x 8-foot plywood sheet. A smaller number of signs constrained to a smaller area of the plywood panel may be preferable. Staff is also seeking the Commission's input on the history of real estate signage approvals, as most real estate offices display multiple listings in their office windows, which does not seem consistent with the City's signage regulations.

Part of the Commission's consideration should be the project's highly visible location in the City's Central Commercial Zoning District. Staff also notes that the real estate office still has several (approximately 20) listings displayed on the window to the right side of the entrance. In addition, four windows along the 6th Avenue frontage are used for display of additional real estate listings.

Staff has included a condition of approval that requires the temporary signage to be removed as soon as the repairs are completed. Another condition of approval limits the duration of this signage to a maximum of 12 weeks from date of the Sign Permit approval.

Alternatives: The Planning Commission may determine that temporary signage (and additional listings display) at this location is unacceptable and deny the requested signage. In this alternative, staff would direct the applicant to remove the signage within one working day of this decision. Alternatively, the Commission may decide to limit the approval to a fewer number of listings and a smaller display area. If this alternative is selected, the Commission should give specific direction to staff on the number of signs, the size of the display area, and staff will adjust the conditions of approval accordingly.

Environmental Review: The application qualifies for a Class 11 Categorical Exemption from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15311 of the State CEQA Guidelines. Class 11 exemptions include placement of minor structures accessory to existing commercial, industrial, or institutional facilities, including on-premise signs.

ATTACHMENTS:

- Attachment A – Sign Permit Application and Application-related Correspondence
- Attachment B – Site Photographs of Proposed Temporary Signage and Permanent Signage Prior to the Accident
- Attachment C – Conditions of Approval

Attachment A – Sign Permit Application and Application-related Correspondence



CITY OF CARMEL BY THE SEA
COMMUNITY PLANNING AND BUILDING DEPARTMENT

APPLICATION FOR COMMERCIAL SIGN

Fee 150.00 Receipt 56597
Date 6/20/14 Application # SI 14-31

Property Owner's Name Richard V. Gumer Phone 831-624-3851

Mailing Address PO Box 250

City, State, Zip Carmel, CA 93921

Property Location Lincoln + Sixth

Block 73 Lot(s) 1-10(?) Assessor's Parcel No. 010-213-003

Signature of Property Owner (required) [Signature] Date 6/20/14

Individual to receive all correspondence regarding this application:

Name of Contact Carol Crandall

Phone (831) 236-2712 Email Carol@carolcrandall.com

Mailing Address PO Box 435

City, State, Zip Carmel by the sea CA 93921

Signature of Applicant/Contact [Signature] Date 6/20/14

Business Name on Sign Preferred Properties

Specific Location of Sign¹ off boarded up store front (due to accident)

Description of Sign² Real estate listings / Promotional
Post listings on board until construction is completed. Asking for exception to post on wood.

RECEIVED
JUN 20 2014
City of Carmel-by-the-Sea
Planning & Building Dept

¹ If a hanging sign is proposed, identify if new or existing brackets would be used. If new, note style, material, and dimensions.
² An application cannot be processed without a sign description and rendering or photo. Include applicable attachments as listed below. Review of all proposed signage is subject to the City's sign regulations; refer to Municipal Code Chapter 17.40.
Revised: May 2014

Christy Sabdo

From: Carol Crandall [carol@carolcrandall.com]
Sent: Sunday, June 22, 2014 3:44 PM
To: Christy Sabdo
Subject: Sign request
Attachments: photo 1.JPG; Untitled attachment 00123.txt; photo 2.JPG; Untitled attachment 00126.txt; photo 3.JPG; Untitled attachment 00129.txt

Christy,

I am requesting the ability to place the same flyers that were in my window on the exterior of the boarded window façade. The normal amount of listings I had in the window was 20. These flyers also include a description of what happened since many tourists are concerned it was a burglary.

The other item I would like to address is getting approval for the repairs. We intend to bring the window back to the original configuration with like materials so it will match my other windows. Apparently this is a special order situation and may 6-8 weeks to get the windows made. I am requesting the planning committee can approve this at the same time so we do not need to wait until August for any potential required review. Unfortunately since this is an historical building and I need to match the others windows I do not see the repair being completed for months. Losing the ability to display listing flyers would create a huge burden on my ability to stay in business. I am trying to make the best of a bad situation.

Carol

Carol Crandall (831) 236-2712
Broker/Owner
Preferred Properties
P.O. Box 1435,
Carmel CA 93921

DRE License #01049139- issued 1989

Attachment B – Site Photographs of Proposed Temporary Signage and Permanent Signage Prior to the Accident

Temporary signage display shown from Lincoln Street



Temporary signage display shown from the corner of Lincoln Street and 6th Ave.



**Attachment B – Site Photographs of Proposed Temporary Signage and Permanent Signage
Prior to the Accident**

Front of Preferred Properties along Lincoln Street before the accident



Interior display of real estate listings along Lincoln Street



**Attachment B – Site Photographs of Proposed Temporary Signage and Permanent Signage
Prior to the Accident**

Front of Preferred Properties along 6th Avenue



Interior display of real estate listings along 6th Avenue



Attachment C – Conditions of Approval

SI 14-31 (Preferred Properties)

July 9, 2014

Conditions of Approval

Page 1

Condition of Approval	
No.	
1.	Authorization: This approval of SI 14-31 (Preferred Properties) authorizes the applicant to display temporary signage on a plywood panel, approximately 8 x 8 feet in size, with a display area of 5 x 3 feet for real estate listings and 3 non-listing signs regarding the accident. The signs shall be displayed substantially in arrangement as depicted in the site photographs included as Attachment B to the July 9, 2014 staff report. A total of up to 20 signs are authorized on the plywood panel.
2.	The applicant shall remove the temporary signage at the exterior of the Preferred Properties real estate office on Lincoln Street upon replacement of the broken windows.
3.	The applicant shall remove the temporary signage at the exterior of the Preferred Properties real estate office on Lincoln Street 12 weeks from the date of Planning Commission approval (on or before September 17, 2014), whichever comes first.
4.	The temporary signage display shall maintain an attractive and neat appearance as depicted in the site photographs included as Attachment B to the July 9, 2014 staff report.



CITY OF CARMEL-BY-THE-SEA

Planning Commission Report

July 9, 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 14-02) 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

Recommendation:

Determine the appropriate action. Staff has provided findings and conditions of approval should the Planning Commission choose to approve the Use Permit (UP 14-02).

Applications: UP 14-02 **APN:** 010-141-003
Block: 77 **Lots:** 15, 17, 19 & 21
Location: NW corner of Mission Street and 7th Avenue
Applicant: Christian and Dan Tudor, Tudor Wines Inc., LLC
Agent: Jonathan Sapp
Property Owner: TR Leidig Properties

Background and Project Description:

The project site is a 160-square foot glass-walled kiosk located within the Court of the Fountains at northwest of the corner of Mission Street and Seventh Avenue. The applicants, Dan and Christian Tudor, of Tudor Wines are requesting a new wine tasting room in the City. The proposed wine shop would sell wines solely produced by Tudor Wines, in addition to wine-related retail items. The proposed hours of operation are from 12:00 p.m. to 10:00 p.m., daily. No special events on-site are proposed.

This application was reviewed and denied by the Planning Commission on March 11, 2014. The primary basis for denial was that the proposal was inconsistent with the City's Wine Tasting Policy in that it: 1) did not have a prominent retail component, 2) presented the appearance of a bar, and 3) the wine was not produced in Monterey County.

The Planning Commission was unanimous in its concern that the proposed layout presented the appearance of a bar. One commissioner stated that the kiosk may not be a suitable space for a wine tasting shop given its small size. In addition to the issues raised with the layout and appearance of the space, the Commission was also concerned that the wine was not produced from Monterey County. The applicant had indicated that the grapes were grown in Santa Lucia Highlands. However, at the Planning Commission meeting, it was identified that the wine was bottled and produced in San Luis Obispo County.

Following the Planning Commission denial, the applicant appealed the decision to the City Council. The Council considered the item on April 1, 2014, and remanded the Use Permit application back to the Planning Commission. The reason that the item was remanded back to the Planning Commission is that the applicant submitted a revised floor plan to the City Council that addressed some of the concerns that were raised by the Commission.

Use Permit Staff Analysis:

Floor Plan Revision: The original floor plan, included as Attachment D, contained a bar that was approximately 12 feet long, 18 inches wide, and was located at the center of the space. The proposal did not include sufficient details on the proposed retail component.

The applicant has revised the proposal by reducing the length of the bar to 7 feet and locating it to the north side of the kiosk. The applicant has also included retail display shelves at the back and front of the space. The plan indicates that the space devoted to tasting would occupy approximately 31% (51 sq. ft.) of the kiosk. However, staff notes that the actual footprint of the tasting area should extend back to the glass washer and may occupy closer to 40% of the space. In staff's opinion, the revised layout is generally consistent with the following Wine Tasting Policy guidelines:

- *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.*

Staff notes that the applicant has included two options for consideration. Option #1 (Concept 1) places the ADA countertop on the south side of the kiosk, and would make use of the display shelf. Option #2 (Concept 2) would allow for the main bar to have an adjustable height that would meet ADA requirements. The City's Building Official has reviewed the proposals and recommends Option #2. Planning staff also recommends Option #2 as it would limit the area devoted to wine tasting. A condition has been drafted requiring Option #2. A separate condition has been drafted requiring the applicant to revise the plans to more accurately identify the percentage of the space devoted wine tasting, which includes the area occupied by the glass washer.

Wine Production: The Wine Tasting Policy states that *"wines originating from Monterey County vineyards and wineries and locating their off-site tasting rooms in Carmel are desired and strongly encouraged."* At the first meeting the applicant indicated that the grapes were grown in the Santa Lucia Highlands, but that the Type 02 license is based in San Luis Obispo County, where the wine is produced.

The applicants have submitted a letter stating that 100% of the grapes are grown in the Santa Lucia Highlands, and indicating that he is in the process of relocating the Type 02 Duplicate license to Monterey County. The Type 02 license would be relocated to Ray Franscioni's winery, which is located in the City of Gonzales. However, no supporting documents have been submitted verifying that the transfer is in process.

Hours of Operation: The Wine Tasting Policy states that *"night time hours should be limited to no later than 10:00 p.m."* The proposed hours of operation are from 12:00 p.m. to 10:00 p.m., daily. The proposed wine shop would close at the maximum time that is allowed under the policy; however, an earlier closing time may be appropriate to further reduce the potential for the tasting room to appear and operate as a wine bar. Staff has conditioned the approval to allow the business to close at 9:00 p.m. An earlier closing time may not be necessary as there are no neighboring residential uses that would be impacted. However, the Planning Commission can amend the condition to adjust the hours and better ensure consistency with the City's Wine Tasting Policy regarding this issue.

Alternatives: Staff has prepared draft findings and conditions of approval for Commission consideration based on the information submitted by the applicant. Condition #6 requires that wine poured in the premises shall consist only of grapes grown in Monterey County and produced by Tudor Wines, Inc. Condition #7 requires the applicant obtain a Type 02 Duplicate license from Monterey County prior to issuance of the Certificate of Occupancy.

As an alternative to approving the Use Permit application, the Planning Commission could also continue the application until a Monterey County Winery Duplicate Type 02 ABC license is obtained. Alternatively, the Commission could also deny the application or request revisions if its finds that the proposal or floor layout is not consistent with the Wine Tasting Policy.

Staff notes that the applicant e-mailed the City on June 18, 2014, indicating that over 500 people, not all Carmel residents, have signed a petition supporting the approval of the Tudor wine tasting room.

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 Letter
- Attachment D – Original Floor Plan (dated 4/1/14)
- Attachment E – Current Floor Plan and Photo of Wine Dispenser (dated 7/9/14)

Attachment A – Findings for Approval

CITY OF CARMEL-BY-THE-SEA

DEPARTMENT OF COMMUNITY PLANNING AND BUILDING

FINDINGS FOR APPROVAL

UP 14-02

Dan and Christian Tudor

Tudor Wines

NW Corner of Mission Street and 7th Avenue

Block 77, Lots 15, 17, 19 & 21

APN: 010-141-003

CONSIDERATION:

Consideration of a Use Permit (UP 14-02) 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 Fountains on Mission Street on the northwest corner of the intersection of Mission Street and 7th Avenue. The commercial space is 160 square feet in size.
2. The applicant applied for a Use Permit on January 9, 2014, to allow for retail wine sales with wine tasting as an ancillary use. The application was denied by the Planning Commission on March 11, 2014.
3. The project applicant appealed the denial to the City Council. The appeal was heard by the City Council on April 1, 2014, and remanded back to the Planning Commission because a new floor plan was submitted by the applicant.
4. Additional revisions to the plans were submitted by the applicant team on June 17, 2014, and June 25, 2014.
5. CMC Section 17.14.040 requires Planning Commission review of a Use Permit for proposed ancillary uses of 10% or more.
6. The proposed uses are classified as follows according to the North American Industrial Classification System (NAICS):

Primary Use

Retail Sales – 69% (wine, wine related merchandise)

Ancillary Use

Wine Tasting – 31%

7. 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.

Attachment B – Conditions of Approval

CITY OF CARMEL-BY-THE-SEA

DEPARTMENT OF COMMUNITY PLANNING AND BUILDING

CONDITIONS OF APPROVAL

UP 14-02

Dan and Christian Tudor

Tudor Wines, Inc.

NW Corner of Mission Street and 7th Avenue

Block 77, Lots 15, 17, 19 & 21

APN: 010-141-003

AUTHORIZATION:

1. This Use Permit authorizes the retail sale of wine with an ancillary use of wine tasting based on the following percentages. Of the 160 square feet devoted to retail sales and wine tasting, with 69% of this area (approximately 109 sq ft) used for retail sales, and 31% of the area (approximately 51 sq ft) used for wine tasting. This permit authorizes floor plan Option #2, as shown on the plans date stamped June 25, 2014, and approved by the Planning Commission on July 9, 2014.
2. Wine sales and tasting shall be limited to wines produced by Tudor Wines, Inc.
3. The business is permitted to operate between the hours of 12:00 pm and 9:00 pm daily.
4. Up to four (4) special events are allowed per year, subject to written authorization from the Community Planning and Building Director, after review of the specifics of the request. Such specific requests shall be provided in writing to the Community Planning and Building Department no less than 30 days prior to the event.

SPECIAL CONDITIONS:

5. Prior to implementation of the Use Permit, the applicant shall submit a revised floor plan that more accurately identifies the percentage of the space devoted wine tasting, and shall include the area occupied by the glass washer. Staff will amend the Use Permit to reflect the revised data.
6. 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.
7. The wine poured in the premises shall consist of grapes grown in Monterey County and produced by Tudor Wines, Inc. 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 Court of the Fountains courtyard.
8. Prior to issuance of a certificate of occupancy, the applicant shall obtain a Type 02 Duplicate ABC license based on a winery location in Monterey County and continue to hold a Type 02 Duplicate license based on a winery location in Monterey County for the life of this use permit.
 9. All exterior alterations and/or sign changes, and interior renovations that may require a building permit, shall require approval from the Department of Community Planning and Building prior to performing the work.
 10. 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 Planning Commission.
 11. 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.
 12. 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.
 13. Upon termination or revocation of this Use Permit and/or business license for any reason, the use shall immediately cease and shall not be re-established without issuance of a new Use Permit.
 14. 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.
 15. 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

Applicant Signature

Printed Name

Date

Property Owner Signature

Printed Name

Date

Once signed, please return to the Community Planning and Building Department.



RECEIVED

JUN 18 2014

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

June 18, 2014

Mr. Marc Wiener
Senior Planner
City of Carmel-by-the-Sea
P.O. Box Drawer G
Carmel, California

Sent Via Email

Dear Marc Wiener,

Per our conversation of several weeks ago with Jon Sapp and Tom Nash at your office, Tudor Wines, Inc. has decided to move its Type 02 Bonded Winery License #509086 from San Luis Obispo County to Monterey County, to Ray Franscioni's winery located at 32720 River Road, Gonzales, CA 93926.

Yesterday I met with the ABC in Salinas, obtained the forms and started the process, which takes four to six months to complete.

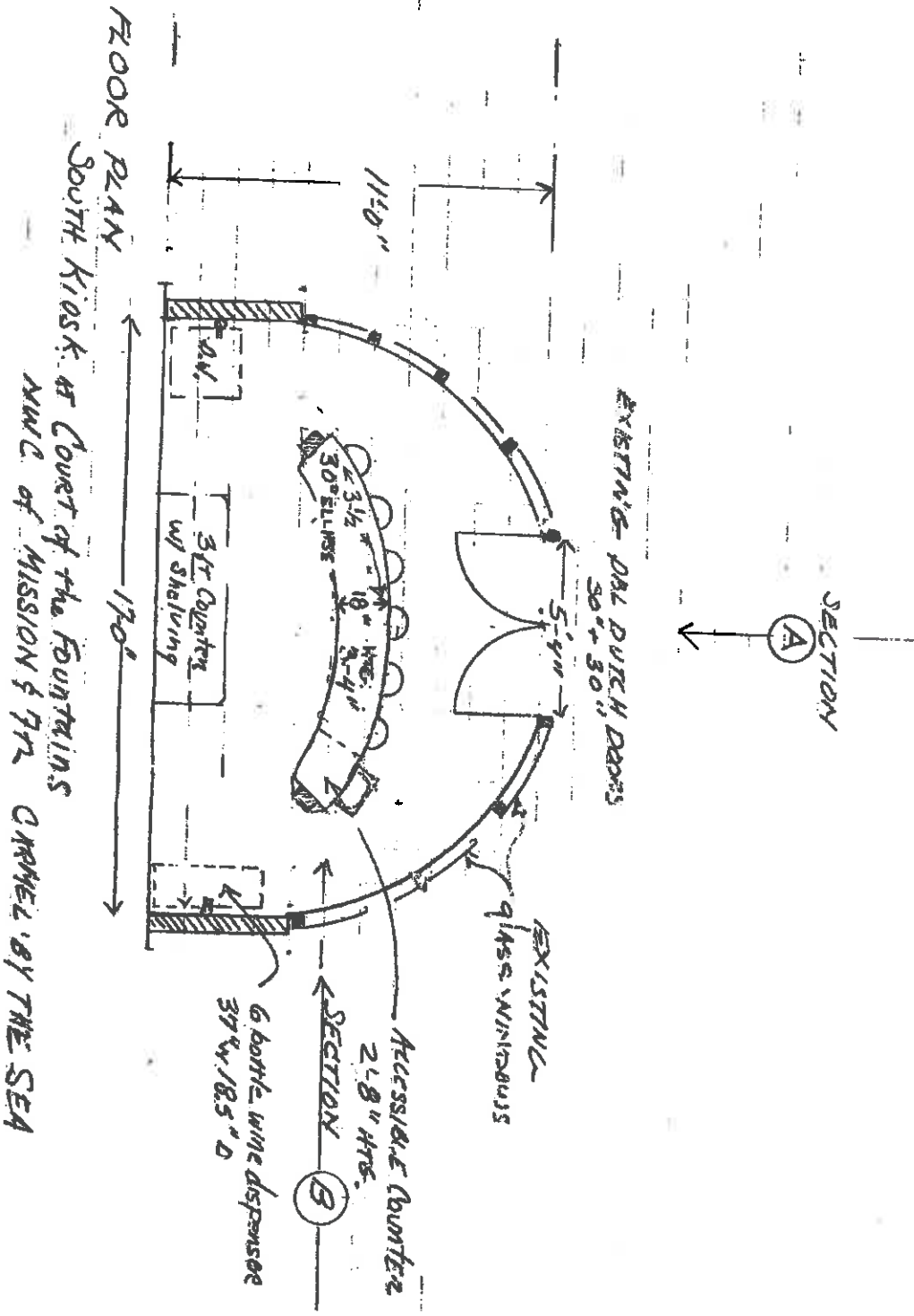
Additionally, all of our wines are 100% Santa Lucia Highlands and Monterey County AVA wines. We use 100% Monterey County grapes and would be happy to agree to only pour and sell our 100% Monterey County wines from the proposed tasting room in Carmel-by-the-Sea.

Please let us know if you need any additional information.

Cheers,

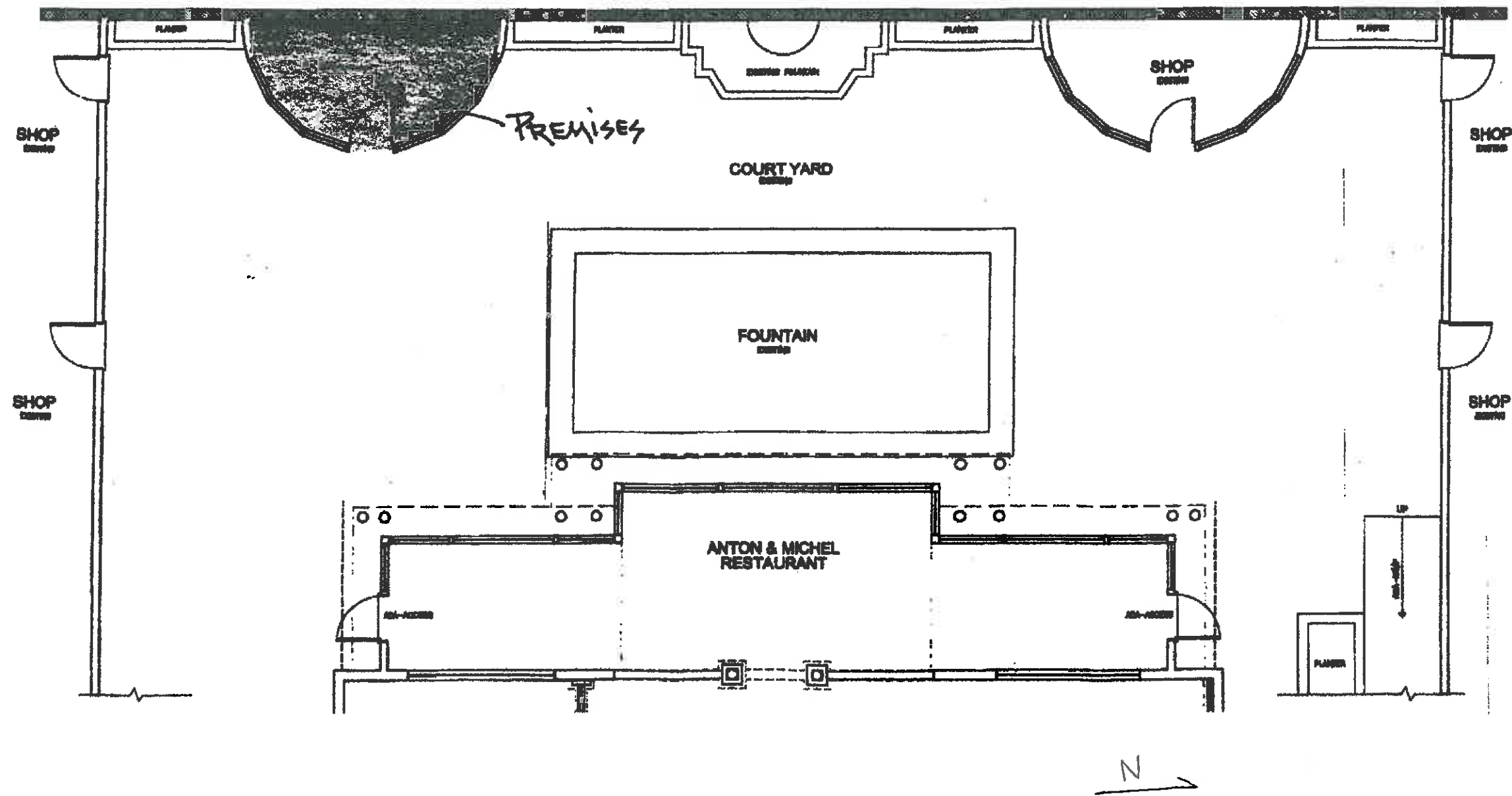
Dan Tudor
Winemaker
Tudor Wines

cc. Jonathan Sapp
cc. Tom Nash



RECEIVED
JAN 09 2014
City of Carmel-by-the-Sea
Planning & Building Dept.

Attachment E - Current Floor Plan Proposal (7/9/14)

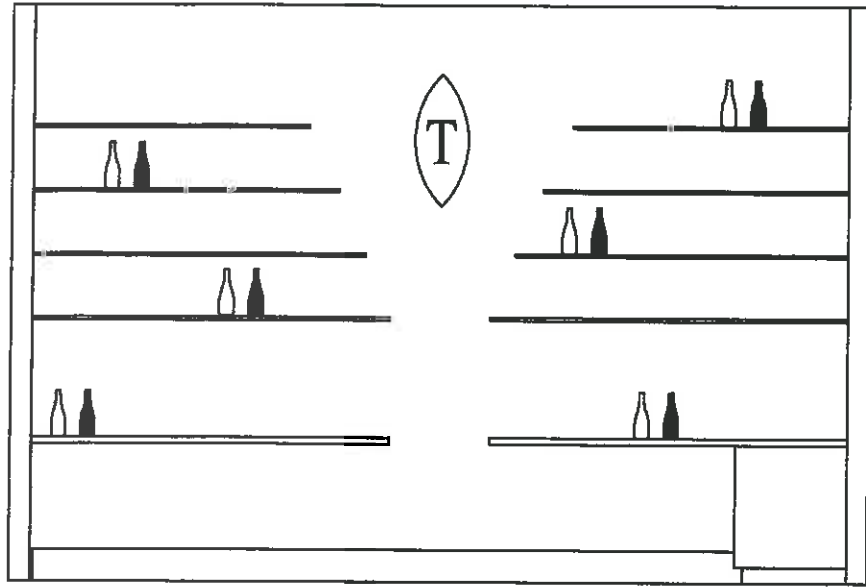


RECEIVED

JUN 17 2014

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

Tudor Winery		
Enhanced Proposal		
Site Plan	6/13/2014	
Block: 77	Lois: 15, 17 19, 21	APN: 010-141-003
Jim Griffith Retail Store Design P.O. Box 83 Carmel, CA 93921		
831.241.8989	DsqBldr@gmail.com	CA - 023839

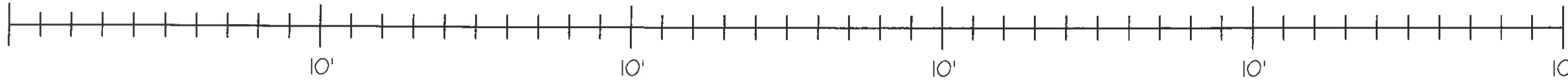
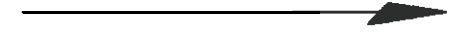


Rear Display Wall Elevation

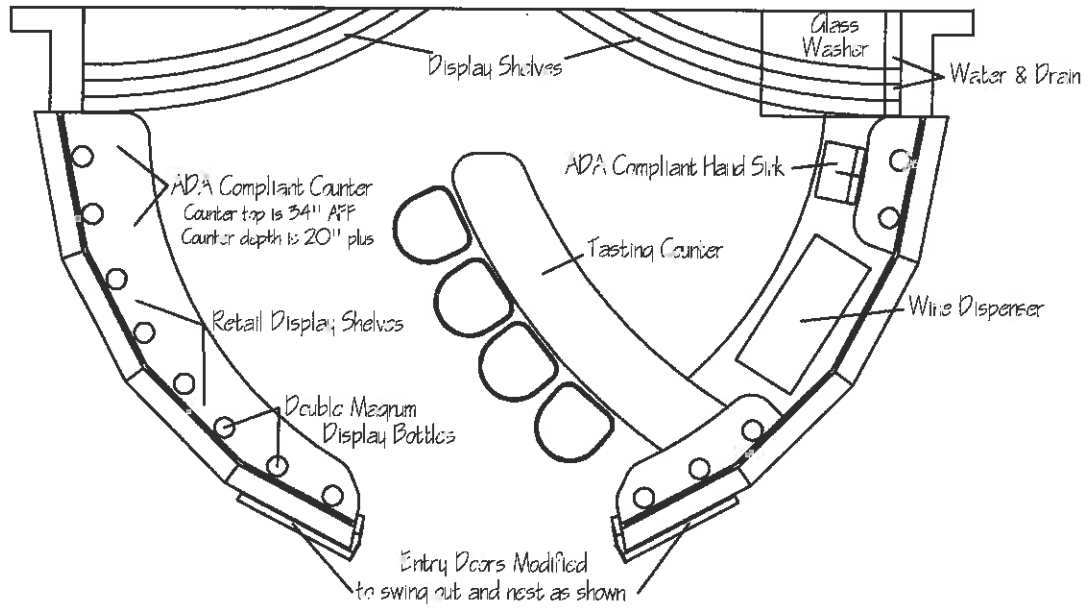


Rotated Storefront Elevation with Right Door Shown Open

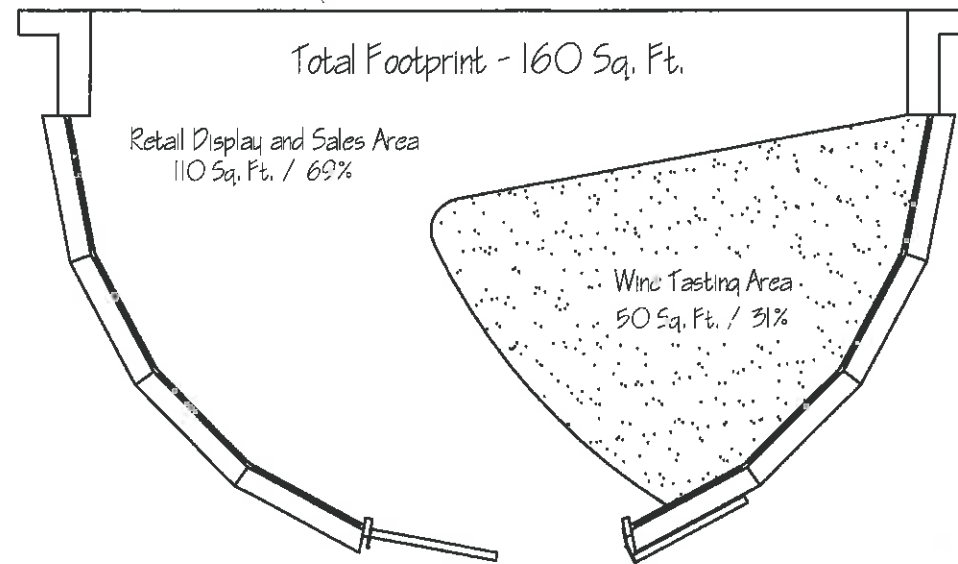
North is Thataway



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



Revised Proposal - Concept 1
Fixed Height Counter



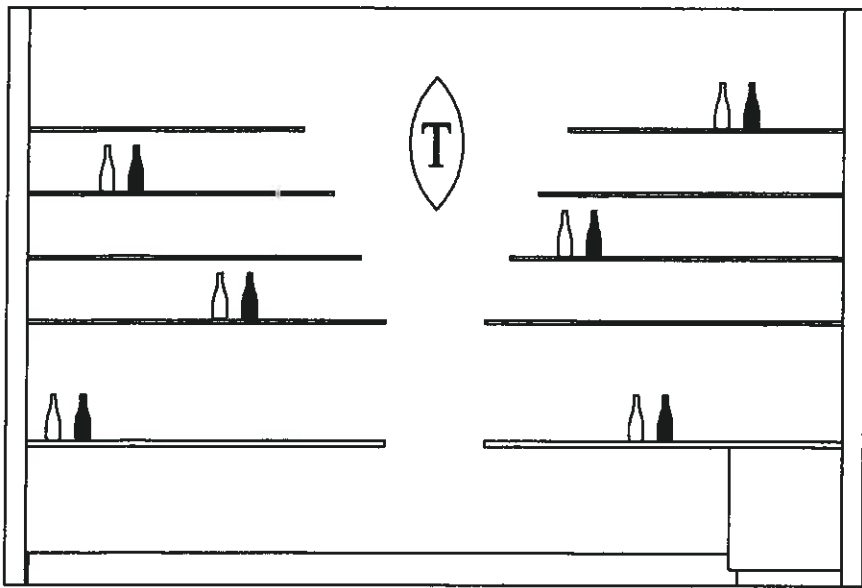
Floor Area Ratio

RECEIVED

JUN 25 2014

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

Tudor Winery		
Enhanced Proposal		
Concept 1	6/23/2014	
Block: 77	Lots: 15, 17 19, 21	APN: 010-141-003
Jim Griffith Retail Store Design P.O. Box 83 Carmel, CA 93921		
831.241.8989	DsqBldr@gmail.com	CA - 025859

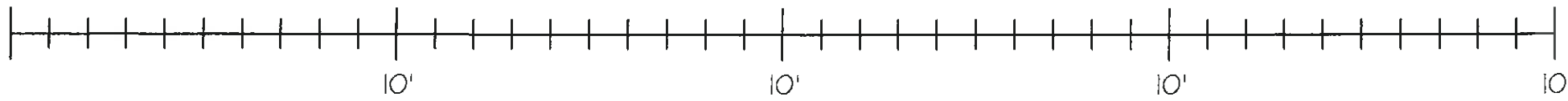


Rear Display Wall Elevation

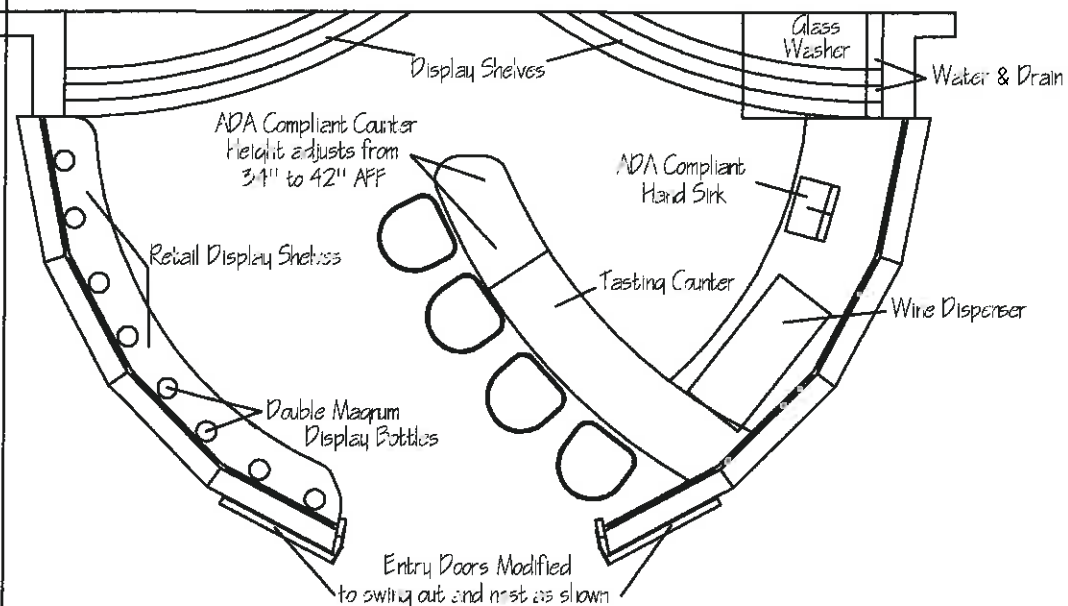
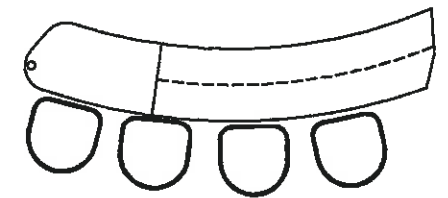
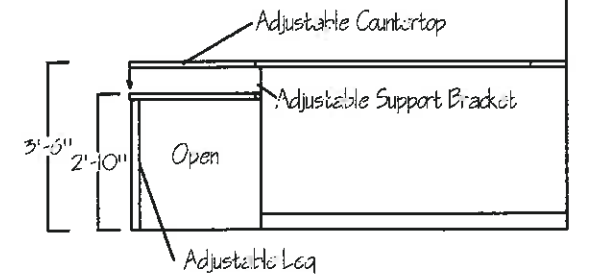


Rotated Storefront Elevation with Right Door Shown Open

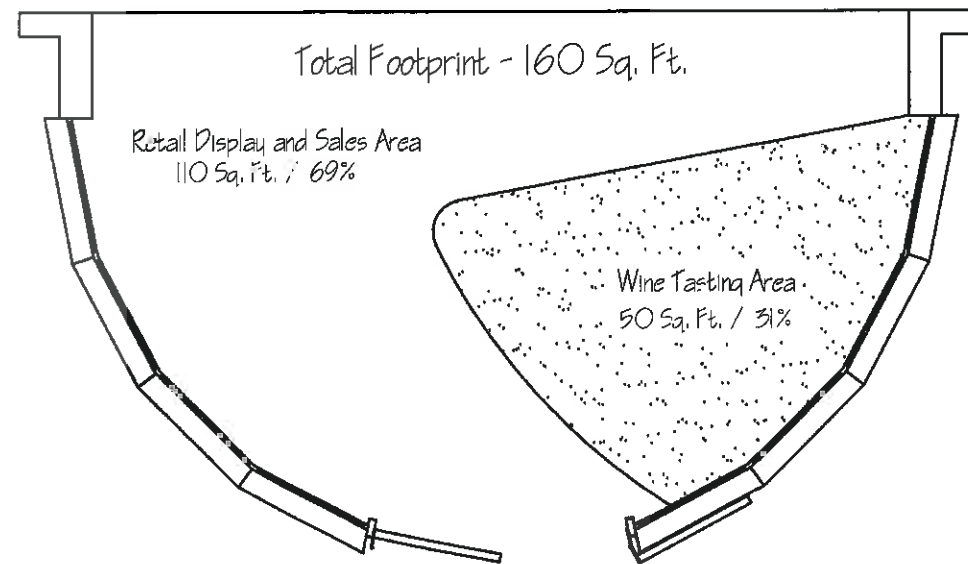
North is Thataway
→



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



Revised Proposal - Concept 2
Adjustable Height Serving Counter



Floor Area Ratio

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JUN 25 2014

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

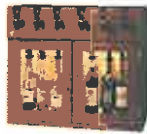
Tudor Winery		
Enhanced Proposal		
Concept 2	6/23/2014	
Block: 77	Lots: 15, 17 / 19, 21	APN: 010-141-003
Jim Griffith Retail Store Design P.O. Box 83 Carmel, CA 93921		
831.241.8989	DsqBldr@gmail.com	CB - 023839

- Commercial
- Home
- Gifts & Promotions
- Options & Upgrades
- Wine Tasting Stations
- By Size**
- 1-Bottle
- 3-Bottle
- 4-Bottle
- 6-Bottle
- 8-Bottle
- 12-Bottle
- 16-Bottle
- By Line**
- Keeper
- Magnum
- Monterey
- Monterey ETL
- Napa
- Noir
- Showcase
- Sonoma
- Vintner

6-BOTTLE WINE DISPENSERS

Choose from a variety of red and white wine combinations and laminate or wood finishes to preserve six bottles of wine in these WineKeeper units. Keep your open bottles of wine fresh for weeks. "No question it has helped us grow our wine by the glass sales" *The Stained Glass Wine Bar Bistro* owner Michael Weyna confirms.

- Range of laminates and surface options
- 19.5" depth with 3" vented space behind
- Sliding glass and hinged wood doors
- Commercial restaurant grade NSF ETL available
- Auto and Manual Defrost



[WineKeeper Napa 3 Red + 3 White \(Mahogany\), #7984](#)

Our entry level refrigerated dispenser with wood façade gives the impression of a full... [read more](#)

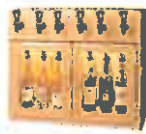
Capacity: 6 Bottles

Size: 37.75"W x 18.5"D x 24.75"H

Weight: 120 lb

Price: \$2,580.00

[LEARN MORE](#)



[WineKeeper Napa 3 Red + 3 White \(Oak\), #7996](#)

Our entry level refrigerated dispenser with wood façade gives the impression of a full... [read more](#)

Capacity: 6 Bottles

Size: 37.75"W x 18.5"D x 24.75"H

Weight: 120 lb

Price: \$2,510.00

[LEARN MORE](#)



[WineKeeper Sonoma 6-Bottle \(Mahogany\), #8027](#)

This elegant, luxurious model is similar to the Monterey, but in solid wood with... [read more](#)

Capacity: 6 Bottles

Size: 30"W x 19.5"D x 27"H

Weight: 140 lb

Price: \$3,110.00

[LEARN MORE](#)



[WineKeeper Sonoma 6-Bottle \(Oak\), #8028](#)

This elegant, luxurious model is similar to the Monterey, but in solid wood with... [read more](#)

Capacity: 6 Bottles

Size: 30"W x 19.5"D x 27"H

Weight: 140 lb

Price: \$2,925.00

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[WineKeeper Monterey 6-Bottle \(Laminate\), #7767](#)

Our most popular restaurant / bar dispensing system is available in any laminate, with... [read more](#)

Capacity: 6 Bottles

Size: 30.13"W x 19.5"D x 27"H

Weight: 140 lb

Price: \$2,850.00

[LEARN MORE](#)



[WineKeeper Monterey 6-Bottle \(Oak\), #7768](#)

Our most popular restaurant / bar dispensing system is available in any laminate, with... [read more](#)

Capacity: 6 Bottles

Size: 30.13"W x 19.5"D x 27"H

Weight: 140 lb

Price: \$2,700.00

[LEARN MORE](#)



[WineKeeper Monterey 6-Bottle \(Special Laminate\), #7769](#)

Our most popular restaurant / bar dispensing system is available in any laminate, with... [read more](#)

Capacity: 6 Bottles

Size: 30.13"W x 19.5"D x 27"H

Weight: 140 lb

Price: \$3,075.00

[LEARN MORE](#)



[WineKeeper Monterey 6-Bottle \(Stainless Steel\), #7770](#)

Our most popular restaurant / bar dispensing system is available in any laminate, with... [read more](#)

Capacity: 6 Bottles

Size: 30.13"W x 19.5"D x 27"H

Weight: 180 lb

Price: \$3,790.00

[LEARN MORE](#)



[WineKeeper Monterey 6-Bottle \(Mahogany\), #7771](#)



[WineKeeper Monterey ETL 6-Bottle \(Special Laminate\), #7986](#)



[WineKeeper Monterey ETL 6-Bottle \(Laminate\), #7987](#)



[WineKeeper Monterey ETL 6-Bottle \(Stainless Steel\), #7988](#)



CITY OF CARMEL-BY-THE-SEA

Planning Commission Report

July 9, 2014

To: Chair Reimers 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 14-21) and associated Coastal Development Permit for the construction of a new residence located in the Single-Family Residential (R-1) Zoning District and Very High Fire Hazard Severity Zone

Recommendation:

Approve the Design Study (DS 14-21) and the associated Coastal Development Permit subject to the attached findings and conditions

Application:	DS 14-21	APN:	010-126-021
Location:	NE Corner of Dolores and 2 nd Ave.		
Block:	10	Lots:	West ½ of Lots 18 & 20
Applicant:	Safwat Malek, Architect	Property Owner:	Kathleen Gordon

Background and Project Description:

The project site is located at the northeast corner of Dolores Street and Second Avenue and is developed with a 406-square foot, two-story structure that includes a garage on the lower level and a dwelling unit on the upper level. The site is a re-subdivided corner lot with dimensions of 50' x 80', which has different setback requirements than a standard residential lot.

The owner has submitted plans to demolish the existing 406-square foot residence and construct a new two-story residence. The proposed residence would be 1,790 square feet in size, which includes 1,265 square feet on the ground level and 525 square feet on the upper level. The 1,265-square foot ground-level area includes the 220-square foot, attached garage.

The residence would include plaster siding with a vegetated "living wall" system on the west (front) elevation. The applicant is also proposing a composition shingle roof, wood windows

and doors, and a glass railing around the balcony on the west elevation. The residence would also include rooftop solar panels, which are not subject to design review.

The Planning Commission reviewed this project on May 15, 2014, and expressed general support for the design, but continued the project with a request for certain changes. The applicant has revised the design to address the recommendations made by the Planning Commission.

PROJECT DATA FOR THE RECONFIGURED 4,000-SQUARE FOOT SITE:			
Site Considerations	Allowed	Existing	Proposed
Floor Area	1,800 sf (45%)	406 sf (10%)	1,790 sf (44.7%) 1,580 sf residence, 210 sf garage
Site Coverage	556 sf (13.9%)*	486 sf (12%)	369 sf (9.2%)
Trees (upper/lower)	3/1 trees (recommended)	1/1 trees	2/1 trees
Ridge Height (1 st /2 nd)	18 ft./24 ft.	20 ft.	14 ft./22 ft.
Plate Height (1 st /2 nd)	12 ft./18 ft.	17 ft.	11 ft./18 ft.
Setbacks	Minimum Required	Existing	Proposed
Front	10 ft.	65 ft.	21.5 ft.
Composite Side Yard	12.5 ft. (25%)	30 ft. (60%)	24 ft. (48%)
Minimum Side Yard	9 ft. /3 ft. (street/interior)	3 ft. (street) 27 ft. (interior)	9 ft. (street) 12 ft. (interior)
Rear	3 ft. (1st-story) 15 ft. (2nd-story)	3 ft.	4.5 ft. (1st-story) 15 ft. (2nd-story)
*Includes a 4% bonus if 50% of all coverage is permeable or semi-permeable			

Staff analysis:

Previous Hearing: The following is a list of recommendations made by the Planning Commission and a staff analysis on how the applicant has or has not revised the design to comply with the recommendations:

1. *The applicant shall plant one new upper-canopy tree of substantial size and caliber.*

Analysis: The project plans include a proposal for one new upper-canopy Monterey Pine tree located on the south side of the driveway. A condition of approval has been drafted regarding the planting and maintenance of the tree.

2. *The applicant shall eliminate or reduce the size of the balcony on the east side of the residence to mitigate the privacy impact to the eastern neighbor.*

Analysis: The original project plans included a proposal for a 129-square foot second story balcony at the south end of the residence. A portion of the balcony was located on the east side of the second story. At the May 2014 Planning Commission meeting, the eastern neighbor expressed concern about the privacy impacts that would be created by the balcony. The proposed balcony would be approximately 24 feet from the eastern neighbor's residence.

To address the issue, the applicant is proposing to install a planter on the east facing portion of the balcony, which has reduced the size of the balcony from 129 to 81 square feet. The eastern neighbors, James and Michelle Fay, have reviewed the revised design and indicated that they are still concerned with the privacy impact created by the balcony, as explained in their letter included as Attachment D.

In staff's opinion, the privacy impact from the balcony would be minimal due its small size and 24-foot distance from the eastern neighbor's property. However, if the Commission has concerns, the Commission could require the applicant to further reduce the size of the balcony or eliminate it altogether.

3. *Evaluate the fenestration on the east side of the residence to mitigate the impact to the eastern neighbor. Include the use of opaque glass on the east-facing bathroom window.*

Analysis: The second-story bathroom originally had two east-facing windows. The applicant has eliminated one of the windows, and the plans note that the remaining window would include opaque glass. The original proposal also included a pair of east-facing glass doors that provided access to the second story balcony. The applicant has eliminated the glass doors and replaced them with smaller windows.

4. *The applicant should consider the use of wood shake or tile roofing as opposed to composition shingle.*

Analysis: With regard to roofing material, Design Guideline 9.8 states that "wood shingles and shakes are preferred materials for most types of architecture typical of Carmel" and

“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.”

At the May 2014 meeting, staff recommended that the applicant use wood roofing as it would be consistent with Design Guideline 9.8 and it would incorporate additional wood into the design in conjunction with the plaster siding. The applicant, however, is still requesting that the Commission approve the use of composition shingle roofing. A sample of the material will be provided at the hearing for review. Staff still recommends that the applicant use wood or tile roofing and has drafted a condition requiring a change in roofing material.

5. *The applicant shall provide additional information on the grid that would be used for the living wall and consider proposing an alternative system to support the living wall.*

Analysis: The applicant has provided additional information on the proposed metal grid system, which is included with the project plans as part of Attachment E. The metal grid would be painted to match the house and would be planted with bougainvillea. As an alternative to the metal grid, the applicant would propose the use of a wood grid.

In staff's opinion, the vegetated wall is an important architectural element that would add visual interest to the building and would soften the appearance of the plaster siding. Staff supports the proposal, but has included a condition of approval requiring that the grid be constructed of wood, which would be more architecturally compatible with the building if the bougainvillea were to be removed or die off in the future.

Other Project Components:

Neighbor Concerns: The eastern neighbors, James and Michelle Fay, submitted a letter to the City on May 13, 2014, and Mr. Fay provided testimony at the May 15, 2014 Planning Commission meeting regarding the project. Mr. and Mrs. Fay expressed concern that the proposed new residence would impact their ocean views, solar access, and privacy, and they requested that the residence be re-designed.

The Planning Commission visited the Fay property on May 15, 2104 during the Tour of Inspection and evaluated the potential impacts. The Commission recommended that the applicant revise the window and balcony design to address the privacy impacts, as described in the previous sections, but did not recommend a more comprehensive redesign of the residence to mitigate the view and solar access impacts.

The Fays submitted a new letter on June 17, 2014, which included as Attachment D. The June 2014 letter addresses the revisions made by the applicant and indicates that the Fays still object to the design. The Fays request that the south wall of the second story be shifted 10 feet north to mitigate the view impact.

With regards to views and solar access, Residential Design Guidelines 5.1 through 5.3 state that *“designs should preserve reasonable solar access to neighboring parcels.”* The guidelines encourage that designs *“maintain views through a property to natural features when feasible”* and recommend *“locating buildings so they will not substantially blocks views enjoyed by others.”* General Plan Policy P1-65 recommends achieving *“an equitable balance of these design amenities among all properties affected by design review decisions”*.

The proposed new residence would be located approximately 24 feet west of the eastern neighbors’ residence and would be at a lower height than the neighboring residence. In staff’s opinion, the proposed new residence would not have a significant impact on the eastern neighbors’ solar access as: 1) there would be a substantial distance between the residences, and 2) the new residence would be at a lower height and therefore, does not loom over the Fay property.

The Planning Commission had the opportunity to evaluate the view impacts from the Fay property on May 15, 2014, during the Tour of Inspection. During its deliberation, the Planning Commission acknowledged that the new residence would have an impact on the views from the Fay property, but that several view corridors from the property would be retained. The Commission also noted that new views may be opened up by the demolition of the existing two story structure at the north end of the applicant’s property.

In staff’s opinion, the proposed design achieves an equitable balance of views between neighboring property owners, as recommended by the City’s General Plan. The Planning Commission will have another opportunity to visit the Fay property on the July 9, 2014 Tour of Inspection. If the Commission has concerns, the Commission could direct the applicant to re-design the residence as requested by Mr. and Mrs. Fay.

Landscape Plan/Fence: With regard to landscaping, Residential Design Guideline 10.3 recommends *“locating plans in relaxed, informal arrangements that are consistent with the urban forest character”* and *“avoid formal, unnatural arrangement of plants and paving except in areas out of public view.”*

The applicant has included a landscape plan which includes new drought-tolerant landscaping on the property and in the City ROW on the west side of the property adjacent to Dolores

Street. In staff's opinion, the proposed landscaping appears too formal, in particular the landscaping proposed in the City ROW. A condition has been drafted requiring the applicant to work with staff and the City Forester to simplify the landscape plan in order to make it more consistent with the above guidelines. The condition also requires that the applicant provide information on the irrigation system, and prohibits irrigation in the City ROW. Staff notes that no path lighting is proposed.

The applicant is proposing a 4-foot high meandering grape-stake fence along the west and south property frontages. The plans note that the vertical stakes would have tight spacing. Staff notes that the existing 6-foot high fence along the east side-yard property line and the north rear-yard property line would be retained.

Environmental Review:

The proposed project is categorically exempt from CEQA requirements, pursuant to Section 15303 (Class 3) – Construction or modification of a limited number of new or existing small structures. The proposed new residence does not present any unusual circumstances that would result in a potentially significant environmental impact.

ATTACHMENTS:

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

Attachment A – Site Photographs



Project site – Facing east on Dolores Street



Project site – Facing north on Dolores Street (from City ROW)



Project site – Facing north on Dolores Street



Eastern neighbor's west facing window

Attachment B – Findings for Approval

DS 14-21 (Gordon)
 July 9, 2014
 Findings for Approval
 Page 1

FINDINGS REQUIRED FOR FINAL DESIGN STUDY APPROVAL (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.

Municipal Code Finding	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):		
13. Local Coastal Program Consistency: The project conforms with the certified Local Coastal Program of the City of Carmel-by-the Sea.	✓	

Attachment C – Conditions of Approval

DS 14-21 (Gordon)
 July 9, 2014
 Conditions of Approval
 Page 1

Conditions of Approval		
No.	Standard Conditions	
1.	Authorization: This approval of Design Study (DS 14-21) authorizes the demolition of a 406-square foot two-story existing residence and construction of a new two-story 1,790-square foot residence as shown on the July 9, 2014 approved plans. The residence is clad with stucco siding, unclad wood windows, a wood roof, and includes a vegetated wall on the west elevation. The project includes the construction of a new 4-foot high grape-stake fence on the west and south property lines and new landscaping on the property and in the City ROW.	✓
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 July 9, 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 (incandescent equivalent, i.e., 375 lumens) per fixture and shall be no higher than 10 feet above the ground. Landscape lighting shall be limited to 15 watts (incandescent equivalent, i.e., 225 lumens) 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.	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.	✓
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	N/A

	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.	✓
20.	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.	N/A
	Special Conditions	
21.	The applicant shall plant and maintain one new 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.	✓
22.	The roofing material shall consist of either wood or tiles. The applicant shall revise the construction drawings submitted with the building permit application to reflect this requirement.	✓
23.	The applicant shall use a wood grid on the west elevation to support the living wall. The construction drawings submitted with the building permit application shall include a note identifying the material as wood.	✓
24.	The applicant shall work with staff and the City Forester to simplify the landscape plan in order to make it more consistent with Residential Design Guideline 10.3. The revised landscape plan shall be submitted to the City prior to building permit submittal. The landscape plan shall include information on the irrigation system. Irrigation in the City ROW is prohibited.	

DS 14-21 (Gordon)
July 9, 2014
Conditions of Approval
Page 5

***Acknowledgement and acceptance of conditions of approval.**

Property Owner Signature

Printed Name

Date

Once signed, please return to the Community Planning and Building Department.

June 17, 2014

Via Email

Marc Wiener
Senior Planner
City Hall
Planning Commission
Monte Verde between Ocean and 7th Avenue
Carmel-by-the-Sea, CA 93921

Proposed Action: Consideration of Concept Design Study (DS 14-21) and associated Coastal Development Permit application for the construction of a new residence located in the Single-Family Residential (R-1) Zoning District

Project Location: NE Corner of Dolores and 2nd Avenue – Proposed Home Design Plan by Kathy Gordon

Parcel Description: Block; 10 Lot (s) W/s 18 & 20

Applicant: Safwat Malek, Architect

Dear Mr. Wiener:

This letter provides follow up comments to the Concept Design Study and associated Coastal Development Permit application for the construction of a new residence (the "Proposed Design") at the northeast corner of Dolores Street and 2nd Avenue by Ms. Kathy Gordon (the "Gordon Property"), that was considered by the Planning Commission at a hearing on May 15, 2014 (the "Hearing"), which application was continued at the Hearing.

My wife and I own the property at 2NE of Dolores on 2nd Avenue (the "Fay Property"), which is adjacent to the Gordon Property. The Gordon Property is west of the Fay Property, and thus between the Fay Property and the ocean and views of the forest and open space. We acquired our property in November 2007.

History

The detailed history of the matter is set forth in the previously delivered letter to you and the Planning Commission dated May 13, 2014 (the "Fay Letter").

As we know, on May 15, 2014, you presented a summary of our letter at the Hearing of the Planning Commission ("Commission") during the review of Proposed Design. I was provided three minutes to speak in support of the matters raised in the Fay Letter. I highlighted the issues and potential solutions

described in the Fay Letter, responded to certain matters raised by Mr. Malek in his commentary to the Commission, and asked the Commission for its assistance in helping to resolve the matters I raised.

The Commission directed Mr. Malek to make certain changes to the Proposed Design that address a limited set of matters raised in the Fay Letter and other issues. I met Mr. Malek on June 5, 2014, to review the proposed changes to the Proposed Design made in response to the Commission's direction. Those items are summarized in various in footnotes in this letter.¹

These proposed changes were modestly helpful insofar as they address a small set of our concerns.² **Importantly, the proposed changes to the Proposed Design did not address the key matters that we have raised to you and the Commission, namely the requests to maintain the filtered views of the ocean from the Fay Property, which will also maintain the solar access to the property, and maintain the privacy of the active indoor and outdoor use areas of the Fay Property.**

At the June 5 meeting with Mr. Malek, I stated that these key matters were not addressed with his proposed changes to the Proposed Design, and that they remain some of our key concerns. I offered to review any further modifications to the Proposed Design that address these matters in an attempt to resolve this matter and insure that the project could proceed appropriately. Mr. Malek confirmed in the June 5 meeting that he would not voluntarily make any such modifications.

Relief Requested

The proposed changes to the Proposed Design by Mr. Malek do not address any of the key matters we have raised to you and the Commission, namely the requests to:

- **Maintain the filtered views of the ocean from the Fay Property, which will also maintain the solar access to the property, and**
- **Maintain the privacy of the active indoor and outdoor use areas of the Fay Property.**

These matters are described in detail in the Fay Letter. The Fay Letter was accompanied by several photographs that illustrate the impact of the Proposed Design to views of the forest and ocean and privacy. Each photograph is from the normal height of a person, looking at a normal angle, and unfortunately, directly in to the proposed building.

Accordingly, we believe that the Proposed Design, as modified, does not satisfy several elements of the Carmel-by-the-Sea Residential Design Guidelines adopted by the City Council on May 1, 2001. For reference, several of the more significant requirements were previously described in the Fay Letter.

In light of the Design Guidelines and its requirements, the material and adverse impact of the Gordon Property on the Fay Property, and given Mr. Malek has confirmed that he does not intend to cooperate voluntarily to address our concerns, we again respectfully request your assistance and that of the Planning Commission in causing the Proposed Design to be modified to grant the relief requested above.

Further detail is provided below.

¹ A shower window was moved from an east wall to a south wall. A bathroom window between two vanities was changed from clear to opaque so that a person cannot see through the window.

² We reserve the right to provide additional comments on proposed changes to the Proposed Design as the application process proceeds, particularly if these proposed changes are further modified or if other facts and circumstances arise.

We respectfully request the Planning Commission cause modifications to the Proposed Design to maintain the filtered views of the ocean from and solar access to the Fay Property

The Proposed Design materially and adversely obstructs the filtered views of the ocean from the Fay Property. The Proposed Design includes a second story building and second story patio area that will block the filtered ocean views from and solar access to the Fay Property from several existing vantage points.

The Fay Property includes a family room, sun deck patio, breakfast room, kitchen and small office that face south and west. These rooms and the sun deck patio enjoy filtered views of the ocean. Solar access for part of the year is also along this view-line (and further obstructed in winter months by the Proposed Design).

Given the opportunity to enjoy filtered ocean views, we spend a great deal of time in the south and west facing rooms. These views are partly enabled by the Fay Property's higher living floor elevation compared to the Gordon Property. Because of this change in elevation, we were comfortable acquiring the Fay Property even though at the time only a small home was on the Gordon Property.

We believe that an appropriately sized and situated home to be built on the Gordon Property would not obstruct our filtered ocean views and solar access. We believe the obstruction is on the order of 10 feet from the southern wall of the second story northward. We believe that an adequate solution to address our concerns is possible is because:

- There is ample room on the property to avoid such an obstruction,
- The view line is above a one story structure properly constructed on the Gordon Property, and
- The filtered ocean views are concentrated in a single area or sight line and not spread broadly across the Gordon Property, thus not requiring any significant impact to a home design.

Along with the concentrated light and sun provided to these rooms and the sun deck patio, these views were key attributes that drew us to acquire the property several years ago. We value greatly our time in these rooms enjoying the filtered ocean views, light and sun, views of the tree canopy, along with the cool ocean breeze, that in combination is uniquely Carmel-by-the-Sea. Therefore, we have a very strong interest in preserving these views.³

We have provided a number of possible solutions to help move this matter forward. There are of course other possible design modifications available, not the least of which is to resize the second floor dimensions to move the second story southern wall northward by approximately 10 feet. Mr. Malek confirmed in the June 5 meeting, however, that he is not planning to make any changes to the Proposed Design to cooperate in this matter. Therefore, we have no alternative but to again seek your assistance and that of the Planning Commission to resolve this matter.

We respectfully request the Planning Commission cause modifications to the Proposed Design to maintain the privacy of the active indoor and outdoor use areas of the Fay Property

The Proposed Design materially and adversely affects the privacy of the active indoor and outdoor use areas of the Fay Property. As described above, the west and south facing rooms are the key indoor active use areas of the house on the Fay Property, where we gather, eat, work, receive guests, relax, and

³ Not unlike Mr. Malek's assertion in the Planning Commission hearing that Ms. Gordon's "childhood dream was to have an oval window" in a bathroom, we too have strongly held desires, namely the desire to maintain our filtered views of the ocean and solar access and privacy. Neither desire is more valuable than the other; and all desires can be satisfied with reasonable effort.

generally enjoy our space. Similarly, the key active outdoor use area is the sun deck patio, where we do the same and enjoy nature, the forest, open space and views.

The Proposed Design, including as proposed to be modified by Mr. Malek, includes several features that infringe on the privacy of these areas, and enable residents of the new building to look directly at the west and south active indoor and outdoor use areas of the Fay Property. Such features of the Proposed Design include:

- A second story balcony on the south and east side of the proposed building, along with divided light windows facing east to the Fay Property⁴;
- An east-facing trio of divided light windows from a second story bedroom with a sill height of approximately 5 feet, thus enabling a person of normal height to see out directly.⁵

There are several potential solutions to “organize functions on a site to preserve reasonable privacy for [the] adjacent” Fay Property consistent with Guideline 5.1. For example, the south and east facing second story balcony may be eliminated because the Proposed Design already includes a second story west facing balcony attached to the bedroom. As balconies are designed to attract people outside, we expect the south and east facing balcony would be used more than the Commission posited in the Hearing. Furthermore, as the proposed balcony is directly in the view line from the Fay Property to the ocean, a competent designer of the Proposed Design would know this as well, and then seek to capture this same view to the detriment of the Fay Property.

The Proposed Design, as proposed to be modified, maintains the subject second story balcony, albeit slightly reduced in size where some of the eastern facing portion of the balcony is changed to a flower planter box (and Mr. Malek confirmed that no trees would be planted in the flower box). The balcony, in addition to being a continuing part of the Proposed Design, also continues to have east facing aspects, impacting our privacy as previously detailed in the Fay Letter.

While Mr. Malek suggests that the height of the proposed balcony and the living floor of the Fay Property are the same, it should be noted, as it was in the hearing, that the Fay property’s subfloor is not a living floor at all, and is merely a foundation at a height of 6’-1”. Moreover, this point is not relevant as the privacy impact is the same regardless of claimed height variances; and the fact that it is a downward view on the Fay Property only exacerbates the problem.

⁴ The French door was moved to the southern wall. The east facing windows were changed to a sill height of five feet. Mr. Malek confirmed in our meeting on June 5 that he would change the sill height to 5’-6”. While this new higher sill height is helpful, it does not of course remove the windows as requested.

⁵ Mr. Malek also confirmed at the June 5 meeting that the sill height of these windows would be changed to 5’-6”. He stated that these windows were situated to the east because they are behind the bed, which is facing west due to feng shui principles, and that there would be a dresser on the northern wall. He did not say that the windows were required to be on the eastern wall due to feng shui principles, nor that the dresser was more than 5’-6” tall (a tall dresser is unlikely because a person cannot see in a drawer six feet from the floor), hence it is reasonable to move the windows to the northern wall as originally requested.

Moreover, feng shui research teaches that a bed under a window is not the best commanding position: “Another criteria for the feng shui commanding position is good backing. So, let's say, you have your office desk in the commanding position, all looks perfect, but there is a window behind your back. This is not a full commanding position, it is still weak. You need to create strong backing behind your back.” <http://fengshui.about.com/od/fengshuiglossary/f/Feng-Shui-Commanding-Position.htm>

We have previously requested the balcony be removed to avoid impacting the views from and solar access to the Fay Property help move this matter forward. Mr. Malek confirmed in the June 5 meeting, however, that he is not planning to make any changes to the Proposed Design to cooperate in this matter. Therefore, we have no alternative but to again seek your assistance and that of the Planning Commission to resolve this matter.

Summary

The Proposed Design materially and adversely impacts the filtered ocean views from, solar access to, open space provided to, and privacy of the Fay Property. Fortunately, there are reasonable viable solutions to the impacts that can preserve the Fay Property's filtered ocean views, solar access, and privacy, and we look forward to your assistance in this matter.

Please feel free to contact us any time at 650-464-8939, or ifay9144@charter.net. Thank you for your attention to this matter.

Respectfully submitted,

/s/ James D. Fay _____

James D. Fay

/s/ Michelle Fay _____

Michelle Fay



ARCHITECTS C7308 BUILDERS B330234
POB 1734 • Pebble Beach, CA 93953-1734 • 831.828.3490 • www.enviro-international.com

REVISION

JUN 24 2014

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

Marc Wiener, Senior Planner
City of Carmel-by-the-Sea
COMMUNITY PLANNING AND BUILDING DEPARTMENT
POST OFFICE DRAWER G
CARMEL-BY-THE-SEA, CA 93921

RECEIVED

JUN 17 2014

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

RE: Application Completeness for Final
Review Design Study Application: DS
14-21 (Gordon) NE Corner of Dolores
and 2nd Ave
Blk 10, Lot 20; APN: 010-126-021

Mr. Wiener,

Please see the attached responses to Staff comments. We have copied Staff comments and responded inline.

Staff has reviewed the revised plans that were submitted on May 28, 2014, for final review by the Planning Commission. Staff has determined that the application is incomplete and requires the following additional information and revisions to the plan sets:

1. The site plan and landscape plan depict a new meandering 3-foot high grape-stake fence along the west and south property lines. Include an elevation drawing detail of the proposed new fencing showing the design, height, and materials. The details should also identify the spacing between the pickets. SEE SHEET REVISED A2.2
2. On the site plan, indicate the height and style of the existing fence along the north and east property lines. SEE ATTACHED NOTATED SUPPLEMENTAL PHOTOGRAPH 1.0
Also indicate the height and style of the existing and proposed new retaining walls on the east side of the residence. Include a detail depicting the new wall. SEE S1.0 & C1
3. The cover-letter submitted with the revised project plans indicates that the second-story bathroom windows on the east elevation will include the use of opaque glass. Include a note on the east elevation drawings that the bathroom windows will contain opaque glass. SEE SHEETS REVISED A1.0, A2.0 & A2.2

DS/4-21

4. On the site plan and landscape plan show all proposed path lighting and revise the project plans to ensure that all proposed lighting meets the following requirements: N/A
 - a) All exterior lighting attached to the main building or any accessory building may be no higher than 10 feet above the ground and may not exceed 25 watts (incandescent equivalent; i.e., approximately 375 lumens) in power per fixture. NONE PROPOSED
 - b) Landscape lighting may not exceed 18 inches above the ground nor more than 15 watts (incandescent equivalent; i.e., approximately 225 lumens) per fixture and may

Not be spaced closer than 10 feet apart. Landscape lighting may not be used for tree, wall, fence or accent lighting of any type. NONE PROPOSED = N/A

5. The Planning Commission's Condition #5 recommended that you provide more information on the metal grid used to support the living wall and consider using an alternative. You have provided more information on the grid system, but have not provided an alternative. Staff strongly recommends that you consider presenting an alternative option, as the Planning Commission was concerned with the original proposal for a metal grid. SEE ATTACHED SUPPLEMENTAL INFORMATION AND ATTACHED PROPOSED ALTERNATE.

Thank you.

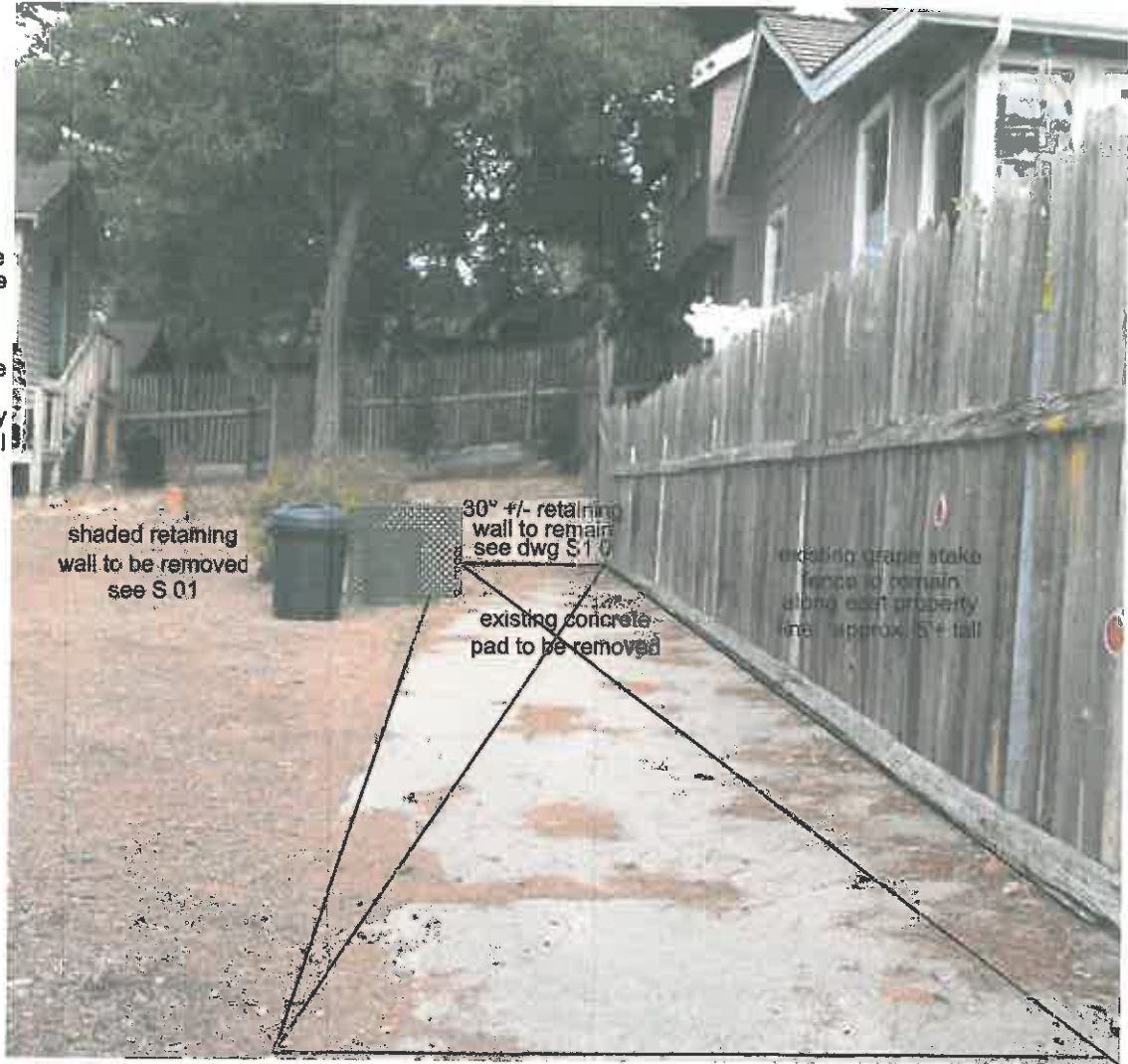
Sincerely,

Safwat
Malek
Enviro International

existing oak tree
to remain

existing garage
apartment to be
removed

existing grape stake
fence to remain
along north property
line. approx. 5'+ tall



shaded retaining
wall to be removed
see S 01

30° +/- retaining
wall to remain
see dwg S10

existing concrete
pad to be removed

existing grape stake
fence to remain
along east property
line. approx. 5'+ tall

1 - existing conditions at north & east property lines



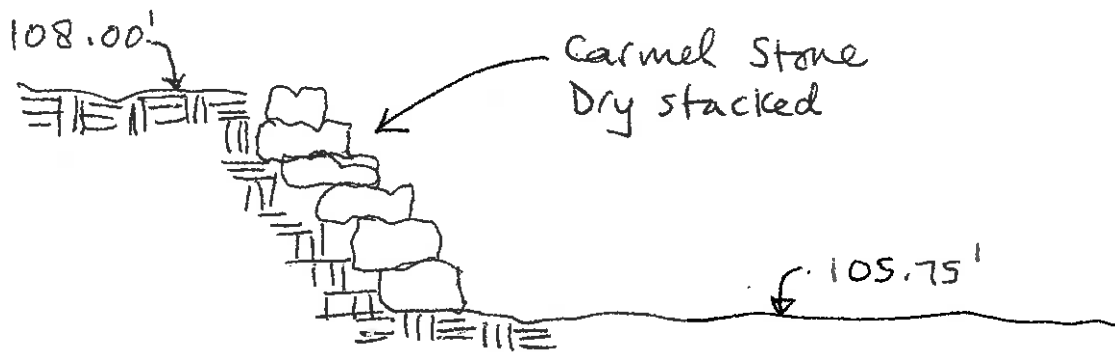
Gordon Residence

NE corner of Dolores & 2nd Ave., Carmel, CA.

All Designs and work contained on these documents in reference to noted project remain the property of Enviro-International. Copyrighted C 2013



CONCRETE WALL TO REMAIN GORDON

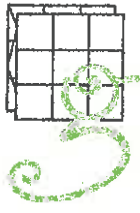


**PROPOSED DRY STACKED CARMEL STONE WALL
GORDON**

ITEM #5



Installed 2010



Red Bougainvillea



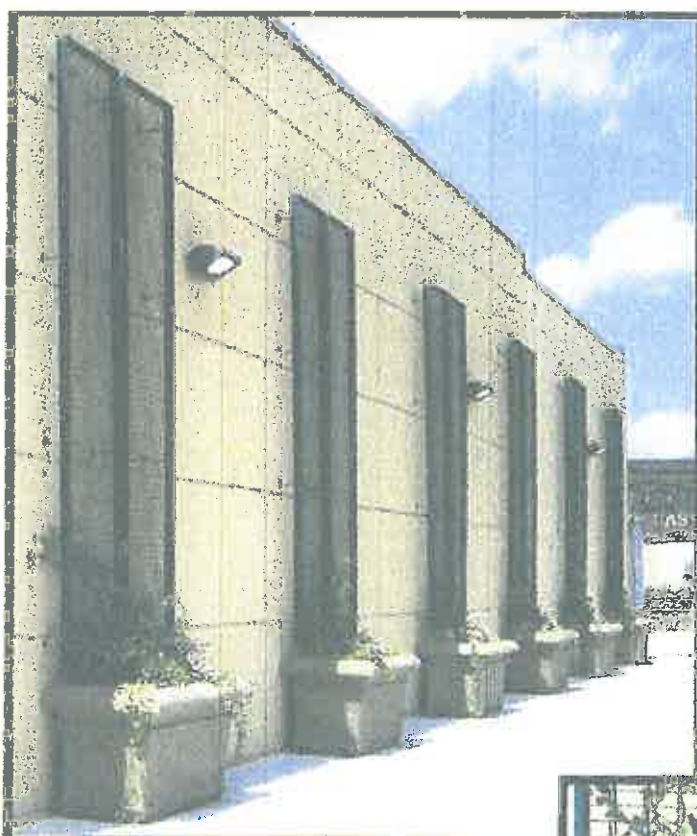
Hardiness Zone 10b

Courtyard Terraces - San Diego, CA
Wall mounted **greenscreen®** trellis panels are used to create a green wall band on a stepped site. Panels are notched and trimmed to fit surface conditions.

GREENSCREEN®

PROPOSED CONSTRUCTION OF LIVING WALL Gordon

ITEM # 5



Trumpet Honeysuckle



Installed 2009

Hardiness Zone 6b

Market Basket - Chelsea, MA

Wall mounted *greenscreen*® panels on a simple stucco wall will support flowering vines that will eventually cascade along this entry promenade.

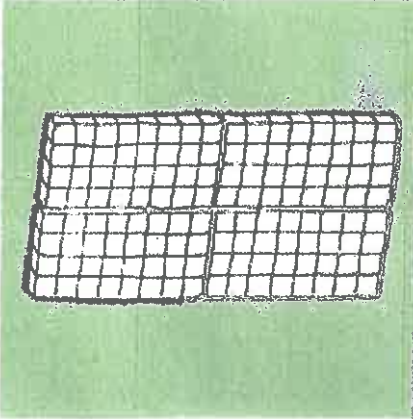
GREENSCREEN®

**PROPOSED CONSTRUCTION OF LIVING WALL
Gordon**

elements

search...

GO



Modular, Wall Hung Trellis Panels

for covering large areas of existing walls or facades

Size: 4' wide x 6', 8', 10', 12' or 14' tall x 2" or 3" thick also available in 2" increments up to 4' x 14' in multiple panels

Finish: galvanized wire panels with multigrade alkaline wash, epoxy thermal-set primer, and baked on powder coat finish in gloss green, black, silver, white; matte wrinkle green or wrinkle black.

Options: #5104 or #5105 trim, full range of mounting hardware



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PROPOSED CONSTRUCTION OF LIVING WALL

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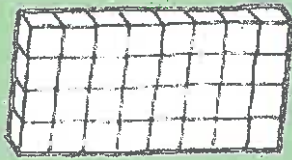
Wall Hung Trellis Panel

for use as a landscape accent on an existing wall or fence

Size: 4' wide x 6', 8', 10', 12' or 14' tall x 2" or 3" thick also available in 2" increments up to 4' x 14'

Finish: galvanized wire panels with multigrade alkaline wash, epoxy thermal-set primer, and baked on powder coat finish in gloss green, black, silver, white; matte wrinkle green or wrinkle black.

Options: #5104 or #5105 trim, full range of mounting hardware



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PROPOSED CONSTRUCTION OF LIVING WALL Gordon

ITEM # 5



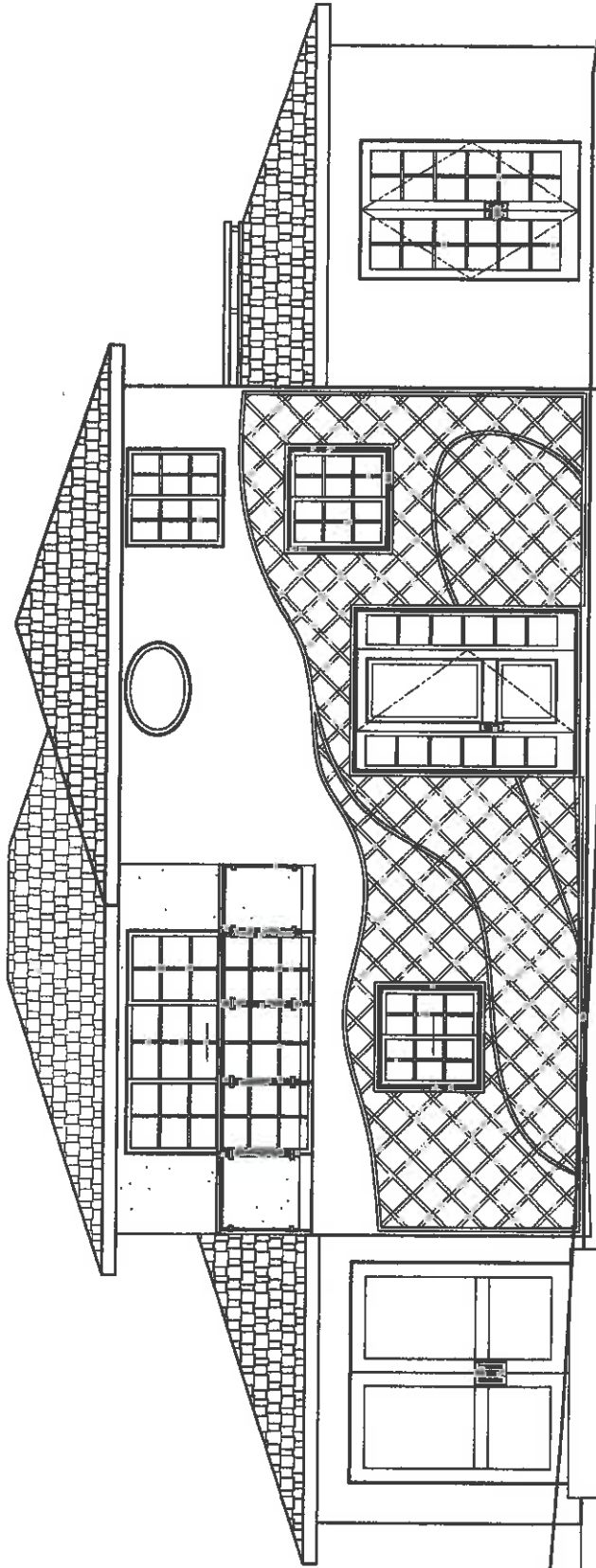
[Play Previous](#)

6/7

[Next](#)

[Close](#)

PROPOSED CONSTRUCTION OF LIVING WALL Gordon



ALTERNATE SCREENING.
 ALTERNATE PLANT SCREEN TO BE MADE
 FROM 2" X 2" PRESSURE TREATED FIR IN
 PROFILE AS INDICATED ABOVE.
 DIAGONAL GRID 12" X 12" O.C.

2 - elevation - alternate screen wall
 1/4"=1'-0"

Gordon Residence
 NE corner of Dolores & 2nd Ave., Carmel, CA.

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**ALTERNATE CONSTRUCTION OF LIVING WALL
GORDON**



RECEIVED

JUN 17 2014

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



Gordon Residence

NE corner of Dolores & 2nd Ave., Carmel, CA

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JUN 24 2014

DS 14-21



Gordon Residence
NE corner of Dolores & 2nd Ave., Carmel, CA.

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Gordon Residence
NE corner of Dolores & 2nd Ave., Carmel, CA.
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ENVIRO
INTERNATIONAL
Architects • Builders
503.8 711026

Gordon West
NE corner of Dolores & 2nd St
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INTERNATIONAL
Architects • Builders
1976 2012

Gordon Residence
NE corner of Dolores & 2nd Ave., Carmel, CA.

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INTERNATIONAL
Architects • Builders
2004 122024

Gordon Residence
NE corner of Dolores & 2nd Ave., Carmel, CA.

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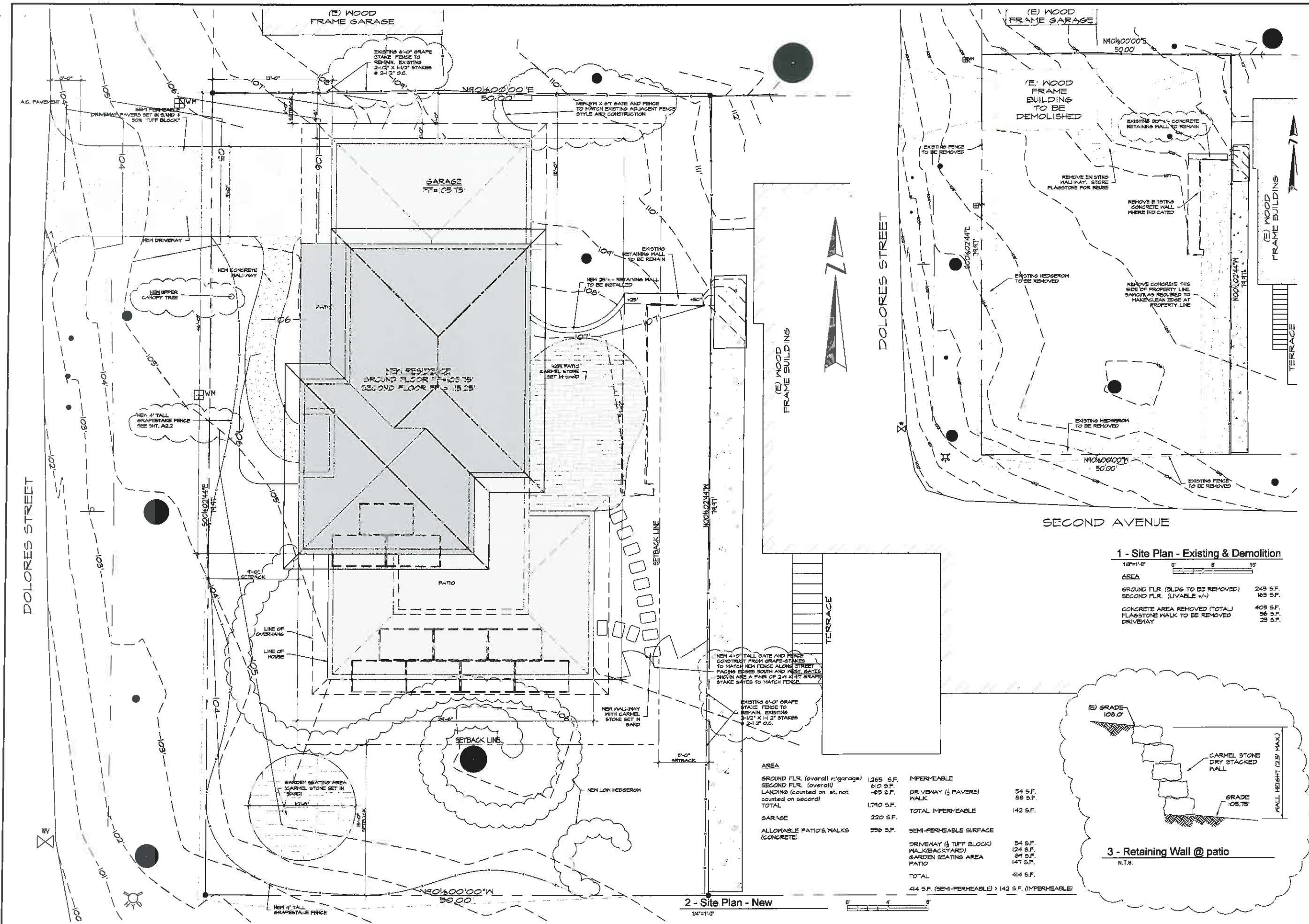
Gordon Residence
NE corner of Dolores & 2nd Ave., Carmel, CA.

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Gordon Residence
NE corner of Dolores & 2nd Ave., Carmel, CA.

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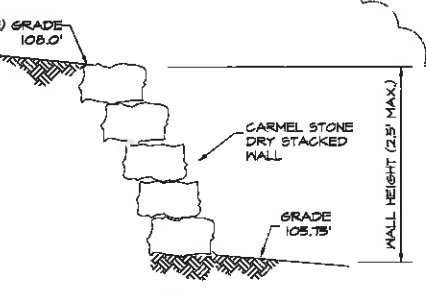


1 - Site Plan - Existing & Demolition

1/8"=1'-0"
0' 8' 16'

AREA	
GROUND FLR. (BLDG TO BE REMOVED)	249 S.F.
SECOND FLR. (LIVABLE +/-)	163 S.F.
CONCRETE AREA REMOVED (TOTAL)	408 S.F.
FLAGSTONE WALK TO BE REMOVED	28 S.F.
DRIVEWAY	

AREA		
GROUND FLR. (overall w/ garage)	1,265 S.F.	IMPERMEABLE
SECOND FLR. (overall)	610 S.F.	
LANDING (counted on 1st, not counted on second)	-85 S.F.	DRIVEWAY (1/2 PAVERS) WALK
TOTAL	1,790 S.F.	54 S.F. 88 S.F.
GARAGE	220 S.F.	TOTAL IMPERMEABLE
ALLOWABLE PATIO'S, WALKS (CONCRETE)	956 S.F.	142 S.F.
		SEMI-PERMEABLE SURFACE
		DRIVEWAY (1/2 TUFT BLOCK) WALK (BACKYARD)
		84 S.F. 124 S.F.
		GARDEN SEATING AREA
		147 S.F.
		PATIO
		414 S.F.
		TOTAL
		414 S.F.
		414 S.F. (SEMI-PERMEABLE) + 142 S.F. (IMPERMEABLE)



3 - Retaining Wall @ patio
N.T.S.

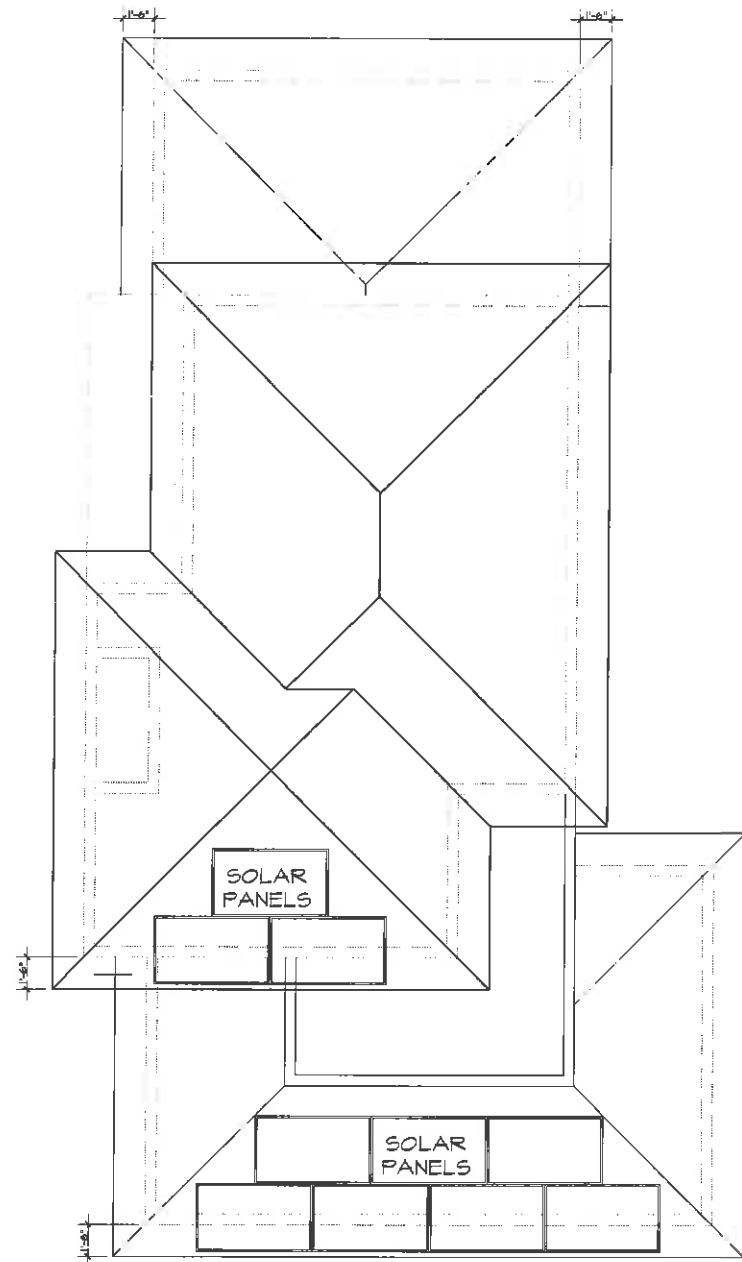
2 - Site Plan - New

1/4"=1'-0"

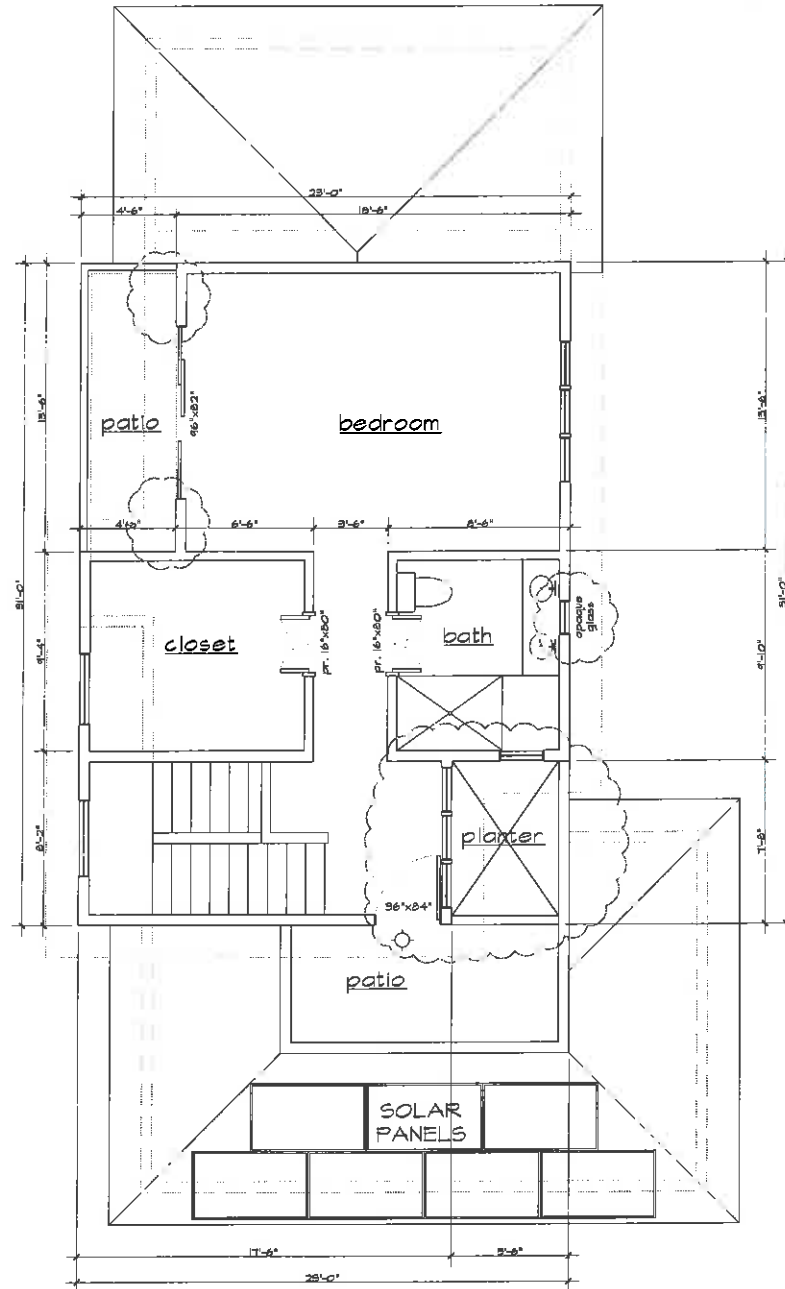
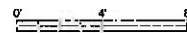
DWG #	S-1.0
	Architectural Site Plans
DRAWING:	City of Carmel-by-the-Sea Planning & Building Dept.
Date:	08.23.2014
Scale:	AS SHOWN
Drawn:	jhb
Job:	
File:	
new residence	A.P.N - 010-126-021-000
Gordon Residence NE corner of 2nd & Dolores Ave. Carmel, California	
ENVIRO INTERNATIONAL INC.	Architects C-7508 P.O. Box 1754 Carmel, CA 95021 (831) 825-3401 (831) 825-5401 Fax Sales@enviro-international.com Salvat A. Malik
REVISIONS	

REVISION

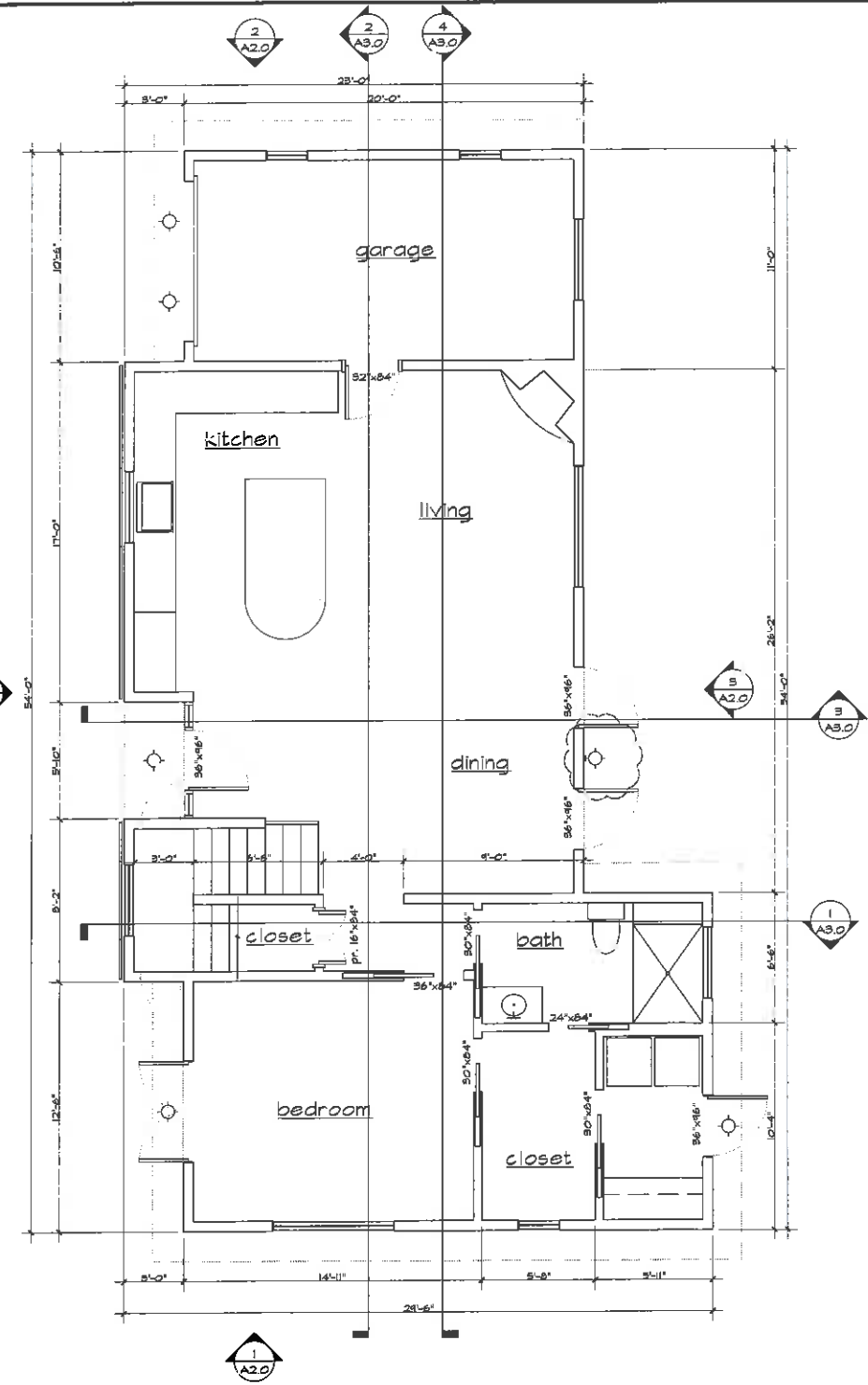
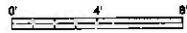
JUN 24 2014



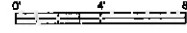
3 - roof plan - (ridge elev. = 126.5')
1/4"=1'-0"



2 - second floor plan - (fin. floor elev. = 115.25')
1/4"=1'-0"



1 - ground floor plan - (fin. floor elev. = 105.75')
1/4"=1'-0"



GENERAL PROJECT NOTES:

- * MOST RESTRICTIVE EXISTING GRADE ELEVATION IS 105' AS NOTED
- * NEW RESIDENCE FINISH FLOOR ELEVATION IS 106'
- * ROOF PITCH IS 4/12
- * WINDOWS TO BE JELD-WYN - "TRADITION PLUS WOOD WINDOW" SERIES SIZED OPERABLE DIVISIONS AS NOTED IN ELEVATION DRAWINGS. COLOR TO BE "FRENCH VANILLA" W/ BRICK MOLD.
- * RESIDENCE EXTERIOR TO BE SMOOTH FINISH PLASTER W/ INTEGRAL COLOR
- * LIVING WALL TO BE PRE-FINISHED "ECOSCREEN" BY KANE MANUFACTURING
- * EXTERIOR LIGHTING WHERE SHOWN
- * DRIVEWAY TO BE SEMI PERMEABLE
- * INTERIOR DOOR & WINDOW HARDWARE TO BE BRUSHED CHROME



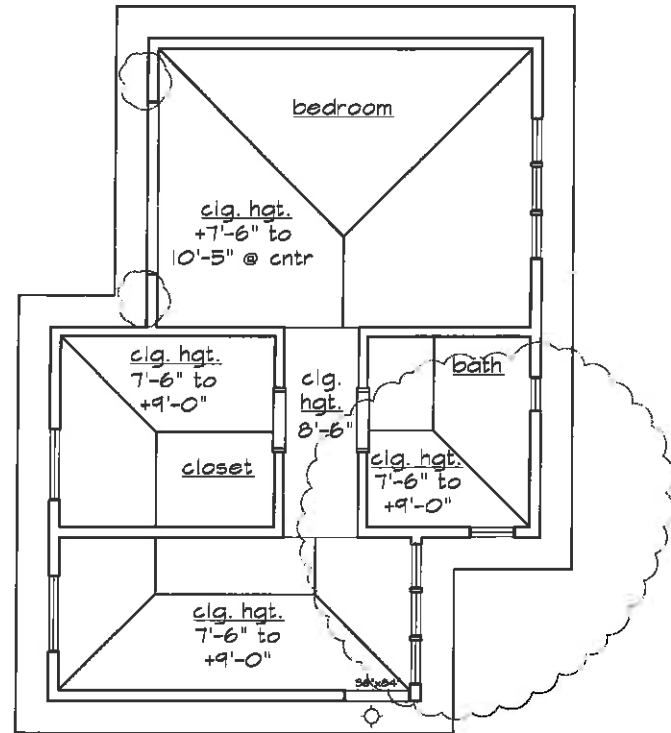
⊗ exterior wall mounted light fixture

⊗ exterior recessed fixture

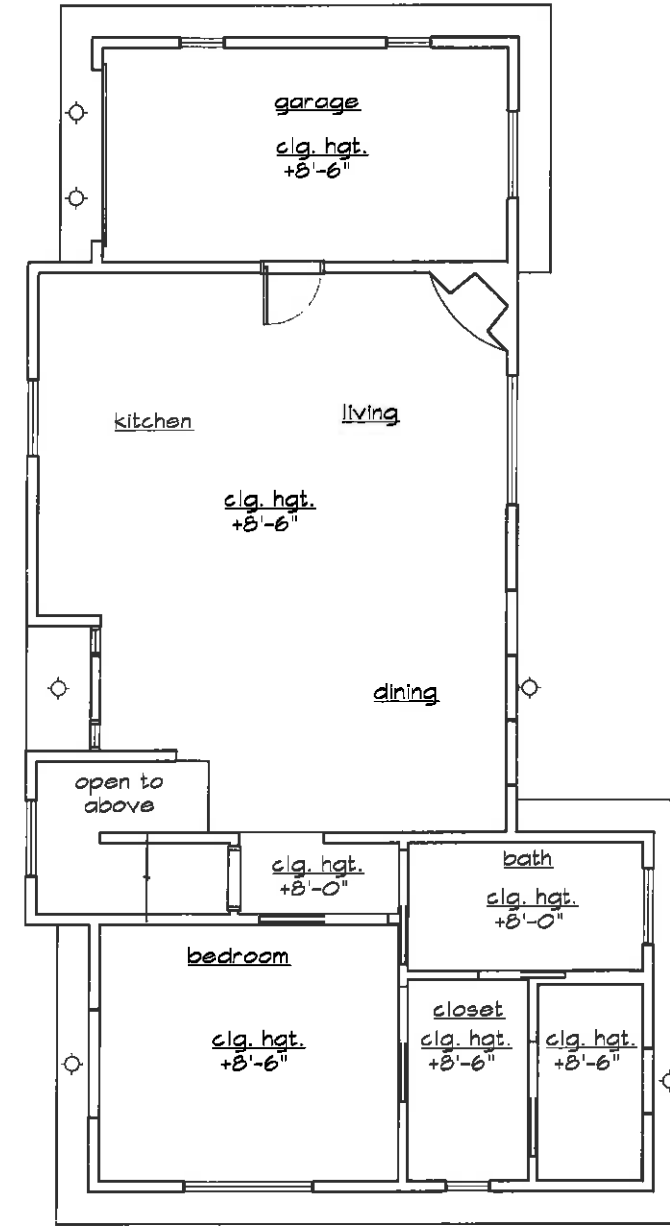
EXTERIOR HALL MOUNTED LIGHT FIXTURE
VANCEL LIGHTING
TOOTI FRANKLIN 1 OUTDOOR HALL SCONCE
W/ MOTION DETECTOR AND PHOTOCELL
OIL RUBBED BRONZE FINISH
MAXIMUM WATTAGE = 25W - 375 LUMENS MAX.

FIXTURE TO BE RECESSED MOUNTED IN SOFFIT - TRIM AND LENS TO BE RECESSED IN SOFFIT.
FIXTURE T.B.D. - MAXIMUM WATTAGE = 25W - 375 LUMENS MAX.

REVISIONS			
ENVIRO INTERNATIONAL, INC. Architects C-700 P.O. Box 1751 Palo Alto, CA 94303 (831) 252-3400 (831) 252-6401 Fax Server@enviro-international.com Salvatore A. Melek	A.P.N - 010-126-021-000		
new residence Gordon Residence NE corner of 2nd & Dolores Ave. Carmel, California			
Date: 08.16.2014	Scale: AS SHOWN	Drawn: jhb	File:
REVISION JUN 24 2014 City of Carmel-by-the-Sea Planning & Building Dept.			
DRAWING #	Plans		
DWG #	a1.0		



2 - second floor - reflected ceiling plan
1/8"=1'-0"

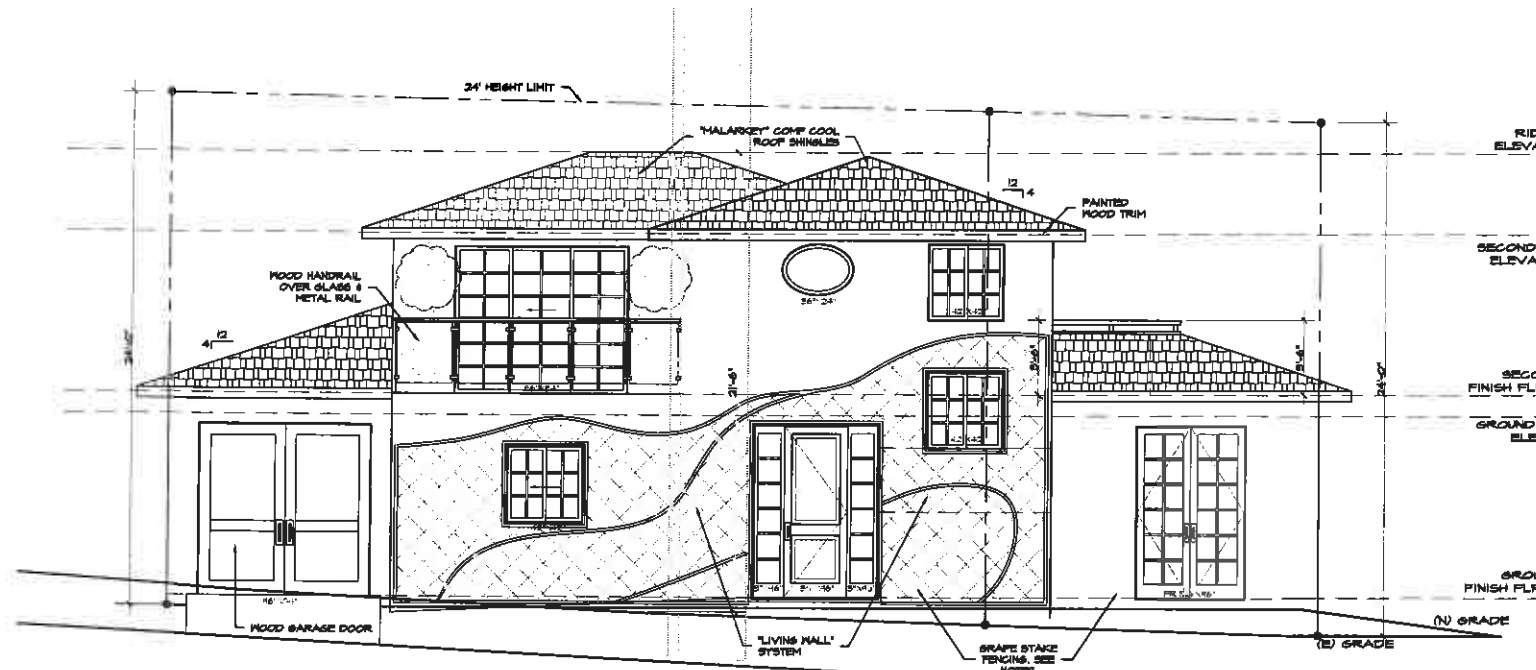


1 - ground floor - reflected ceiling plan
1/8"=1'-0"



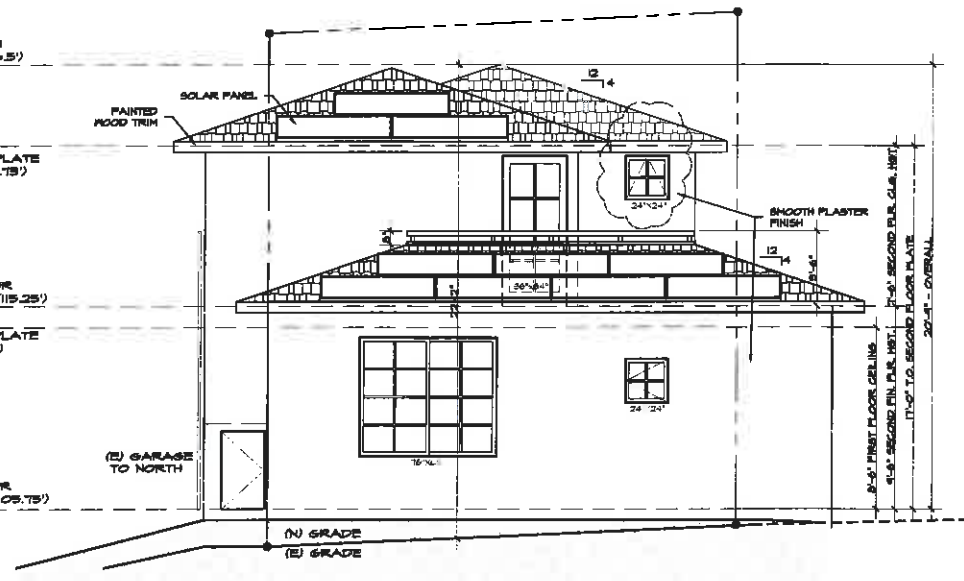
REVISION
JUN 24 2014
City of Carmel-by-the-Sea
Planning & Building Dept.

DWG. #	a1.1	DRAWING: Reflected Ceiling Plans	Date	06.16.2014	REVISIONS
			Scale	AS SHOWN	
ENVIRO INTERNATIONAL, INC. Architects C7208 P.O. Box 1724 Carmel, CA 93903 (831) 826-3400 Sales@enviro-international.com Salvador A. Nolas	new residence		A.P.N - 010-126-021-000		
	Gordon Residence NE corner of 2nd & Dolores Ave. Carmel, California				
Drawn	jhb				
Job					
File					



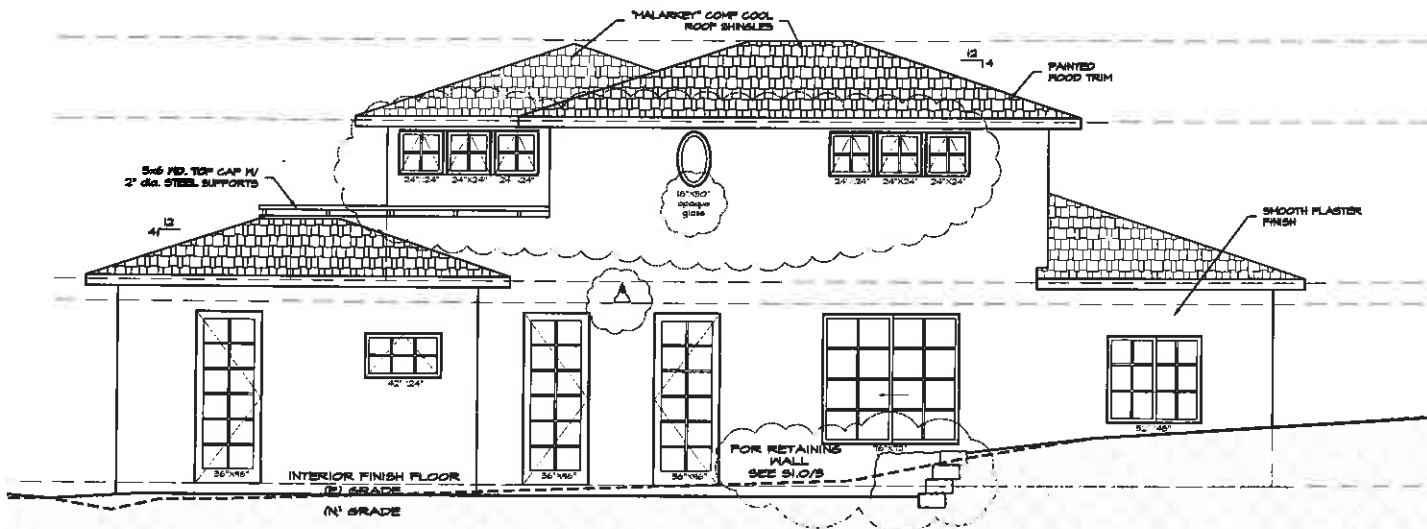
1 - elevation - west

1/4"=1'-0"



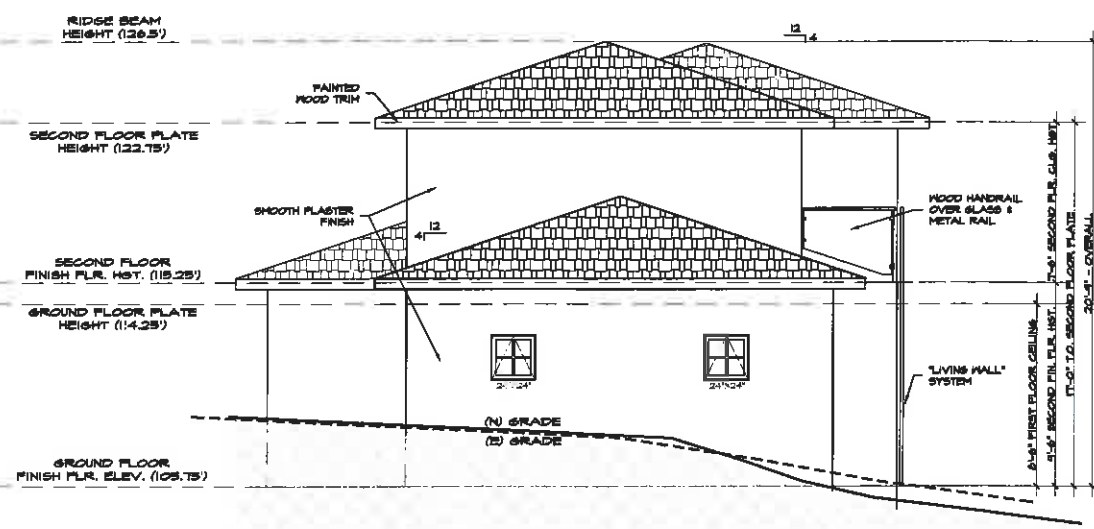
2 - elevation - south

1/4"=1'-0"



3 - elevation - east

1/4"=1'-0"



4 - elevation - north

1/4"=1'-0"

GRADE STAKE FENCE
 FENCE HEIGHT 4'-0" ABOVE ADJACENT GRADE
 MATERIAL HAND SPLIT 2"x2" CEDAR GRAPESTAKES
 SPACING VERTICAL STAKES TO BE SPACED TIGHT
 SUPPORT 4"x4" REDWOOD POSTS @ 48" O.C.
 HORIZONTAL 2"x4" REDWOOD
 BOTTOM RAIL - 2" ABOVE GRADE
 TOP RAIL - 36" ABOVE GRADE

NO.	DATE	REVISIONS

ENVIRO INTERNATIONAL, INC.
 Architects
 1000 W. 17th St., Suite 100
 Carmel, CA 95008
 (831) 625-3401
 (831) 625-4401 Fax
 info@enviro-international.com
 Robert A. Meek

A.P.N. - 010-126-021-000

new residence

Gordon Residence
 NE corner of 2nd & Dolores Ave.
 Carmel, California

Date	05.16.2014
Scale	AS SHOWN
Drawn	jhb
Job	
File	

DRAWING: Exterior Elevations

DWG. # a2.0

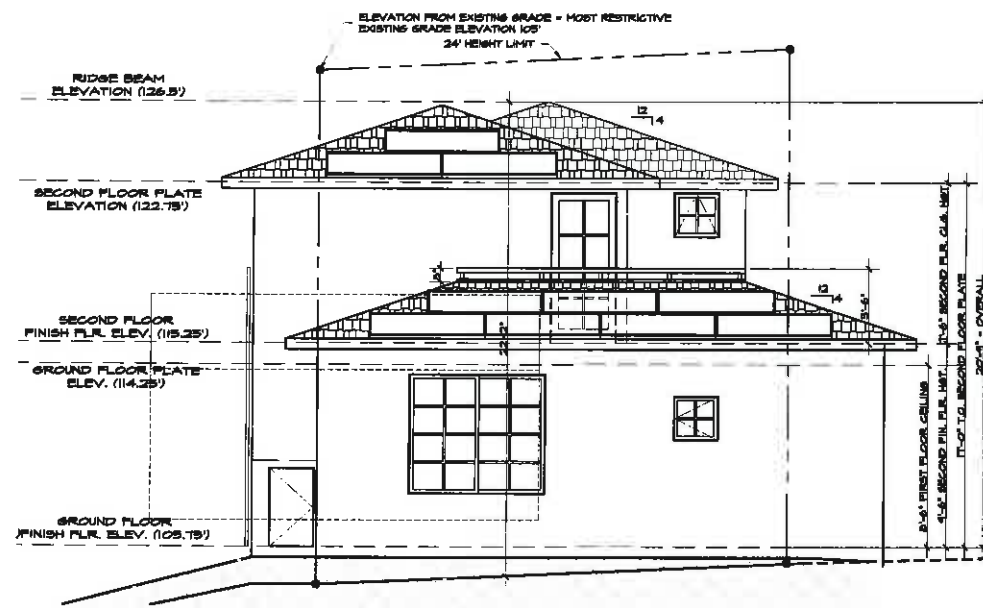
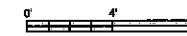
REVISION

JUN 24 2014

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



1 - elevation - streetscape on Dolores
1/4"=1'-0"



2 - elevation - streetscape on 2nd Avenue
1/8"=1'-0"

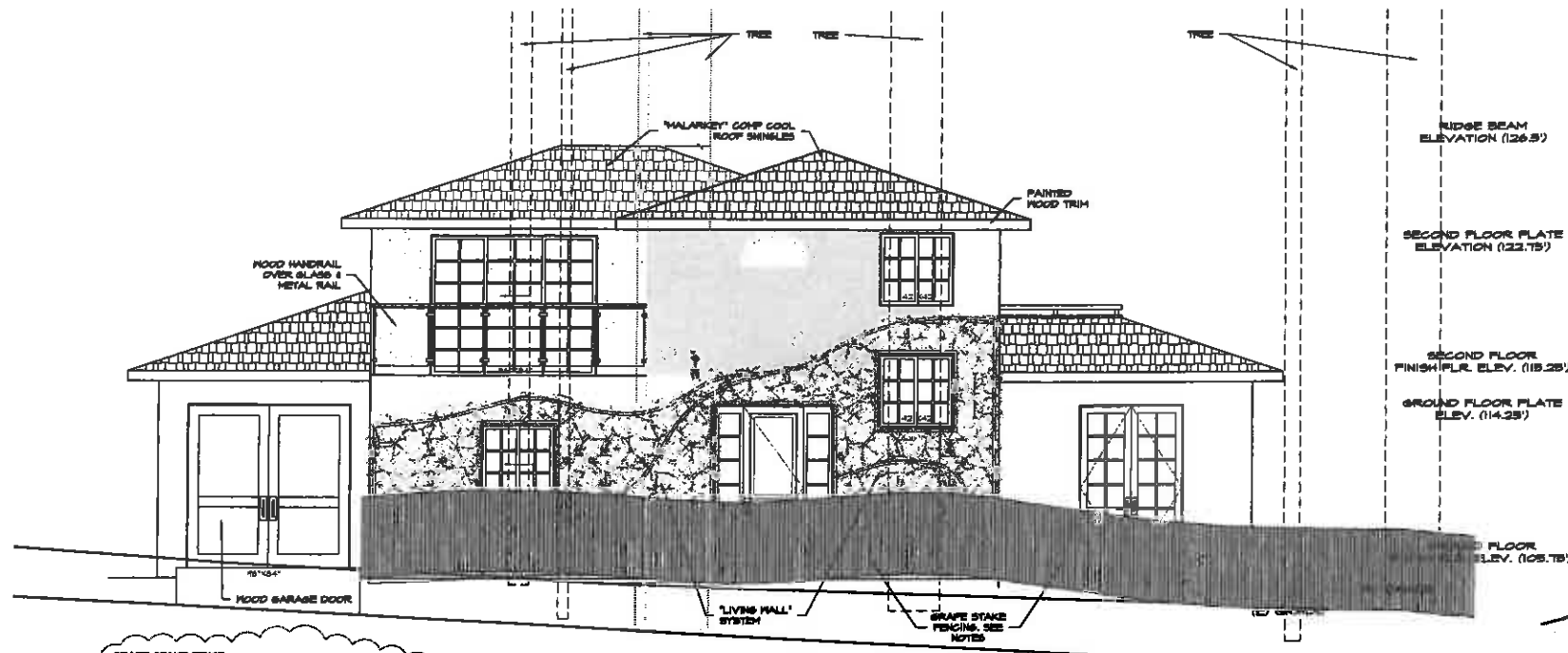


REVISIONS	
ENVIRO INTERNATIONAL, INC. Architects C-7923 P.O. Box 1724 Carmel, CA 95021 (831) 625-3400 Fax: (831) 625-0011 Email: info@enviro-international.com Staff: A. Meek	
new residence A.P.N - 010-126-021-000 Gordon Residence NE corner of 2nd & Dolores Ave. Carmel, California	
Date	05.16.2014
Scale	AS SHOWN
Drawn	jhb
Job	
File	
DRAWING:	Exterior Elevations
DWG #	a2.1

REVISION

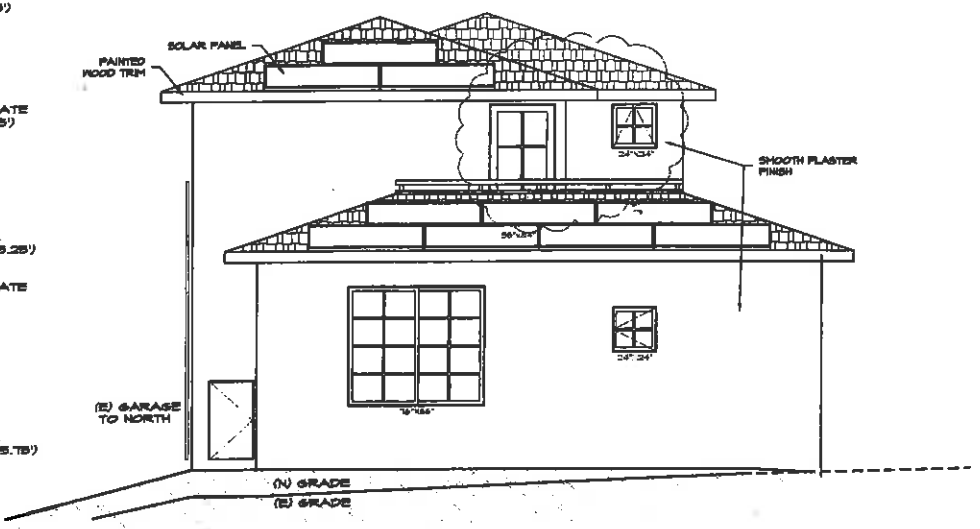
JUN 24 2014

City of Carmel
Planning & Building Dept.

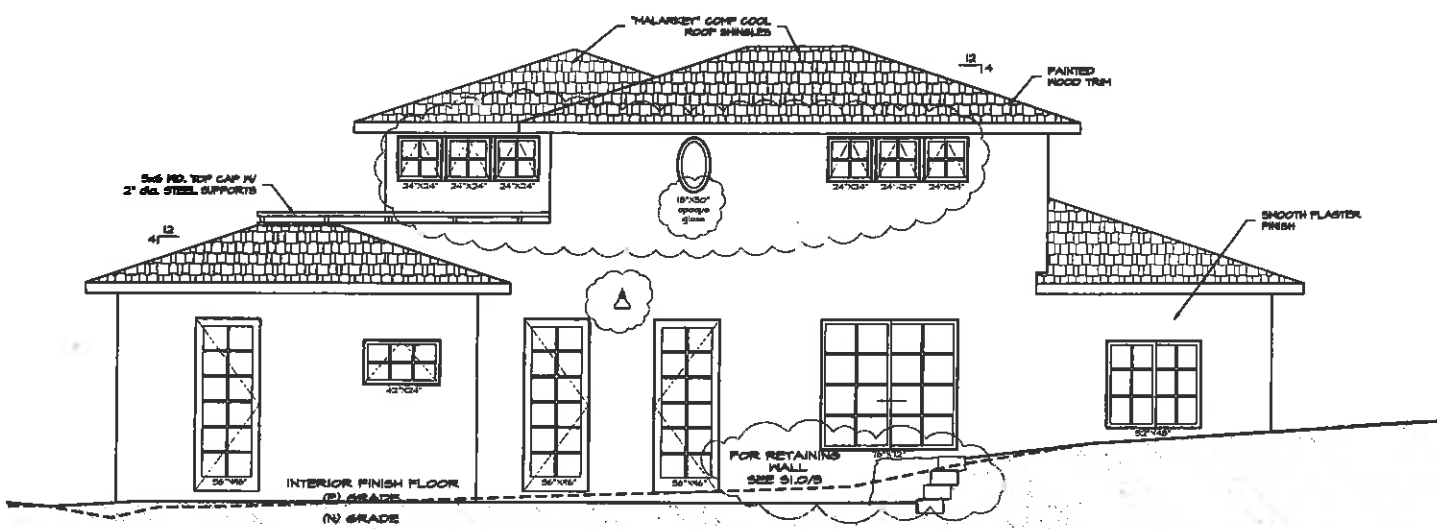


GRADE STAKE FENCE
 FENCE HEIGHT 4'-0" ABOVE ADJACENT GRADE
 MATERIAL HAND SPLIT 2"x2" CEDAR GRAPESTAKES
 SPACING VERTICAL STAKES TO BE SPACED TIGHT
 SUPPORT 4"x4" REDWOOD POSTS @ 16' O.C.
 HORIZONTAL 2"x4" REDWOOD
 BOTTOM RAIL - 6" ABOVE GRADE
 TOP RAIL - 36" ABOVE GRADE

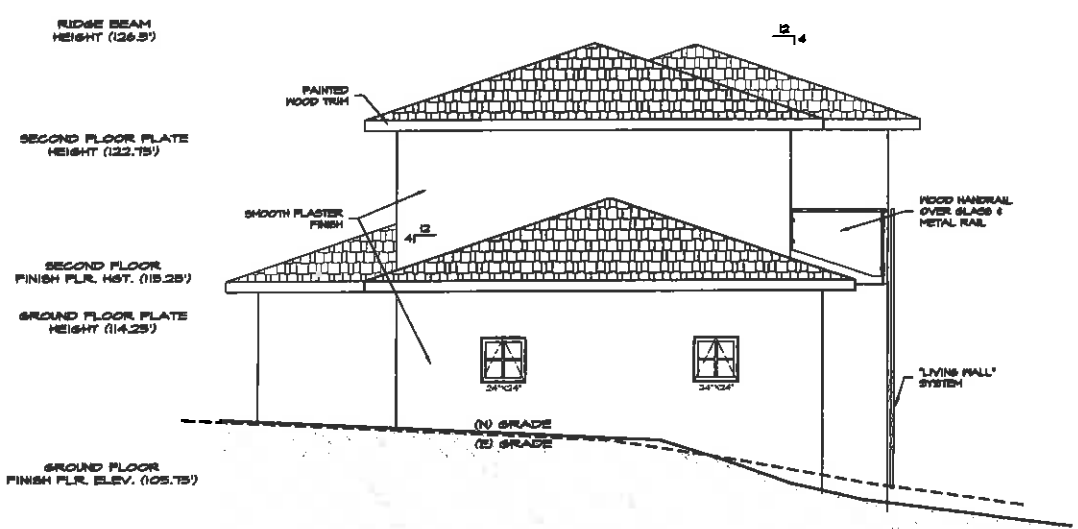
1 - elevation - west
 1/4"=1'-0"



2 - elevation - south
 1/4"=1'-0"



3 - elevation - east
 1/4"=1'-0"



4 - elevation - north
 1/4"=1'-0"

NO.	DATE	REVISIONS

ENVIRO INTERNATIONAL, INC.
 Architects
 7700
 P.O. Box 1754
 Redlands, CA 92383
 (911) 888-8401 Fax
 Salwa@enviro-international.com
 Stephen A. Malik

A.P.N. - 010-126-021-000

new residence

Gordon Residence
 NE corner of 2nd & Dolores Ave.
 Carmel, California

Date	By	AS SHOWN	Drawn	Job	File
08.16.2014	AS SHOWN	jhb			

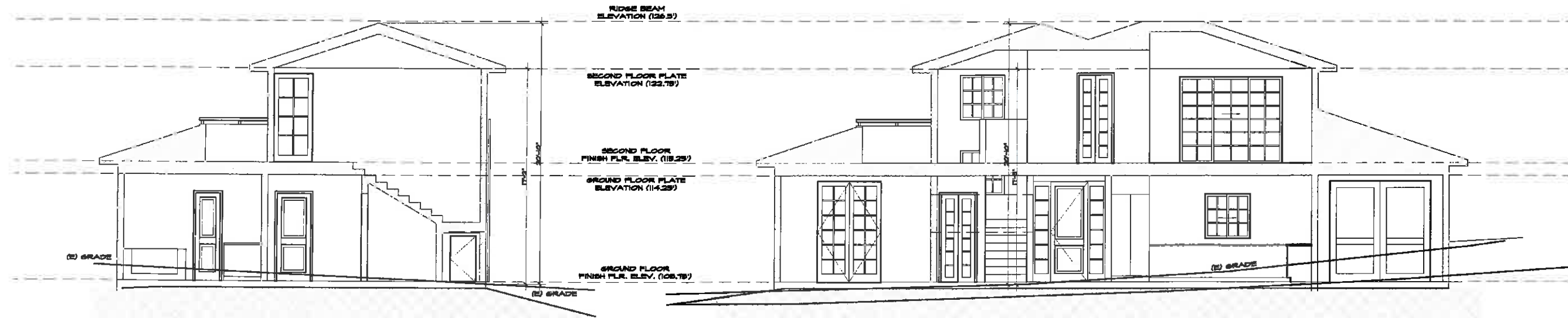
DRAWING:
Exterior Elevations

DWG. #
a2.2

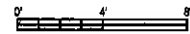
REVISIONS

JUN 24 2014

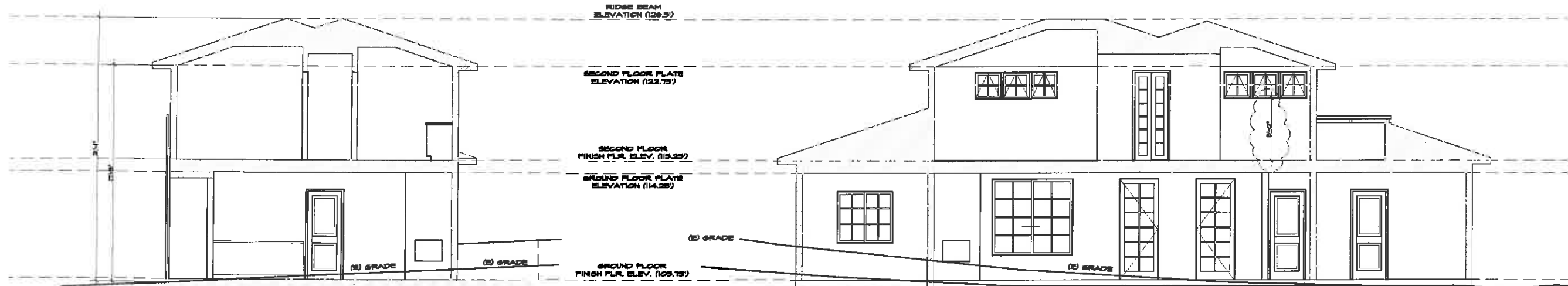
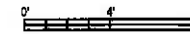
City of Carmel
 Planning & Building Dept.



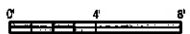
1 - section
1/4"=1'-0"



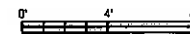
2 - section
1/4"=1'-0"



3 - section
1/4"=1'-0"



4 - section
1/4"=1'-0"



REVISIONS

ENVIRO
INTERNATIONAL, INC.
Architects
C-7288
P.O. Box 1724
Carmel, CA 95017
(831) 626-3400
(831) 626-5401 Fax
Sales@enviro-international.com
Robert A. Neuk

A.P.N. - 010-126-021-000

new residence

Gordon Residence
NE corner of 2nd & Dolores Ave.
Carmel, California

Date	Scale	Drawn	Job	Title
08.16.2014	AS SHOWN	jhb		

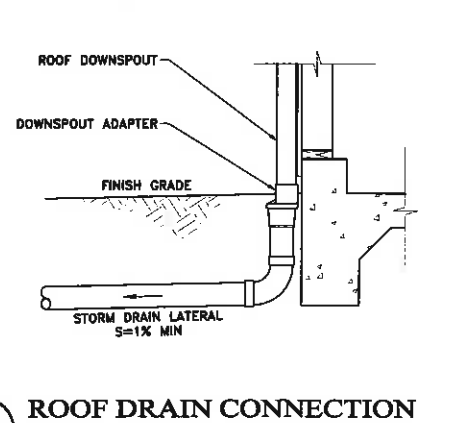
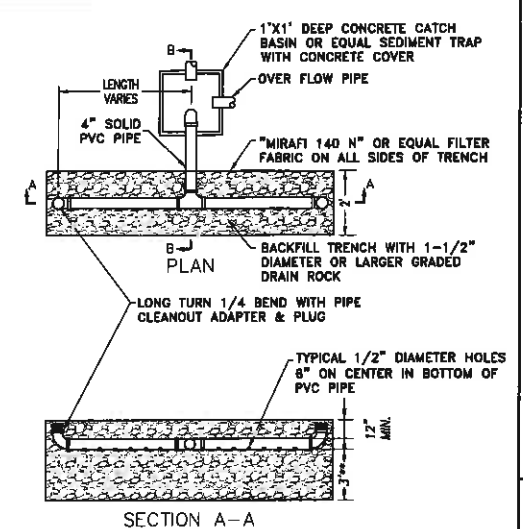
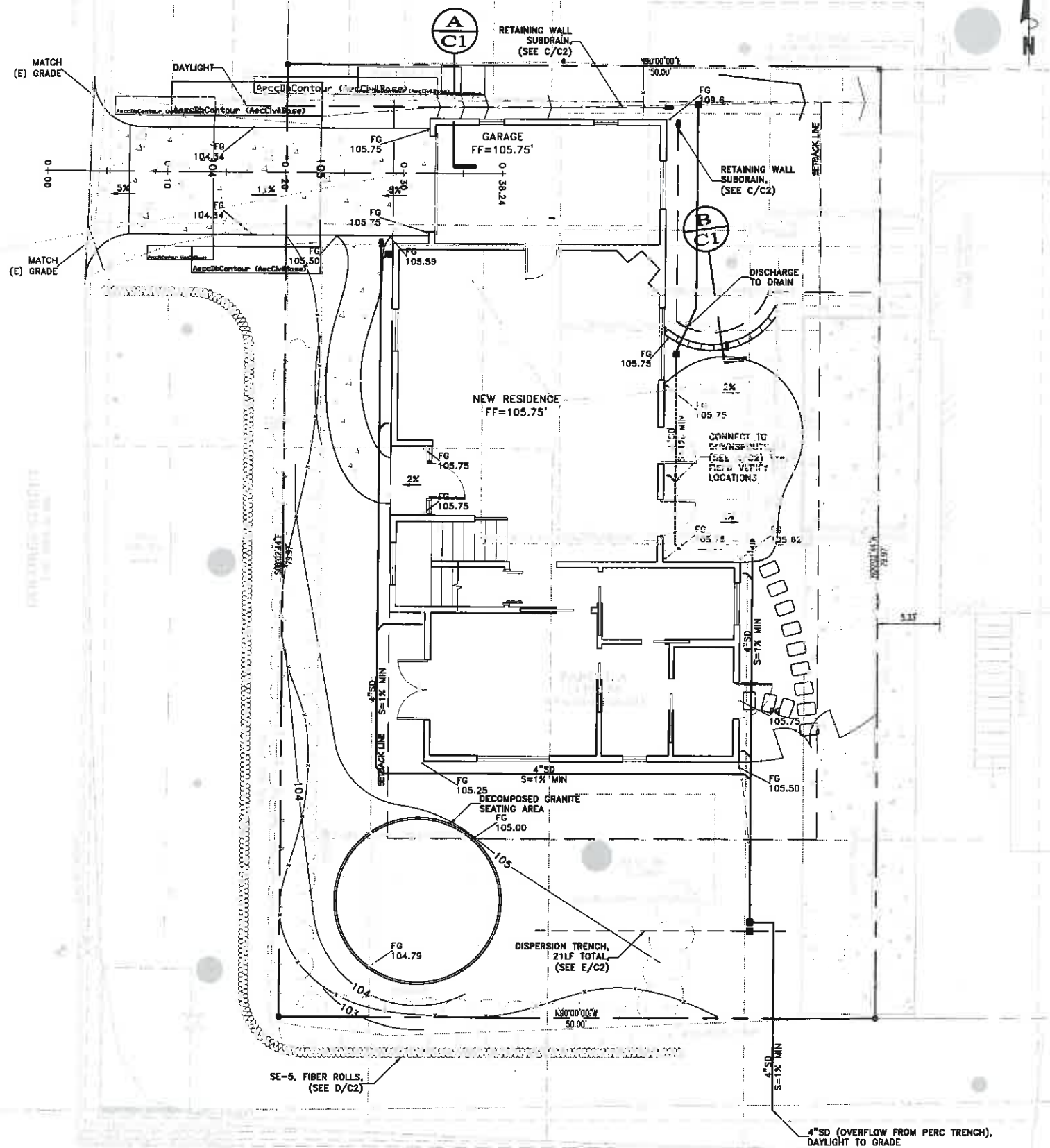
DRAWING:
Sections

REVISION

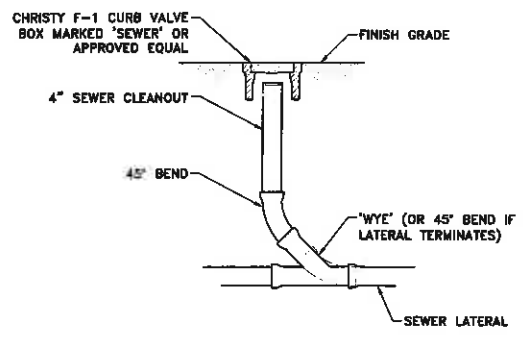
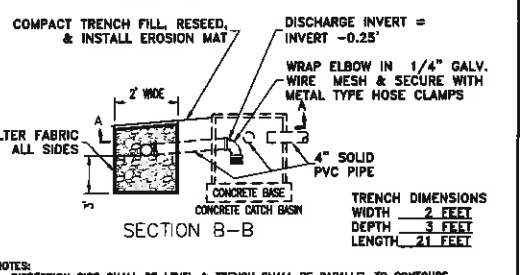
JUN 24 2014

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

Div. #
a3.0



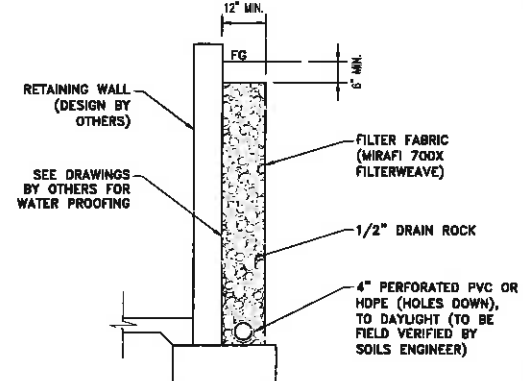
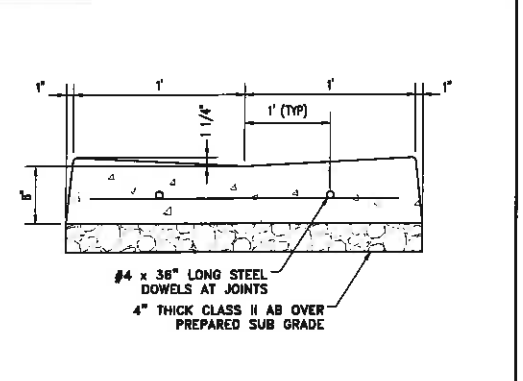
A ROOF DRAIN CONNECTION
NTS



B CLEAN-OUT @ GRADE
NTS

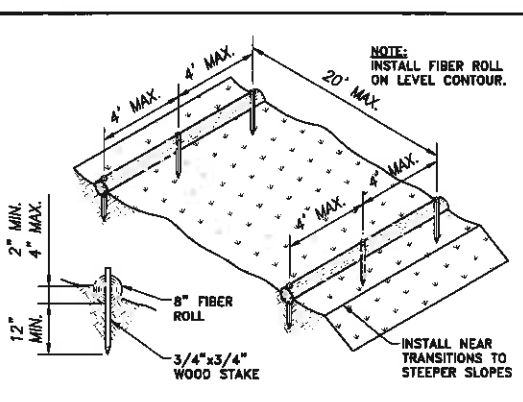
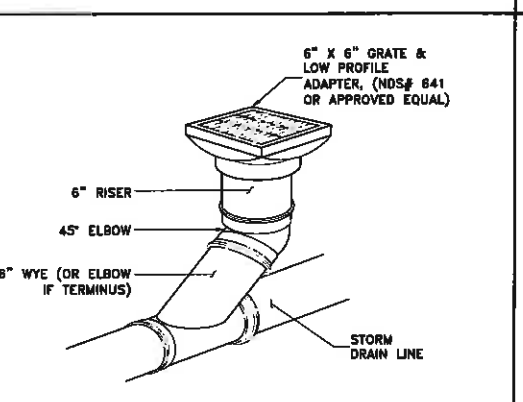
NOTES:
 1. DISPERSION PIPE SHALL BE LEVEL & TRENCH SHALL BE PARALLEL TO CONTOURS.
 2. 'MIRAFI 140 N' OR EQUAL FILTER FABRIC SHALL BE INSTALLED ON SIDES, ENDS, TOP & BOTTOM OF TRENCH.
 3. DISPERSION TRENCH SHALL BE LOCATED 20 FEET, AT A MINIMUM, FROM ANY STRUCTURE.
 4. DISPERSION TRENCH SHALL BE LOCATED ON THE LEAST STEEP AVAILABLE SLOPE.
 5. DISPERSION TRENCH SHALL BE LOCATED AWAY FROM & BELOW SEPTIC FIELDS.

E DISPERSION TRENCH
NTS



C RET. WALL SUBDRAIN
NTS

F VALLEY GUTTER
NTS

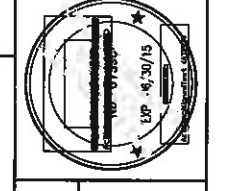


D FIBER ROLL
NTS

G 6\"/>

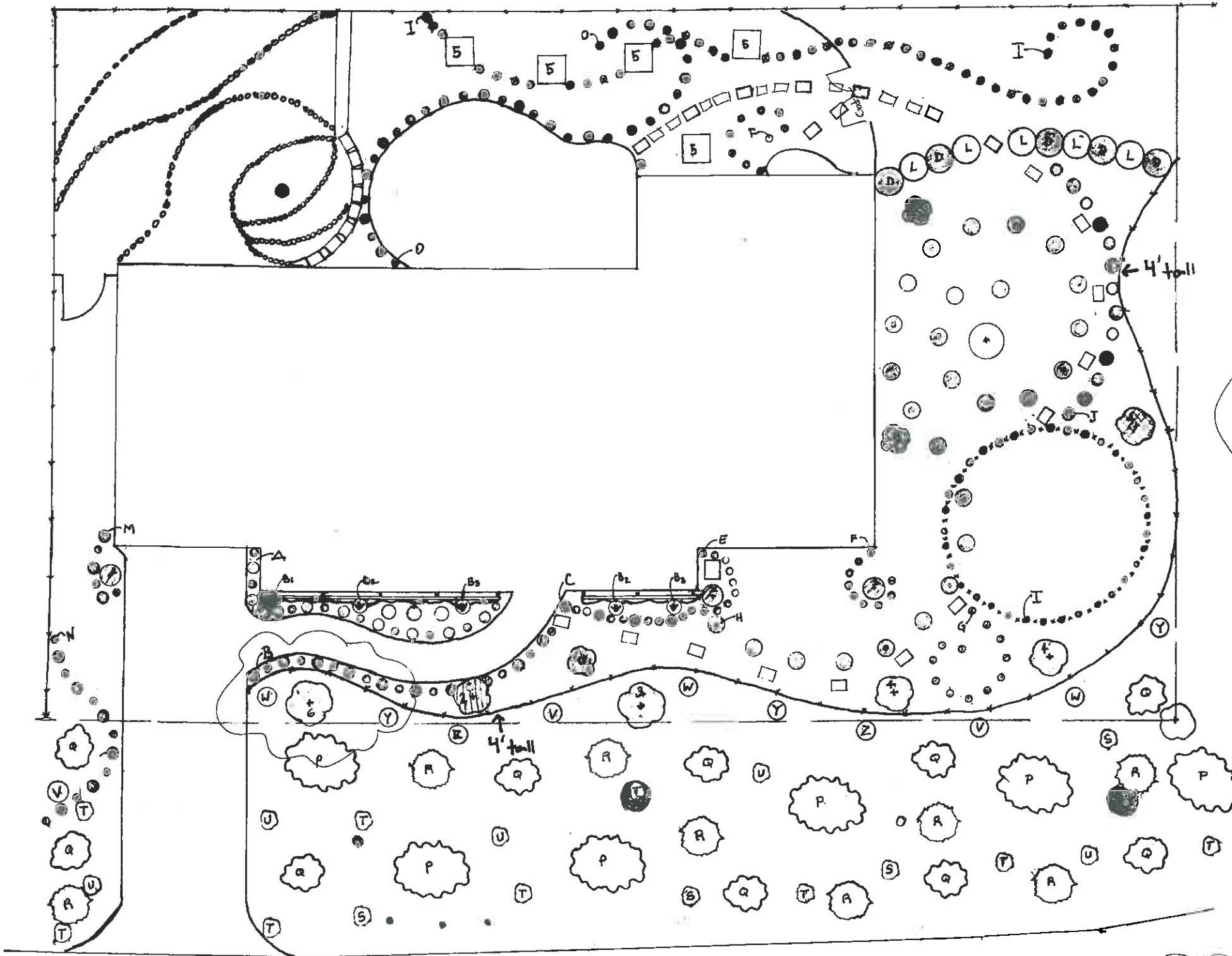
NO.	REV.	DATE	DESCRIPTION
1	A		
2	A		
3	A		
4	A		
5	A		
6	A		
7	A		
8	A		
9	A		
10	A		

AC3 ENGINEERING
 Civil Engineering & Land Development
 23040 S. 24th Ave., Suite C, Huntley, IL
 Phone: (831) 977-1182 Fax: (831) 947-1112
 m.j@ac3engineering.net



DRAINAGE PLAN
GORDON RESIDENCE
 APN: 010-126-021-000
 PREPARED FOR: KATHLEEN GORDON
 NE CORNER 2ND AVE. & DOLORES ST.

SCALE:	City of Galesburg by the way AS NOTED
DATE:	Planning/2014
DESIGN BY:	FJC
DRAWN BY:	ECH
CHECKED BY:	FJC
SHEET NUMBER:	
C2	
OF 2 SHEETS	
PROJECT#	113139



- | | |
|--------------------------|---------------------------------------|
| North Side Garden | |
| M | Dianthus Little Jock |
| | Taiwan Mondo Grass |
| N | |
| | Dwarf Pineshion Flower |
| | Taiwan Mondo Grass |
| Back Patio Garden | |
| Q | Green Dwarf Mondo Grass |
| | Armeria Ballerina Lilac |
| | Armeria Ballerina Red |
| | Armeria Sea Pink |
| | Green Dwarf Mondo Grass |
| X | Black Dwarf Mondo Grass |
| | Blue Eyed Grass |
| F | Lewisia Little Plum |
| In Front of Fence | |
| P | Carmel Creeper |
| Q | Variagated Carmel Creeper |
| R | Dwarf Reemery Carpet |
| S | Mexican Fleabane Daisy |
| T | Creeeping Thyme |
| U | Mount Atlas Daisy |
| V | Kniphofia Orange Vanilla Topside |
| W | First Kangaroo Paw |
| Y | Kniphofia Little Maid |
| Z | Magenta Kangaroo Paw |
| Trees | |
| 1 | Dwarf Italian Cypress |
| 2 | Japanese Maple |
| 3 | Semi-Dwarf Purple Leaf Flowering Plum |
| 4 | Western Redbud |
| 5 | Meyer Lemon |
| Front of House | |
| A | Armeria Sea Pink |
| | Liriope |
| | Dwarf Coneflower |
| B | Armeria Joyalick Red |
| | Liriope |
| C | Armeria Ballerina Lilac |
| | Dwarf Agapanthus Peter Pan White |
| D | Wild Rose Shrub |
| South Side Garden | |
| E | Dwarf Verbascum |
| F | Lewisia Little Plum |
| G | Mexican African Daisy |
| H | Carex |
| | Dwarf English Lavender |
| | Dwarf Sage |
| | Dwarf Agapanthus Lilliput |
| | Little Susie Yarrow |
| I | Green Dwarf Mondo Grass |
| X | Black Dwarf Mondo Grass |
| | Blue Eyed Grass |
| J | Blue Fescue |
| | Mahoe Gray Cistanium |
| | Agapanthus Guakap |
| | Prince Rupert Geranium |
| K | Grevillea Reemery Shrub |
| L | Ornamental Grass |
| P | Wild Rose Shrub |
| Bougainvillea | |
| 1 | 'Orange King' |
| 2 | 'Barbara Karst' |
| 3 | 'San Diego Red' |

IRRIGATION SHALL BE BY DRIP AND SENSORS TO CONTROL WATER FLOW & NEEDS

REVISIONS				
DRAWING: Plans	LANDSCAPE PLAN			
	L-1.0			
DATE	1.11.2014	AS SHOWN	jhb	
A.P.N - 010-126-021-000				
new residence				
Gordon Residence				
NE corner of 2nd & Dolores Ave.				
Carmel, California				
REVISION				
JUN 24 2014				
City of Carmel-by-the-Sea Planning & Building Dept.				
DS K-21 ⁸⁴				



CITY OF CARMEL-BY-THE-SEA

Planning Commission Report

July 9, 2014

To: Chair Reimers and Planning Commissioners

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

Submitted by: Marc Wiener, Senior Planner

Subject: Consideration of a Plan Revision (DS 13-77 RV-01) to an approved Design Study for alterations to a historic residence located in the Single-Family Residential (R-1), Beach and Riparian (BR), and Archaeological Zoning Districts

Recommendation:

Approve the Plan Revision (DS 13-77 RV-01) subject to the attached findings and conditions

Application: DS 13-77 RV 01 **APN:** 010-321-047
Block: SD **Lots:** 10
Location: San Antonio Ave 2 parcels NW of 4th Ave
Applicant/Property Owners: 2011 Carmel Prop Trust

Background:

This site is located on San Antonio Avenue, two parcels northwest of Fourth Avenue, and is developed with the Murphy-Powers residence, which is noted as the first home in Carmel. The residence was determined to be historically significant and is included on the City's Historic Inventory.

The residence is one-story with stucco wall cladding over the original wood surface. There is a wood-framed pergola on the east elevation that is attached to the original portion of the residence. The original residence was built in 1846, and there are two later additions: one occurring pre-1864, and another occurring pre-1901. The property was added to the City's Historic Inventory in 2002.

On August 19, 2013, the Historic Resources Board (HRB) reviewed Design Study (DS 13-77), and issued a Determination of Consistency with the Secretary's Standards for alterations to the subject residence. The project at that time included a 901-square foot addition on the south end of the existing 1,214-square foot residence. The Design Study was subsequently approved by the Planning Commission on September 11, 2013.

On December 5, 2013, the applicant submitted a Plan Revision application for modifications to the approved Design Study that included the expansion of the addition from 901 to 1,394 square feet and the addition of a 150-square foot detached storage shed. The revision was reviewed by the HRB on three separate occasions and was issued a Determination of Consistency with the Secretary's Standards on May 19, 2014. Minutes from the May 19, 2014 HRB meeting are included as Attachment C.

PROJECT DATA FOR A 47,424 SQUARE FOOT SITE:			
Site Considerations	Allowed	Existing	Proposed
Floor Area	6,000 sf (12.6%)	1,214 sf (2.5%)*	2,758 sf (5.8%)*
Site Coverage	3,216 sf (6.7%)	3,263 sf (6.8%)	3,216 sf (6.7%)
Trees (upper/lower)	4/3 (recommended)	39 (eucalyptus)	No Change
Ridge Height (1 st /2 nd)	18 ft.	16 ft.	15 ft. 10 in. (new addition)
Plate Height (1 st /2 nd)	12 ft.	10 ft	No Change
Setbacks	Minimum Required	Existing	Proposed
Front	15 ft.	56 ft.	No Change
Minimum Side Yard	3 ft.	18 ft. 2 in.	No Change
Rear	3 ft.	144 ft.	104 ft.
* Including 400 square feet for parking - Existing is 1,614 square feet; Proposed is 3,158 square feet			

Staff analysis:

Design Revision: The location, design, height, and materials of the revised addition are similar to the original addition as approved by the Planning Commission on September 11, 2013. The site plan, floor plan, and elevation drawings from the original approved design are included as Attachment C for comparison.

The proposed addition has increased from 901 to 1,394 square feet. The new proposal also includes a 150-square foot storage shed. The proposed floor area of the residence including the new addition and storage shed is 2,758 square feet. The applicant would still be well below the allowed floor area of 6,000 square feet for the 47,424-square foot property. Staff notes that no new view or privacy impacts to neighboring properties would be created by the proposed larger addition and storage shed.

With regard to finish materials, the applicant is proposing board and batten siding to differentiate the addition from the historic portion of the residence. The windows would be unclad wood with a mullion pattern that would be differentiated from the historic windows. While the Planning Commission typically does not review projects based on the Secretary of the Interior's standards, staff notes that such differentiation of it is important to understand why certain finish materials are often intentionally proposed for additions to historic buildings.

Chimney Revisions: With regard to chimneys, Design Guideline 9.15 states that *"in general, a building should have no more than two chimneys, especially on a small lot."*

The applicant is proposing a new Carmel stone chimney on the west (rear) elevation of the new addition. The existing residence contains two chimneys, one of which is a leaning stone chimney located on the south portion of the original historic residence, and the other is a stucco chimney on the west side of the historic residence.

The Commission should consider whether the third chimney should be removed to be consistent with the above guideline. Staff notes that the HRB reviewed the design and did not have any issues with the third chimney from the standpoint of historic preservation. However, the HRB reviews projects based on the Secretary of the Interior Standards and not Carmel's Residential Design Guidelines.

Skylight: Design Guideline 9.14 states that *"skylights should not be visually prominent from the street or from neighboring windows"* and *"high profiled, domed or pyramidal covers are inappropriate."*

The applicant is proposing a pitched skylight above the hyphen connecting the addition to the historic residence. The proposed skylight would have dimensions of 12' x 4'. The skylight would not be visually prominent to neighboring properties, but could be visible to the street view from San Antonio Avenue.

The applicant proposed the skylight to comply with direction given by the HRB with regard to the design and massing of the hyphen. However, the HRB did not specifically request that the applicant install a skylight. In fact, the HRB raised concern that the hyphen did not have a flat-roof design, as reflected in the May 19, 2014 minutes, included as Attachment D.

In staff's opinion, the skylight is not required for the project to meet the Secretary of the Interior's Standards for rehabilitation of historic properties. If the Planning Commission has concerns with the prominence or size of the skylight, it could require that it be eliminated or reduced in size.

Public ROW: A 20-foot long portion of the front fence along the east property line encroaches up to approximately one foot into the City Right-of-Way (ROW). A condition has been drafted requiring that the fence be relocated outside of the ROW. The applicant is permitted to relocate or rebuild the fence on or within the front property line.

Environmental Review: The proposed project is categorically exempt from CEQA requirements, pursuant to Section 15301 (Class 1) – Existing Facilities. The project includes a 1,544-square foot addition an existing 1,214-square foot residence, and therefore qualifies for a Class 1 exemption. The project has been reviewed by the City's HRB and was determined to be consistent with the Secretary of the Interior Standards for rehabilitation of historic resources. The proposed project presents no significant environmental impacts.

ATTACHMENTS:

- Attachment A – Site Photographs
- Attachment B – Findings for Approval
- Attachment C – Conditions of Approval
- Attachment D – HRB Minutes from 5/19/14
- Attachment E – Original Approved Plans (dated 9/11/13)
- Attachment F – Current Project Plans (dated 6/11/14)

Attachment A – Site Photographs



Project site - Rear of residence facing southeast



Project Site – Facing north area of addition (original story-poles)

Attachment B – Findings for Approval

DS 13-77 RV 01 (Carmel Prop Trust)
 July 9, 2014
 Findings for Approval
 Page 1

FINDINGS REQUIRED FOR FINAL DESIGN STUDY APPROVAL (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.

Municipal Code Finding	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.	✓	

<p>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.</p>	<p>✓</p>	
<p>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.</p>	<p>✓</p>	
<p>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.</p>	<p>TBD</p>	
<p>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.</p>	<p>✓</p>	
<p>12. Any deviations from the Design Guidelines are considered minor and reasonably relate to good design principles and specific site conditions.</p>	<p>✓</p>	
<p>Coastal Development Findings (CMC 17.64.B.1):</p>		
<p>13. Local Coastal Program Consistency: The project conforms with the certified Local Coastal Program of the City of Carmel-by-the Sea.</p>	<p>✓</p>	

Attachment C – Conditions of Approval

DS 13-77 RV 01 (Carmel Prop Trust)

July 9, 2014

Conditions of Approval

Page 1

Conditions of Approval		
No.	Standard Conditions	
1.	Authorization: This approval of Plan Revision (DS 13-77 RV 01) authorizes the addition of 1,394 square feet to an existing 1,214-square foot single-story residence and the addition of a 150-square foot storage shed. The new addition will remain single-story and will be clad with board and batten siding and unclad wood windows with mullions that are differentiated from the historic windows. All work shall conform to the Planning Commission-approved plans (dated July 9, 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,	✓

	<p>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.</p>	
7.	<p>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 47,424-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.</p>	✓
8.	<p>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 July 9, 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.</p>	✓
9.	<p>Exterior lighting shall be limited to 25 watts or less (incandescent equivalent, i.e., 375 lumens) per fixture and shall be no higher than 10 feet above the ground. Landscape lighting shall be limited to 15 watts (incandescent equivalent, i.e., 225 lumens) or less per fixture and shall not exceed 18 inches above the ground.</p>	✓
10.	<p>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.</p>	✓
11.	<p>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.</p>	✓

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.	✓
20.	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.	N/A
HRB Special Conditions		
21.	Prior to the beginning of construction, the applicant shall convene a pre-construction meeting to include the contractor and the Project Planner to ensure compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties.	✓
22.	Prior to the issuance of a building permit, the final construction documents shall include a materials list and a plan with elevation keynotes that clearly identify the methodology and extent of the proposed salvage and reuse of existing building materials including all exterior walls. This "salvage and reuse plan" shall clearly indicate that materials shall be: 1) preserved, 2) repaired when preservation is not possible, and 3) replaced in-kind only when absolutely necessary.	✓
23.	Character-defining features of the new addition such as the windows and chimney cap shall be differentiated from the character-defining features of the historic residence.	✓

	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.	✓
20.	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.	N/A
HRB Special Conditions		
21.	Prior to the beginning of construction, the applicant shall convene a pre-construction meeting to include the contractor and the Project Planner to ensure compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties.	✓
22.	Prior to the issuance of a Building Permit, the final construction documents shall include a materials list and a plan with elevation keynotes that clearly identify the methodology and extent of the proposed salvage and reuse of existing building materials including all exterior walls. This "salvage and reuse plan" shall clearly indicate that materials shall be: 1) preserved, 2) repaired when preservation is not possible, and 3) replaced in-kind only when absolutely necessary.	✓
23.	Character-defining features of the new addition such as the windows and chimney cap shall be differentiated from the character-defining features of the historic residence.	✓

PC Special Conditions		
24.	The approximately 20-foot long portion of the fence that encroaches into the public ROW shall be relocated on or within the front property line.	✓

*Acknowledgement and acceptance of conditions of approval.

Property Owner Signature

Printed Name

Date

Once signed, please return to the Community Planning and Building Department.

**MINUTES
CITY OF CARMEL-BY-THE-SEA
HISTORIC RESOURCES BOARD
May 19, 2014**

City Hall Council Chambers
East side of Monte Verde Street
Between Ocean and Seventh Avenues

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order by Chair Erik Dyar at **4:00 p.m.**

PRESENT: Erik Dyar, Chair
Gregory Carper
Elinor Laiolo
Julie Wendt

ABSENT: Kathryn Gualtieri

STAFF PRESENT: Rob Mullane, AICP, Community Planning and Building Director
Roxanne Ellis, Acting Deputy City Clerk

II. TOUR OF INSPECTION

There was no tour of inspection since the Board had previously toured the property at several other meetings.

Chair Dyar called for roll call at **4:00 p.m.**

III. PLEDGE OF ALLEGIANCE

Members of the audience joined the Board in the Pledge of Allegiance.

IV. APPEARANCES

There were no appearances.

V. CONSENT AGENDA

VI. APPLICATIONS

- | | |
|---|---|
| <p>1. DS 13-77 RV 01
2011 Carmel Property Trust
San Antonio 2 parcels NW of 4th
Block SD, Lot 10</p> | <p>Consideration of a Plan Revision (DS 13-77 RV-01)
to an approved Design Study for alterations to a
historic residence located in the Single-Family
Residential (R-1), Beach and Riparian (BR), and
Archaeological Zoning Districts</p> |
|---|---|

Rob Mullane, Planning and Building Director, presented the staff report and summarized the project.

Chair Dyar opened the public hearing at **4:19 p.m.**

Speaker #1: Abby Baker, Project Designer, provided additional details on the proposed application and fielded questions from the Board. She explained the applicant's design in variation #1 and variation #2.

Speaker #2: Liz Lufrano, Project Architect, spoke on the skylights in the hyphen, differences between variation #1 and #2, and results of the structural engineer. She explained that it was not possible to add more transparency to the hyphen without significantly altering the historic building.

Speaker #3: Laura Overett, Owner, briefly discussed the design and addressed questions from the Commission.

Speaker #4: Mary Liskin, neighbor, commented on her disapproval of the process

Seeing no more speakers, Chair Dyar closed the public hearing at **5:06 p.m.**

The Board thanked Ms. Liskin for her feedback. The Board expressed concern over the large size of the addition, the need for the hyphen to be transparent, differentiation between the historic building and new building.

Chair Dyar reopened public hearing **5:26 p.m.**

Abbey Baker, stated she would like an approval for either plan A or Plan B, she feels the project left historic structure as pristine as possible.

Laura Overett, Owner, addressed questions about the skylight and stated she is making minimal alterations to the original home.

Seeing no more speakers, Chair Dyar closed the public hearing at **5:44 p.m.**

The Board expressed no concern with the size of the addition, but did express concerns with the proposed increase in depth of the hyphen, the lack of transparency to the hyphen, and roof of the hyphen not being flat. Some of the members also were concerned with pages from the original plans being removed.

Commissioner **CARPER moved to issue a determination of consistency with the Secretary of Interior Standards on the condition that the previous comments and notes from the previous plans are brought back and made part of the plan and that variation be approved by the HRB and differentiation on all character defining features are differentiated from the historic resource. Motion seconded by Commissioner LAIOLO** and carried by the following roll call vote:

AYES: COMMISSIONERS: CARPER, LAIOLO, & WENDT
NOES: COMMISSIONERS: CHAIR DYER
ABSENT: COMMISSIONERS: GUALTIERI
ABSTAIN: COMMISSIONERS: NONE

VII. **DISCUSSION ITEMS**

VIII. **BOARD MEMBER ANNOUNCEMENTS**

IX. **DIRECTOR'S REPORT**

Commissioner Wendt discussed the Historic Home of the Month Committee and stated to start with three articles as a buffer incase the committee was ever late in submitting an article.

Mr. Mullane announced the restructuring of the City's website and that Joe Headley would be starting with the city on June 9th as the new Building Official. Mr. Mullane also announces the opening for Planning Commission and the close date being the 23rd of June.

X. **ADJOURNMENT**

There being no further business to come before the Board, the meeting was adjourned at **6:03 p.m.**

Rob Mullane, AICP, Community Planning and Building Director

ATTEST:

Erik Dyar, Chair

Attachment E - Original Approved Plans (dated 9/11/13)

DRIVEWAY
BRICK

SITE AREA
47,404 SF

BUILDING AREA
708 SF ADDITION

1,214 SF EXISTING
708 SF ADDITION
2,922 SF TOTAL SQUARE FOOTAGE

DOOR SCHEDULE

- ① 36" X 80" 12 LITE WOOD DOOR
 - ② 36" X 13" 13 LITE WOOD DOOR
- ALL NEW EXTERIOR DOORS SHALL BE TRUE LITE FRAME GLAZED SOLID WOOD UNITS W/ 1 P. MUNTINS 7 LWF & GLASS
- EXISTING EXTERIOR DOOR IS BY HEAVY REDWOOD EXTERIOR DOOR IS BY 9 1/2" WITH A DESTRUCTIVE PERIOD LOOK

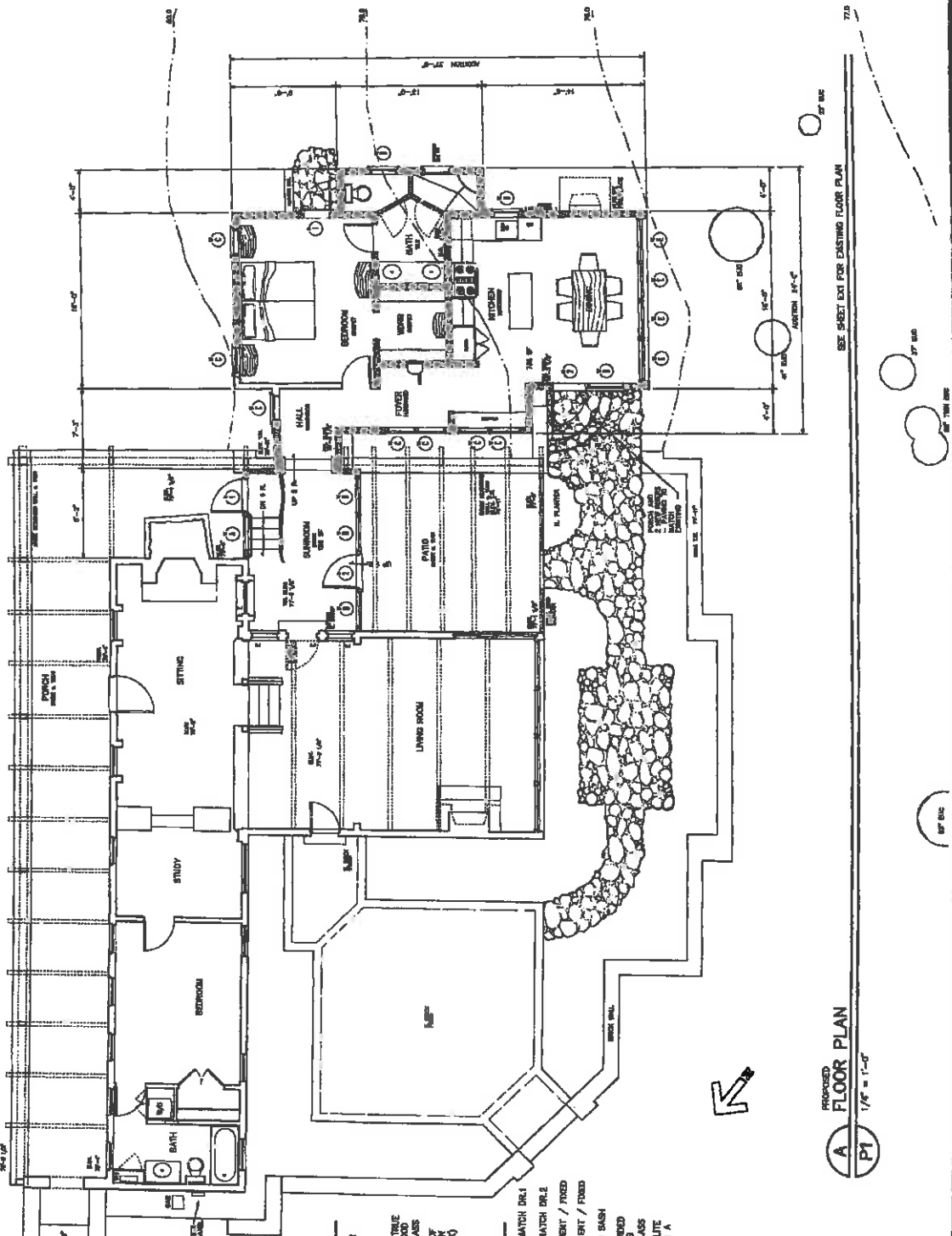
WINDOW SCHEDULE

- ① 36" X 80" 12 LITE PANEL TO MATCH DR1
 - ② 36" X 84" 15 LITE PANEL TO MATCH DR1
 - ③ 30" X 42" 9 LITE WOOD CASHEMENT / FIXED
 - ④ 30" X 36" 9 LITE WOOD CASHEMENT / FIXED
 - ⑤ 42" X 80" 20 LITE FIXED WOOD BASH
- ALL NEW WINDOWS SHALL BE TRUE UNVED LITE SINGLE GLAZED SOLID WOOD UNITS W/ 1 P. MUNTINS 7 LWF & COATED GLASS (EXISTING WINDOWS ARE TRUE UNVED LITE SINGLE GLAZED W/ 2/P. MUNTINS WITH A DESTRUCTIVE PERIOD LOOK)

PLAN LEGEND

- EXIST. WOOD STUDIO WALL
- NEW WOOD STUDIO WALL
- NEW MASONRY WALL
- 5/8" SPAC. GRADED FRESH 1840 SITE WORK (DWG)
- E. CONTIGUOUS (INTERPOLATED FROM 1991 SURVEY)
- E. TREES (FROM 1991 SURVEY)

PROPOSED
A FLOOR PLAN
1/8" = 1'-0"



SEE SHEET EXT FOR EXISTING FLOOR PLAN

MURPHY-POWERS RESIDENCE
ADDITION TO THE 12048
SAND DUNES BLOCK, NORTH SAN ANTONIO AVENUE, CARPENTERS, CALIFORNIA

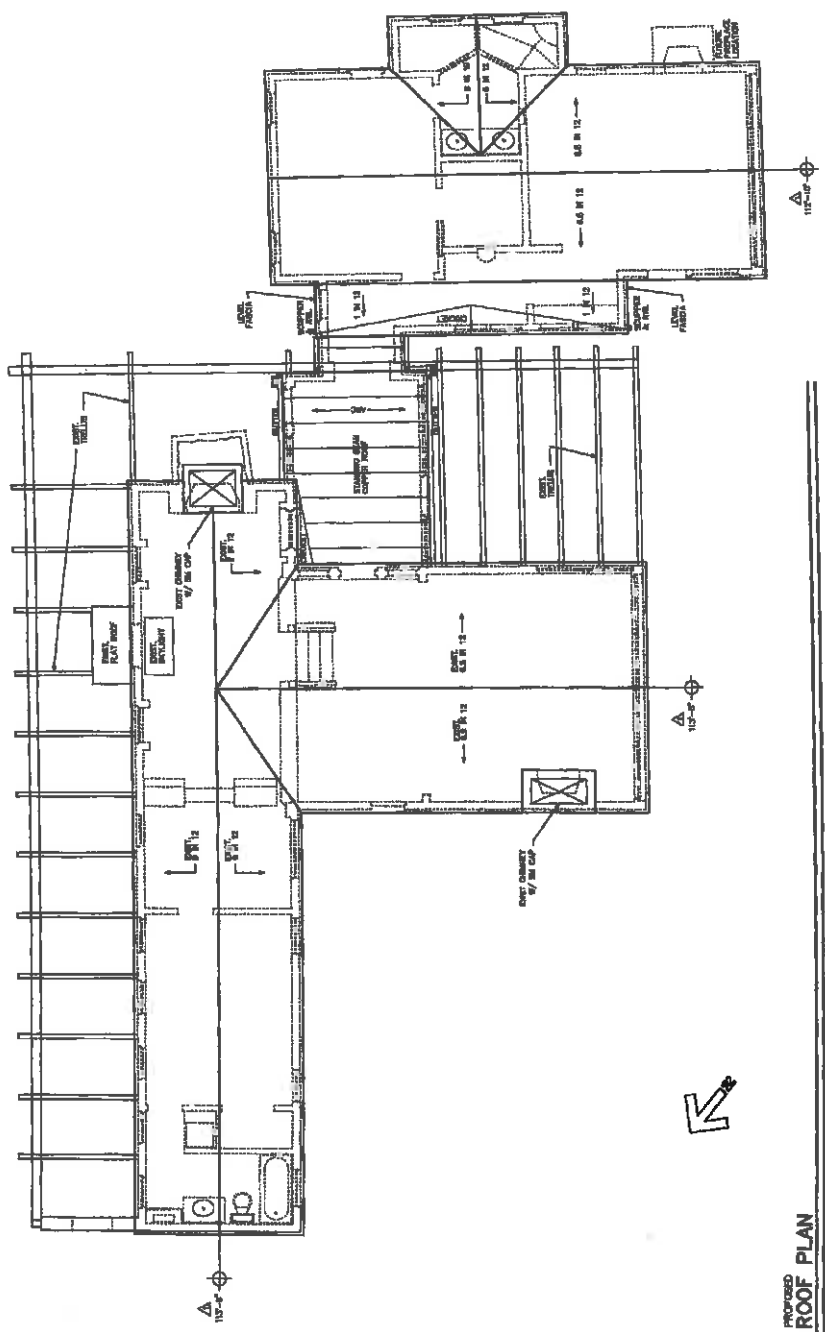
DATE: 9/11/13
PROJECT NO: 1310
SHEET NO: P1



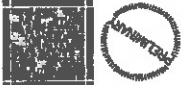
PLEASE READ CAREFULLY THE PROJECT ARCHITECT'S NOTES AND SPECIFICATIONS. THE ARCHITECT'S NOTES AND SPECIFICATIONS SHALL TAKE PRECEDENCE OVER ANY CONFLICTING NOTES AND SPECIFICATIONS ON ANY OTHER DRAWING IN THIS SET.

149

	JAMES DAVIS SHEDD AN ARCHITECT AND ARCHITECT-ENGINEER IN ARCHITECTURE AND CIVIL ENGINEERING, 2000-2001 2002-2003, 2004-2005, 2006-2007 2008-2009, 2010-2011, 2012-2013 2014-2015, 2016-2017, 2018-2019 2020-2021, 2022-2023, 2024-2025	
	SAND DINES BLOCK, NORTH SAN ANTONIO AVENUE, CARROLL, CALIFORNIA	
MURPHY-POWERS RESIDENCE ADDITION TO THE #1548		
DATE: 6/10/13 1310	SHEET NO. P2 OF 2 SHEETS	PROJECT NO. 1310



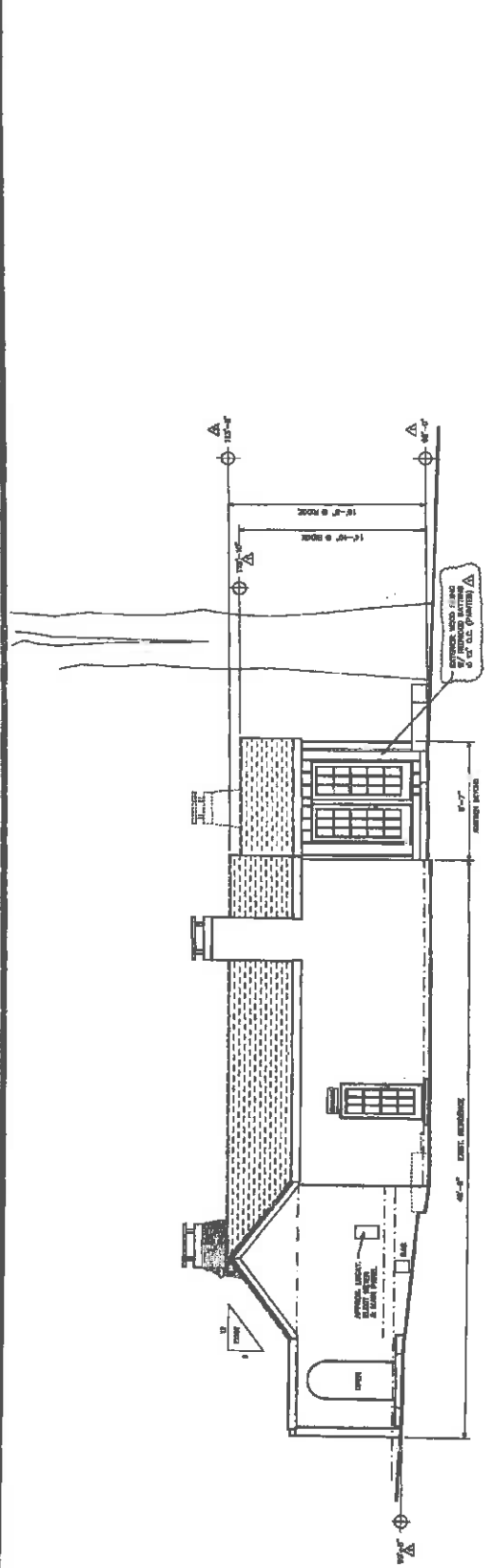
PROPOSED
A ROOF PLAN
 1/4" = 1'-0"
 P2



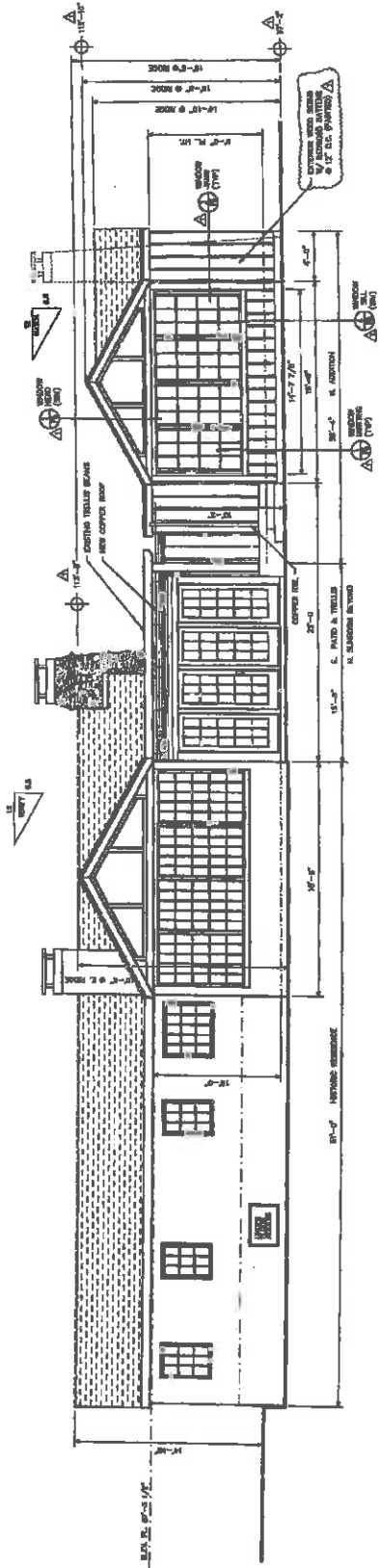
JAMES DAVID HARRISON, AN ARCHITECT, IS HEREBY
 CERTIFIED THAT THE ABOVE DRAWING IS HIS ORIGINAL
 WORK, AND THAT HE HAS NOT BEEN CONVICTED OF
 ANY CRIME INVOLVING MORAL TURPITUDE.
 ARCHITECT - CALIFORNIA ARCHITECTURE BOARD
 1000 MARKET STREET, SUITE 1000, SAN FRANCISCO, CA 94102-4402
 PHONE: 415.774.8888 FAX: 415.774.8888

ADDITION TO THE 1846
MURPHY-POWERS RESIDENCE
 SAND DUNES BLOCK NORTH SAN ANTONIO AVENUE, CARMEL, CALIFORNIA

DATE	6/7/15
PROJECT NO.	1310
SCALE	P3
DATE	6/1/15



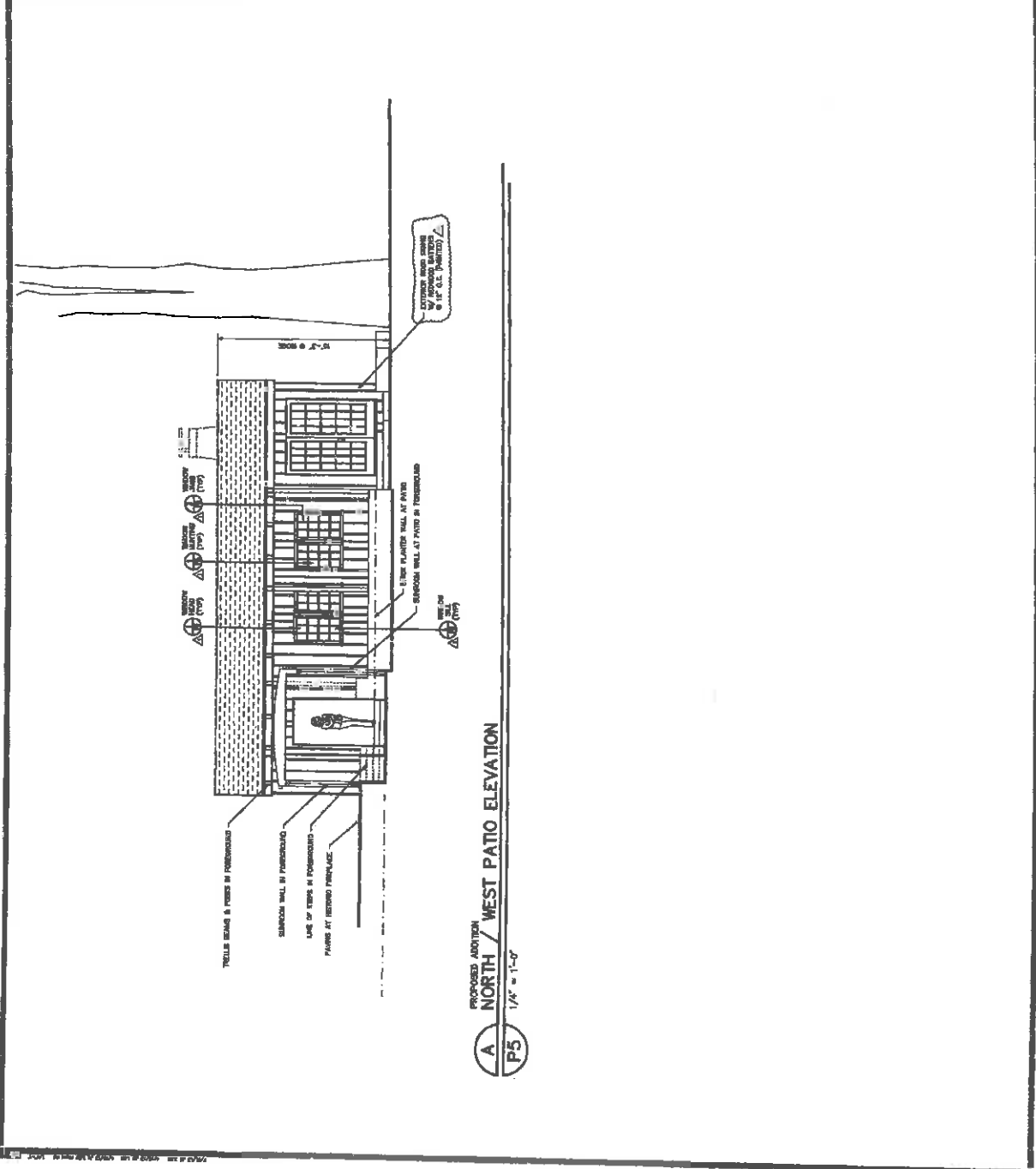
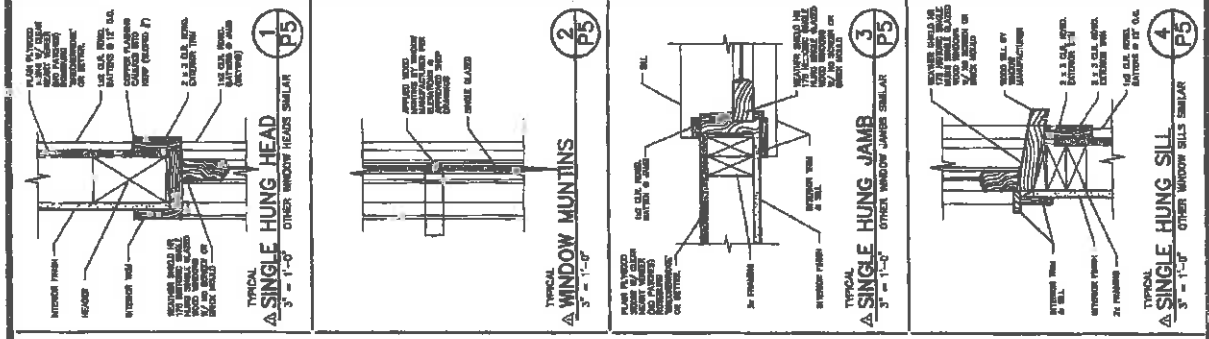
PROPOSED
A NORTH / WEST ELEVATION SHOWN WITHOUT BRICK LANDSCAPE WALLS ALONG DRIVEWAY
 1/8" = 1'-0"



PROPOSED
B SOUTH / WEST ELEVATION SHOWN WITHOUT BRICK LANDSCAPE WALLS IN FOREGROUND
 1/8" = 1'-0"

ADDITION TO THE 1948 MURPHY-POWERS RESIDENCE
 SAND DUNES BLOCK, NORTH SAN ANTONIO AVENUE, CARROLL, CALIFORNIA

4/18/43
 1310
 P5



PROPOSED ADDITION
 A NORTH / WEST PATIO ELEVATION
 1/4" = 1'-0"

Attachment F - Current Project Plans

AREA CALCULATIONS

① PREVIOUSLY APPROVED ADDITION FLOOR AREA: LINK: 158 S.F.
 ADDITION: 143 S.F.
 TOTAL ADDITION: 301 S.F.

② REVISIONS REQUIRED FOR WHEEL CHAIR/HANDICAPPED ACCESSIBILITY
 PROPOSED TOTAL ADDITION FLOOR AREA: LINK: 244 S.F.
 ADDITION: 1,148 S.F.
 TOTAL ADDITION 1,394 S.F.

③ NOTE: PREVIOUSLY APPROVED ROOF ELEVATIONS NOT EXCEEDED.

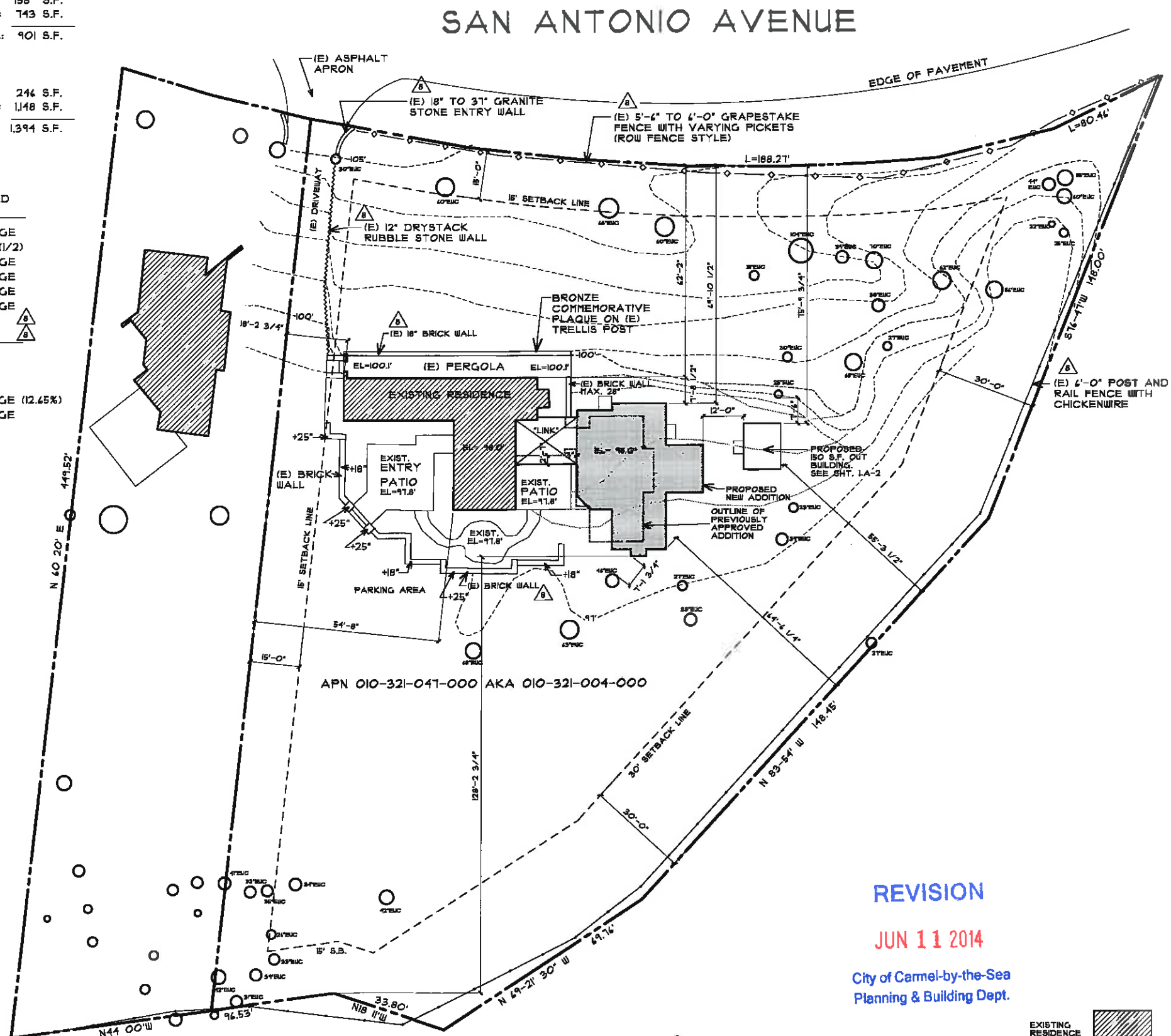
PROJECT DATA	PREVIOUSLY APPROVED	PROPOSED
SITE AREA:	41,424 S.F.	NO CHANGE
JOINT DRIVEWAY (THIS SITE):	3,107 S.F.	1,554 S.F. (1/2)
ENTRY PATIO AREA:	551 S.F.	NO CHANGE
STONE WALKWAY AREA:	208 S.F.	NO CHANGE
PATIO AREA:	253 S.F.	NO CHANGE
ENTRY BRICK AT PERGOLA:	491 S.F.	NO CHANGE
EXISTING HARDSCAPE REMOVED:	140 S.F.	-221 S.F.
HARDSCAPE ADDED:	140 S.F.	174 S.F.
TOTAL HARDSCAPE:	1,834 S.F.	3,214 S.F.
TOTAL ALLOWABLE HARDSCAPE:		3,214 S.F.
ALLOWABLE FLOOR AREA (FAR):	4,000 S.F.	NO CHANGE (12.45%)
EXISTING HOUSE FLOOR AREA:	1,214 S.F.	NO CHANGE
TOTAL PROPOSED HOUSE FLOOR AREA:	2,115 S.F.	2,408 S.F.
CHANGE IN PROPOSED HOUSE FLOOR AREA:		493 S.F.
PROPOSED ACCESSORY BUILDING:		150 S.F.
TOTAL PROPOSED COVERAGE FLOOR AREA:		2,158 S.F.
PROPOSED FAR:		6%

PLANNING COMMISSION NOTES

- FLOOR AREA INCREASED FOR HANDICAP ACCESSIBILITY.
- ALL CHARACTER DEFINING FEATURES OF THE NEW ADDITION SHALL BE COMPATIBLE BUT DIFFERENTIATED FROM THE CHARACTER DEFINING FEATURES OF THE HISTORIC RESIDENCE. (INC. WINDOWS AND CHIMNEY CAPS)

SHEET NOTES

- SEE APPROVED RECORD SURVEY FOR ADDITIONAL INFORMATION
- TREES SHOWN ON RECORD 1991 SURVEY AND NOT SHOWN ON THIS PLAN WERE REMOVED AT EARLIER DATE.
- ALL EXTERIOR LIGHTING ATTACHED TO THE MAIN BUILDING OR ANY ACCESSORY BUILDING SHALL BE NO HIGHER THAN 10 FEET ABOVE THE GROUND AND NOT EXCEED 25 WATTS (INCANDESCENT EQUIVALENT; I.E. APPROXIMATELY 315 LUMENS) IN POWER PER FIXTURE.
- ANY FUTURE LANDSCAPE LIGHTING SHALL NOT EXCEED 18 INCHES ABOVE THE GROUND NOR MORE THAN 15 WATTS (INCANDESCENT EQUIVALENT; I.E. APPROX. 225 LUMENS) PER FIXTURE AND SHALL BE SPACED NO CLOSER THAN 10 FEET APART. LANDSCAPE LIGHTING SHALL NOT BE USED FOR TREE, WALL, FENCE OR ACCENT LIGHTING OF ANY TYPE. THE PURPOSE OF LANDSCAPE LIGHTING IS TO SAFELY ILLUMINATE WALKWAYS AND ENTRANCES TO SUBJECT PROPERTY.



SAN ANTONIO AVENUE

PROPOSED SITE PLAN

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

GRAPHIC SCALE: 1/4" = 1'-0"
 0 20' 40'

REVISION

JUN 11 2014

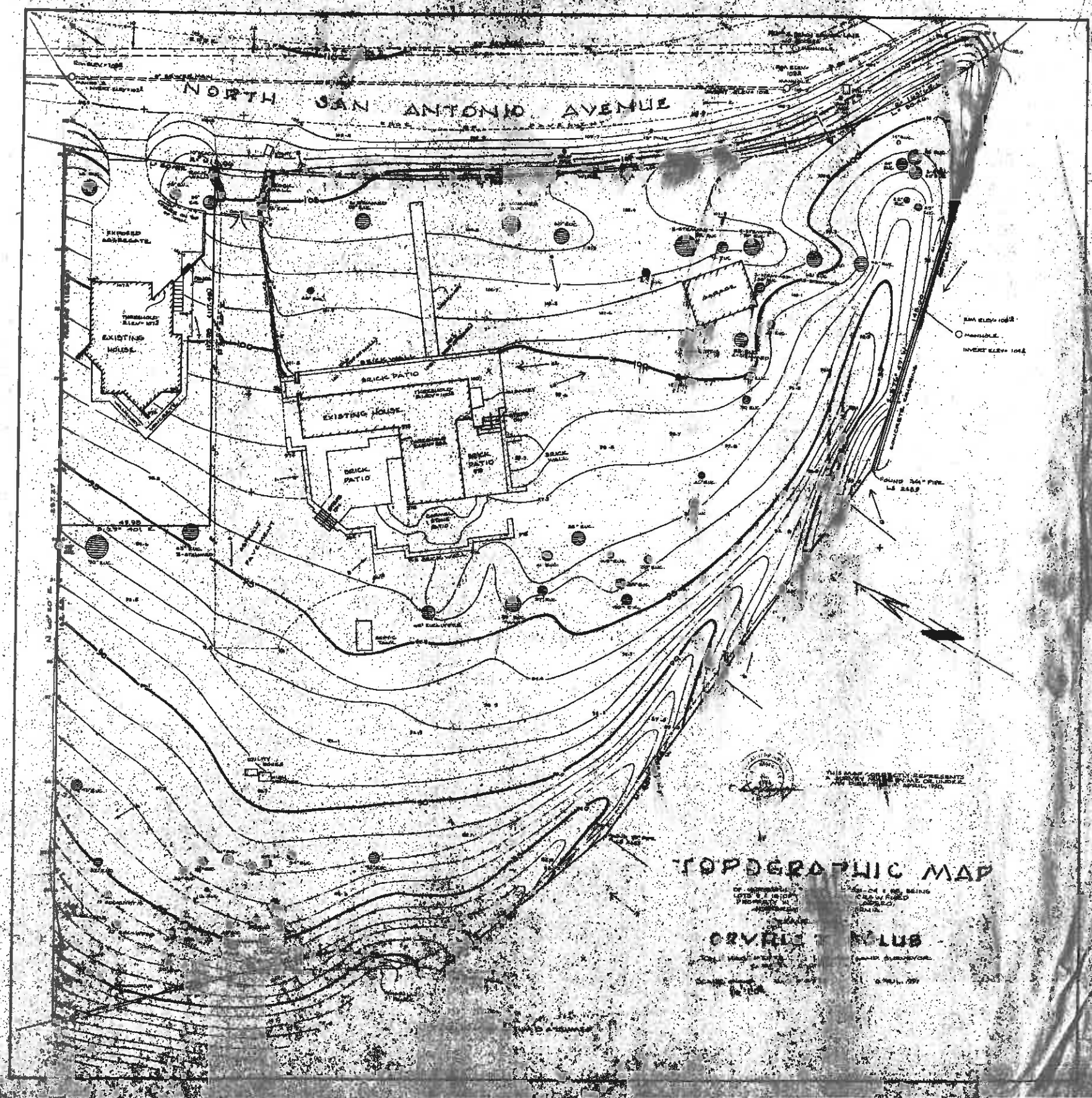
City of Carmel-by-the-Sea
 Planning & Building Dept.

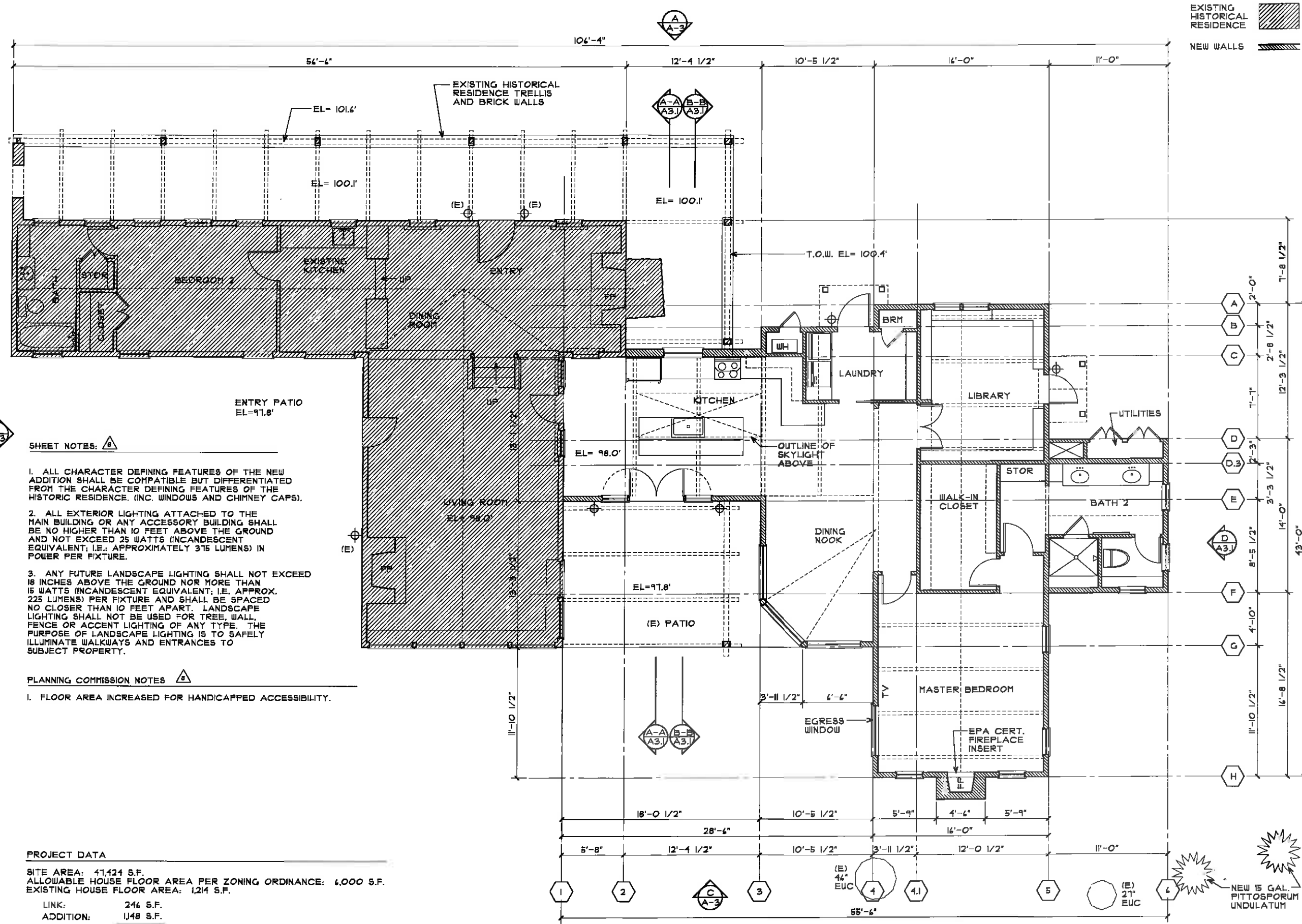
ABBAY BAKER
 DESIGN BUILD, INC.
 JOHN GILL CONSTRUCTION
 GENERAL CONTRACTOR
 LICENSE 80817
 P.O. BOX 1374, CARMEL, CA 93921
 831.420.2143

ADDITION TO THE S. 1846
 MURPHY-POWERS RESIDENCE
 SAND DUNES BLOCK
 NORTH SAN ANTONIO AVE.
 CARMEL, CA 93921
 APN 010-321-041-000 AKA 010-321-004-000

PROPOSED SITE PLAN

REVISIONS	4-28-2014
	5-20-2014
	6-10-2014
SUBMITTAL DATE	6-8-2014
SHEET NUMBER	A-0





SHEET NOTES:

- ALL CHARACTER DEFINING FEATURES OF THE NEW ADDITION SHALL BE COMPATIBLE BUT DIFFERENTIATED FROM THE CHARACTER DEFINING FEATURES OF THE HISTORIC RESIDENCE. (INC. WINDOWS AND CHIMNEY CAPS).
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PLANNING COMMISSION NOTES:

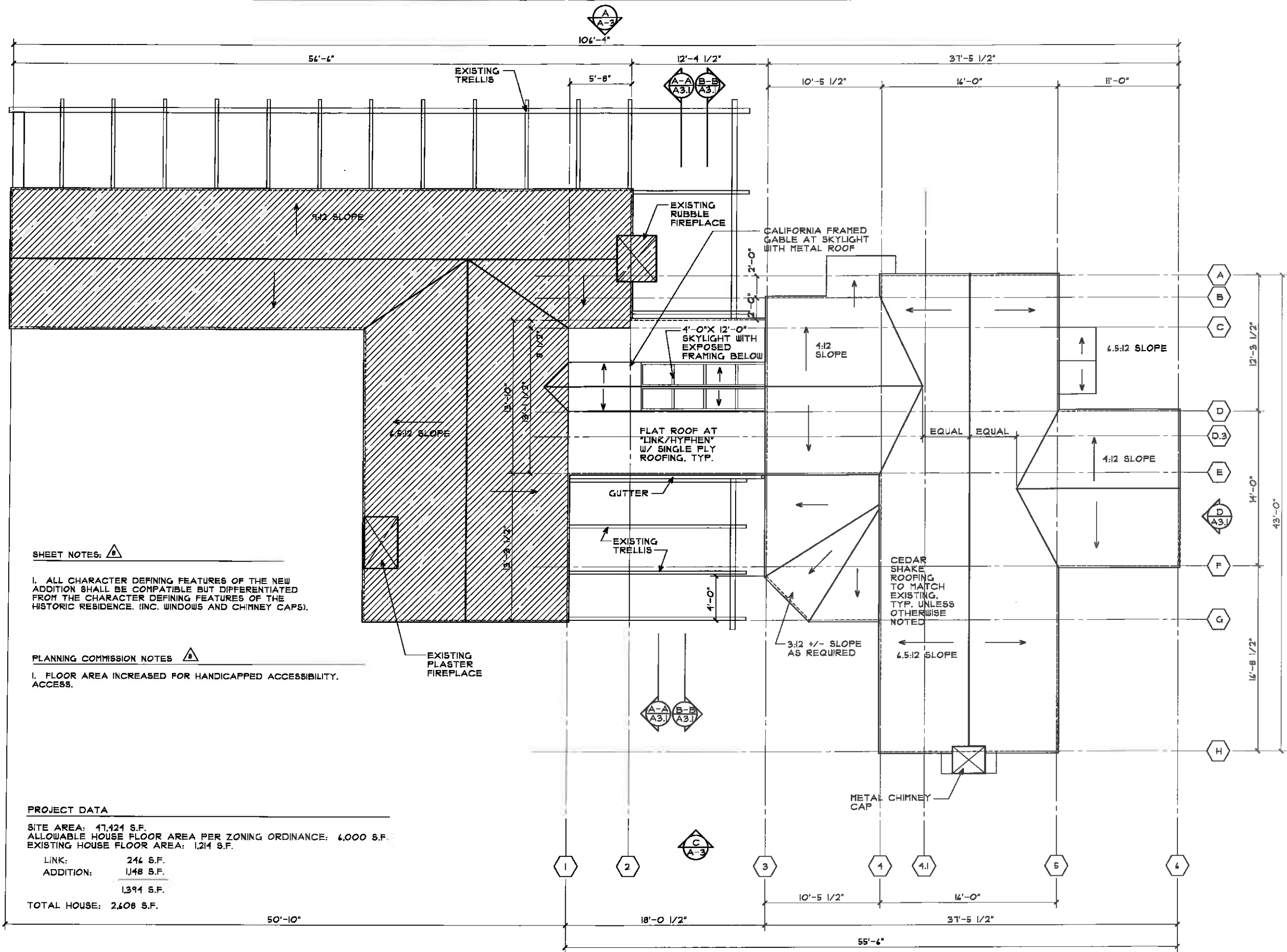
- FLOOR AREA INCREASED FOR HANDICAPPED ACCESSIBILITY.

PROJECT DATA

SITE AREA: 41,424 S.F.
 ALLOWABLE HOUSE FLOOR AREA PER ZONING ORDINANCE: 4,000 S.F.
 EXISTING HOUSE FLOOR AREA: 1,214 S.F.

LINK: 246 S.F.
 ADDITION: 1,148 S.F.
 1,394 S.F.
 TOTAL HOUSE: 2,608 S.F.

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



SHEET NOTES: A

1. ALL CHARACTER DEFINING FEATURES OF THE NEW ADDITION SHALL BE COMPATIBLE BUT DIFFERENTIATED FROM THE CHARACTER DEFINING FEATURES OF THE HISTORIC RESIDENCE. (INC. WINDOWS AND CHIMNEY CAPS).

PLANNING COMMISSION NOTES: A

1. FLOOR AREA INCREASED FOR HANDICAPPED ACCESSIBILITY ACCESS.

PROJECT DATA

SITE AREA: 47,424 S.F.
 ALLOWABLE HOUSE FLOOR AREA PER ZONING ORDINANCE: 6,000 S.F.
 EXISTING HOUSE FLOOR AREA: 1,214 S.F.

LINK: 244 S.F.
 ADDITION: 1,148 S.F.
 1,394 S.F.

TOTAL HOUSE: 2,408 S.F.

PROPOSED ROOF PLAN

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

EXISTING ROOF
 PROPOSED ROOF
GRAPHIC SCALE: 1/4" = 1'-0"
 0 5' 10'

PROPOSED ROOF PLAN

MURPHY-POWERS RESIDENCE

ADDITION TO THE c. 1844
 SAND DUNES BLOCK
 NORTH SAN ANTONIO AVE.
 CARMEL, CA 93921

APN 010-321-047-000 AKA 010-321-004-000

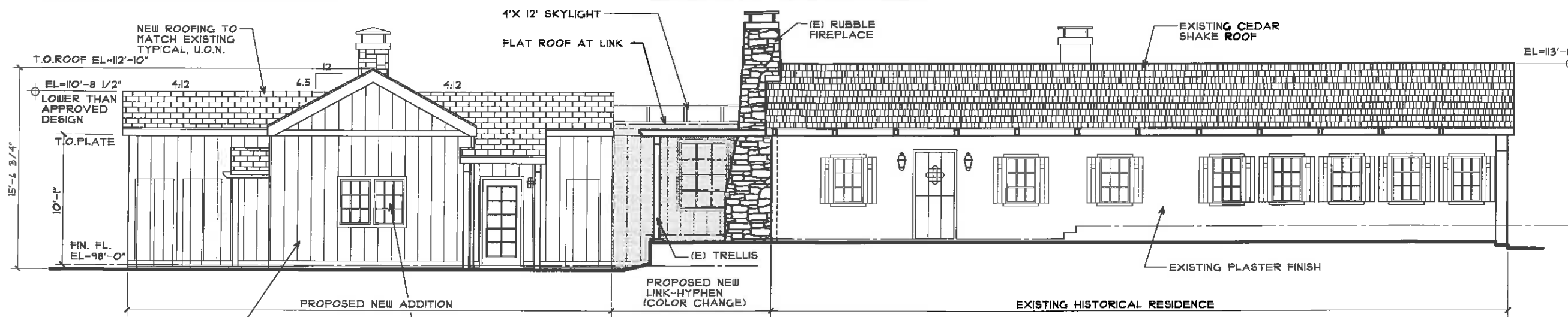
ABBAY BAKER DESIGN BUILD, INC.
 JOHN GILL CONSTRUCTION
 GENERAL CONTRACTOR
 LICENSE 80811
 P.O. BOX 1376, CARMEL, CA 93921
 831.420.2143

REVISIONS	
A	4-28-2014
1	5-20-2014
B	6-10-2014

SUBMITTAL DATE
6-11-2014

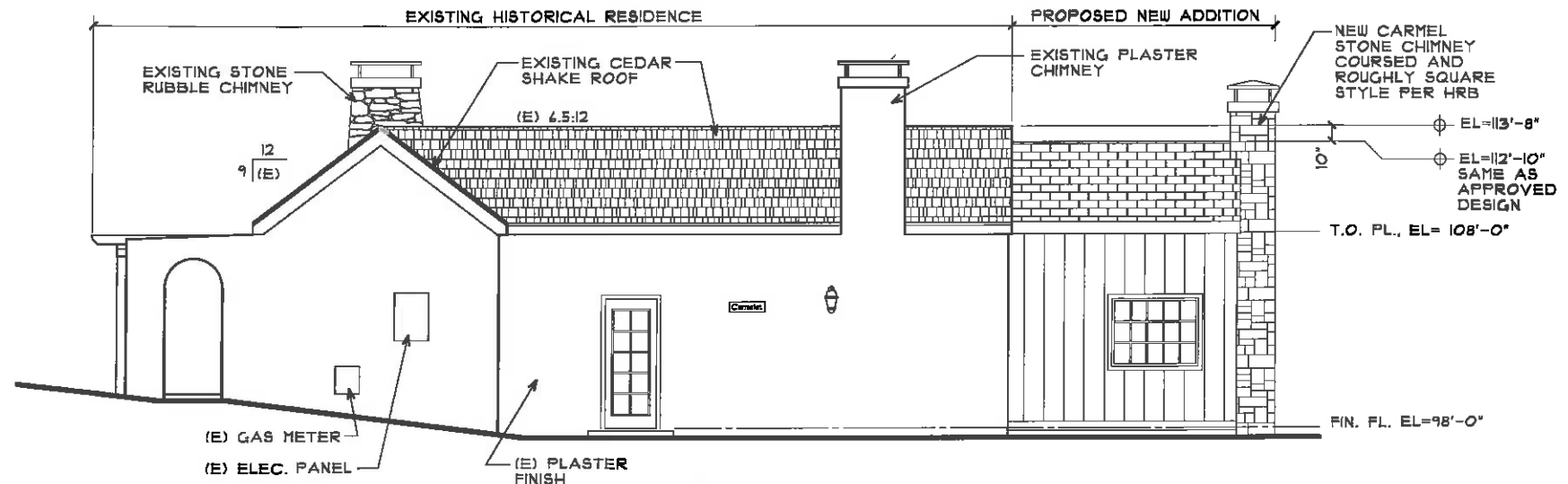
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A-2.1

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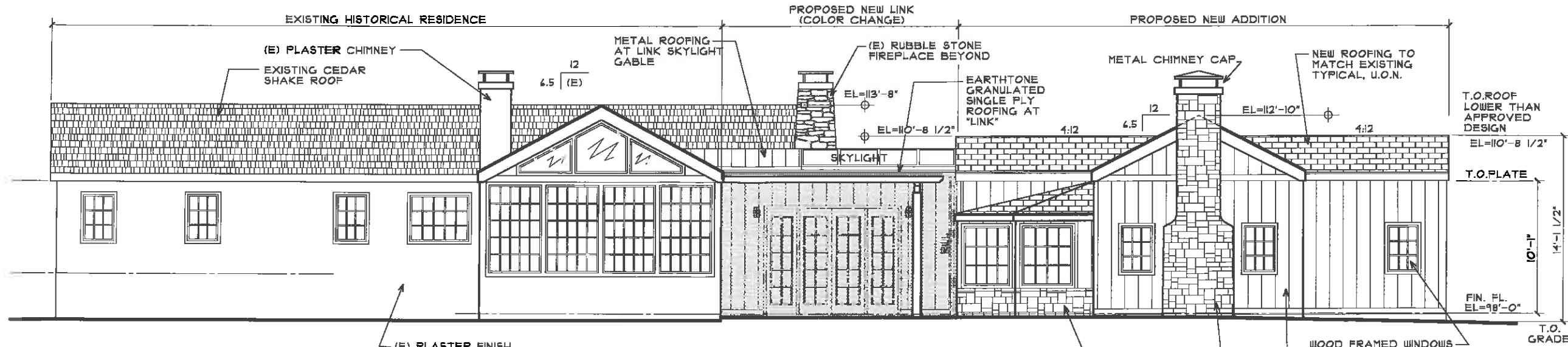


C. NORTHEAST ELEVATION (STREET)

- SHEET NOTES:** A
1. ALL CHARACTER DEFINING FEATURES OF THE NEW ADDITION SHALL BE COMPATIBLE BUT DIFFERENTIATED FROM THE CHARACTER DEFINING FEATURES OF THE HISTORIC RESIDENCE. (INC. WINDOWS AND CHIMNEY CAPS).
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 3. NEW WINDOWS SHALL HAVE DIFFERENT MUNTIN GRID THAN EXISTING. EXISTING HISTORICAL WINDOWS HAVE SINGLE FLOAT GLAZING AND 3/4" WOOD MUNTINS WITH TRUE DIVIDED LITES. NEW WINDOWS SHALL BE DOUBLE GLAZED WITH FLAT PROFILE 1-5/16" WIDE MUNTINS AND SIMULATED DIVIDED LITES. NEW MUNTINS SHALL BE 9/16" WIDER THAN EXISTING.
- PLANNING COMMISSION NOTES** A
1. FLOOR AREA INCREASED FOR HANDICAPPED ACCESSIBILITY.



B. NORTH WEST ELEVATION

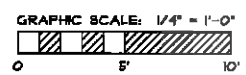


C. SOUTH WEST ELEVATION (OCEAN)



PROPOSED ELEVATIONS

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




ABBEY BAKER
DESIGN BUILD, INC.
JOHN GILL CONSTRUCTION
GENERAL CONTRACTOR
LICENSE #4981
P.O. BOX 1974, CARMEL, CA 93921
831 . 420 . 2143

ADDITION TO THE c. 1844
MURPHY-POWERS RESIDENCE
SAND DUNES BLOCK
NORTH SAN ANTONIO AVE.
CARMEL, CA 93921
APN 010-321-047-000 AKA 010-321-004-000

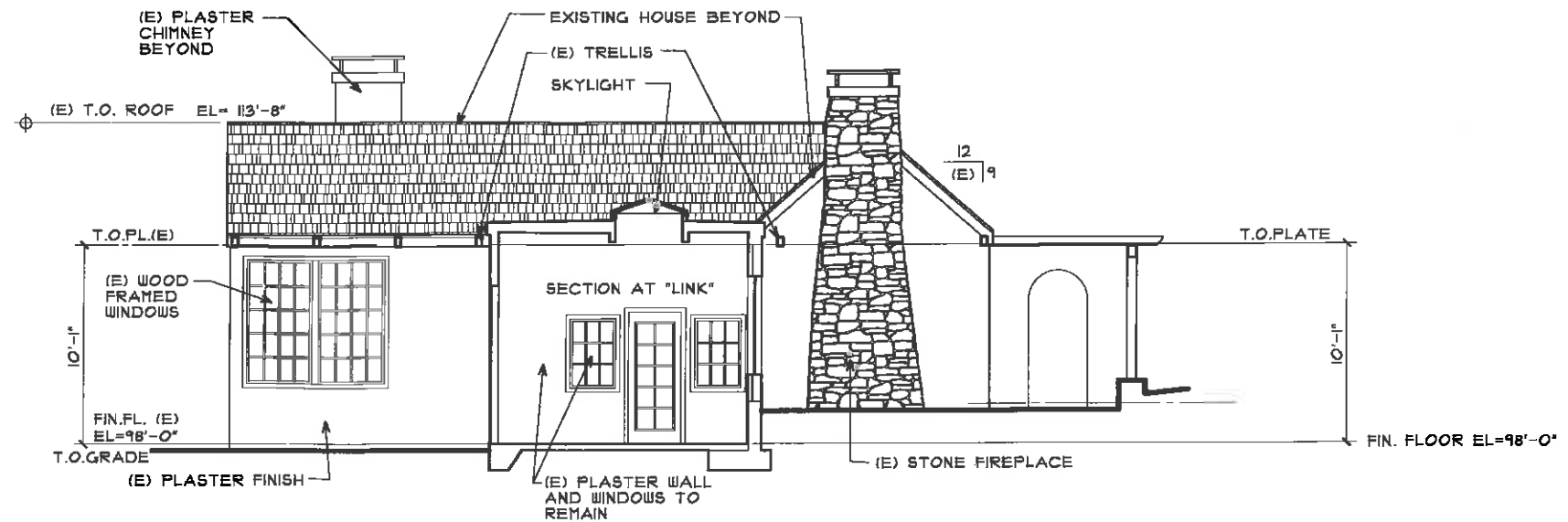
PROPOSED ELEVATIONS

REVISIONS
A 4-28-2014
B 5-20-2014
C 6-10-2014
SUBMITTAL DATE 6-11-2014

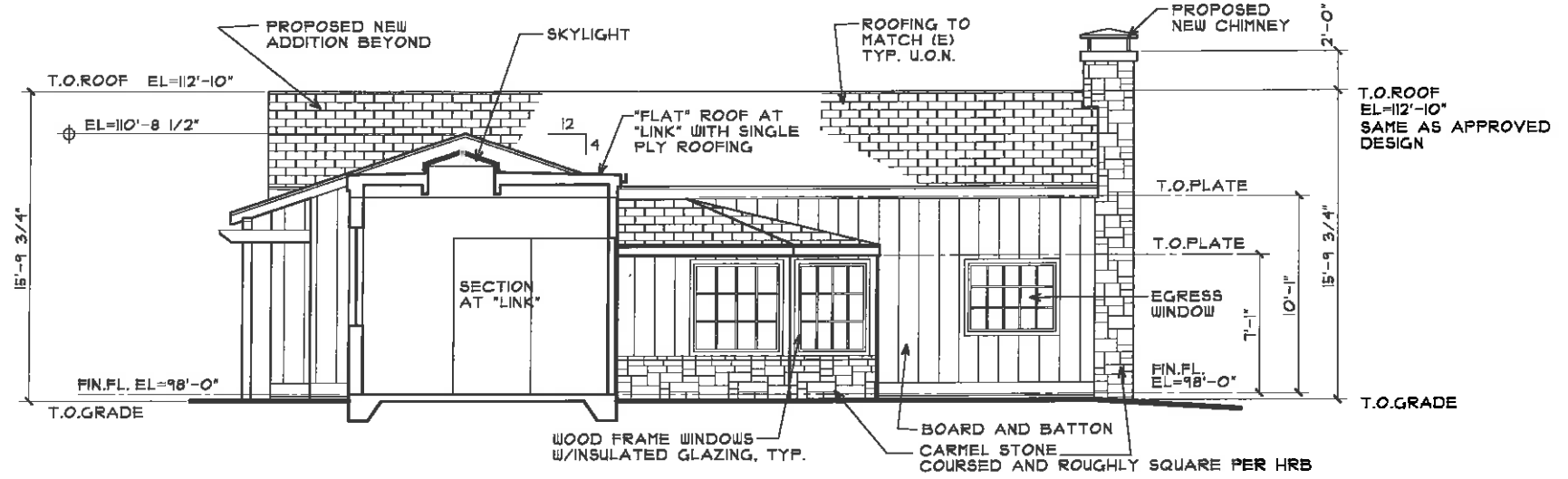
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A-3
110

SHEET NOTES: 

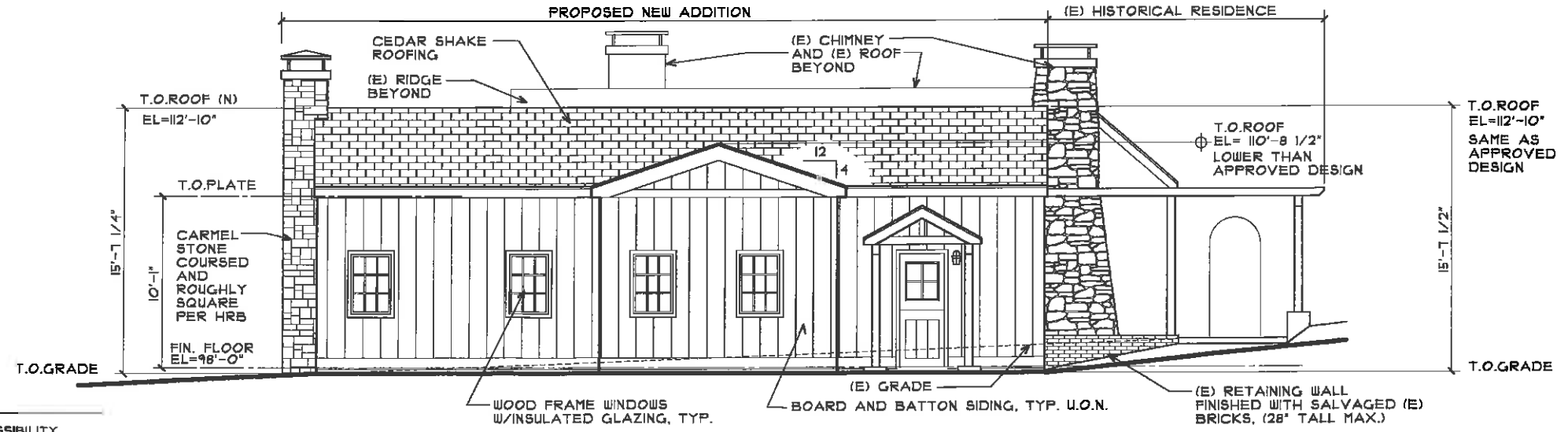
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A-A SOUTH EAST ELEVATION / SECTION AT KITCHEN "LINK"



B-B NORTH WEST ELEVATION / SECTION AT KITCHEN "LINK"



D. SOUTH EAST ELEVATION

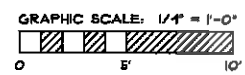
PLANNING COMMISSION NOTES 

1. FLOOR AREA INCREASED FOR HANDICAPPED ACCESSIBILITY.



PROPOSED ELEVATIONS AND SECTIONS




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



ABBEY BAKER DESIGN BUILD, INC.
 JOHN GILL CONSTRUCTION PROJECTOR
 LICENSE # 60911
 P.O. BOX 1974, CARMEL, CA 93921
 831 . 420 . 2143

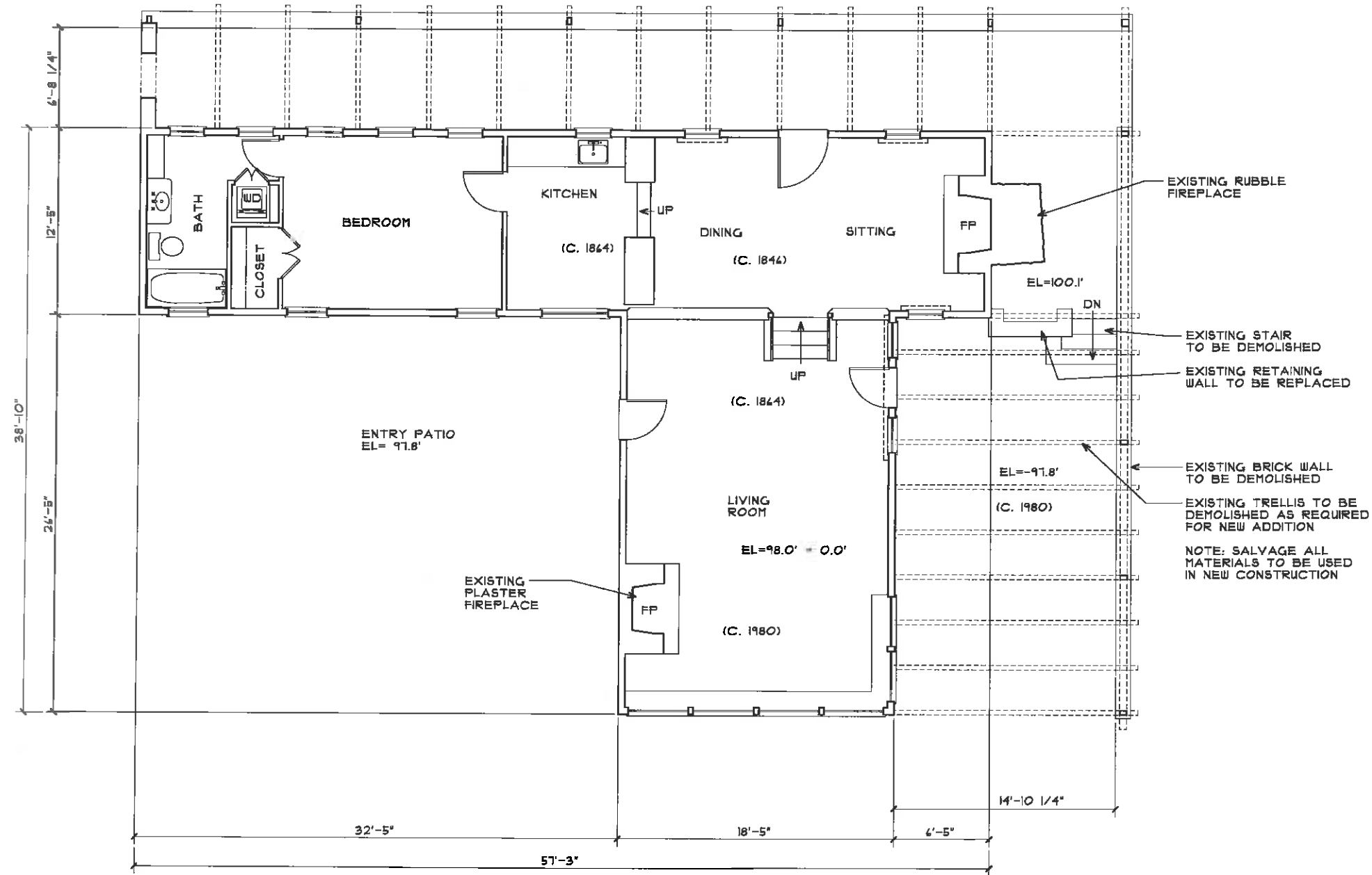
MURPHY-POWERS RESIDENCE
 ADDITION TO THE c. 1844
 SAND DUNES BLOCK
 NORTH SAN ANTONIO AVE.
 CARMEL, CA 93921
 APN 010-321-047-000 AKA 010-321-004-000

PROPOSED ELEVATIONS AND SECTIONS

REVISIONS
 4-28-2014
 5-20-2014
 6-10-2014

SUBMITTAL DATE
6-11-2014

SHEET NUMBER
A-3.1



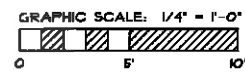


ABBIE BAKER
DESIGN BUILD, INC.
 JOHN GILL CONSTRUCTION
 GENERAL CONTRACTOR
 LICENSE 80817
 P.O. BOX 1376, CARMEL, CA 93921
 831.420.2143

MURPHY-POWERS RESIDENCE
 ADDITION TO THE c. 1844
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 NORTH SAN ANTONIO AVE.
 CARMEL, CA 93921
 APN 010-321-041-000 AKA 010-321-004-000

AS-BUILT FLOOR PLAN

REVISIONS	
△	_____
△	_____
△	_____
SUBMITTAL DATE 4-11-2014	
SHEET NUMBER AB-1	



AS-BUILT FLOOR PLAN
 SCALE: 1/4" = 1'-0"
 1,214 SQ. FT. AREA

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



CITY OF CARMEL-BY-THE-SEA

Planning Commission Report

July 9, 2014

To: Chair Reimers and Planning Commissioners

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

Submitted by: Marc Wiener, Senior Planner

Subject: Consideration of a Concept Design Study (DS 14-40) and associated Coastal Development Permit applications for the substantial alteration of an existing residence located in the Single-Family Residential (R-1) District

Recommendation:

Determine the appropriate action. Staff has provided findings and recommendations/draft conditions should the Planning Commission choose to accept Conceptual Design Study (DS 14-40).

Application:	DS 14-40	APN:	010-016-005
Block:	18	Lot:	11
Location:	Lobos 5 northwest of 2 nd Avenue		
Applicant:	Alan Lehman	Property Owners:	Frank & Renate Perry

Background and Project Description:

The project site is located on Lobos Street, five parcels northwest of Second Avenue. The property is developed with a one-story stucco-clad residence and detached garage at the rear of the property that total 1,287 square feet in size. There is an 80-foot long shared driveway on the north side of the property that is currently used by the project applicant and the adjacent property owner to the north. A Determination of Historic Ineligibility for the subject residence was issued by the Community Planning and Building Department on May 2, 2014.

The applicant is proposing to expand the residence from 1,287 to 1,899 square feet. Staff notes that the majority of the residence would be demolished and replaced. The project includes the following components: 1) the net addition of 612 square feet of floor area, including a 100-

square foot basement space, 2) new exterior finish materials including plaster siding with a stone veneer, new unclad wood windows, and asphalt composition shingle roofing, 3) a new gabled roof design that includes a proposal for 11 new skylights, 4) demolition of the garage at the rear of the property and proposal to construct a new garage in the front-yard setback, 5) a new stone front entry porch, and 6) the installation of roof-top solar panels which are not subject to design review.

Staff has scheduled this application for conceptual review. The primary purpose of this meeting is to review and consider the site planning, privacy and views, mass, and scale related to the project. However, the Commission may provide input on other aspects of the design such as architectural detailing and finish materials.

PROJECT DATA FOR A 4,000 SQUARE FOOT SITE:			
Site Considerations	Allowed	Existing	Proposed
Floor Area	1, 800 sf (45%)	1,287 sf (29.4%)*	1,899 sf (32.8%)*
Site Coverage	556 sf (13%)	831 sf (26%)	542 sf (13%)
Trees (upper/lower)	3/1 (recommended)	1/0	0/0
Ridge Height (1 st /2 nd)	18 ft.	13 ft.	16 ft.
Plate Height (1 st /2 nd)	12 ft./18 ft.	8 ft	10 ft.
Setbacks	Minimum Required	Existing	Proposed
Front	15 ft.	20 ft.	20 ft. 8 in. (residence) 0 ft. (garage)**
Composite Side Yard	10 ft. (25%)	12 ft. 6 in. (31%)	10 ft. 6 in. (26%)
Minimum Side Yard	3 ft.	2 ft. 6 in.	No Change
Rear	3 ft.	3 ft.	No Change
* Includes 100-square foot basement bonus			
**Detached garages are permitted in the front setback with Planning Commission approval			

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.

There is one non-significant Leyland Cypress tree at the rear of the property that the applicant intends to remove. The City Forester has reviewed the proposal and recommends that the applicant plant one new upper-canopy tree to replace the Leyland Cypress and one new lower-canopy tree. A condition has been drafted requiring the applicant to obtain a tree removal permit prior to Planning Commission review of the Final Design Study. A separate condition has been drafted regarding the requirement for two new trees.

Privacy & Views: Residential Design Guidelines 5.1 through 5.3 pertain to maintenance of “*privacy of indoor and outdoor spaces in a neighborhood*” and “*organize functions on a site to preserve reasonable privacy for adjacent properties*” and maintain of “*view opportunities.*”

Staff has not identified any view or privacy impacts associated with this project. The residence would be maintained as a one-story structure and does not include any windows or balconies with views into neighboring properties. Staff notes that there is an existing 6-foot high fence along the south and west property lines that will be retained and that this fence provides privacy for neighboring properties.

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.*”

The applicant is proposing to expand the front of the residence from 1,287 to 1,899 square feet, which includes the 100-square foot basement. The proposed residence would be one story in height. This is consistent with the surrounding neighborhood, which is primarily developed with one-story homes. The residence would have a maximum height of 16 feet, which is 2 feet below the allowed height of 18 feet and which would be consistent with the height of the neighboring residences to the north and south of the project site, as shown on the Street Elevation drawing included with the project plans (Attachment D).

Building & Roof Form: Residential Design Guidelines 8.1 through 8.3 states to “*avoid busy building forms*” and “*keep building walls simple in the extent of variation in wall and roof*”

plans.” The guidelines also encourage shall pitched roof elements. With regard to windows, Residential Design Guideline 9.12 states and objective to *“limit the use of specialty windows that add to building bulk. Generally, only one bay or oriel window should be visible from the street.”*

Staff supports the overall design of the building, but is concerned with the appearance of the north elevation. The applicant is proposing three bay windows along the north elevation of the residence, which is inconsistent with the above-noted guidelines that recommend limiting the number of bay windows and using restraint when introducing variation in the wall plane. In staff’s opinion, the proposed north elevation would have a “busy” appearance. A condition has been drafted that the applicant to work with staff to simplify the north elevation prior to final review.

Detached Garage: 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 include avoiding impacts on significant trees and providing diversity to the streetscape.

The applicant is proposing to construct a detached garage in the 15-foot front-yard setback that would be located at the front property line and 5 feet from the north side property line. The proposed garage would be set back 5 feet from the edge of the roadway pavement. With the establishment of the new garage, the applicant would no longer need to use the shared driveway, which is also used by the northern neighbor and currently provides access to parking at the rear of the subject property.

One issue with the proposal is that it would create a new curb-cut and additional driveway at the front of the property. With regard to driveways, Residential Design Guideline 6.3 states an objective to *“consider using a shared driveway to minimize the amount of paving area.”* The applicant’s proposal to abandon the shared driveway and add a second driveway would be inconsistent with this guideline.

Staff is also concerned that the proposed location of the garage at the front property line may be out of character for the subject neighborhood. In addition, Staff notes that the garage would only have a 5-foot setback from the edge of roadway pavement and would appear close to the roadway with a short back out distance, which could create a safety issue.

As a separate issue, staff also does not support the French doors on the south elevation of the garage, as it adds to the prominence of the garage and could encourage the use of the garage as a living space rather than for parking. The Commission should consider whether a detached garage at the proposed location is appropriate for this site. If the Commission does support the garage location, then staff would still recommend that the French doors be eliminated.

South Side-Yard Setback: The existing building is located approximately 2.5 feet from the southern side property line and encroaches into the 3-foot side-yard setback. The applicant is proposing to retain this non-conforming wall in the setback. However, because the applicant is proposing to remove more than 50% of the exterior walls, the project qualifies as a demolition and the applicant is required to bring all non-conformities into compliance. A condition has been drafted the applicant to relocate the southern wall of the building so that it meets the 3-foot side-yard setback requirement.

Public ROW: The landscaped portion of the ROW at the front of the property is approximately 5 feet wide. It is unpaved and appears natural. There is a 30-inch oak tree that straddles the applicant's property and the City ROW. Staff notes that there is an existing concrete walkway encroachment in the ROW at the front of the property and is not noted on the site plan. A condition has been drafted requiring the applicant to include a note on the plans for final review that the encroachment will be removed and replaced with a decomposed granite path of no more than 3 or 4 feet in width.

Project Components for Final Review: Project components such as the finish materials, fencing, and skylights are evaluated as part of the final Design Study Review; therefore, this Concept Review does not include an analysis of these project components. However, staff is concerned with the use of stone on the front entry and the design of the front fence, which consists of wrought iron and includes several stone columns. In staff's opinion, the proposed stone entry and fence appear formal and may be out of scale with size of the residence. The Planning Commission may provide the applicant with preliminary input on these design features as part of the concept review.

Alternatives: Staff has included draft findings that the Commission can adopt if the Commission accepts the overall design concept, including the design and location of the garage. However, if the Commission does not support the garage in the front-yard setback, then the Commission could continue the application with direction to relocate the garage, which would likely require substantial modifications to the design.

Environmental Review: The proposed project is categorically exempt from CEQA requirements, pursuant to Section 15301 (Class 1) – Existing Facilities. The project includes a 612-square foot addition an existing 1,287-square foot residence, and therefore qualifies for a Class 1 exemption. The project presents no significant environmental impacts.

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 front of property – Facing west on Lobos Street



ROW at front of the property – Facing south on Lobos Street



Project site shared driveway – Facing west on Lobo Streets



Project site front of existing residence – facing northwest on

Attachment B – Findings for Concept Acceptance

DS 14-40 (Perry)
 July 9, 2014
 Concept Findings
 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.

Municipal Code Finding	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.	TBD	
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.	TBD	
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 add 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.	TBD	

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 – Recommendations/Draft Conditions

DS 14-40 (Perry)

July 9, 2014

Recommendations/Draft Conditions

Page 1

Recommendations/Draft Conditions of Approval		
No.		
1.	The applicant shall apply for a tree removal permit for the Leyland Cypress tree prior to Planning Commission review of the Final Design Study.	
2.	The applicant shall submit a landscape plan for final Planning Commission review that includes one new lower-canopy and one new upper-canopy tree on the site.	
3.	The applicant shall work with staff to simplify the design of the north elevation prior to final Planning Commission review.	
4.	The applicant shall consider revising the design to maintain the shared driveway and propose a new location for the garage behind the front-yard setback.	
5.	The applicant shall revise the proposal so that the southern wall of the building meets the 3-foot side-yard setback requirement. The change shall be reflected on the drawings submitted for final Planning Commission review.	
6.	The applicant shall submit a revised plan for final Planning Commission review that show the existing walkway encroachment and includes a note that the encroachment will be removed and replaced with a decomposed granite pathway of no more than 4 feet in width. The site plan shall be revised to accurately reflect the distance from the front property line to the edge of the roadway.	

PROJECT INFORMATION

OWNER Renate and Frank Perry

SITE ADDRESS - Lobos 5 SW of 2nd, Carmel by the Sea, CA

APN 010-016-005

LOT 11, BLOCK 18

YEAR BUILT - 1948

CONSTRUCTION TYPE VB
 OCCUPANCY U
 FIRE SPRINKLERS YES

LEGAL DESCRIPTION: MAP OF CARMEL CITY LOT 11 BLK 18 R-W & EXC R-W.

LOT SIZE	4000 S.F.
EXISTING BUILDING AREA	949 S.F.
EXISTING GARAGE	338 S.F.
EXISTING TOTAL BUILDING AREA	1287 S.F.
PROPOSED BUILDING AREA (+646)	1595
PROPOSED GARAGE AREA (-134)	204
PROPOSED BONUS BASEMENT	100
PROPOSED TOTAL BUILDING AREA	1899 S.F.
BUILDING COVERAGE	45%
F.A.R.	47%

SITE COVERAGE

FRONT WALK, LANDING	118 S.F.
DRIVEWAY	352 S.F.
REAR EXTERIOR LANDINGS	54 S.F.
SIDE DOOR LANDING	18
SITE COVERAGE TOTAL	542 S.F.

DRAWING INDEX

- 1 PROJECT DATA
- 2 FENCE ELEVATION, STREET ELEVATION
- 3 SITE PLAN
- 4 FLOOR PLAN
- 5 BASEMENT PLAN, ELEVATIONS
- 6 ELEVATIONS
- 7 LANDSCAPE PLAN, ROOF PLAN
- 8 WALL REMOVAL TAKE DOWN PLAN, GRADING
- 9 EXISTING PLANS AND ELEVATION

Attachment D - Project Plans

PROJECT LOCATION



VICINITY MAP

NO SCALE

CODE COMPLIANCE NOTES

1. THIS PROJECT SHALL COMPLY WITH THE 2013 CALIFORNIA BUILDING CODE, 2013 CALIFORNIA FIRE CODE, 2013 CALIFORNIA ELECTRICAL CODE, 2013 CALIFORNIA PLUMBING CODE, 2013 CALIFORNIA MECHANICAL CODE, 2013 CALIFORNIA ENERGY CODE, 2013 CALIFORNIA GREEN BUILDING STANDARDS CODE AND ANY OTHER APPLICABLE CODES.

SCOPE OF WORK

Remodel and addition to single family residence. 646 s.f. of new building area and (-134 s.f.) of garage area. New basement area of 100 s.f., New detached garage moved from rear of site to front of site. Remove (1) 16" Cypress tree. (11) New skylights.

CONTACT INFORMATION

OWNER - RENATE AND FRANK PERRY 425.898.7654
 DESIGNER - ALAN LEHMAN 831.747.4718

LEHMAN DESIGN STUDIO

831.747.4718
 info@lehmandesignstudio.com

Perry Residence Remodel

LOBOS 5 SW OF 2ND, CARMEL APN 010-016-005

date

6/10/14

RECEIVED
 JUN 30 2014
 City of Carmel-by-the-Sea
 Planning & Building Dept.

DS 14-40

GENERAL NOTES

1. DO NOT SCALE DRAWINGS.

2. CONTRACT DOCUMENTS WHICH DESCRIBE EXISTING CONSTRUCTION HAVE BEEN BASED ON FIELD INSPECTION, BUT ARE NOT BASED ON EXTENSIVE FIELD MEASUREMENTS, OPENING OF CONCEALED CONDITIONS OR EXCAVATION OF BURIED ITEMS. NO RELIABLE CONSTRUCTION DOCUMENTS FOR THE EXISTING STRUCTURE WERE AVAILABLE. THESE DRAWINGS ARE INTENDED AS A GUIDE TO THE CONTRACTOR WHO SHALL VERIFY DIMENSIONS BEFORE PROCEEDING WITH WORK. CONTRACTOR SHALL OBTAIN APPROVAL FROM THE DESIGNER BEFORE PROCEEDING WITH WORK REGARDING CHANGES, DISCREPANCIES OR ALTERATIONS THAT ARE INCONSISTENT WITH THESE DRAWINGS. NOTIFY THE DESIGNER IMMEDIATELY OF PRE-EXISTING CONDITIONS WHICH PROHIBIT EXECUTION OF WORK AS DESCRIBED HEREIN.

3. NEW CONSTRUCTION TO MATCH EXISTING DETAILS AND FINISHES. WHERE NEW CONSTRUCTION MEETS EXISTING CONSTRUCTION, PATCH AND MATCH SURFACES AND FINISHES TO ALIGN CONSISTENTLY SO NO VISUAL EVIDENCE OF CORRECTED WORK REMAINS UPON COMPLETION.

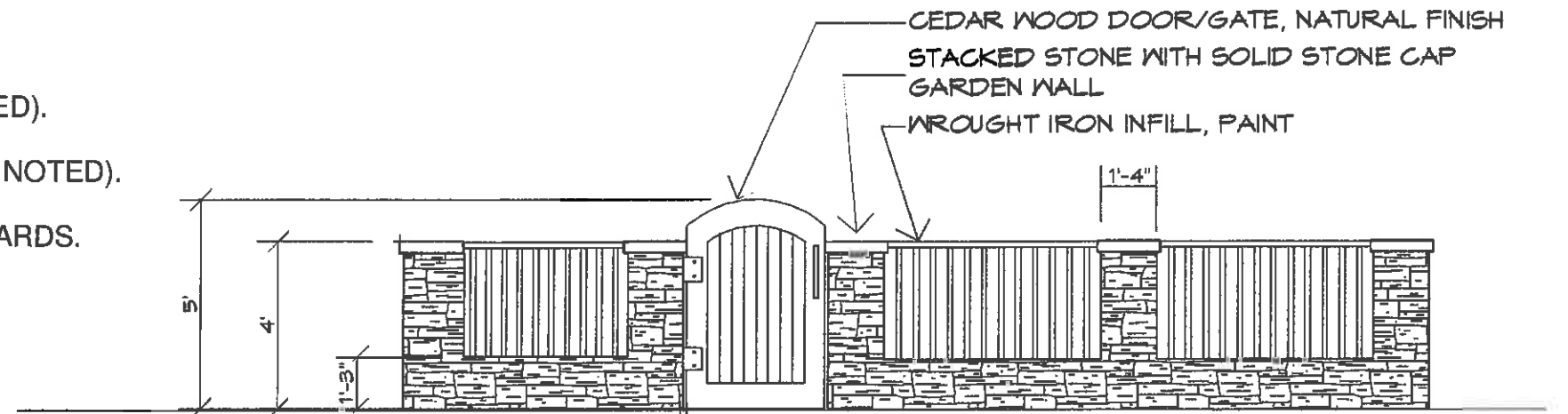
4. FLOOR ELEVATIONS = TOP OF PLYWOOD SUB-FLOOR OR TOP OF SLAB.

5. ALL WALLS DIMENSIONED TO FACE OF STUD (UNLESS OTHERWISE NOTED).

6. ALL BEAMS HELD UP AND CONCEALED IN CEILING (UNLESS OTHERWISE NOTED).

7. ALL FLASHING AND SHEET METAL TO COMPLY WITH S.M.A.C.N.A. STANDARDS.

8. ALL OPENINGS SHALL BE CAULKED, SEALED OR WEATHERSTRIPPED.



GARDEN WALL/FENCE ELEVATION

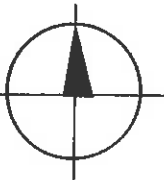
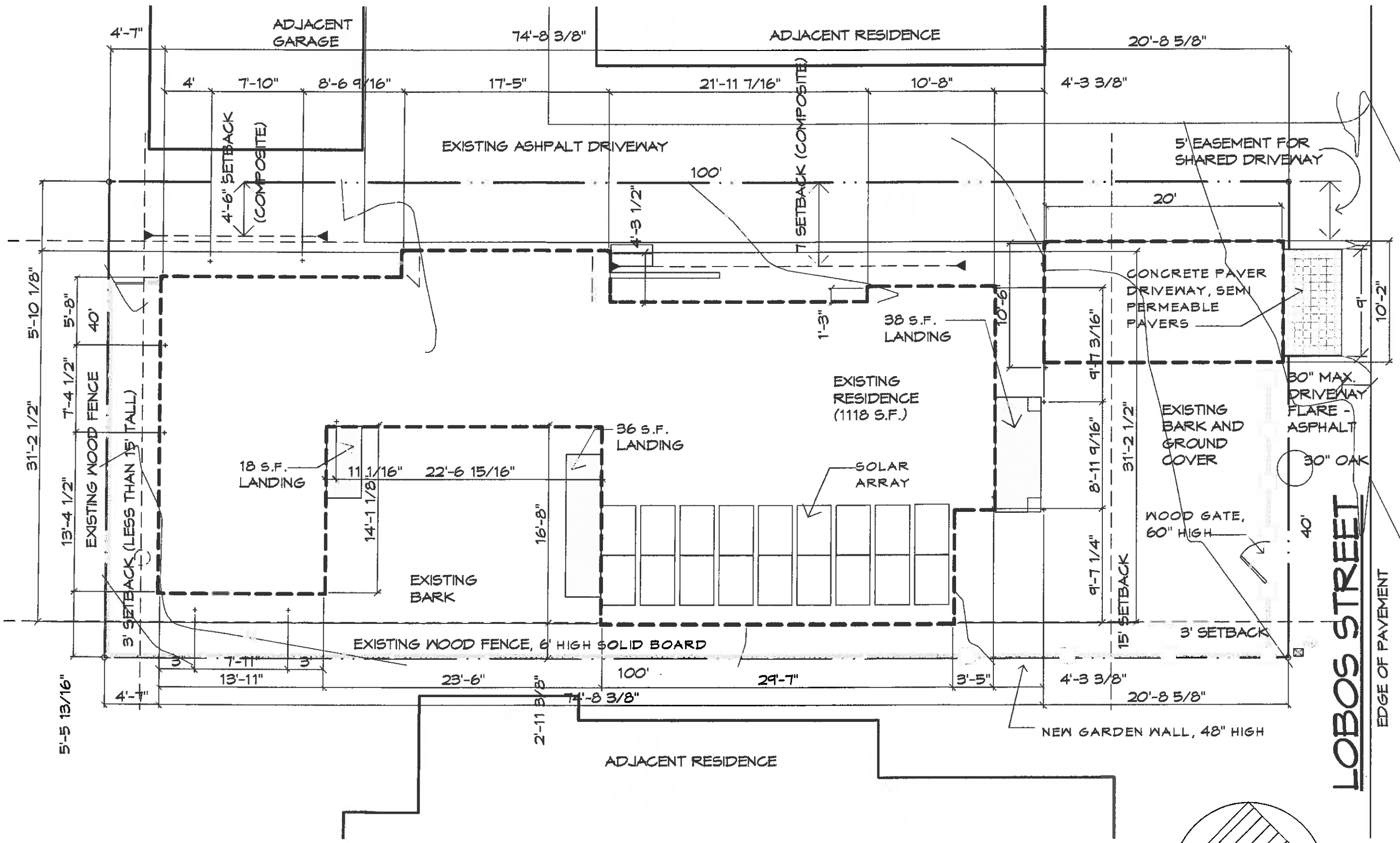
SCALE 1/4" = 1'-0"



STREET ELEVATION

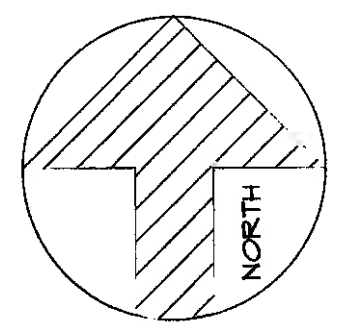
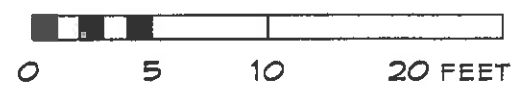
NOT TO SCALE

ADJACENT RESIDENCE



SITE PLAN

SCALE 1/8" = 1'-0"

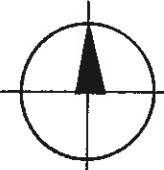
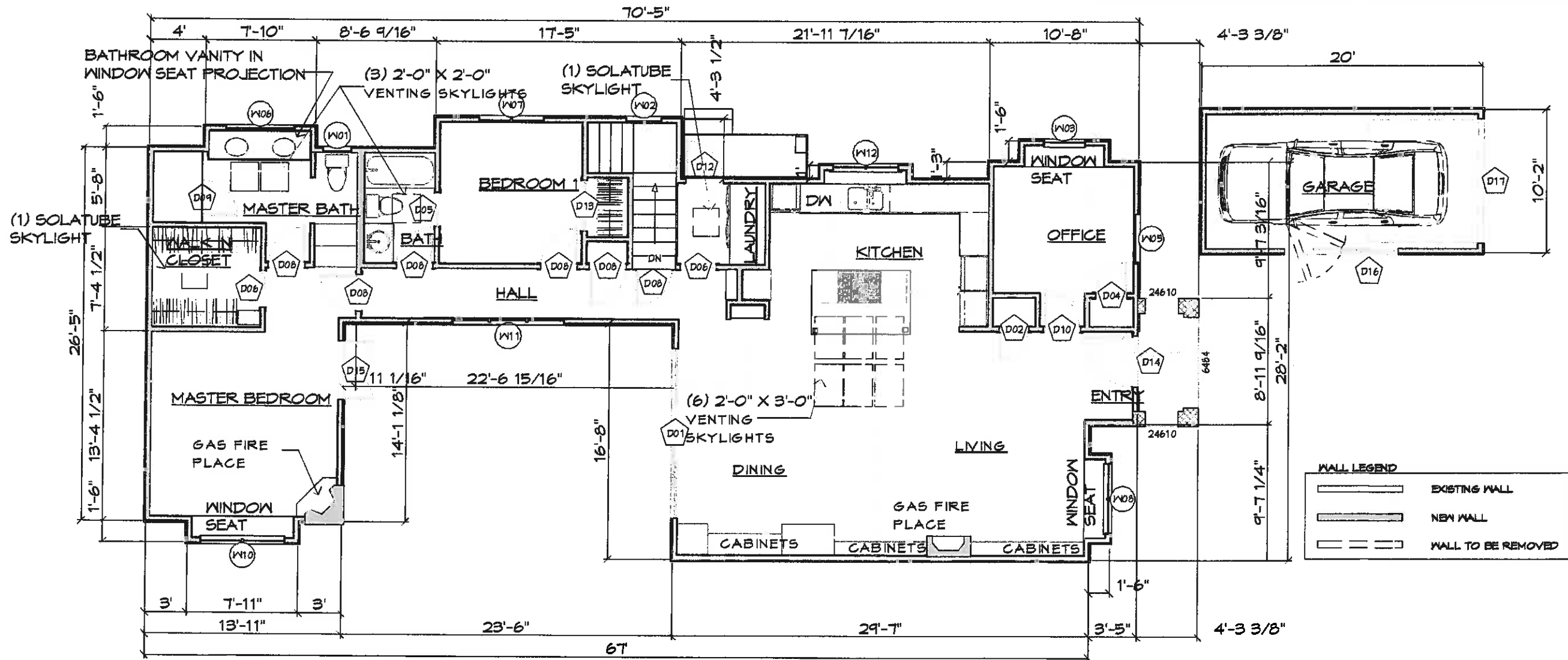


LOBOS STREET

EDGE OF PAVEMENT

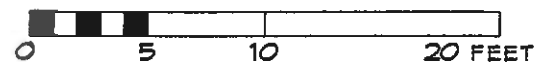
WINDOW SCHEDULE						
NUMBER	QTY	SIZE	TEMPERED	EGRESS	DESCRIPTION	COMMENTS
W01	1	2126SC	YES		SNGL CASEMENT-HR	
W02	1	26310SC			SNGL CASEMENT-HR	
W03	1	3040SC	YES		SNGL CASEMENT-HR	
W05	1	3662SC		YES	SNGL CASEMENT-HR	
W06	1	41118AW			AWNING	
W07	1	48311DC		YES	DBL CASEMENT-LHL/RHR	
W08	1	5050DC	YES		DBL CASEMENT-LHL/RHR	
W10	1	6059DC	YES		DBL CASEMENT-LHL/RHR-AT	
W11	1	8039TC	YES		TRIPLE CASEMNT-LHL/RHR	
W12	1	4862DC			DBL CASEMENT-LHL/RHR-AT	

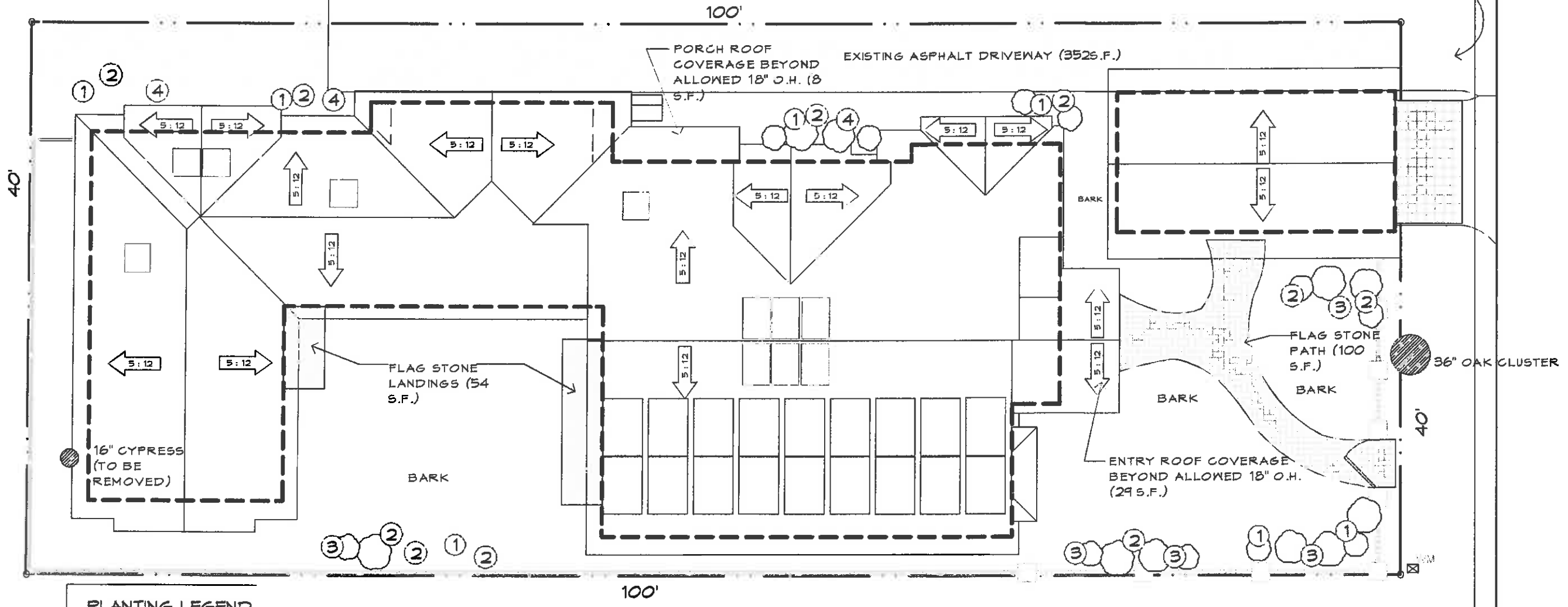
DOOR SCHEDULE						
NUMBER	QTY	SIZE	DESCRIPTION	THICKNESS	COMMENTS	
D01	1	12076 L EX	EXT. TRIPLE SLIDER-GLASS	1 3/8"		
D02	1	2068 R IN	HINGED-DOOR P04	1 3/8"		
D04	1	2268 R IN	HINGED-DOOR P04	1 3/8"		
D05	1	2468 R	POCKET-DOOR P04	1 3/8"		
D06	2	2668 L	POCKET-DOOR P04	1 3/8"		
D08	6	2668 R IN	HINGED-DOOR P04	1 3/8"		
D09	1	2668 R IN	HINGED-GLASS DOOR SC02	1 3/8"		
D10	1	2670 L IN	HINGED-DOOR P04	1 3/8"		
D12	1	2868 L EX	EXT. HINGED-SIDE DOOR PERRY 2	1 3/4"		
D13	1	3668 L/R	DOUBLE POCKET-DOOR P04	1 3/8"		
D14	1	3678 R EX	EXT. HINGED-DOOR S01	1 3/4"		
D15	1	4274 L/R EX	EXT. DOUBLE HINGED-GLASS	1 3/4"		
D16	1	8071 R EX	EXT. SLIDER-GLASS	1 3/4"		BARN DOOR SLIDER
D17	1	88710	GARAGE-CURTIS	1 3/4"		
D18	1	26210 L IN	HINGED-DOOR P04	1 3/8"		



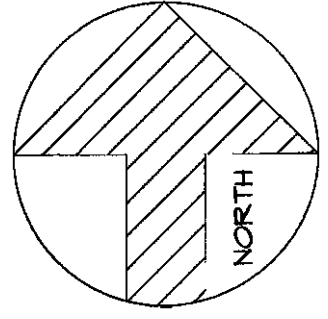
FLOOR PLAN - PROPOSED

SCALE 1/8" = 1'-0"



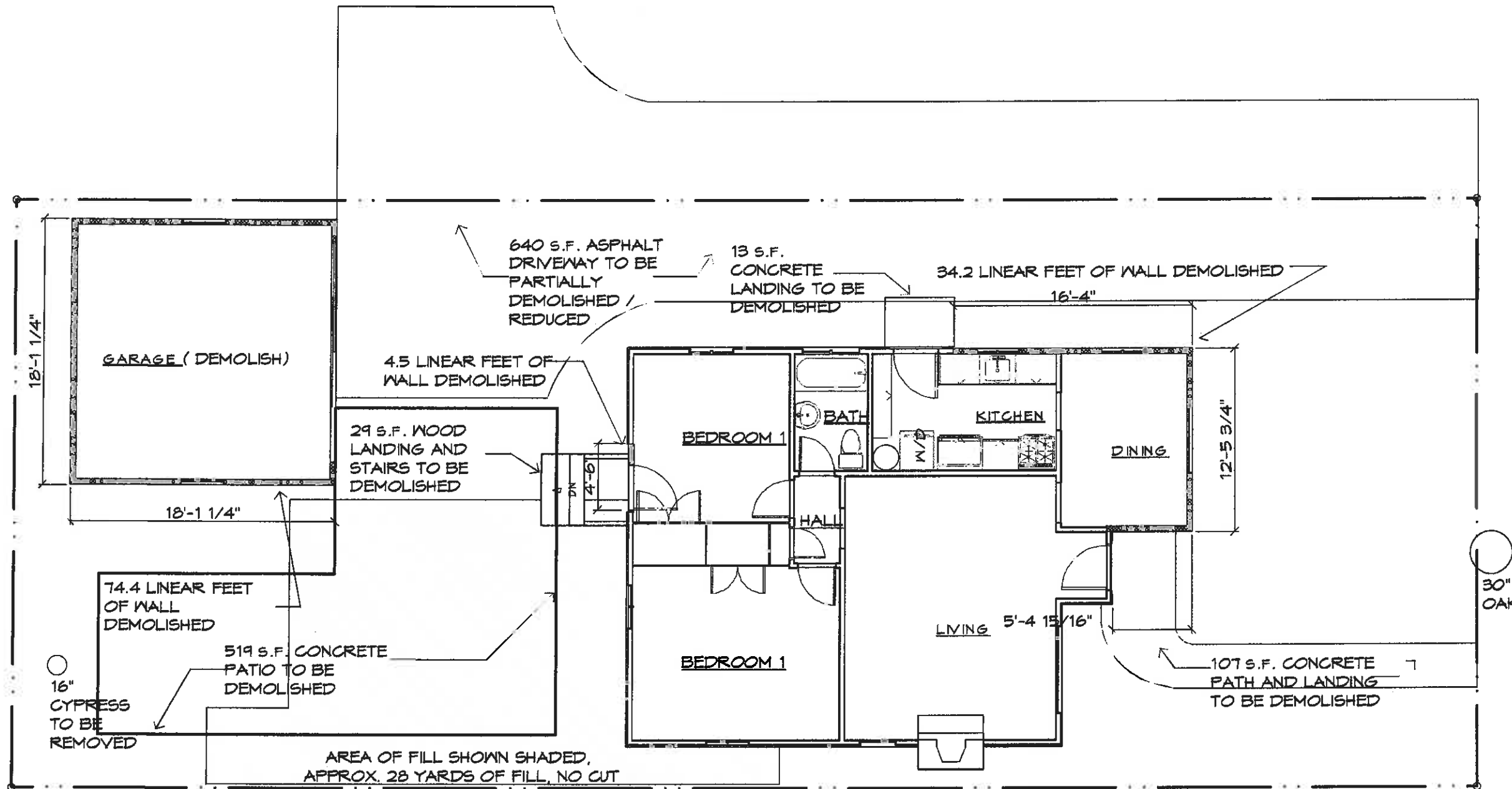


- PLANTING LEGEND**
- ① BOXUS SEMPERVIRENS
 - ② ATHYRIUM NIPPONICUM
 - ③ CAYATHEA COOPERI
 - ④ OPHIOPOGON JAPONICUS



LANDSCAPE PLAN / ROOF PLAN

SCALE 1/8" = 1'-0"

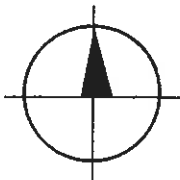
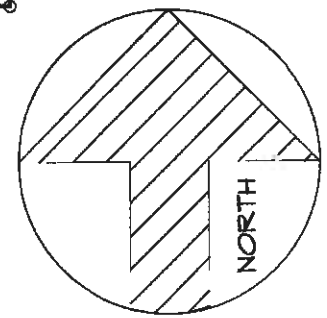


TOTAL LINEAR FOOTAGE OF EXISTING WALLS = 206.4
 TOTAL LINEAR FOOTAGE OF DEMOLISHED WALLS = 113.1
 (55%)

WALL LEGEND

— EXISTING WALL

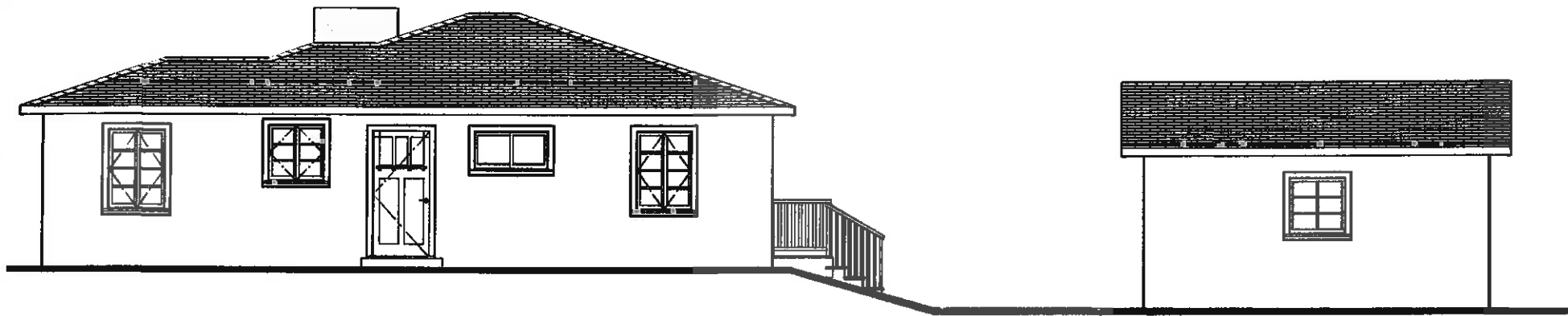
--- WALL TO BE REMOVED



WALL REMOVAL TAKE DOWN AND GRADING PLAN

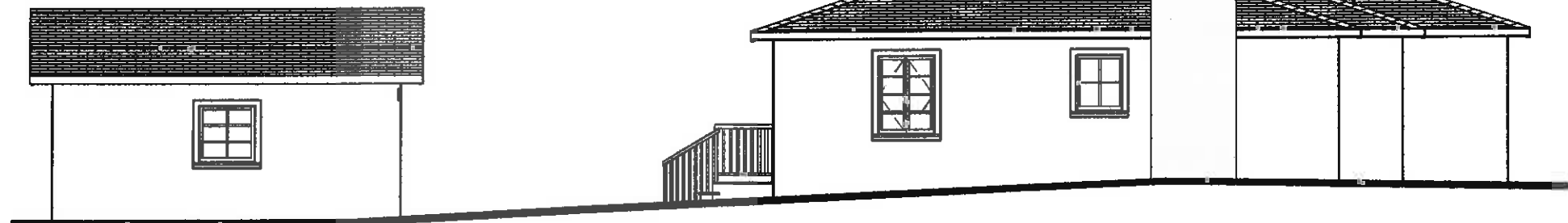
SCALE 1/8" = 1'-0"





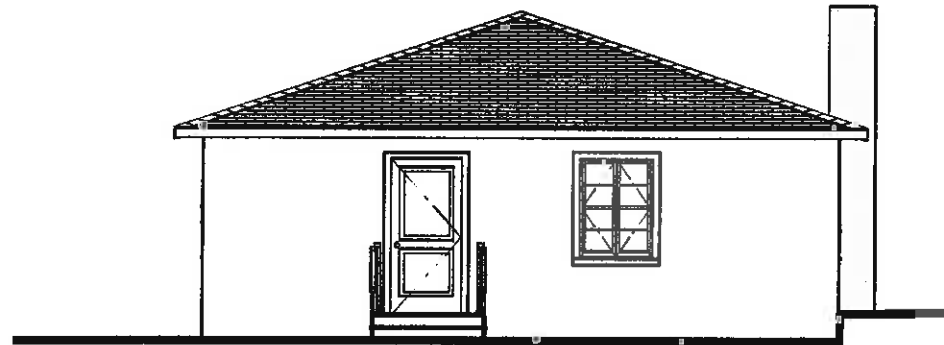
NORTH ELEVATION - EXISTING

SCALE 1/8 = 1'-0"



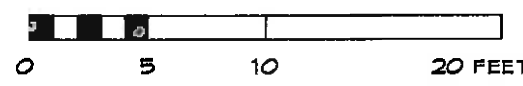
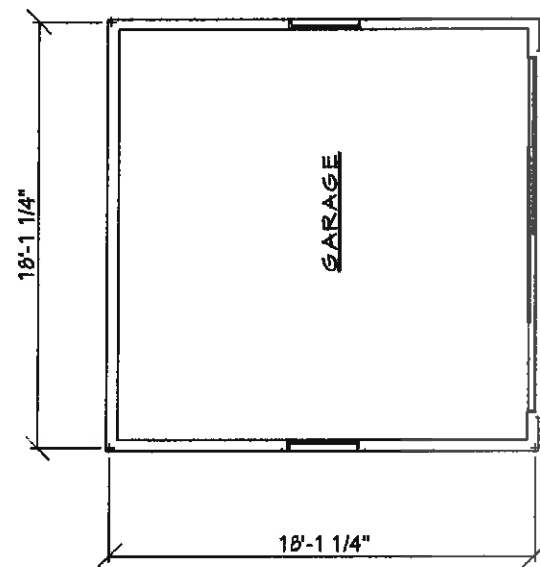
SOUTH ELEVATION - EXISTING

SCALE 1/8 = 1'-0"



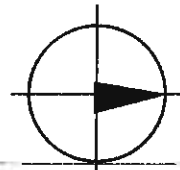
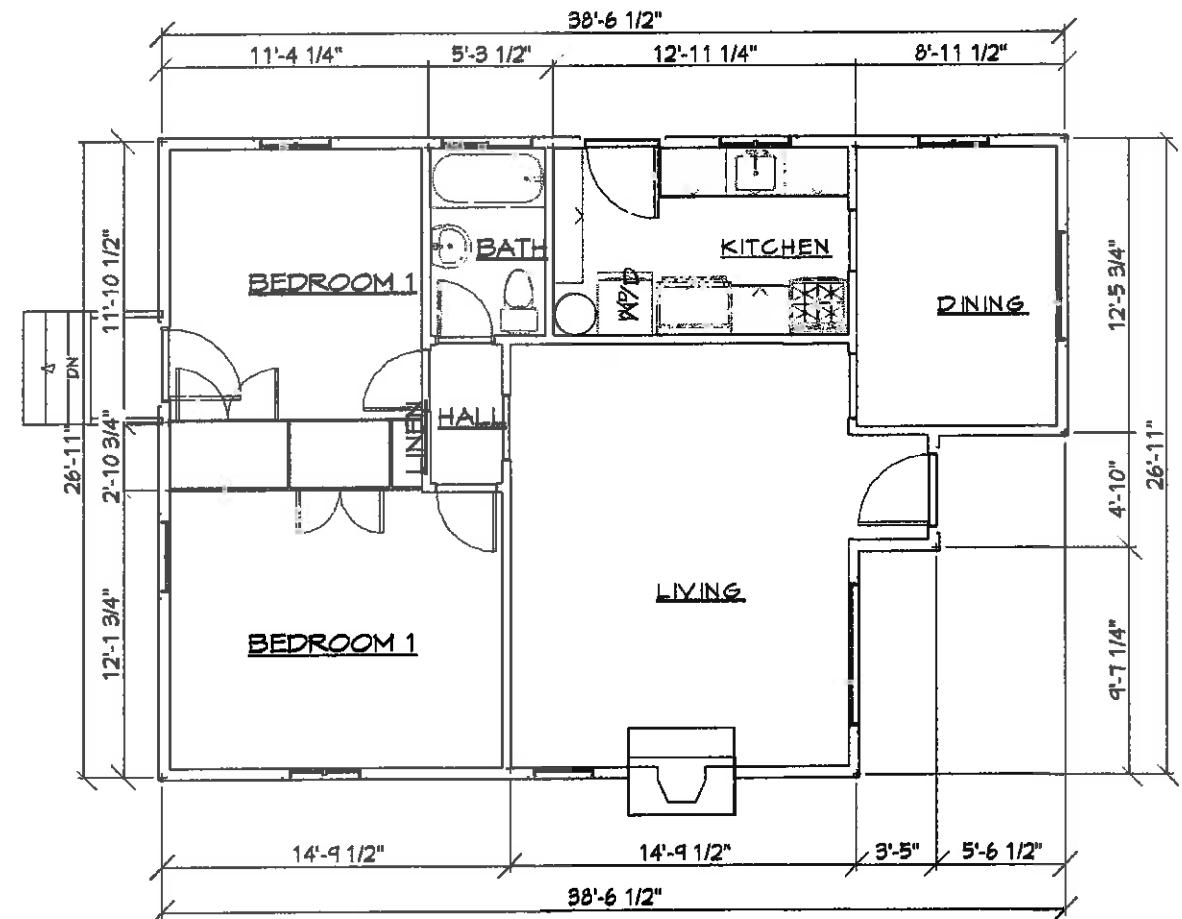
WEST EXISTING

SCALE 1/8 = 1'-0"



EAST EXISTING

SCALE 1/8 = 1'-0"



FLOOR PLAN - EXISTING

SCALE 1/8 = 1'-0"



CITY OF CARMEL-BY-THE-SEA

Planning Commission Report

July 9, 2014

To: Chair Reimers and Planning Commissioners

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

Submitted by: Christy Sabdo, Contract Planner

Subject: Consideration of a Concept Design Study (DS 14-39) and associated Coastal Development Permit application for the substantial alteration of an existing residence located in the Single-Family Residential (R-1) Zoning District

Recommendation:

Accept the Conceptual Design Study (DS 14-39) subject to the attached findings and recommendations/draft conditions

Application:	DS 14-39	APN:	010-102-011
Block:	25	Lot:	18
Location:	Torres St. 2 NE of 3 rd Avenue		
Applicant:	Adam Jeselnick	Property Owner:	Matt Alexander

Background and Project Description:

The project site is located on Torres Street two northeast of Third Avenue. The property is developed as a one-story residence with horizontal-wood siding and is 1,138 square feet in size. The residence maintains an informal forested appearance in the City Right-of-Way along Torres Street with pine trees, rolled edges, and no sidewalks. Existing improvements within the City ROW include gravel for a parking area, a concrete driveway, and a rock wall, all of which are proposed for removal.

A Final Determination of Historic Ineligibility for the subject residence was issued by the Community Planning and Building Department on July 2, 2014.

The applicant's proposal includes:

- 1) the remodeling of and a 455-square foot addition to an existing single-family residence,
- 2) a new wood-shake roof,
- 3) a repair of the existing brick porch and steps,
- 4) a new decomposed granite (DG) driveway,
- 5) a re-building of the existing detached garage in the approximate existing location, and
- 6) new landscaping.

Staff has scheduled this application for conceptual review. The primary purpose of this meeting is to review and consider the site planning, privacy and views, mass, and scale related to the project. However, the Commission may provide input on other aspects of the design such as architectural detailing and finish materials.

PROJECT DATA FOR A 4,000 SQUARE FOOT SITE:			
Site Considerations	Allowed	Existing	Proposed
Floor Area	1,800 sf (45%)	1,370 sf (34.2%)	1,798 sf (44.9%)
Site Coverage	556 sf (13.9%)	913 sf (22.8%)	555 sf (13.8%)
Trees (upper/lower)	3/1 (recommended)	2/6	2/3
Ridge Height (1 st /garage)	18 ft/15ft	14 ft. to 14 ft. 6in.(elevation change)/ 9 ft. to 9ft 6 in. (slanted roof)	14 ft./ 8 ft 9 in.
Plate Height (1 st /garage)	12 ft	10 ft./9 ft. to 9 ft. 6 in.	8 ft 9 in.
Setbacks	Minimum Required	Existing	Proposed
Front (house/brick porch)	15 ft.	16 ft 3 in./ 9 ft. 7½in.	No change/No change
Composite Side Yard (house/garage)	10ft (25%)	12 ft. (30%)/ 6 ft 4½ in. (15.9%)	8 ft. 10½ in. (22.2%)/ 4 ft. 4½in. (10.9%)
Minimum Side Yard	3 ft.	3 ft.	>1ft.
Rear	3 ft./15ft.	24 ft (from house)	8 ft. (new 455 sf addition)

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 City Forester has not recommended that any new trees be planted. However, the site contains six lower-canopy trees: two Coast live oaks, two Pittosporum, one Black acacia, and one Italian buckthorn. The two upper-canopy Monterey Pines and one of the Coast live oaks are significant. One Coast live oak, the Black acacia, and the two Pittosporums are moderately-significant. The Italian buckthorn is not-significant because it has signs of rot and stem decay, and is at high risk to fail at the soil line. The Italian buckthorn is proposed to be removed, along with two of the moderately significant 10” Pittosporum at the rear of the property and a moderately significant 6” Oak located at the south side of the property. In addition, in the City ROW, a 10’ pine tree is proposed for removal. The City Forester is recommending the removal of this pine tree because it is directly in line with the power lines above. The applicant has applied for a tree removal permit for the proposed tree removals on-site. The applicant is proposing a new oak tree on the property frontage. In addition, the City Forester is recommending the applicant remove the ivy from the site and within the City ROW. Staff has drafted a condition for the applicant to note ivy removal on the proposed landscape plan.

Privacy & Views: Residential Design Guidelines 5.1 through 5.3 pertain to maintenance of “*privacy of indoor and outdoor spaces in a neighborhood*” and “*organize functions on a site to preserve reasonable privacy for adjacent properties*” and maintain of “*view opportunities.*”

The proposed new additions to the residence would not impact the privacy or views of neighboring residences. The proposed new residential additions would be approximately 14-ft in height and would be located both at the rear and south side of the property. In addition, the proposed new 6-ft fence along the north, east, and south property line would help retain privacy between properties.

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.*”

Staff has not identified any impacts associated with massing and bulk. The applicant is proposing to expand the existing residence by 455 square feet. The addition will be single-story

and 14-ft high. The additions are located towards the rear of the property and are not highly visible from Torres Street. The proposed new garage will be built in approximately the same location as the existing garage and will be reduced in size by 27 feet. With regard to mass and bulk, the proposed addition is consistent with Design Guidelines 7.1 through 7.5.

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.”*

The proposed residential addition is integrated into the existing residence without creating a “busy” or complicated appearance. The additions would have a gabled-roof design with a roof pitch of 5:12, which matches the existing roof. Staff notes that the front building element would maintain its existing 8:12 pitch.

Detached Garage: Residential 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 include avoiding impacts on significant trees and providing diversity to the streetscape.

The garage to be re-built maintains approximately the same coverage from 232 square feet to 205 square feet; however the new garage is proposed to be located within the side-yard setback and composite side-yard setback, approximately 1-ft from the south property line. Staff supports the location of the new garage due to the restrictions of a narrow lot, however staff recommends shifting the garage an additional 1-ft 6-in. north, away from the south side-yard property line to allow for future maintenance of the garage and to reduce potential tunneling effects with neighboring structures. One 6-inch oak tree, located next to the south property line, is proposed to be removed; however, the tree has not been deemed significant.

Public ROW: The front of the property, in the City ROW, is developed with a gravel public parking area, a rock wall at the northernmost part of the City ROW, and the existing gravel driveway. At the request of staff, the applicant is proposing to improve the property frontage by removing gravel from the parking area, removing the rock wall, and replacing the gravel driveway with decomposed granite. To avoid loose material from migrating into the City ROW, a condition has been drafted that the portion of the D.G. driveway within the City ROW be

installed with a resin binder. The applicant proposes to improve this forested appearance by removing gravel and a rock wall within the City ROW.

Environmental Review: The proposed project is categorically exempt from CEQA requirements, pursuant to Section 15301 (Class 1) – Existing Facilities. The project includes a 660-square foot addition to an existing 1,370-square foot residence, and therefore qualifies for a Class 1 exemption. The project presents no significant environmental impacts.

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 south along Torres St.



Front of residence along Torres St.



Existing garage



Rear of subject property



Attachment B – Findings for Concept Acceptance

DS 14-39 (Alexander)
 July 9, 2014
 Concept Findings
 Page 1

<u>FINDINGS REQUIRED FOR CONCEPT DESIGN STUDY ACCEPTANCE (CMC 17.64.8 and LUP Policy P1-45)</u> 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.		
Municipal Code Finding	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.	✓	

<p>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.</p>	<p>✓</p>	
<p>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.</p>	<p>✓</p>	
<p>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.</p>	<p>✓</p>	
<p>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.</p>	<p>✓</p>	
<p>12. Any deviations from the Design Guidelines are considered minor and reasonably relate to good design principles and specific site conditions.</p>	<p>✓</p>	

Attachment C – Recommendations/Draft Conditions

DS 14-39 (Alexander)

July 9, 2014

Recommendations/Draft Conditions

Page 1

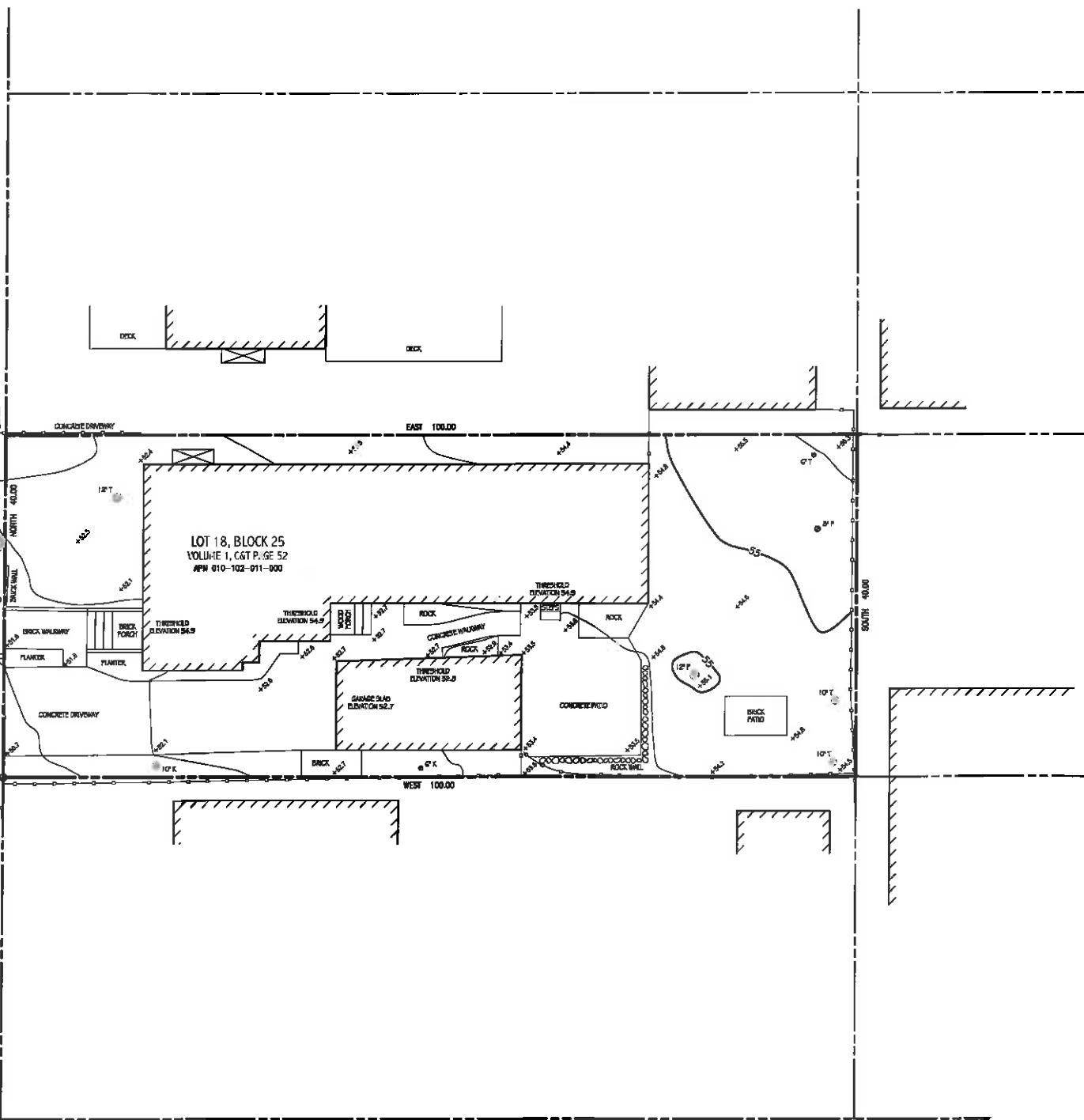
Recommendations/Draft Conditions	
No.	
1.	The applicant shall remove the non-significant Italian Buckthorn due to high risk of fail at the soil line and shall remove ivy from the site and City ROW. These changes shall be noted on the proposed site plan and landscape plan as part of the submittal of Final Design Study plans.
2.	The applicant shall provide a note on the proposed site plan and building plans that identifies the following materials for the driveway. The driveway within the City ROW and the short return shall be decomposed granite with a resin binder. The driveway within the property boundaries shall be loose decomposed granite to maintain permeability.
3.	As part of the submittal of Final Design Review plans, the applicant shall revise plans showing that the new garage has been shifted out of the 3-foot minimum southern side-yard setback.
4.	Prior to final building inspection, the applicant shall remove all existing gravel and the rock wall located in the City ROW as indicated on the project plans. The existing gravel and rock wall shall be noted as proposed for removal on the site and landscape plans submitted for final Planning Commission review.

LEGEND:

- RECORD BOUNDARY
- RECORD RIGHT OF WAY
- RECORD LOT LINE
- OLD RECORD LINE
- ◆ PROJECT BENCHMARK
- 50 --- CONTOUR (MAJOR)
- 17 --- CONTOUR (MINOR)
- EDGE OF PAVEMENT
- LIP OF GUTTER
- FACE OF CURB
- CURB AND GUTTER
- BACK OF CURB
- SIDEWALK
- BACK OF SIDEWALK
- DRIVEWAY
- EDGE OF DRIVEWAY
- FLOWLINE
- BUILDING
- BUILDING OUTLINE
- CHIMNEY
- STEP
- PLANTER
- STEP
- WATER LINE
- WV --- WATER VALVE
- WM --- WATER METER
- FH --- FIRE HYDRANT
- HB --- HOSE BIB
- ICV --- IRRIGATION CONTROL VALVE
- SS --- SANITARY SEWER LINE
- SM --- SANITARY SEWER MANHOLE
- SC --- SANITARY SEWER CLEAN-OUT
- SD --- STORM DRAIN
- SDM --- STORM DRAIN MANHOLE
- AD --- AREA DRAIN
- SDCB --- STORM DRAIN CATCH BASIN
- EL --- ELECTRIC LINE
- UP --- UTILITY POLE
- GW --- GUY WIRE
- EV --- ELECTRIC VAULT
- UV --- UTILITY VAULT
- SL --- STREET LIGHT
- G --- GAS LINE
- GM --- GAS METER
- TL --- TELEPHONE LINE
- TS --- TELEPHONE STANDARD
- TV --- CABLE TELEVISION LINE
- CTB --- CABLE TELEVISION BOX
- WF --- WOOD FENCE
- ROCK WALL
- ROCK RETAINING WALL
- TPK --- TREE WITH SIZE AND TYPE
- c --- CYPRESS
- p --- PINE
- o --- OAK
- t --- TREE
- SPOT ELEVATION

TORRES STREET
[A 50 FOOT WIDE CITY STREET]

PROJECT BENCHMARK
1/2" IRON PIPE
ELEV=50.0



RECORD DESCRIPTION:

PER CALIFORNIA PUBLIC TITLE COMPANY PRELIMINARY REPORT:
Order Number 072301470-45
The land referred to is situated in the County of Monterey, City of Carmel, State of California, and is described as follows:
Lot Numbered 18 in Block Numbered 25, said Lot and Block are shown on that certain Map entitled, Map of "Carmel City, Monterey County, Cal. Surveyed by J. C. Little, April 1887", filed for record File # 1, 1298 in the Office of the County Recorder of the County of Monterey, State of California, in Volume 1 of Maps, "Cities and Towns", of Page 52.
APN: 010-102-011

BENCHMARK:

ELEVATIONS FOR THIS SURVEY ARE BASED ON AN ASSUMED DATUM. AN ELEVATION OF 50.00 HAS BEEN ASSIGNED TO A 1/2" IRON PIPE FOUND AT THE SOUTHWEST CORNER 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.
2. ENCUMBRANCES 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. TREE TYPES ARE INDICATED WHERE KNOWN. DIAMETER OF TREE ARE SHOWN IN INCHES AND ARE APPROXIMATE ONLY, TO BE VERIFIED BY AN APPROVED ARBORIST. TREES SMALLER THAN 6" ARE NOT NECESSARILY SHOWN. DIRECTION OF GROWTH AND DRIP LINE SHAPE TO BE VERIFIED BY OTHERS.
6. POSITION AND DIMENSIONS (IF ANY) OF BUILDINGS ARE SHOWN HEREON APPROXIMATE ONLY DUE TO IRREGULAR SHAPE OF BRICK FACING, POPOUTS, BULLNOSE CORNER, ETC.
7. NOT ALL UTILITY BOBES AND/OR UTILITY STRUCTURES ARE SHOWN INCLUDING BUT NOT LIMITED TO HOSE BIBS AND DRIFTION VALVES. ONLY THE VISIBLE UTILITY BOBES AND/OR UTILITY STRUCTURES THAT WERE CONSIDERED TO CONVEY THE GENERAL UTILITY CONDITIONS ARE SHOWN.
8. THIS MAP CORRECTLY REPRESENTS A SURVEY PREPARED BY ME AND/OR UNDER MY DIRECTION, FROM FIELD DATA COLLECTED IN FEBRUARY OF 2014.

THIRD AVENUE
[A 50 FOOT WIDE CITY STREET]



TOPOGRAPHIC SURVEY
FOR
TORRES STREET 2 NE OF THIRD AVENUE
LOT 18 IN BLOCK 25
PER
VOLUME 1 OF CITIES & TOWNS AT PAGE 52
RECORDS OF MONTEREY COUNTY

CITY OF CARMEL COUNTY OF MONTEREY STATE OF CALIFORNIA

PREPARED FOR
Harlan Bradley

by LUCIDO SURVEYORS Del Rey Oaks, California

SCALE: 1" = 8" PROJECT No. 1247 MARCH 2014

APN 010-102-011-000

GENERAL NOTES

PROJECT DATA

SCOPE OF WORK:
 REMODEL OF AND ADDITION TO AN EXISTING SINGLE-FAMILY RESIDENCE.
 RE-BUILD EXISTING DETACHED GARAGE, RE-BUILD FRONT PORCH. ALL EXT.
 MATERIALS TO MATCH EXISTING, UNLESS NOTED. NEW WOOD SHAKE ROOF.
 NEW DECOMPOSED GRANITE DRIVEWAY AND LANDSCAPING.

CONSTRUCTION TYPE: V-B
 OCCUPANCY: R-3
 FIRE SPRINKLERS: NO
 WATER: CAL-AM (E)
 SEWER: CARMEL AREA WASTE WATER DISTRICT (E)

TREE REMOVAL: FIVE (5) NOT SIGNIFICANT
 1-12" BLACK ACACIA
 1-6" OAK
 2-10" PITTOSPORUM
 1-6" RHAMNUS

GRADING: NONE

SITE COVERAGE CALCULATIONS:

(E) CONC. DRIVEWAY: 388 SF
 (E) PATIOS, WALKWAYS: 525 SF

TOTAL (E) COVERAGE: 913 SF
 *ALL (E) COVERAGE IS IMPERMEABLE
 *ALL (E) COVERAGE WILL BE REMOVED EXCEPT (E) BRICK PORCH AND STEPS
 (= 42 SF)
 *MAX. ALLOWABLE COVERAGE = 556 SF

(N) DECOMP. GRANITE DRIVEWAY: 368 SF (PERMEABLE)
 (E) BRICK PORCH AND STEPS 42 SF (IMPERMEABLE)
 (N) COURTYARD PATIO 145 SF (IMPERMEABLE CONCRETE)

TOTAL (N) COVERAGE: 555 SF
 *REDUCED BY 358 SF

FLOOR AREA CALCULATIONS:

(E) HOUSE: 1,138 SF
 (E) GARAGE: 232 SF

TOTAL (E) SF: 1,370 SF

(E) HOUSE, REMODEL 1,138 SF
 (N) HOUSE, ADDITION 455 SF
 (N) GARAGE: 205 SF

TOTAL, PROPOSED SF: 1,798 SF

*NOTE: MAX. ALLOWABLE 1800 SF

SHEET INDEX

- A1 PROJECT DATA AND SITE LOCATION
- A2 NOTES AND SPECIFICATIONS
- SITE SURVEY
- A3 SITE PLAN, EXISTING + PROPOSED
- A4 FLOOR PLAN, EXISTING + DEMOLITION
- A5 PROPOSED FLOOR PLAN
- A6 PROPOSED ROOF PLAN
- A7 EXISTING BUILDING ELEVATIONS
- A8 PROPOSED BUILDING ELEVATIONS
- L.1 PROPOSED LANDSCAPE PLAN

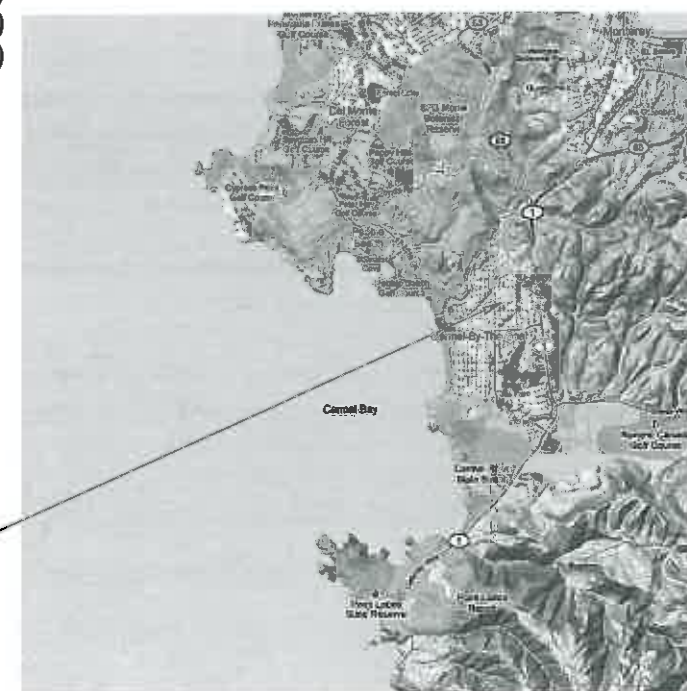
PROJECT DATA

PROPERTY ADDRESS: TORRES STREET 2 NORTH/EAST OF 3RD AVENUE
 CARMEL-BY-THE-SEA, CALIFORNIA 93921
 A.P.N. 010-102-011-000
 ZONING: R-1 SINGLE FAMILY RESIDENTIAL

OWNER: MATTHEW ALEXANDER
 C/O MASTERWORK BUILDING AND DEVELOPMENT
 P.O. BOX 23
 CARMEL-BY-THE-SEA, CALIFORNIA 93921

ARCHITECT: **ADAM JESELNICK ARCHITECT**
 3069 LORCA LANE
 CARMEL, CA 93923
 PHONE: (831) 620.5164 m
 CONTACT: ADAM JESELNICK AIA
 EMAIL: aejarch@gmail.com

CONTRACTOR: **MASTERWORK BUILDING AND DEVELOPMENT**
 P.O. BOX 23
 CARMEL, CA 93921
 PHONE: (831) 229.8002 office
 CONTACT: HARLAN BRADLEY, PRESIDENT
 EMAIL: harlan@masterworkbuilders.com



1 VICINITY MAP
 SCALE: N.T.S.

ADAM JESELNICK
 ARCHITECT

TORRES 2 N/E 3RD AVENUE
 RESIDENTIAL REMODEL
 CARMEL-BY-THE-SEA, CALIFORNIA 93921

REVISION

JUN 04 2014

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

04-18-2014

AS NOTED

A1

REVISION # 05/01/2014 PLANNING RE-SUBMITTAL
 06/02/2014 CORRECTIONS

GENERAL NOTES

1. VERIFY ALL EXISTING DIMENSIONS AND CONDITIONS AT THE SITE; CONFIRM ANY VARIATIONS OR CONFLICTING OR MISSING DIMENSIONS OR DATA PRIOR TO COMMENCING WORK. USE WRITTEN DIMENSIONS ONLY; DO NOT SCALE DRAWINGS FOR THE PURPOSE OF DETERMINING A DIMENSION DURING CONSTRUCTION.
2. CONSTRUCTION DETAILS NOT SPECIFICALLY SHOWN ON THE DRAWINGS SHALL BE BUILT TO CONFORM TO SIMILAR CONSTRUCTION, IN ACCORDANCE WITH THE BEST COMMON PRACTICE AND/OR MANUFACTURER'S SPECIFICATIONS FOR THE INSTALLATION OF THEIR MATERIALS OR ITEMS.
3. ALL CONSTRUCTION (MATERIALS, WORKMANSHIP & METHODS) SHALL COMPLY WITH TITLE 24 AND THE **2013 CALIFORNIA RESIDENTIAL BUILDING CODE (CBC)**; CALIFORNIA PLUMBING CODE (CPC), CALIFORNIA MECHANICAL CODE (CMC), CALIFORNIA ELECTRICAL CODE (CEC), CALIFORNIA ENERGY CODE, FIRE CODE, AND CALGREEN; AND ALL LOCAL AMENDMENTS AS ADOPTED BY CITY ORDINANCE.
4. THE CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR SAFETY ON THE JOB SITE AND MUST ADHERE TO ALL FEDERAL, STATE LOCAL AND O.S.H.A. SAFETY REGULATIONS.
5. DEMOLITION: CONFIRM ALL DEMOLITION REQUIREMENTS WITH THE OWNER. VERIFY WITH OWNER WHICH ITEMS, IF ANY, HE/SHE WISHES TO RETAIN FOR HIS/HER USE. ALL OTHER ITEMS TO BECOME PROPERTY OF THE CONTRACTOR AND ARE TO BE PROPERLY REMOVED FROM THE PREMISES. SEE DEMOLITION PLANS FOR ADDITIONAL INFORMATION.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL BRACING AND SHORING REQUIRED DURING CONSTRUCTION UNTIL ALL CONSTRUCTION IS COMPLETE.
7. DO NOT STORE CONSTRUCTION MATERIALS, OR OPERATE CONSTRUCTION EQUIPMENT IN SUCH A MANNER THAT DESIGN LIVE LOADS OF THE STRUCTURES ARE EXCEEDED. DO NOT STORE CONSTRUCTION MATERIALS ON OVERHANGING FRAMING.

SPECIFICATIONS

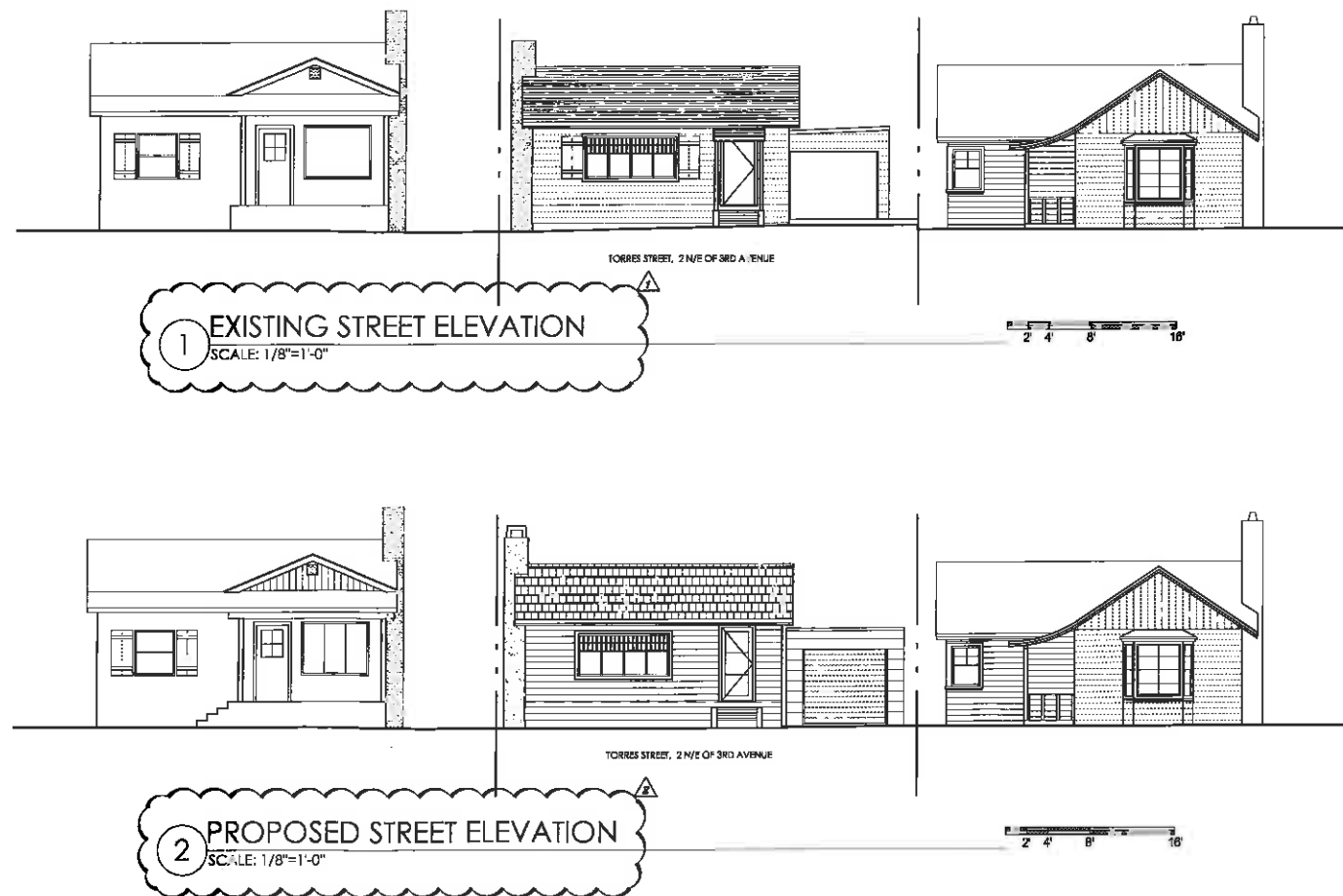
SPECIFICATIONS AS NOTED ON THE ARCHITECTURAL AND ENGINEERING PLANS.

GRADING / DRAINAGE NOTES

NO GRADING PROPOSED. EXISTING DRAINAGE TO REMAIN.

**CITY OF CARMEL-BY-THE-SEA
CONDITIONS of APPROVAL**

1.



REVISION #	DATE	DESCRIPTION
1	05/01/2014	PLANNING RE-SUBMITTAL
2	06/02/2014	CORRECTIONS

ADAM JESELNICK
ARCHITECT

TORRES 2 N/E 3RD AVENUE
RESIDENTIAL REMODEL
CARMEL-BY-THE-SEA, CALIFORNIA 93921

NOTES & SPECIFICATIONS

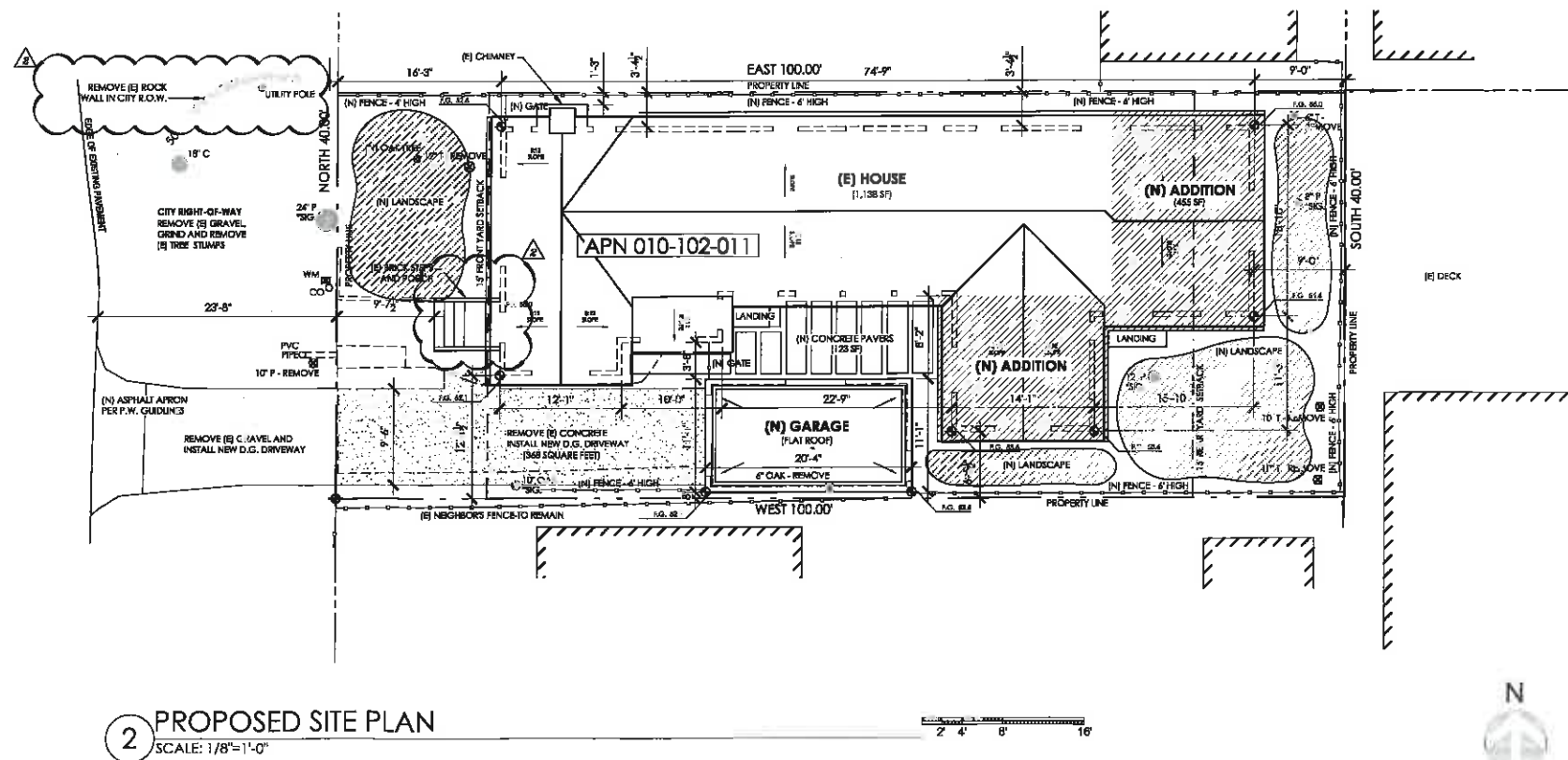
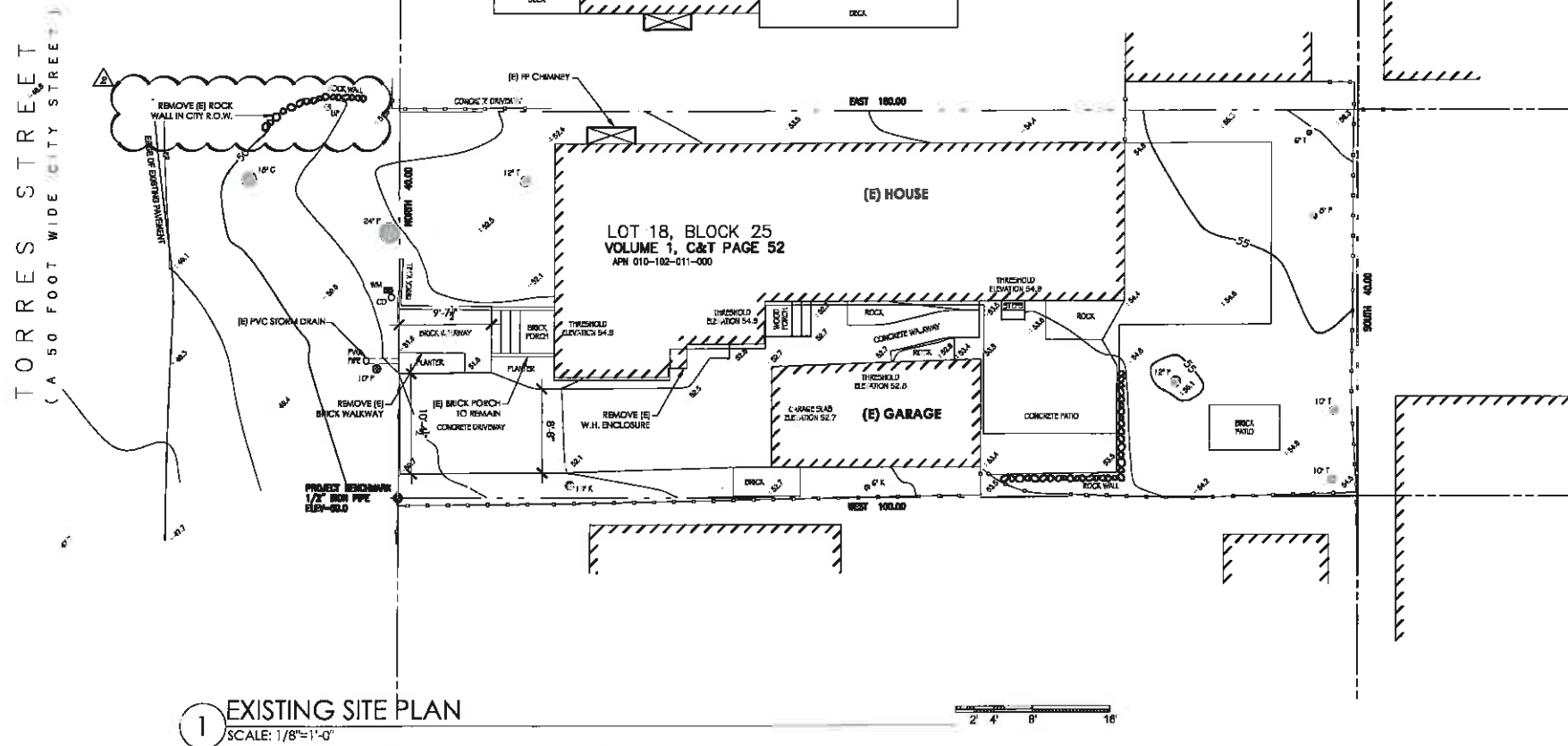
04-18-2014

AS NOTED

A2

SITE PLAN NOTES:

1. TREE REMOVAL AS NOTED ON PLAN AND APPLICATION. NO CONSTRUCTION IMPACTS TO SIGNIFICANT TREES.
2. NO CHANGE TO EXISTING SITE DRAINAGE.
3. COORDINATE UTILITIES WITH PG&E, CAWD, CAL-AM. UNDERGROUND EXISTING ELECTRICAL LINE.
4. DEMOLITION LIMITED TO AREAS NOTED ON PLAN. ALL EXISTING IMMERIABLE SITE COVERAGE TO BE REMOVED EXCEPT THE EXISTING BRICK PORCH AND STEPS.



RECEIVED

JUN 12 2014

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

REVISION #	DATE	DESCRIPTION
1	05/01/2014	PLANNING RE-SUBMITTAL
2	06/02/2014	CORRECTIONS

**ADAM JESELNICK
ARCHITECT**

TORRES 2 N/E 3RD AVENUE

RESIDENTIAL REMODEL

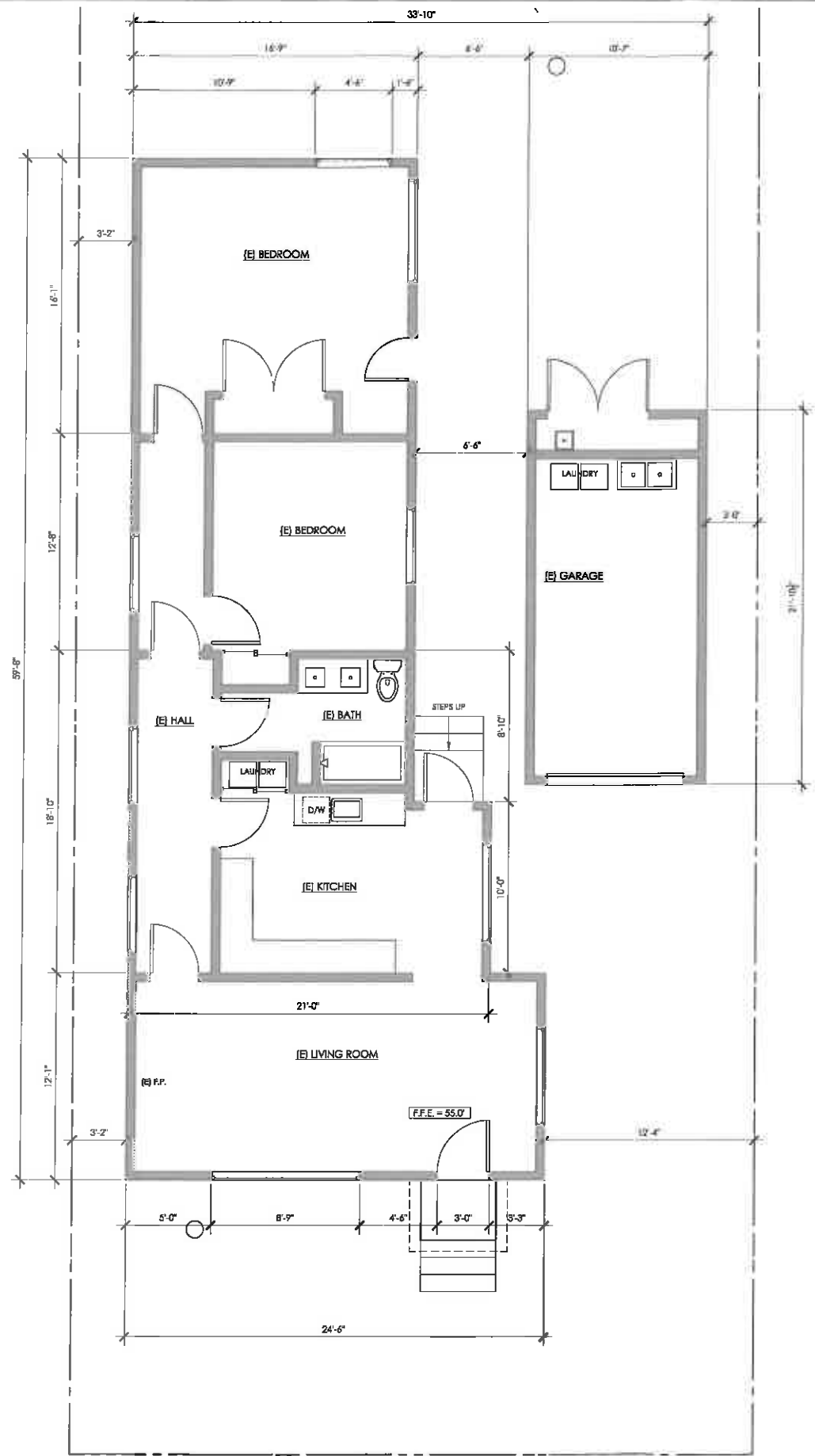
CARMEL-BY-THE-SEA, CALIFORNIA 93921

EXISTING + PROPOSED SITE PLAN

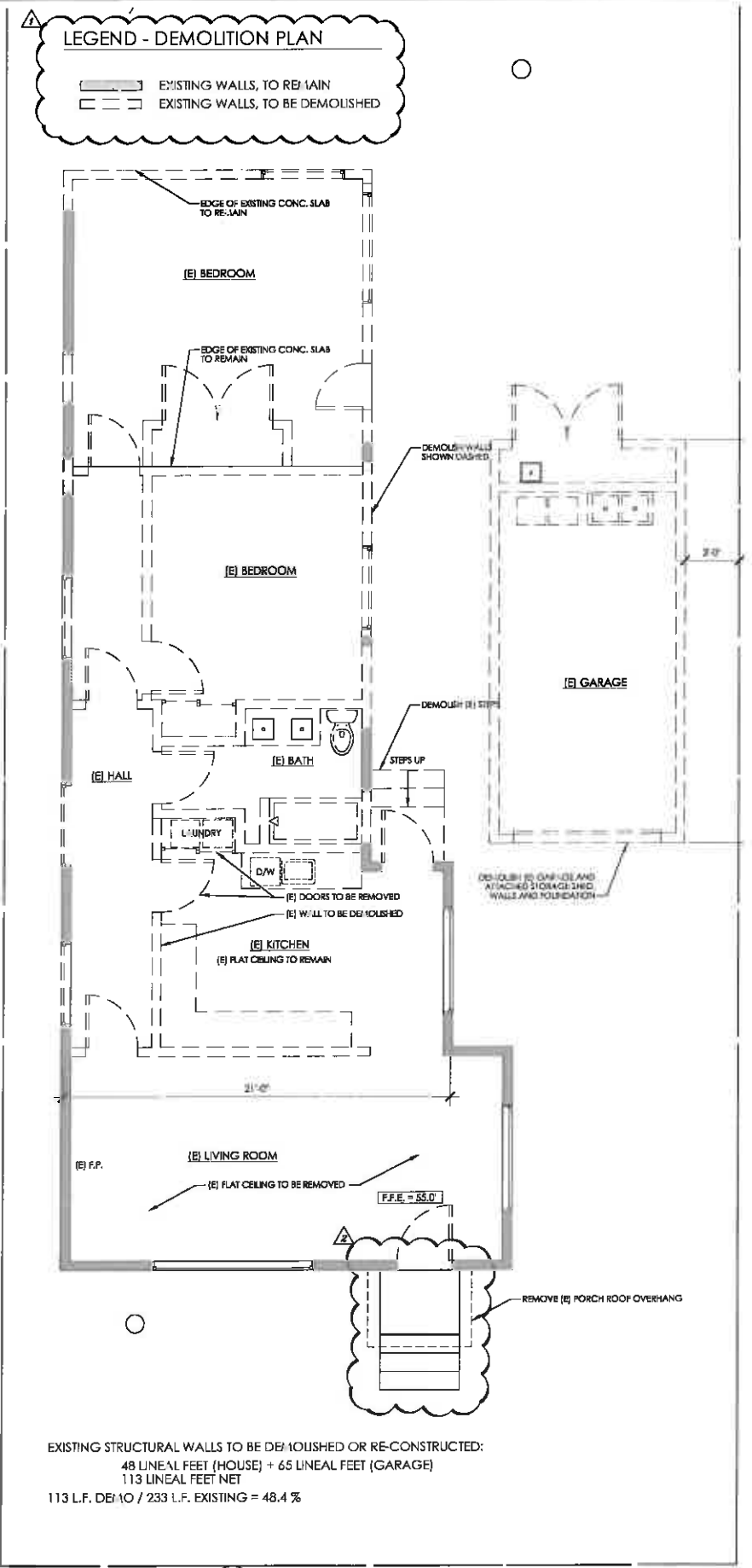
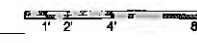
04-18-2014

SCALE: 1/8" = 1'-0"

A3



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



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



REVISION #	05/01/2014	PLANNING RE-SUBMITTAL
	06/02/2014	CORRECTIONS

ADAM JESELNICK
ARCHITECT

TORRES 2 N/E 3RD AVENUE
RESIDENTIAL REMODEL
CARMEL-BY-THE-SEA, CALIFORNIA 93921

EXISTING + DEMO
FLOOR PLAN

04-18-2014

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

A4

TORRES 2 N/E 3RD AVENUE
RESIDENTIAL REMODEL
CARMEL-BY-THE-SEA, CALIFORNIA 93921

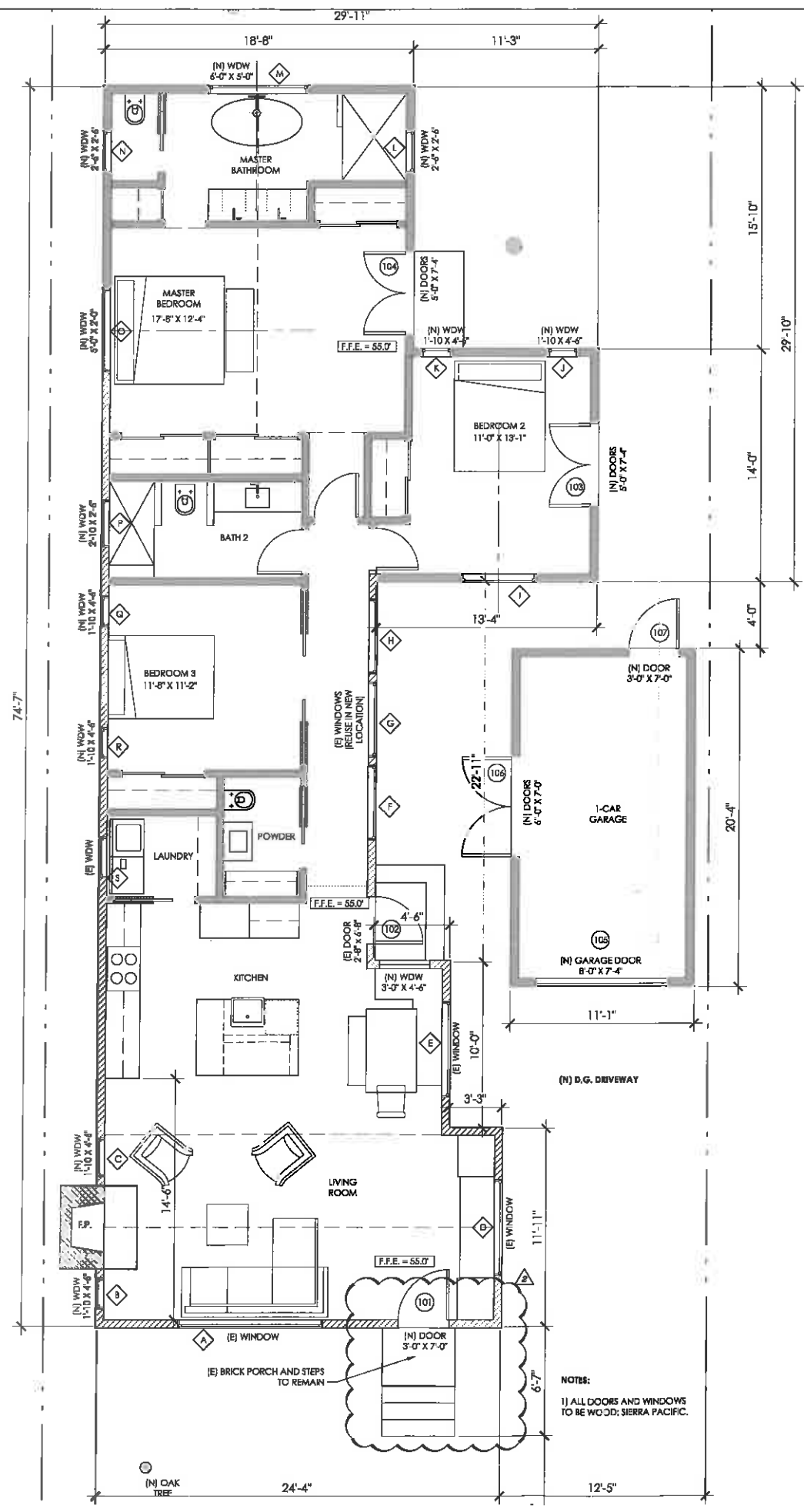
PROPOSED
PLAN + SCHEDULES
04-18-2014
SCALE: 1/4" = 1'-0"

A5

FLOOR PLAN NOTES:

- 1. NEW VAULTED CEILING AT LIVING ROOM 1.

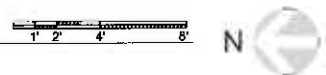
REVISION #	DATE	DESCRIPTION
1	05/01/2014	PLANNING RE-SUBMITTAL
2	06/02/2014	CORRECTIONS



NO.	TYPE	FINISH	GLASS	OPERATION	REMARKS
1	(N) WDW	6'-0" X 5'-0"	MASTER BATHROOM
2	(N) WDW	2'-8" X 2'-6"
3	(N) WDW	5'-0" X 2'-0"	MASTER BEDROOM
4	(N) WDW	1'-10" X 4'-4"	BEDROOM 2
5	(N) WDW	1'-10" X 4'-4"
6	(N) WDW	2'-10" X 2'-6"	BATH 2
7	(N) WDW	1'-10" X 4'-4"	BEDROOM 3
8	(N) WDW	1'-10" X 4'-4"
9	(E) WDW	1'-10" X 4'-4"	LIVING ROOM
10	(E) WDW	1'-10" X 4'-4"
11	(E) WDW	1'-10" X 4'-4"
12	(E) WDW	1'-10" X 4'-4"
13	(E) WDW	1'-10" X 4'-4"
14	(E) WDW	1'-10" X 4'-4"
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77	(E) WDW	1'-10" X 4'-4"
78	(E) WDW	1'-10" X 4'-4"
79	(E) WDW	1'-10" X 4'-4"
80	(E) WDW	1'-10" X 4'-4"

NO.	TYPE	FINISH	OPERATION	REMARKS
101	(N) DOOR	5'-0" X 7'-0"
102	(E) DOOR	2'-8" X 6'-8"
103	(N) DOOR	5'-0" X 7'-0"
104	(N) DOOR	5'-0" X 7'-0"
105	(N) GARAGE DOOR	8'-0" X 7'-4"
106	(E) DOOR	3'-0" X 4'-8"
107	(N) DOOR	3'-0" X 7'-0"
108	(E) DOOR	3'-0" X 4'-8"
109	(N) DOOR	5'-0" X 7'-0"
110	(N) DOOR	5'-0" X 7'-0"
111	(N) DOOR	5'-0" X 7'-0"
112	(N) DOOR	5'-0" X 7'-0"
113	(N) DOOR	5'-0" X 7'-0"
114	(N) DOOR	5'-0" X 7'-0"
115	(N) DOOR	5'-0" X 7'-0"
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121	(N) DOOR	5'-0" X 7'-0"
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137	(N) DOOR	5'-0" X 7'-0"
138	(N) DOOR	5'-0" X 7'-0"
139	(N) DOOR	5'-0" X 7'-0"
140	(N) DOOR	5'-0" X 7'-0"

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



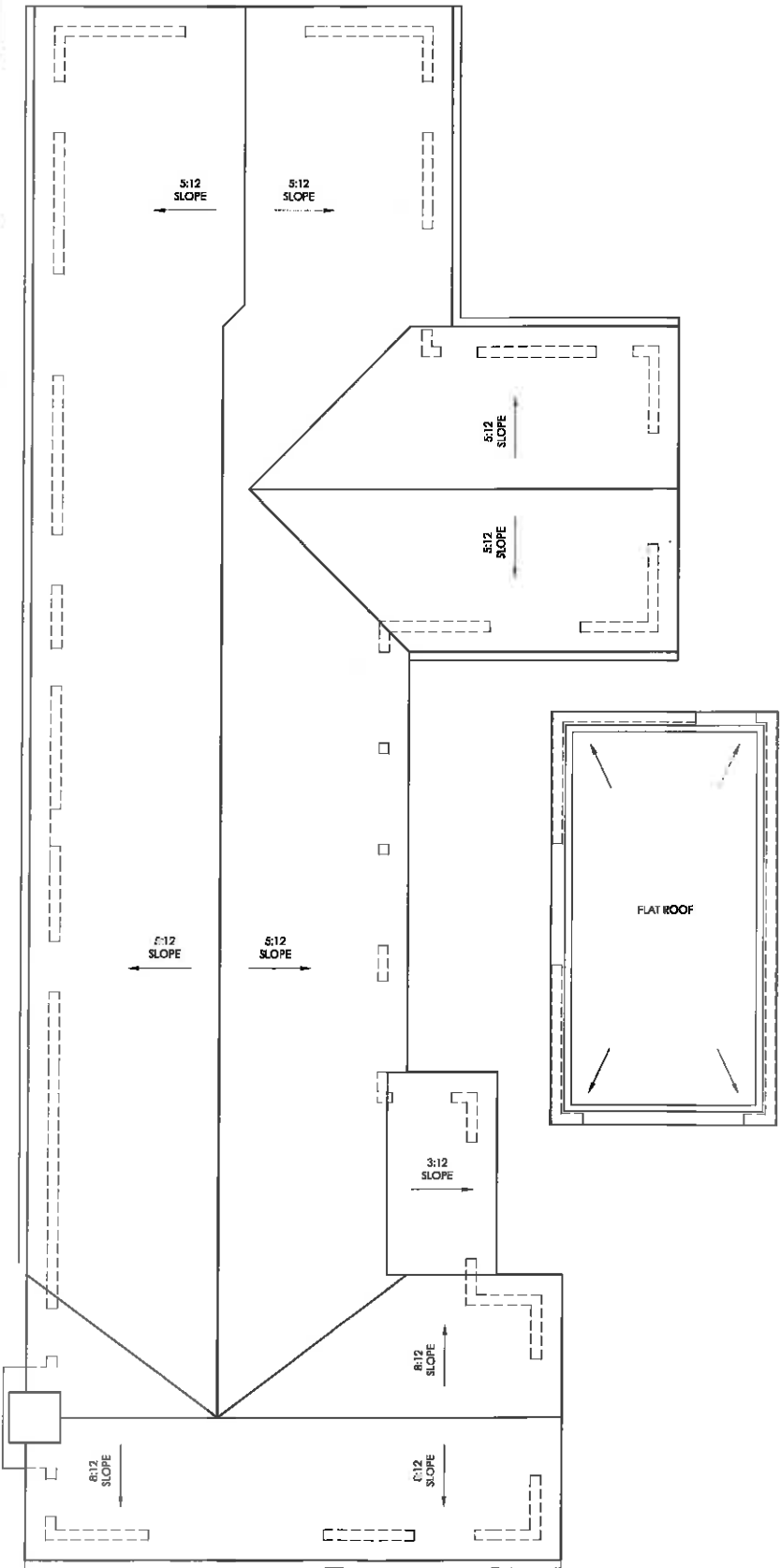
TORRES 2 N/E 3RD AVENUE
RESIDENTIAL REMODEL
CARMEL-BY-THE-SEA, CALIFORNIA 93921

PROPOSED
ROOF PLAN

04-18-2014

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

A6

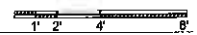


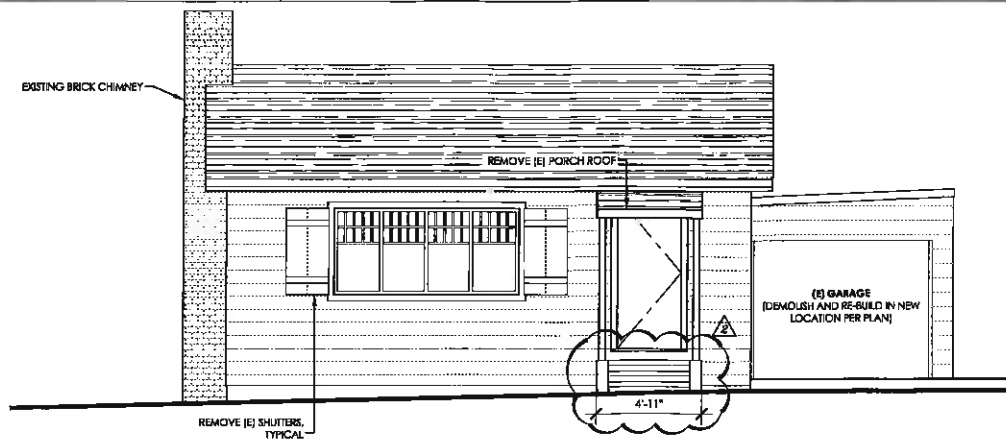
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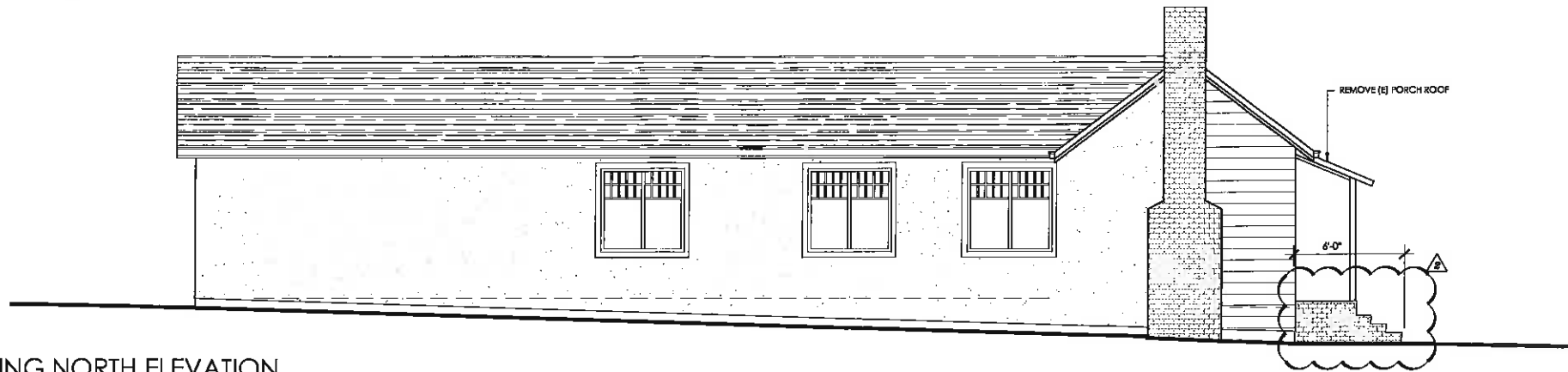
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1 PROPOSED ROOF PLAN
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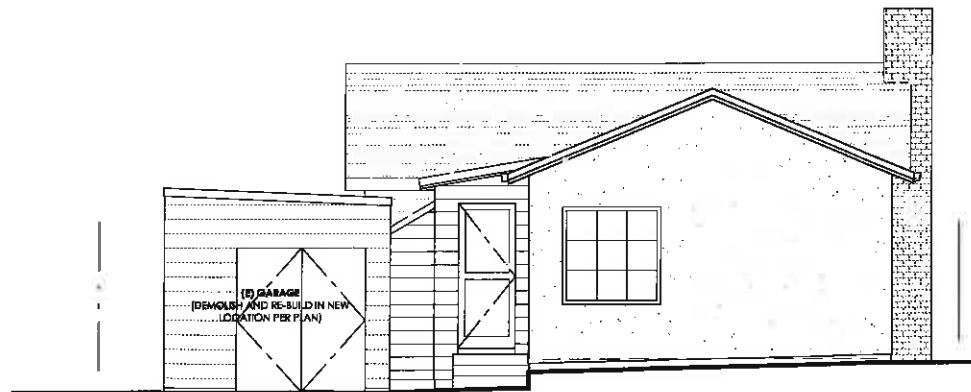




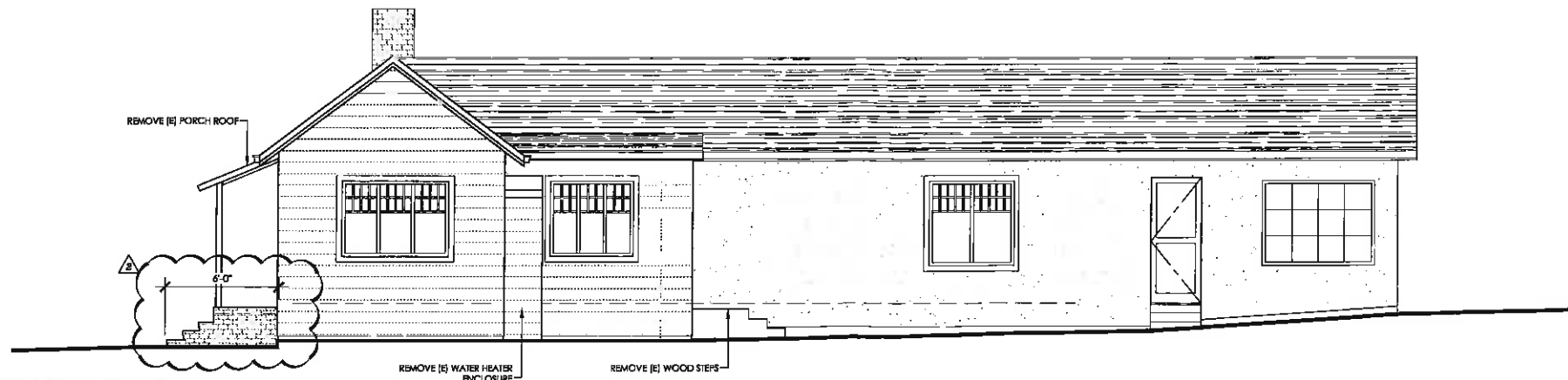
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SCALE: 1/4" = 1'-0"



2 EXISTING NORTH ELEVATION
SCALE: 1/4" = 1'-0"



3 EXISTING EAST ELEVATION
SCALE: 1/4" = 1'-0"



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

REVISION #



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02/02/2014

CORRECTIONS



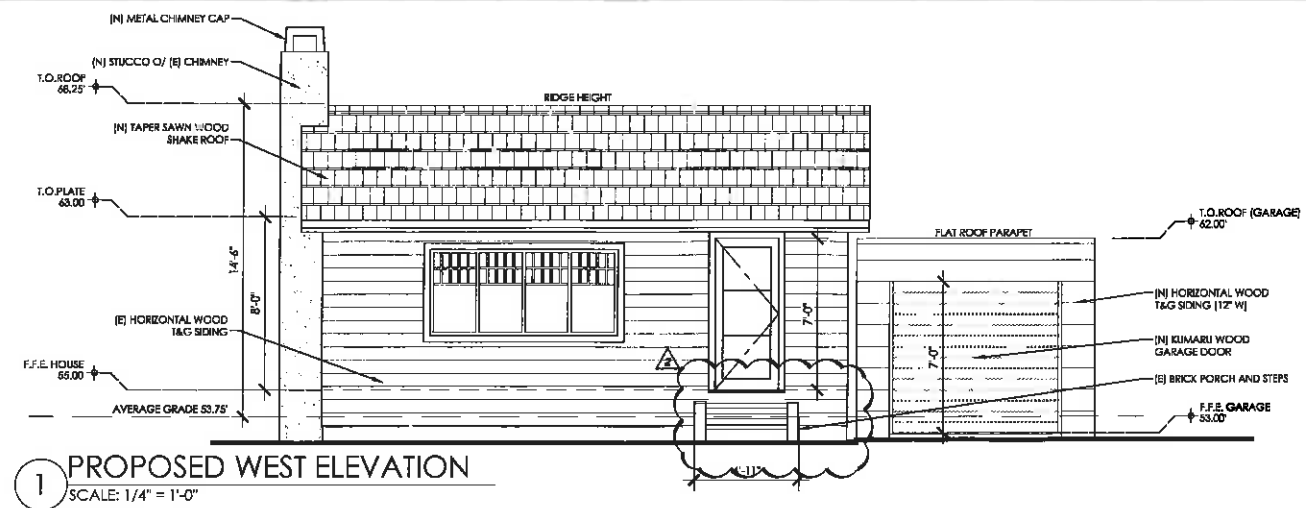
TORRES 2 N/E 3RD AVENUE
RESIDENTIAL REMODEL
CARMEL-BY-THE-SEA, CALIFORNIA 93921

PROPOSED BUILDING ELEVATIONS

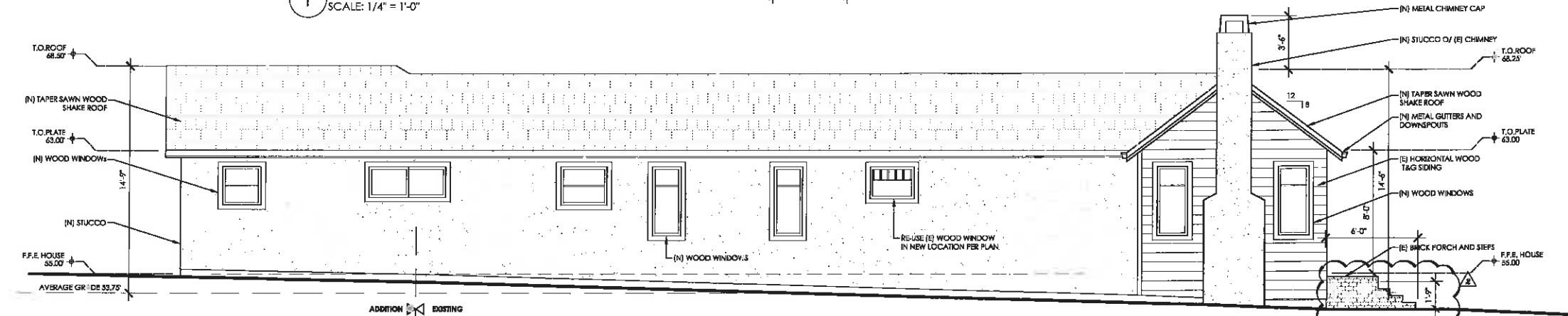
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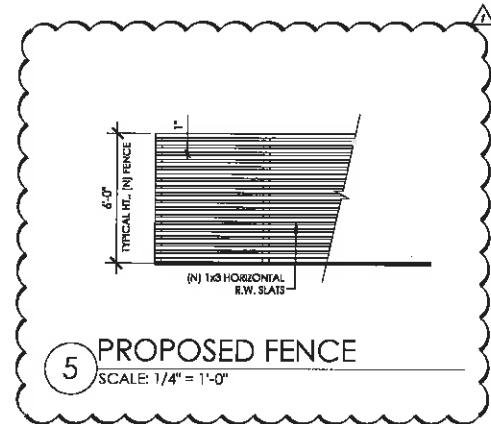
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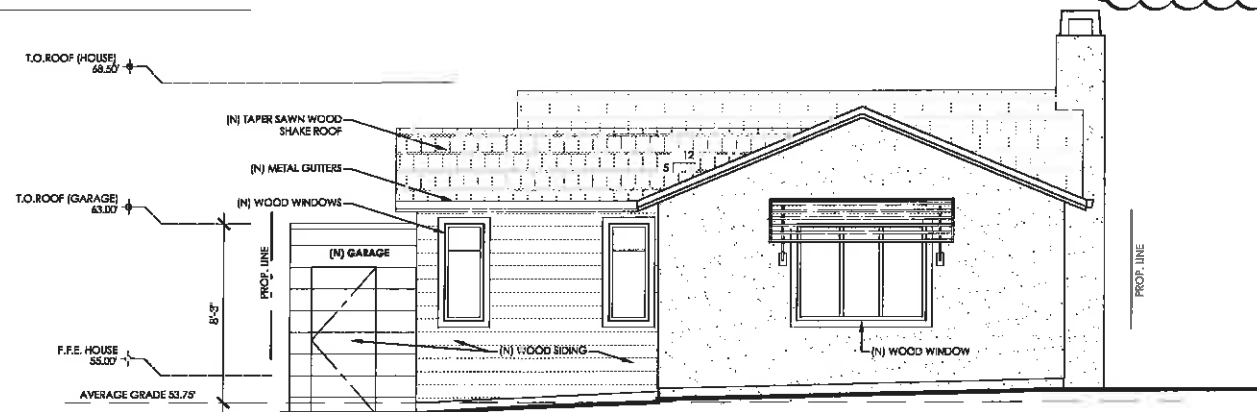
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SCALE: 1/4" = 1'-0"



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



5 PROPOSED FENCE
SCALE: 1/4" = 1'-0"



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



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

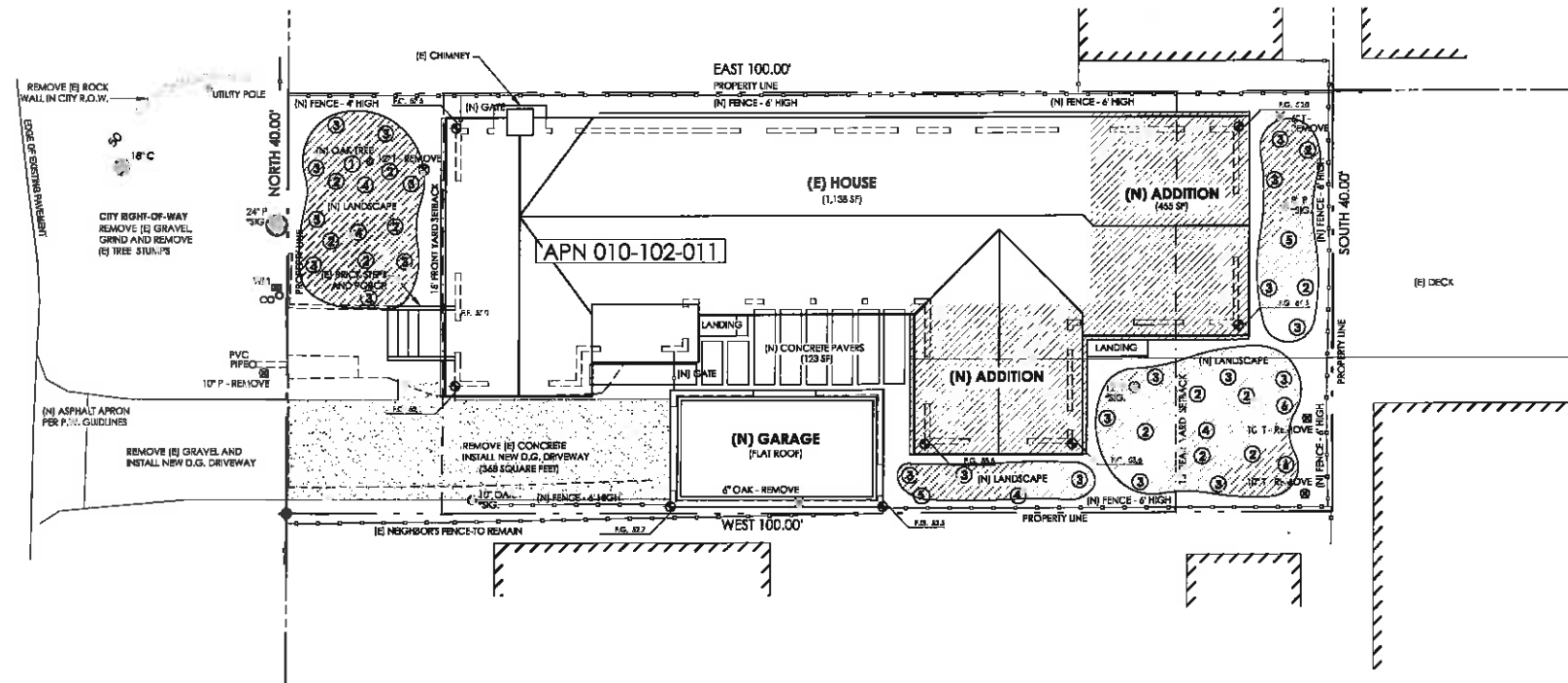
REVISION #	DATE	DESCRIPTION
1	05/01/2014	PLANNING RE-SUBMITAL
2	06/02/2014	CORRECTIONS

LANDSCAPE PLAN NOTES:

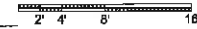
1. TREE REMOVAL AS NOTED ON PLAN AND PERMIT APPLICATION. NO CONSTRUCTION IMPACTS TO SIGNIFICANT TREES. (E) TREES TO BE PROTECTED THROUGHOUT CONSTRUCTION PER CITY FORESTERS RECOMMENDATIONS.
2. REFER TO ARCHITECTURAL SITE PLAN FOR ADDITIONAL INFORMATION REGARDING SITE FENCING, FINISH GRADES.
3. ALL NEW PLANTINGS TO BE NATIVE AND/OR DROUGHT-RESISTANT SPECIES. PLANTS TO BE INSTALLED IN AN INFORMAL ARRANGEMENT IN CONFORMANCE WITH THE CITY OF CARMEL RESIDENTIAL DESIGN GUIDELINES.

PLANT SPECIES LIST:

1. COAST LIVE OAK / *Quercus agrifolia*
2. CALIFORNIA OAT GRASS / *Danthonia californica*
3. CREEPING RED FESCUE / *Festuca rubra*
4. COMMON LAMENDER / *Lamandula angustifolia*
5. PINK BREATH OF HEAVEN / *Colsonema pulchellum*
6. HEAVENLY BAMBUS / *Nardina*



1 PROPOSED LANDSCAPE PLAN
SCALE: 1/8"=1'-0"



REVISION #	DATE	DESCRIPTION
1	05/01/2014	PLANNING RE-SUBMITTAL
2	06/02/2014	CORRECTIONS





CITY OF CARMEL-BY-THE-SEA

Planning Commission Report

July 9, 2014

To: Chair Reimers and Planning Commissioners
From: Rob Mullane, AICP, Community Planning and Building Director RM
Submitted by: Christy Sabdo, Contract Planner
Subject: Consideration of a Concept Design Study (DS 14-26) and associated Coastal Development Permit application for the substantial alteration of an existing residence located in the Single-Family Residential (R-1) Zoning District

Recommendation:

Accept the Conceptual Design Study (DS 14-26) subject to the attached findings and recommendations/draft conditions

Application:	DS 14-26	APN:	010-182-009
Block:	114	Lot:	18
Location:	NE Corner of Monte Verde St. and 11th Ave.		
Applicant:	Jeff Crockett	Property Owner:	Tom and Terry Bengard

Background and Project Description:

The project site is located on the northeast corner of Monte Verde Street and 11th Avenue. The property is developed with a 1,094-square foot, primarily one-story residence that has a partial second-story attic. The existing residence is clad with horizontal-wood siding. An existing 162-square foot detached garage is located approximately 1-ft 6-in from the rear of the property within the 3-ft rear-yard setback. A grapestake fence covered by foliage is located along the property frontage of both Monte Verde Street and 11th Avenue. This fence extends beyond the property line up to approximately 2 feet into the City Right-of-Way (ROW).

In the City ROW along Monte Verde, a pine tree and an oak tree are present with soil and mulch ground cover. In addition, an existing stone paver walkway begins at the property line along Monte Verde and extends to the west entry gate on the property. At the northeast corner of Monte Verde and 11th Avenue, there is a City-maintained bus stop with a bench and a

concrete headwall to guide stormwater. In the City ROW along 11th Avenue, there are two City-maintained oaks, a stop sign, and another concrete headwall to guide stormwater. A Determination of Historic Ineligibility for the subject residence was issued by the Community Planning and Building Department on January 21, 2014.

The applicant is proposing to expand the total building floor area from 1,322 square feet to 1,680 square feet. The project includes the following components:

- 1) 128 square feet of lower level additions,
- 2) A 186-square foot second-story addition that includes converting the attic to a bedroom and raising the attic ridge height by ~5.5 ft,
- 3) The removal of the 162-square foot detached garage and replacement with a 232-square foot attached garage,
- 4) The remodeling of the kitchen, bedrooms, and bathrooms,
- 5) The removal of the existing first floor redwood deck and addition of a new balcony to the second floor,
- 6) The re-roofing of the entire house,
- 7) The replacement of windows and doors,
- 8) The replacement of the horizontal-wood siding with stone, board and batt wood siding, and stucco.

Staff has scheduled this application for conceptual review. The primary purpose of this meeting is to review and consider the site planning, privacy and views, mass, and scale related to the project. However, the Commission may provide input on other aspects of the design such as the proposed architectural detailing and finish materials.

PROJECT DATA FOR A 4,000 SQUARE FOOT SITE:			
Site Considerations	Allowed	Existing	Proposed
Floor Area	1,800 sf (45%)	1,322 sf (33%)	1,680 sf (42%)
Site Coverage	556 sf (13.9%)	1,018 sf (25.5%)	554 sf (13.9%)
Trees (upper/lower)	3/1 (recommended)	0/5	1/5
Ridge Height (first)	18 ft/ 24 ft	11 ft 6 in	No change
Plate Height (first)	12 ft/ 18 ft	8 ft 6 in	No change
Setbacks	Minimum Required	Existing	Proposed
Front	15 ft	15 ft (from house)	No
Composite Side Yard (house/garage)	10 ft (25%)	13 ft 6 in (33.8%)	18 ft 6 in (46.3%)
Minimum Side Yard	3 ft/ 5ft (street)	3 ft / 4 ft	No Change/9 ft
Rear	3 ft	2 ft 6 in	3 ft

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 five lower-canopy trees: four Coast live oak and one Pittosporum. Three of the Coast live oaks are classified as significant, and one is moderately significant. The Pittosporum has been designated a non-significant tree. The site does not contain any upper-canopy trees. None of the trees are proposed for removal. The City Forester recommends that one new upper-canopy tree be planted on the property. A draft condition is included with this recommendation. The applicant has proposed a new upper canopy tree in the southwest corner of the site, and this new tree is indicated on the proposed site plan.

The City’s Residential Design Guideline 1.2 states, “Structures with foundations such as buildings, walls and excavations, should be set back a minimum of six feet from the base of any tree to be preserved in order to adequately protect tree roots. In some cases, a greater distance may be required. In other situations, it may be acceptable to build closer than 6 feet, depending

when other design objectives are met and a bridged footing is used." The proposed new garage is 1.5-ft from the base of Tree #4 (a moderately significant tree). The lower-level living room addition is 4-ft from the base of Tree #2 (a significant tree) and 2-ft from the base of Tree #1 (a significant tree). The City Forester has reviewed the project plans and recommends a condition requiring the applicant to follow construction methods that will minimize impacts to the surrounding trees. Staff has included this recommendation in a separate condition of approval.

Privacy & Views: Residential Design Guidelines 5.1 through 5.3 pertain to maintenance of *"privacy of indoor and outdoor spaces in a neighborhood"* and *"organize functions on a site to preserve reasonable privacy for adjacent properties"* and maintain of *"view opportunities."*

The proposed lower-level additions, including the laundry room, bathroom, dining and living room and garage, would not impact the privacy of neighboring residences to the east or north. The new second-story addition would increase the ridge height by approximately 5.5 ft from ~16 ft to ~21 ft. 6 in, and it would add a new window facing the neighbor's property to the east. The neighbor to the east has expressed concern with privacy and view impacts that could be created by the second story addition; however, formal comments have not yet been submitted. Staff has not identified any potential view impacts, as ocean views do not appear to be available from the neighbor's residence. The second story includes one new window on the east elevation that faces the eastern neighbor's property. However, privacy impacts are minimal, as the neighbor's residence is approximately 21-ft 6-in from the proposed second-story addition.

The applicant is proposing a new attached garage at the north end of the property that includes two new windows that face the neighbor's property to the north. Staff has not identified any privacy issues associated with windows because the garage is not an active living space. However, if the Planning Commission has concerns, staff could require the applicant to relocate the garage windows so that they do not directly face the neighbor's residence or to eliminate all garage windows facing north.

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."*

While the second floor conversion of the attic to a bedroom would increase the square footage of the second-story by 186 square feet and increase the ridge height by 5.5 ft from 16 ft to 21 ft 6 in, the addition would be set back approximately 14.5 ft from the front property line along

11th Avenue and 15 ft from the front property line along Monte Verde, which would help reduce the appearance of mass for views from the street. Staff notes that the residence would still be 120 square feet less than the allowed floor area with the proposed addition. With regard to mass and bulk, the proposed addition appears to be consistent with Design Guidelines 7.1 through 7.5.

Building & Roof Form: Residential Design Guidelines 8.1 through 8.3 state 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.*”

The proposed addition is integrated into the existing residence without creating a “busy” or complicated appearance. The additions would have a gabled roof design with roof pitches varying from 2½:12 to 7:12 for the residential additions, which match the existing residence.

Property Frontage/City ROW: The front of the property along 11th Avenue is screened by foliage covering most of the existing grapestake fence. The existing grapestake fence is located slightly (up to approximately 2 feet) within the City ROW and is proposed to be replaced with a new 4-ft grapestake fence within property boundaries. At the Final Design Review stage, existing fence heights, style, and material should be identified on the existing site plan; and proposed fence details should be noted on the landscape plan.

The existing stone walkway in the Monte Verde ROW is proposed to be replaced with decomposed granite and would not require an encroachment permit. Staff recommends that the DG path be limited to no more than 4 feet in width and that the excess asphalt between the currently-proposed path and the main edge of pavement be removed and the area restored to native soil with or without wood chips. A condition of approval has been drafted to require this. A new upper canopy Bishop Pine is proposed to be planted at the northwest corner of the property frontage. Within the 11th Avenue ROW, the City maintains two mature oak trees, a stop sign, and a concrete headwall to direct stormwater.

Staff recommends that during the Final Design Review stage, the applicant propose informal landscape improvements to enhance the forested character in the ROW along Monte Verde Street and 11th Avenue. In addition, staff is recommending the applicant propose changes to the overgrown foliage lining the fence (to be re-located on property lines) to improve the appearance of the property at the corner of Monte Verde St. and Eleventh Ave. A condition has

been drafted that these improvements be reviewed at the final plan stage. After conferring with the City Forester, a landscape plan would be returned to the Planning Commission for final approval.

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 from the corner of Monte Verde St. and 11th Ave.



Front of residence along Monte Verde St.



Residence along 11th Ave.



Project site from 11th Ave looking at the attic proposed for a 2nd story addition



Attachment B – Findings for Concept Acceptance

DS 14-26 (Bengard)
 July 9, 2014
 Concept Findings
 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.		
Municipal Code Finding	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.		✓

<p>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.</p>	<p>✓</p>	
<p>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.</p>	<p>✓</p>	
<p>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.</p>	<p>✓</p>	
<p>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.</p>	<p>✓</p>	
<p>12. Any deviations from the Design Guidelines are considered minor and reasonably relate to good design principles and specific site conditions.</p>	<p>✓</p>	

Attachment C – Recommendations/Draft Conditions

DS 14-26 (Bengard)

July 9, 2014

Recommendations/Draft Conditions

Page 1

Recommendations/Draft Conditions	
No.	
1.	The applicant shall include one new upper-canopy tree to be planted on the property of substantial size and caliber in the project landscaping. The proposed tree shall be included on the landscape plans submitted for final Planning Commission review.
2.	The applicant shall provide a note on the site plan and building plans that identifies the following construction methods to minimize impacts to significant trees: A slab foundation will be used for both the garage floor and house extensions with a header or beam at the existing building lines to take the majority of the building load. This will reduce the actual depth required for the perimeter of the new slab near the trees. The foundation for the garage will also be raised from the existing level which significantly reduced the depth of the slab footing near the oak tree.
3.	The applicant shall submit a landscape plan that includes informal, drought-tolerant landscaping to the City ROW to enhance the forest character along Monte Verde St. and 11th Ave., including a proposal to improve the appearance of the overgrown foliage covering the fence, located at the property line. The proposed DG walkway in the Monte Verde City ROW shall be limited to no more than 4 feet in width, and the excess asphalt between the currently-proposed path and the main edge of pavement shall be removed, and the area shall be restored to native soil with or without wood chips. After review by City staff and the City Forester, the landscape plan will be returned to the Planning Commission for review.

REVISIONS	BY

SITE DATA

APN 010-182-009-000
SITE ADDRESS NE, Monte Verde & 11th
 Carmel By The Sea, Ca. 93923
OWNER Tom & Terry Bengard
 P.O. Box 90060
 Salinas, Ca. 93912
ZONING R1
LOT AREA 4,000 S.F.
USE RAU
TYPE OF CONSTRUCTION V-B Not Sprinklered
SETBACKS:
 FRONT 15'
 SIDE 3' min. and 28% total width combined
 REAR 3'
CODES 2010 CBC; CEC; CPC, CMC & Cal. Res. Code
 TITLE 24 CA, Energy Compliance
 2010 Cal. Fire code
AREAS
EXISTING RESIDENCE 1,094 S.F.
 Existing furnace & water htr. shade 30 S.F.
 Existing Garage (Detached) 162 S.F.
 Existing etc. shed 36 S.F.
TOTAL BUILDING COVERAGE 1,322 S.F. = 33%
 Existing redwood deck area 217 S.F.
 Existing ground brick patio / walks 238 S.F.
 Existing Fieldstone walks 233 S.F.
 Existing conc. Hot tub pad 47 S.F.
TOTAL SITE COVERAGE 1,757 S.F. = 44.4%

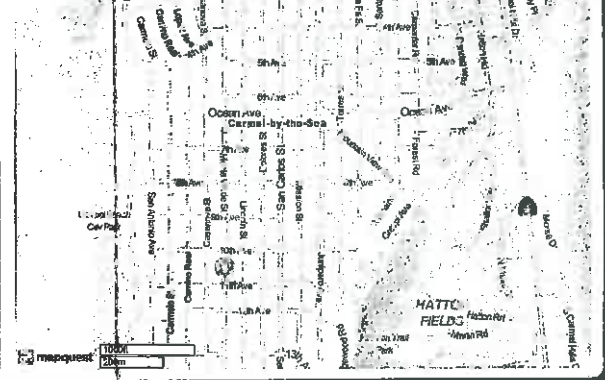
NOTES:

- DISTANCES AND DIMENSIONS SHOWN ARE EXPRESSED IN FEET AND DECIMALS THEREOF.
- DATUM IS TAKEN FROM USGS 7.5' QUADRANGLE SHEET MONTEREY. BENCHMARK IS TOP OF CONCRETE PAD AT WELL PUMP AS NOTED HEREON. ELEVATION = 200.00'
- CONTOUR INTERVAL IS ONE FOOT.
- LOCATIONS OF SUBSURFACE UTILITIES ARE TAKEN FROM SURFACE INDICATIONS. VERIFY IN FIELD PRIOR TO ANY EXCAVATION OR CONSTRUCTION.
- THIS PROPERTY MAY BE SUBJECT TO EASEMENTS OF RECORD NOT SHOWN UPON THIS MAP. THE OWNER SHALL BE RESPONSIBLE FOR FURNISHING A TITLE REPORT TO DISCLOSE SUCH EASEMENTS WHICH MAY OR MAY NOT EXIST, AND MONTEREY COUNTY SURVEYORS, INC. SHALL BEAR NO RESPONSIBILITY FOR NON DISCLOSURE OF SAID EASEMENT(S), THEIR EXISTENCE OR LOCATION.
- BOUNDARY LOCATION IS BASED UPON RECORD DATA FROM FOUND PROPERTY LINE MARKERS. NO BOUNDARY SURVEY HAS BEEN COMPLETED.

Legend

AD area drain	Irr. irrigation
AC asphaltic concrete	irr. irrigation
ASV anti siphon valve	inv. invert
ASP asphalt	JP joint pole
BFP backflow preventer	P pavement
BSW back of sidewalk	PMT pad mount transformer
C/conc. concrete	PP power pole
CATV cable TV	RD roof drain
CB catch basin	SDMH storm drain manhole
CL center line	SSMH sanitary sewer manhole
D redwood deck	SSCO sanitary sewer cleanout
DW driveway	SO shut off valve
DS down spout	T telephone
E electric	TB top of bank
EP edge of pavement	TC top of curb
FF finish floor	TW top of wall
FL floor line	V valve
FH fire hydrant	WF water fountain
G Gas	W/L water level
GB grade break	WM water meter
GR ground	WT water trough
GV gate valve	WV water valve

LOCATION MAP



BENGARD RESIDENCE
 NE CORNER, MONTE VERDE & 11TH CARMEL, CA.

REVISION

JUL 3 2013

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

DRAWN

CHECKED

DATE

SCALE

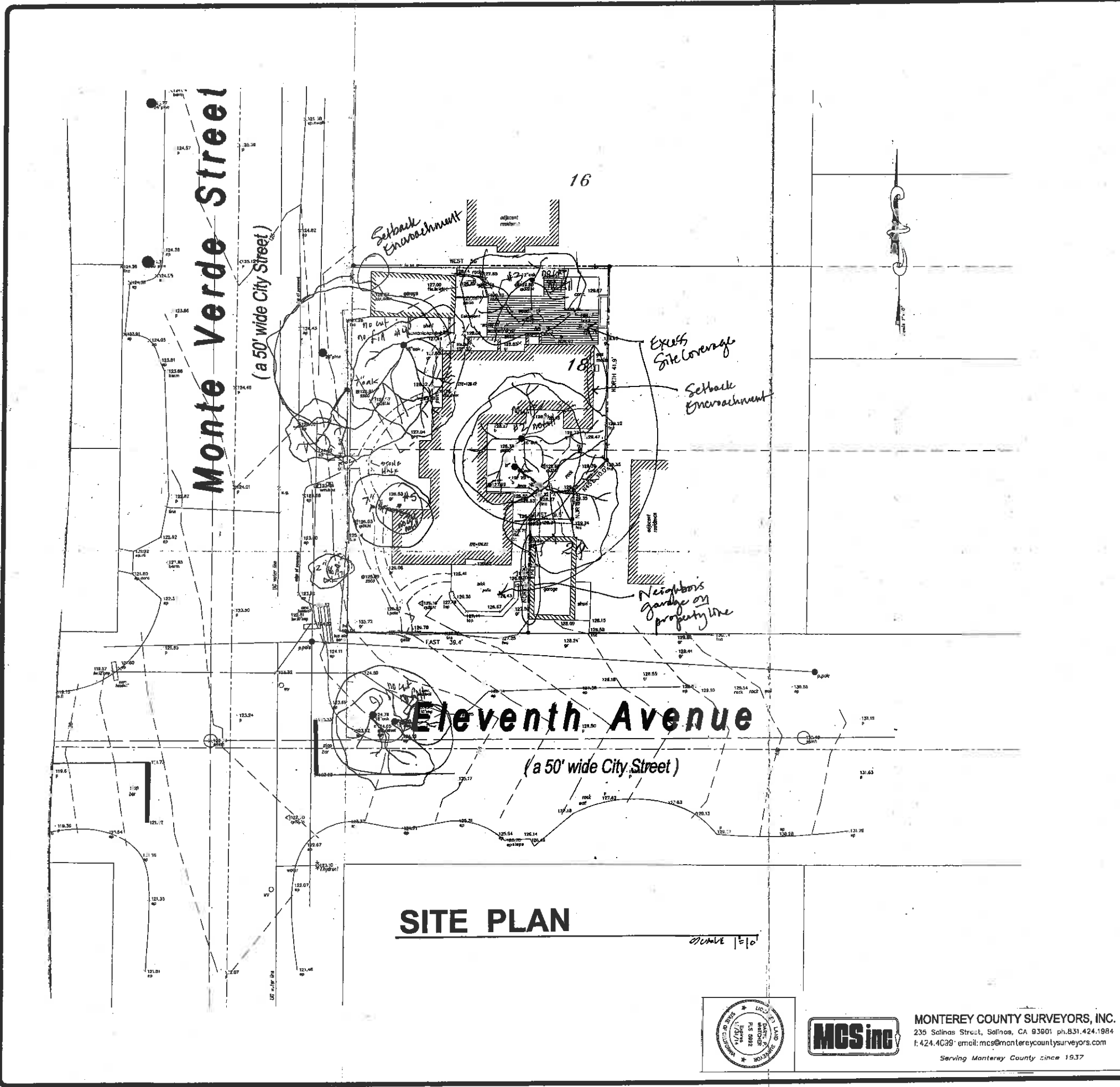
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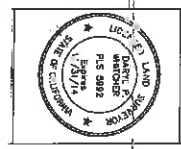
OCT 9 2013

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



SITE PLAN

SCALE 1/8" = 1'-0"



MONTEREY COUNTY SURVEYORS, INC.
 239 Salinas Street, Salinas, CA 93901 ph.831.424.1984
 f.424.4C39 email:mcs@montereycountysurveyors.com
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REVISIONS	BY

BENGARD RESIDENCE
NE CORNER, MONTE VERDE & 11TH CARMEL, CA.

DRAWN
CHECKED
DATE 05-03-14
SCALE
JOB NO.
SHEET A1
OF 5 SHEETS

SITE DATA

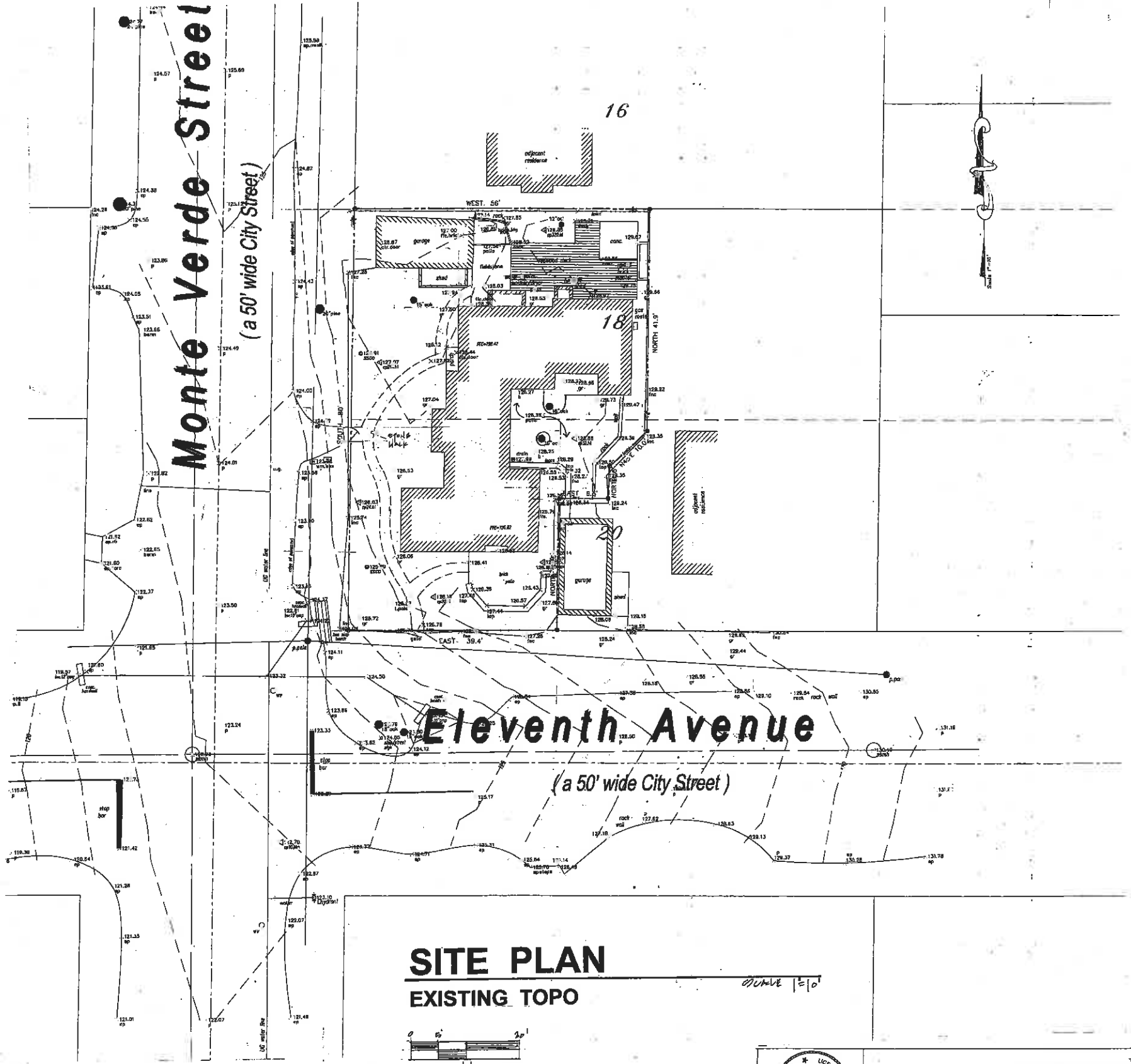
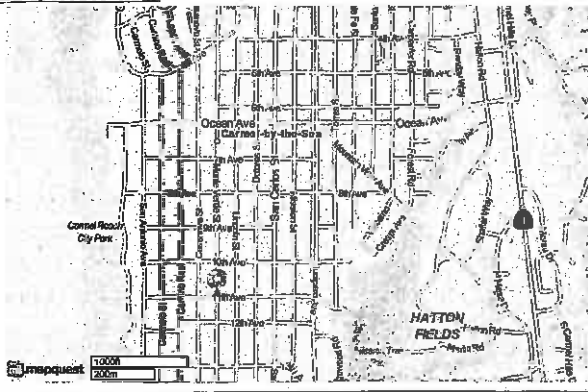
APN 010-182-008-000
SITE ADDRESS NE, Monte Verde & 11th Carmel By The Sea, Ca. 93823
OWNER Tom & Terry Bengard
P.O. Box 60090
Salinas, Ca. 93912
ZONING R1
LOT AREA 4,000 S.F.
USE R3U
TYPE OF CONSTRUCTION V-B, Sprinklered
SETBACKS:
FRONT 15'
SIDE 3'/min. and 25% total width combined both sides
REAR 3'
CODES 2013 CBC; CEC; CPC, CMC & CA. Residential Code
TITLE 24 CA. Energy Compliance
2013 CA. Fire code
AREAS
EXISTING RESIDENCE 1,094 S.F.
Existing furnace & water htr. Shade 30 S.F.
EXISTING GARAGE (Detached) 162 S.F.
Existing sto. Shed 35 S.F.
TOTAL BUILDING COVERAGE 1,322 S.F. = 33%
SITE COVERAGE
Existing redwood deck and fieldstone 275 S.F.
Existing gravelled brick patio / walks 238 S.F.
Existing fieldstone walls and back patio 486 S.F.
Existing conc. Hot tub area 49 S.F.
TOTAL SITE COVERAGE 1,018 S.F. = 66.8% of Floor base area allowed

- DISTANCES AND DIMENSIONS SHOWN ARE EXPRESSED IN FEET AND DECIMALS THEREOF.
- DATUM IS TAKEN FROM USCS 7.5' QUADRANGLE SHEET MONTEREY. BENCHMARK IS TOP OF CONCRETE PAD AT WELL PUMP AS NOTED HEREON. ELEVATION = 200.00'
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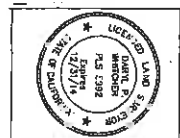
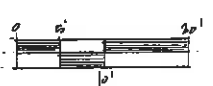
Legend

AD	area drain	I	irrigation
AC	asphaltic concrete	Irr.	irrigation
ASV	Anti siphon valve	Inv.	invert
ASP	asphalt	JP	joint pole
BFP	backflow preventer	P	pavement
BSW	back of sidewalk	PMT	pad mount transformer
C/conc.	concrete	PP	power pole
CATV	cable TV	RD	roof drain
CB	catch basin	SDMH	storm drain manhole
CL	center line	SS/H	sanitary sewer manhole
D	redwood deck	SSCO	sanitary sewer cleanout
DW	driveway	SO	shut off valve
DS	down spout	T	telephone
E	electric	TB	top of bank
EP	edge of pavement	TC	top of curb
FF	finish floor	TW	top of wall
FL	flow line	V	valve
FH	fire hydrant	WF	water fountain
G	Gas	W/L	water level
GB	grade break	WM	water meter
GR	ground	WT	water trough
GV	gate valve	WV	water valve

LOCATION MAP



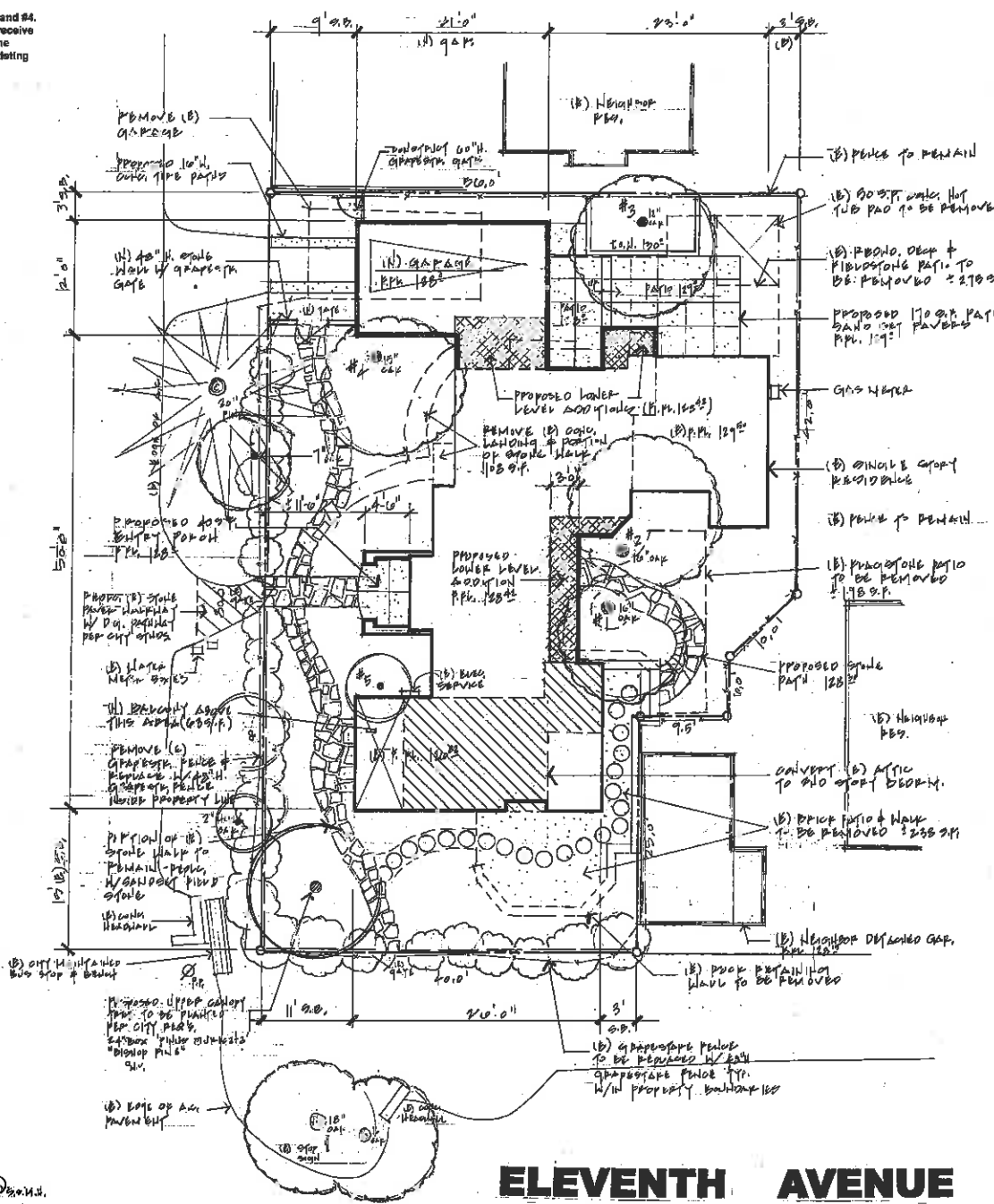
SITE PLAN
EXISTING TOPO



MONTEREY COUNTY SURVEYORS, INC.
235 Salinas Street, Salinas, CA 93901 ph. 831.424.1984
f. 424.4099 email: mcs@montereycountysurveyors.com
Serving Monterey County since 1937

Note: The following construction methods shall be used for the foundation areas located near trees #1, #2 and #4. A slab foundation shall be used for both the garage floor and house extension with a roof header to receive and distribute the majority of the building loads. A concrete grade beam will be designed to reduce the required foundation depth at or near the trees. The fin. Garage floor is being raised from the existing level which will significantly reduce the depth of the slab footing near tree #4.

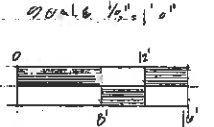
MONTE VERDE STREET



ELEVENTH AVENUE

SITE PLAN

Note:
 Existing site trees #1, 2, & 3 are significant trees & #4 is moderately significant per the preliminary site assessment dated Oct. 22, 2013



SITE DATA

APN	010-182-000-000		
SITE ADDRESS	NE, Monte Verde & 11th Carmel By The Sea, Ca. 93923		
OWNER	Tom & Terry Bengard P.O. Box 80090 Salinas, Ca. 93912		
ZONING	R1		
LOT AREA	4,000 S.F.		
USE	RSU		
TYPE OF CONSTRUCTION	V-B, Sprinklered		
SETBACKS:			
FRONT	15'		
SIDE	3'min. and 25% total width combined both sides		
REAR	3'		
CODES	2013 CBC; CEC; CPC; GNC & CA. Residential Code TITLE 24 CA. Energy Compliance 2013 CA. Fire code		
AREAS			
EXISTING RESIDENCE	1,004 S.F.	Areas to be removed	Proposed areas
Existing furnace & water htr. Sheds	30 S.F.	Lower Level Addition	128 S.F.
Existing Garage (Detached)	182 S.F.	Upper Level Addition	168 S.F.
Existing mto. shed	38 S.F.	New Porch	49 S.F.
		New Garage	232 S.F.
TOTAL EXISTING BUILDING AREA	1,222 S.F. = 33%	Total: Lower level	1,494 S.F.
		Upper level	188 S.F.
		Total new building area:	1,680 S.F.
			(31% Base Fl. Area)

SITE COVERAGE

Existing redwood deck & fieldstone	275 S.F.	275 S.F.	Patio area	240 S.F.
Existing grouted brick patios / walkways	238 S.F.	238 S.F.	Walkways	290 S.F.
Existing fieldstone walls & backyard patio	420 S.F.	342 S.F.	Driveway	24 S.S.F.
Existing conc. Hot tub pad	48 S.F.	48 S.F.		
TOTAL SITE COVERAGE	(R) 1,018 S.F. = 66.2% of Base fl. area		New Total	964 S.F.

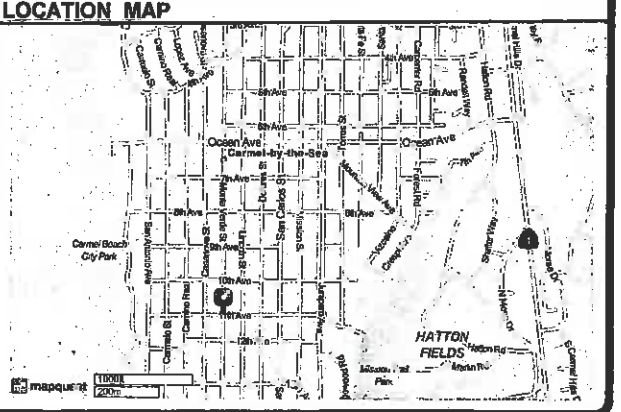
Note: Proposed patio area (240 S.F.) to be sand set pavers (semi-permeable) and proposed walkways (290 S.F.) to be sand set flagstones (semi-permeable)

PROJECT DESCRIPTION:

Remove (E) detached garage and replace with attached garage. Remodel kitchen, bedrooms and bathrooms. Construct new additions and raise 2nd floor attic room plate height. Remove existing redwood deck at 1st floor and add new balcony to 2nd floor. Re-roof entire house, replace windows and doors. Replace horizontal siding with stone, board and batt wood siding and stucco.

SHEET INDEX:

- A-1 EXISTING SITE TOPO
- A-2 PROPOSED SITE PLAN
- A-3 EXISTING FLOOR PLANS
- A-4 PROPOSED FLOOR PLANS
- A-6 PROPOSED ELEVATIONS
- A-6.1 EXISTING ELEVATIONS
- A-6 ROOF PLAN
- A-7 STREET PROFILES

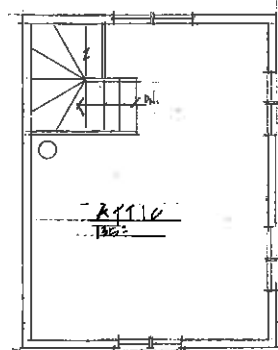
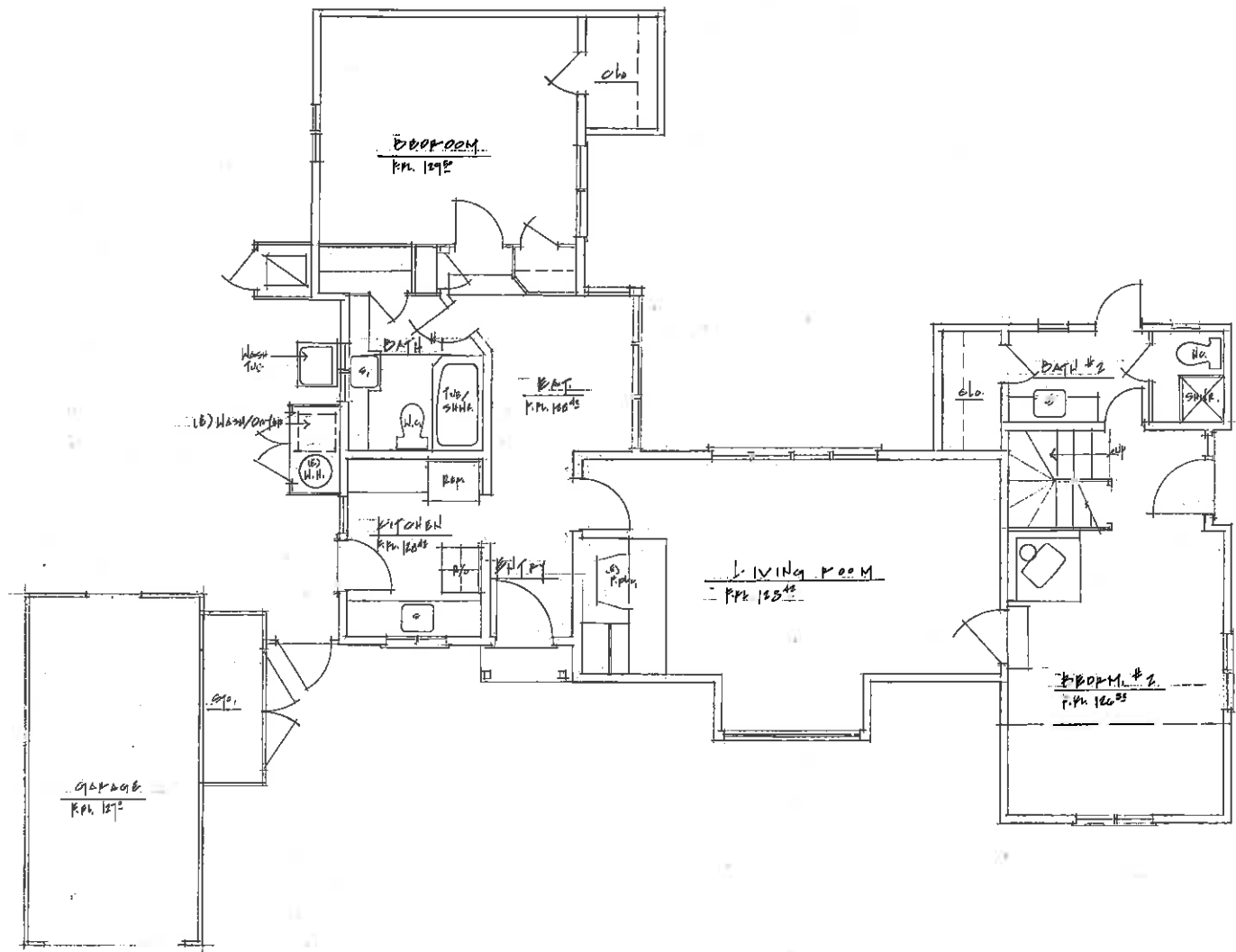


REVISIONS	BY

BENGARD RESIDENCE
 NE-CORNER, MONTE VERDE & 11TH CARMEL, CA.

REVISION
 JUL 3 2014
 City of Carmel-by-the-Sea
 Planning & Building Dept

DRAWN J. Bengard	CHECKED
DATE 03.05.14	SCALE
JOB NO. 014-bb1-001	SHEET
A2	
OF 2 SHEETS	



UPPER LEVEL

EXISTING FLOOR PLAN



SCALE 1/4" = 1'-0"

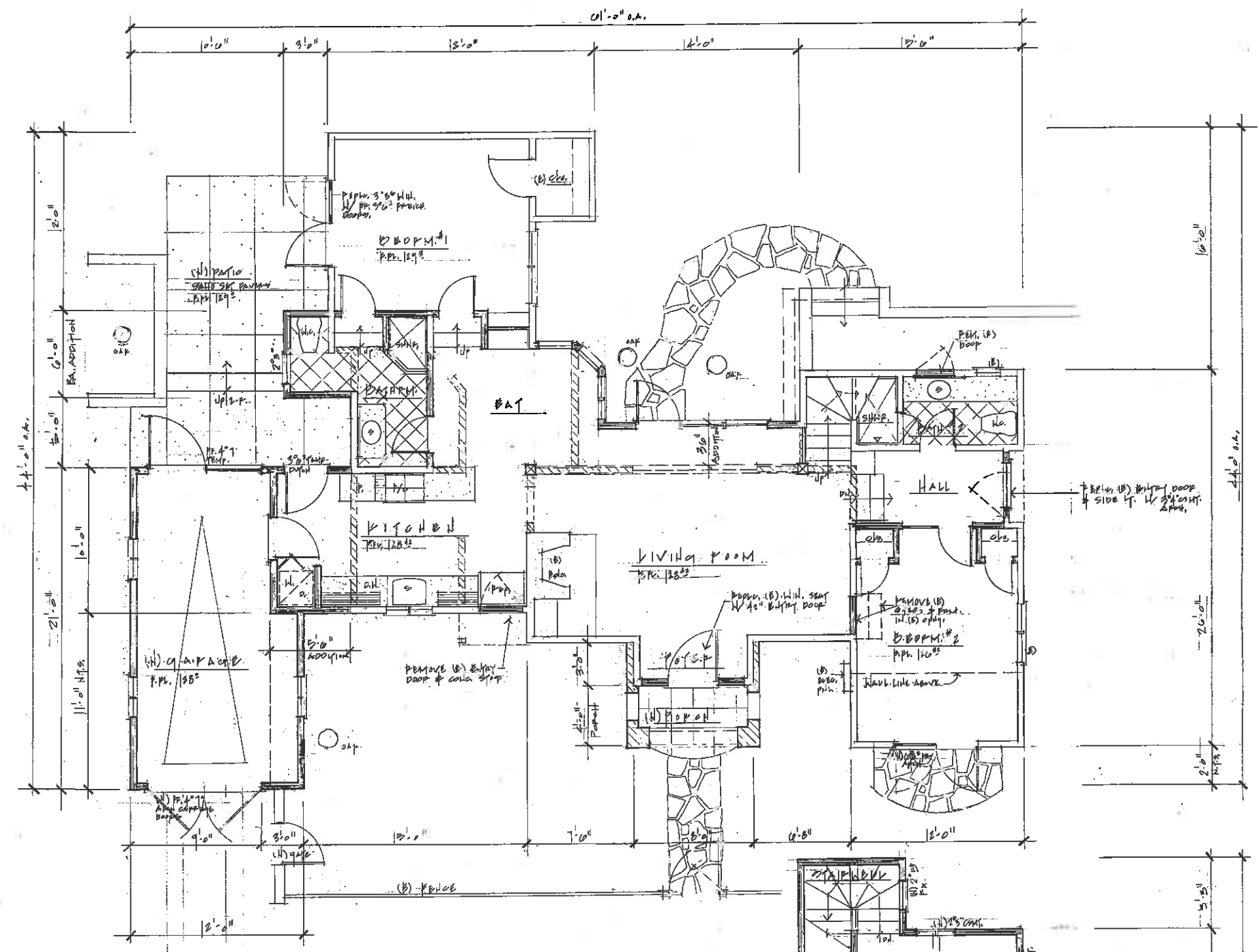


REVISIONS	BY

BENGARD RESIDENCE
NE CORNER, MONTE VERDE & 11TH CARMEL, CA.

DRAWN <i>Jeff Crockett</i>
CHECKED
DATE 03-08-14
SCALE 1/4" = 1'-0"
JOB NO. 014-001-001
SHEET A3
OF 2 SHEETS

REVISIONS	BY



FLOOR PLAN

- LEGEND:**
- Existing walls to remain
 - Proposed walls
 - Existing walls to be removed
- $\left[\frac{\text{Total Lin. Ft. of Existing Walls} - \text{Walls to be removed}}{\text{Total Lin. Ft. of Existing Walls}} \right] = 30\%$



UPPER LEVEL

BENGARD RESIDENCE
 NE CORNER, MONTE VERDE & 11TH CARMEL, CA.

DRAWN: Jeff Crisp
 CHECKED: [Signature]
 DATE: 02.08.14
 SCALE: 1/8" = 1'-0"
 JOB NO.: 014-221/001
 SHEET: **A4**
 OF 8 SHEETS

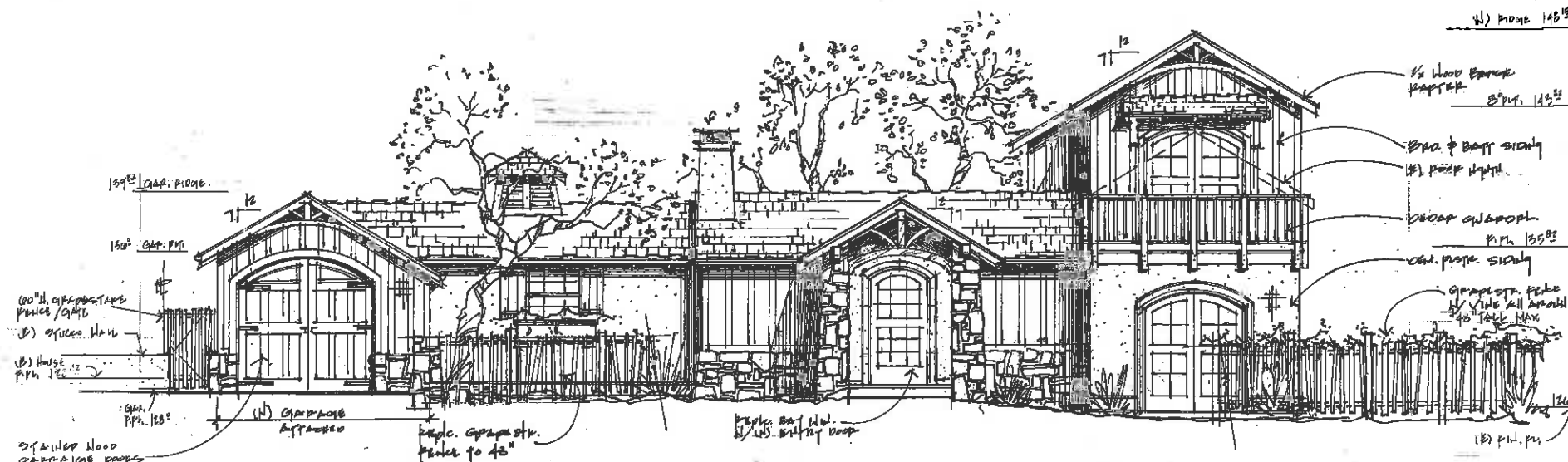
Proposed construction materials:

Siding: 7/8" cement plaster with steel trowel finish.
5/8" 74-11 ply. with 1x3 batt @ 16" o.c.

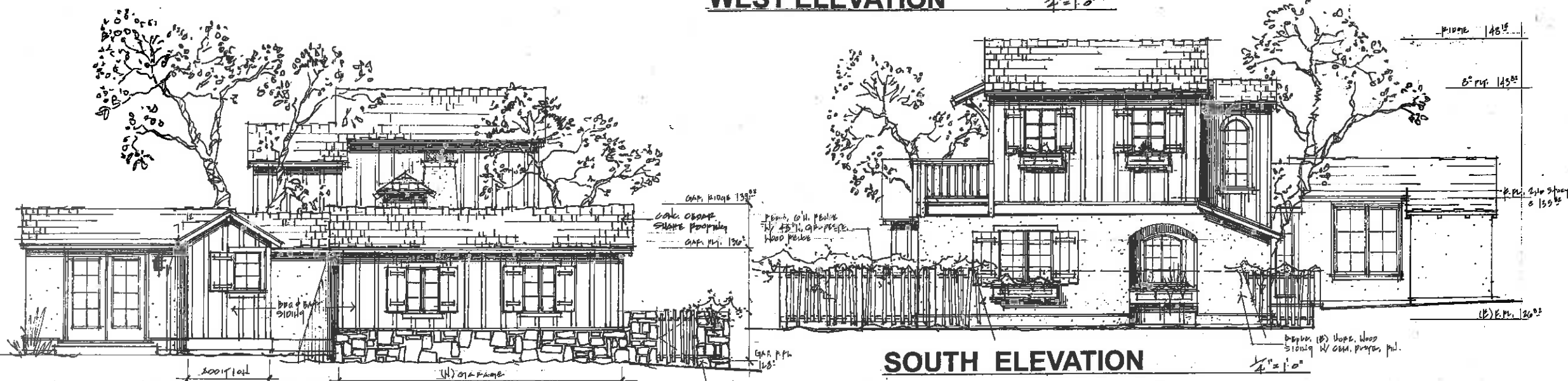
Stone: "carmel stone" with overgrouted joints

Roof: "Monier" - Conc. shake tile with fascia board rake (color-Brown/gray)

Windows and doors: Kolbe & Kolbe- Heritage series all wood push-out casements with K-Kron finish, (color-Manchester)

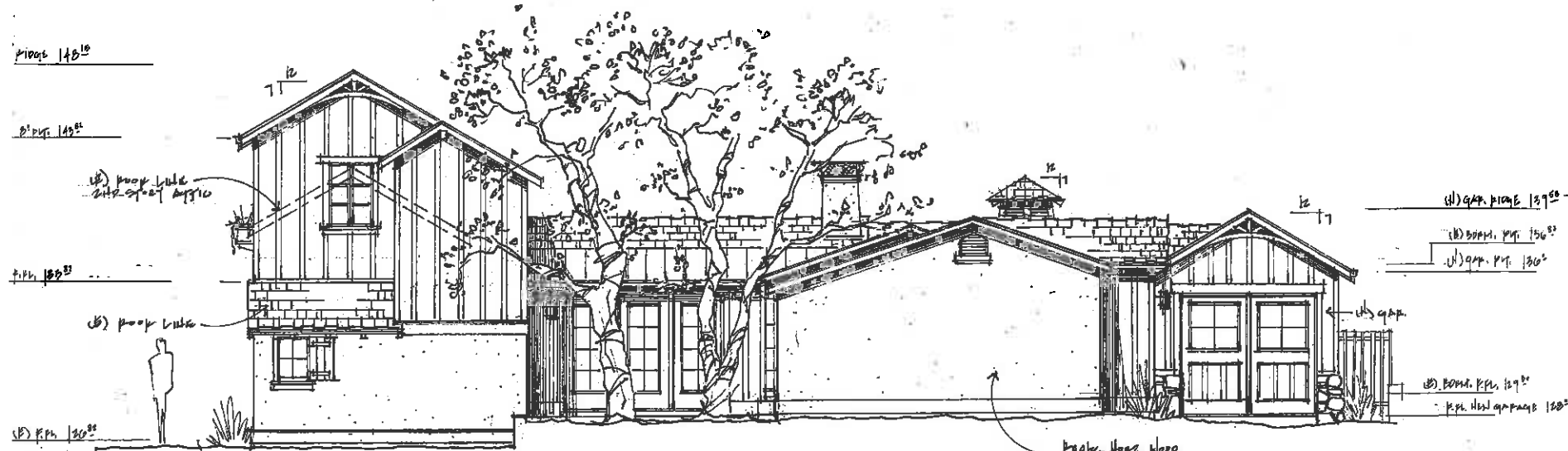


WEST ELEVATION
1/4" = 1'-0"



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

NORTH ELEVATION
1/4" = 1'-0"



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

REVISIONS	BY

BENGARD RESIDENCE
NE CORNER, MONTE VERDE & 11TH CARMEL, CA.

DRAWN
Jerr Crockett

CHECKED

DATE
02-02-14

SCALE
1/4" = 1'-0"

JOB NO.
014-BEN1001

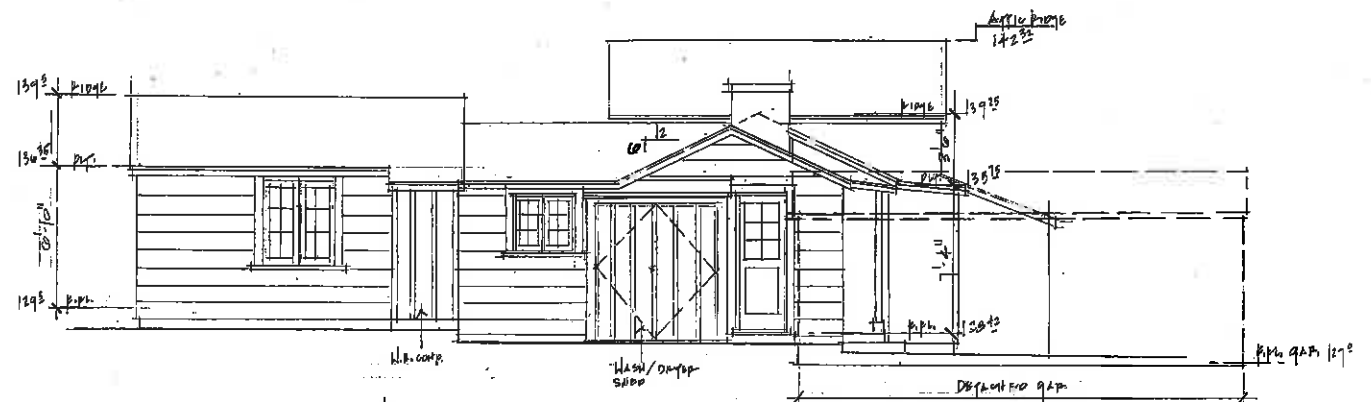
SHEET
A5

OF 8 SHEETS

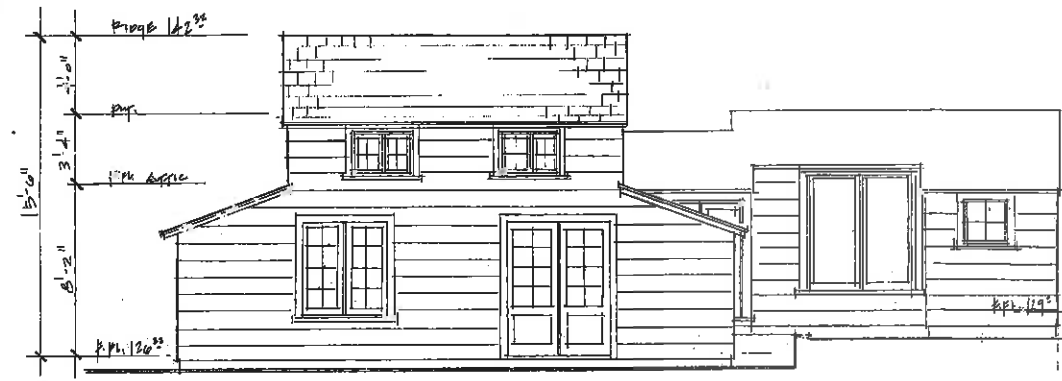
REVISIONS	BY



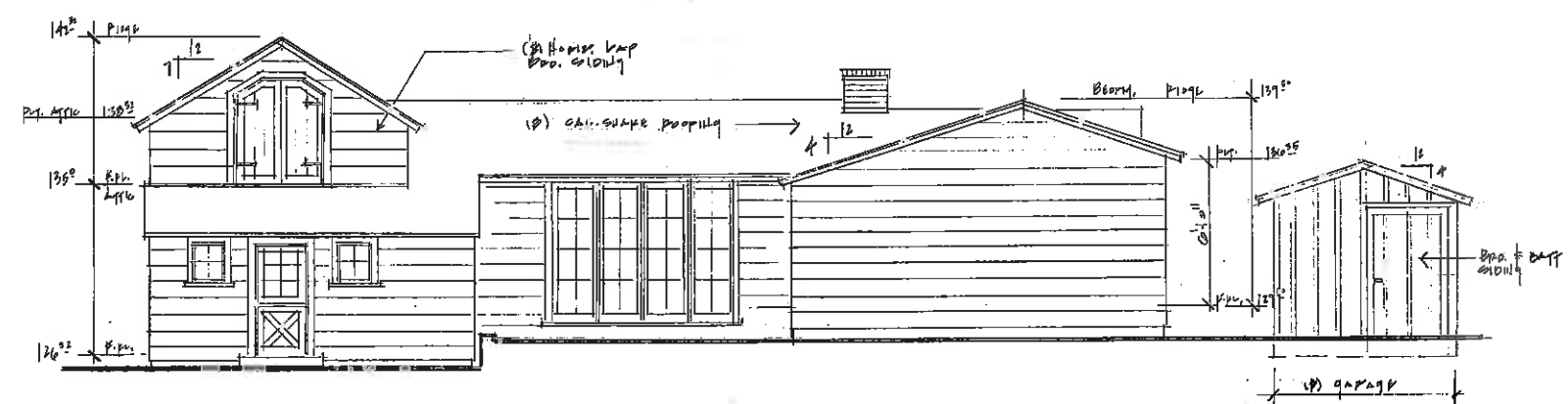
EXISTING WEST ELEV.



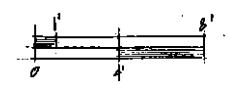
EXISTING NORTH ELEV.



EXISTING SOUTH ELEV.



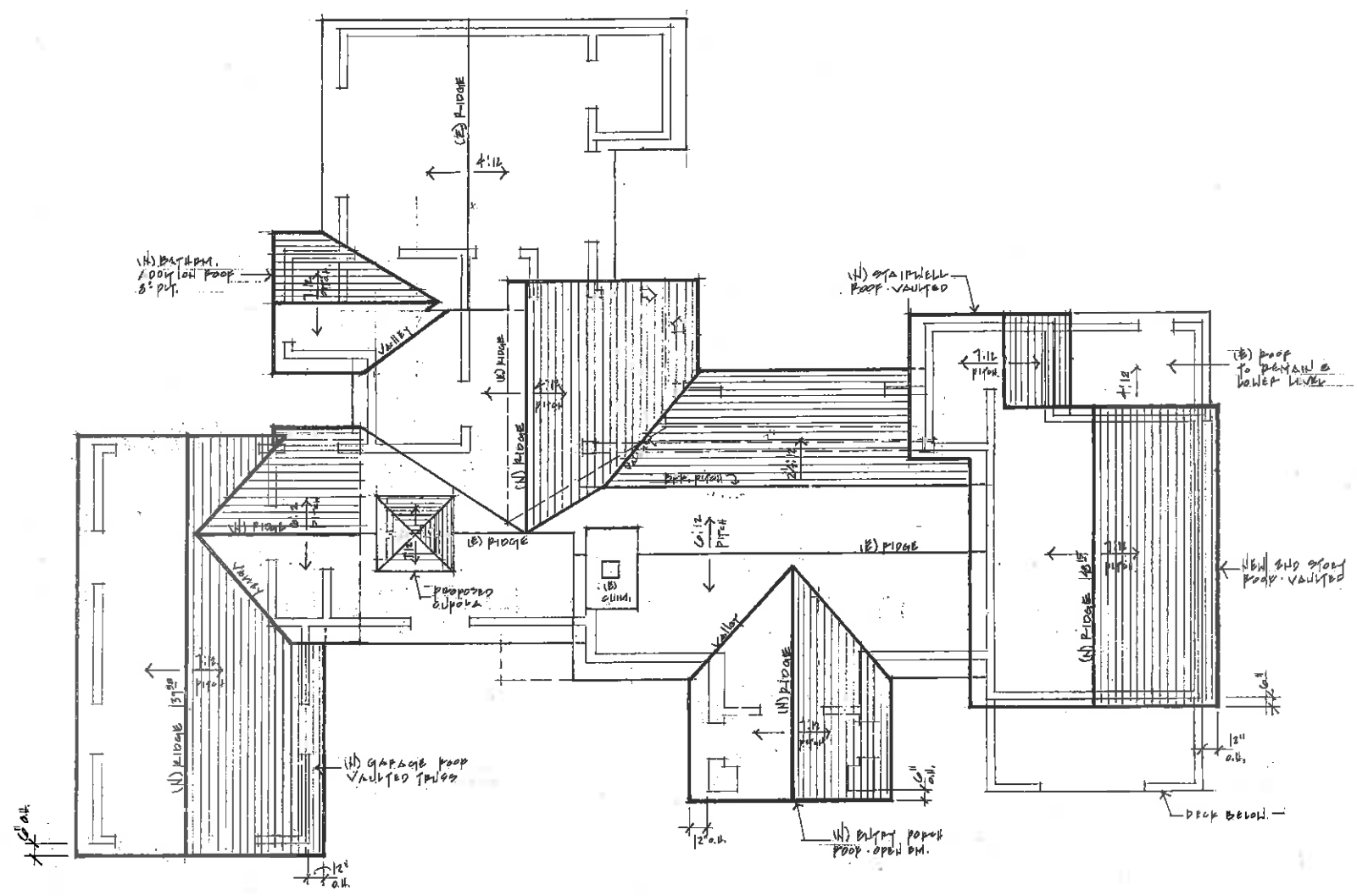
EXISTING EAST ELEV.



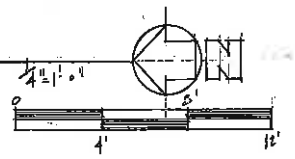
BENGARD RESIDENCE
 NE CORNER, MONTE VERDE & 11TH CARMEL, CA.

DRAWN
 J.P.P. GRANDES
 CHECKED
 DATE
 SCALE
 1/4" = 1'-0"
 JOB NO.
 014-BH-001
 SHEET
A-5.1
 OF 8 SHEETS

REVISIONS	BY



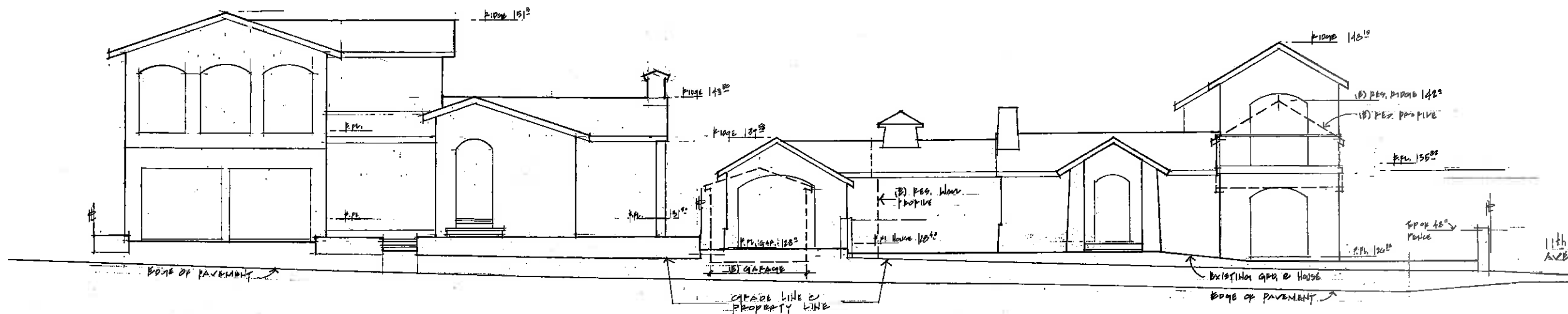
ROOF PLAN



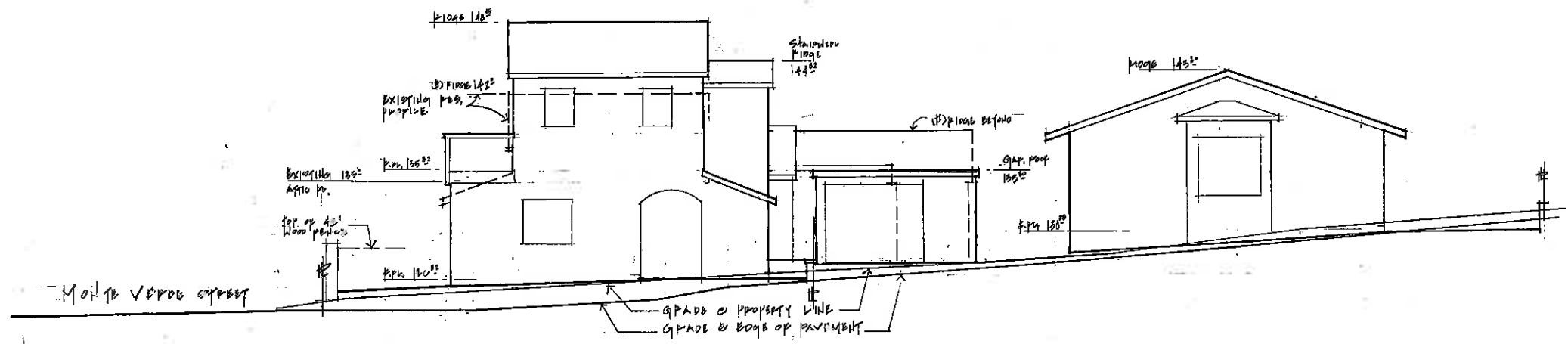
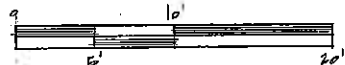
BENGARD RESIDENCE
 NE CORNER, MONTE VERDE & 11TH CARMEL, CA.

DRAWN J. P. ...
CHECKED
DATE 4-26-14
SCALE 1/4" = 1'-0"
JOB NO. 014-0001/001
SHEET
A6
OF 3 SHEETS

REVISIONS	BY



MONTE VERDE STREET PROFILE



ELEVENTH AVENUE PROFILE

BENGARD RESIDENCE
 NE CORNER, MONTE VERDE & 11TH CARMEL, CA.

DRAWN <i>Jeff Crook</i>
CHECKED _____
DATE 4-20-14
SCALE 1/10" = 1'-0"
JOB NO. 014-BEN/00
SHEET A7
OF 8 SHEETS



CITY OF CARMEL-BY-THE-SEA

Planning Commission Report

July 9, 2014

To: Chair Reimers and Planning Commissioners

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

Submitted by: Marc Wiener, Senior Planner

Subject: Consideration of a Concept Review (CR 14-02) for the redevelopment of two adjacent oceanfront properties located in the Single-Family Residential (R-1), Park Overlay (P), Beach and Riparian (BR), and Archaeological (AS) Zoning Districts

Recommendation:

Receive a presentation from the applicant, and provide conceptual review comments

Application: CR 14-02 **APN:** 010-321-020 and 010-321-021
Block: SD **Lots:** 7
Location: 10 Carmel Way
Applicant: Aengus Jeffers, Attorney **Property Owner:** Carl Panattoni, Trustee

Background and Project Description:

The project site is located at 10 Carmel Way on top of a bluff that overlooks the Carmel Bay. The site is located in Carmel-by-the-Sea, but road access is provided via the Pebble Beach. The subject property is 63,800 square feet in size and consists of three legal parcels, two of which are developed with single-family residences. Staff notes that the property was subdivided in 1963 by separate conveyance; however, the middle bowtie-shaped lot was not created as a mapped parcel.

The applicant has identified the northern-most residence as the Boardwalk House and the southern-most residence as the Beach House. The Beach House is the larger of the two residences and is distinguished by the lighthouse building element located on the second story.

The property is currently in escrow, and the prospective buyer is requesting guidance from the City on the potential development of the property. The applicant has provided a letter, included as Attachment B, which explains the project proposal and acknowledges that the Planning Commission's guidance through this conceptual review does not constitute a guarantee of future approval.

Staff analysis:

Development Proposal: The applicant is proposing to demolish the two existing residences, the Boardwalk House and Beach House, and replace them with two new residences. The Boardwalk House is 2,770 square feet in size and would be replaced with a new 6,000-square foot residence. The Beach House is 5,190 square feet in size and would be replaced with a new 7,200-square foot residence.

The applicant has indicated that the dune setback of the new residence on the Boardwalk House site would be increased by 16 feet and that the height would be lowered from 18 to 14 feet when compared to the existing residence. The height of new residence on the Beach House site would be lowered from 27 to 18 feet when compared to existing. The dune setback of the new residence on the beach house site would be increased by 7.5 feet on the south wing, but would be reduced by 9 feet on the north wing when compared to the existing residence.

The site plan provided by the applicant includes the footprint and floor plan for the two new proposed residences. An elevation rendering is included for the new residence that would be located on the Beach House property, but no rendering has been provided for the new residence on the Boardwalk House property. The applicant has installed story-poles of the Beach House proposal for the Planning Commission to review during the Tour of Inspection.

Zoning Considerations: The applicant is requesting input on three separate components of the request that are discretionary by the Planning Commission.

Floor Area Bonus: Pursuant to CMC 17.10.030.D: *"the maximum allowed floor area on any building site 22,000 square feet or larger shall not exceed 6,000 square feet."* Therefore, the Boardwalk House proposal would meet this requirement, but the Beach House proposal, at 7,200 square feet, would exceed the proposal.

The applicant is proposing to deed-restrict the lots, which pursuant to the Municipal Code, may permit the property bonus floor area that exceeds the maximum allowed base floor area. CMC

17.10.040.C states that: *“Voluntary Waiver of Subdivision Rights. Any owner of a lot of record that is two or more times the minimum lot size for the underlying land use district may grant a permanent easement to the City, voluntarily waiving all future rights to apply for, and receive approval for, any subdivision of land to create additional building sites. Upon approval by the Department of Community Planning and Building and proper recording of easement documents with the County Recorder, the incentives established in this section for merged lots become available to the property.”* The incentives include:

- 1) *Allowed base floor area may be increased by three percent of site area, beyond the standard specified in CMC 17.10.030(D), Floor Area Ratio and Exterior Volume. A commensurate amount of additional exterior volume also shall be allowed.*
- 2) *Guesthouses or subordinate units may be built with 100 square feet more floor area than is specified in CMC 17.08.050(C), Guesthouses and 17.08.050(F), Subordinate Units.*
- 3) *Up to 2.5 percent of additional site coverage is allowed if the site complies with the City’s tree density standards.*
- 4) *One additional accessory structure is allowed for a total of three accessory structures on the site.*

With the 3% site area bonus the allowed floor area of the 41,380-square foot Beach House parcel would be increased by 1,241 square feet, hence, the applicant is proposing a 7,200-square foot residence, which is 1,200 square feet larger than the maximum allowance of 6,000 square feet.

Staff notes that the minimum lot size of a building site is 4,000 square feet. At 41,380 square feet, the subject Beach House property could potentially be further subdivided to yield more lots of record and additional single-family residences. The intent of Section 17.10.040.C of the City’s Municipal Code is to incentivize a deed restriction that would prohibit future subdivisions through allowing bonus floor area. The Municipal Code states that base floor area *may* be increased, indicating that there is discretion in allowing the floor-area bonus. The Planning Commission should consider whether it would be open to a floor area bonus if the deed restriction of the property limits future subdivisions and the associated development is offered.

Setbacks: The subject parcels are located in the Park (PO) Overlay Zoning District, where setbacks may be adjusted by the Planning Commission as determined by the site conditions. With regard to setback in the PO District, CMC 17.20.110.C states that:

On those lots that are irregular in shape or that exceed 8,000 square feet in area, the Planning Commission shall establish setbacks that are appropriate for the property and that are consistent with the purposes of the PO district. Where a large lot size creates an opportunity to establish significantly increased setbacks from adjoining parklands, and the topography or shape of the site allow sufficient area to build away from the park, the Planning Commission may designate larger setbacks for the property that preserve an open space buffer adjacent to the park while providing a reasonable area to build elsewhere on the property.

The applicant is requesting input from the Planning Commission on the proposed setbacks. The proposed dune setback of the new residence located on the Boardwalk House site would be increased by 16 feet. The dune setback of the new residence located on the Beach House site would be increased by 7.5 feet on the south wing, but would be reduced by 9 feet on the north wing.

The Planning Commission's objective in determining setbacks in the Park Overlay District is to limit the visibility and impact of private residences from the beach and public way. The Planning Commission will have the opportunity to review the site during the July 9, 2014 Tour of Inspection. Staff notes that the story poles for the proposed new residence on the Beach House site are erected and will assist the Commission in understanding the visibility of the proposed design. The Boardwalk House story poles have not been established.

Height Determination: The subject property is located in the Beach and Riparian (BR) Overlay District, where all new buildings have a maximum height limit of 18 feet. The proposed new Beach House residence would include a two-story design that has a maximum height of 20 feet as measured from the existing grade. The applicant has submitted a geological report prepared by geologist: Mr. Robert Barminski, indicating that the site was previously excavated to depths of 6 feet or more. The applicant is requesting to use the pre-existing grade to determine the height of the residence, which would allow the structure to exceed height of 18 feet if given credit for the previous higher grade.

With regard to establishing grade, CMC 17.06.020.F states that: *"On sites disturbed from previous grading or excavation activities, an approximation of preexisting conditions may be used as a reference for determining average or existing grade using grades on adjacent sites, retaining walls and prior survey maps. All such grade approximations shall require the concurrence of the Department and a determination that the resulting project complies with all*

requirements of the Zoning Ordinance, avoids large exposed cuts and unnatural topography and is consistent with R-1 design objectives.”

The above Municipal Code section indicates that preexisting conditions *may* be used as a reference point, indicating that there is discretion in the decision. Staff has concerns with allowing the residence to exceed 18 feet in height using the previous grade as it could increase the visibility of the residence from the beach and potentially impact neighboring views.

ATTACHMENTS:

- Attachment A – Site Photographs
- Attachment B – Applicant Submittal (Letter and Attachments)
- Attachment C – Project Plans

Attachment A – Site Photographs



Beach House – Facing north on the project site



Beach House Property – Facing west towards Carmel Bay



Beach House Property – Facing north from public boardwalk

THE LAW OFFICE OF AENGUS L. JEFFERS

A Professional Corporation
215 West Franklin Street, Fifth Floor
Monterey, California 93940

Phone: (831) 649-6100
Fax: (831) 325-0150
Email: aengus@acnguljeffers.com

June 30, 2014

VIA HAND DELIVERY

Marc Wiener, Senior Planner
Community Planning and Building
P.O. Drawer G
Carmel-by-the-Sea, California
93901

**Re: Planning Commission Concept Review During Escrow Due Diligence
Revised Concept Plans (APN 010-321-020 and -021)**

Dear Mr. Wiener:

I am writing on behalf of my client (the "Buyer") who is in escrow to purchase both the Beach Parcel and the Boardwalk Parcel respectively comprising Assessor Parcel 010-321-020 and -021 (collectively, the "Property"). Thank you for continuing our prior June 2014 concept hearing to provide more time for the Buyer and the Seller (who retains the neighboring McFarland House) to coordinate privacy issues associated with our original concept plans.

Enclosed with this letter are revised concept plans that respond to the Seller's request to maintain vegetative privacy screening between the two estates. The new privacy screening closes off northern views which were key to the original concept plans I sent you on May 15, 2014. To mitigate the lost northern views, the revised concept plans propose a crescent shaped house (to gain better views north and south) with the northern wing pushed forward from the original concept plans (to gain better southern views of Point Lobos).

The table below summarizes key project criteria. Notable changes include the Boardwalk House ("BDK") increasing its dune setback from 22' to 25' and being dropped an extra foot in height from 15' to 14'. The Boardwalk House is also increased by 100 sqft from 5,900 sqft in Floor Area to 6,000 sqft. With regards to the Beach House, the North wing has been pulled forward 9' beyond the existing house footprint in order to improve southern views of Point Lobos (and to mitigate lost northern views while responding to the Seller's privacy concerns). Other portions of the Beach House were pulled forward but are still behind the footprint of the original house (by approximately 7.5 feet). The proposed Beach House remains behind the 100 year estimated extent of bluff erosion determined by CapRock Geology.

RECEIVED

JUN 30 2014

City of Carmel-by-the-Sea
Planning & Community Dev.

215 West Franklin Street, 5th Floor
Monterey, California 93940

Marc Wiener, Senior Planner
Community Planning and Building
June 30, 2014
Page 2

Summary Comparing Both Concept Plans

	Original Concept Plans	Revised Concept Plans
Floor Area	BDK: 5,900 sqft BCH: 7,200 sqft	BDK: 6,000 sqft BCH: 7,200 sqft
Bluff Setback	BCH: 16' pull back	BCH: 7.5' pull back at South with 9' push forward at North
Height	BDK: 18' existing to 15' proposed BCH: 27' existing to 18' proposed	BDK: 18' existing to 14' proposed BCH: 27' existing to 18' proposed
Side Setbacks	BDK: 10.5' existing to 22' proposed BCH: 5.5' existing to 7' proposed	BDK: 10.5 existing to 25' proposed BCH: 5.5' existing to 7' proposed.

Through the Concept Review process, we welcome further recommendations and guidance from City Staff and the Planning Commission along with specific feedback regarding the following criteria (which are critical to the Buyer's decision to purchase the Property):

1. Maximum Allowed Floor Area for the Boardwalk Parcel and the Beach Parcel.
2. Consistency with Existing 18 Foot Height Restrictions.
3. Custom Park and Beach/Riparian Overlay Setbacks.

Consistent with my application cover letter, the Buyer remains interested in incorporating each of the following elements into any formal application:

- A. **Enhancement of Public and Private Views:** The Turret element of the existing Beach House is visually prominent from the Dunes, the Beach, and neighbor views. The proposed Beach House eliminates the Turret and any development above the height of the Turret's existing handrail. Based upon discussions with neighbors and visual assessments from the Beach and the Dunes, it was determined that the portion of the Turret above the handrail creates the greatest viewshed impacts.
- B. **Increasing Setbacks from the Dunes:** The existing Boardwalk House's close proximity and height creates a significant visual impact along the Dunes Boardwalk. To diminish these impacts, the Buyer proposes to keep the Boardwalk House a single story home while reducing its height from 18' to just 14'. The Buyer also proposes re-aligning the existing shared driveway between the Dunes and the Boardwalk House to increase separation between the house and the Dunes Boardwalk (from 10.5' to 25'). The prospective buyer is not adverse to adding vegetative screening to further reduce visibility from the Boardwalk.

Marc Wiener, Senior Planner
Community Planning and Building
June 30, 2014
Page 3

- C. **Subdivision Deed Restriction and Lot Merger:** The buyer is willing to grant a deed restriction prohibiting further subdivision of the Property in exchange for 1,200 square feet of bonus floor area for the Beach House. This deed restriction would also merge a third 9,000 sqft parcel recently discovered through chain of title research. The 1,200 sqft bonus is far less than the full 1,921 sqft bonus available to the 1.47 acre Property pursuant to City Code section 17.10.040.C. The deed restriction would be drafted to be permanent regardless of any changes in zoning.
- D. **Quitclaim of Beach Area to the City:** As a condition of approval for the Concept Plans, the buyer is also willing to quitclaim to the City that portion of the Property which comprises the Beach below the bluff.
- E. **Dune Restoration:** The prospective buyer is also willing to discuss implementation of a Dune Restoration plan consistent with the City's Del Mar Master Plan. The primary objective of this restoration would be the removal of the extensive ice plant between the Property and the Dunes Boardwalk.

Planning Commission Concept Review Revised Concept Plan Submittal

Enclosed with this letter are the following additional materials which supplement the Concept Review Application:

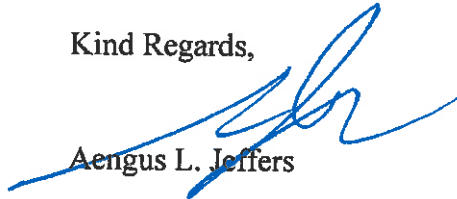
- One (1) Site Plan; One (1) Floor Plan Set; and One (1) Elevations Set describing the proposed project (collectively, the "Concept Plans"); and
- One (1) set of visualizations comparing existing development with the Concept Plans; and
- One (1) Assessor Parcel Map detailing the 3 legal parcels comprising the Property.
- One (1) copy of CapRock Geology's Bluff Setback Report confirming the proposed Concept Plans are behind the estimated 100 year extent future bluff erosion and that the historic natural grade across the Property was at least 6 feet higher than the existing grade.
- One (1) copy of Archaeological Consulting's assessment that the Property is clear of any cultural resources.

In closing, we very much appreciate your efforts to expedite a hearing to receive comments and guidance from the Planning Commission regarding the Concept Plans. We understand that any comments and guidance from City Staff or the Planning Commission will not constitute any guarantee regarding how a formal application will be reviewed by the City and that Planning Commission decisions may be appealed to the City Council and the Coastal Commission. While Planning Commission comments and guidance will inform the prospective buyer's decision to

Marc Wiener, Senior Planner
Community Planning and Building
June 30, 2014
Page 4

release contingencies, the prospective buyer will not rely upon such information as any guarantee. I mention this in the hopes of fostering open and dynamic conversations regarding the Concept Plans.

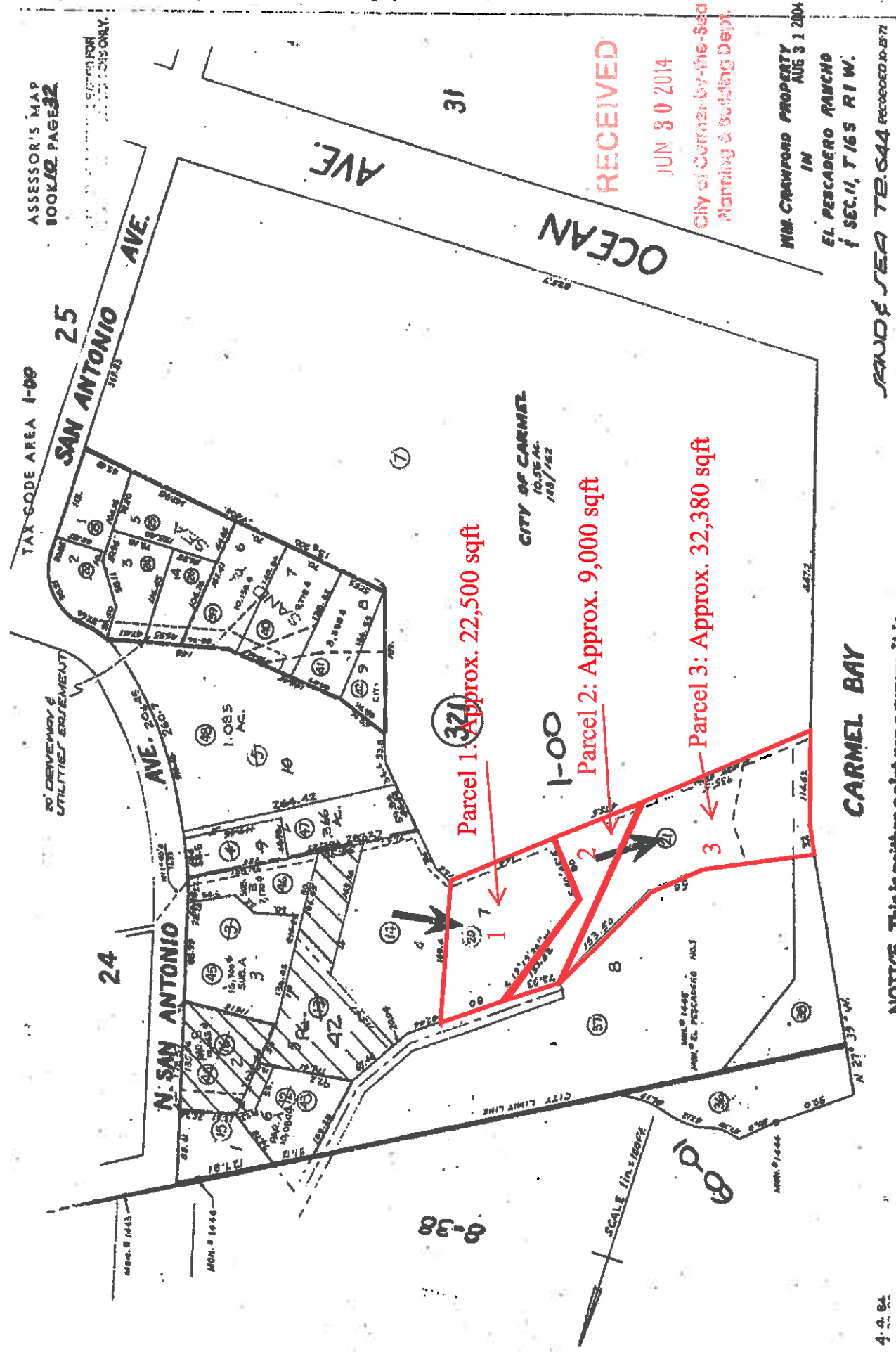
Kind Regards,



Aengus L. Jeffers

ALJ
Enclosures

ASSESSOR'S MAP
BOOK 10, PAGE 32



RECEIVED
JUN 30 2014
City of Carmel-by-the-Sea
Planning & Building Dept.

MM. CRAWFORD PROPERTY
IN
AUG 3 1 2004
EL PESCADERO RANCHO
1/2 SEC. 11, T. 16 S. R. 1 W.

SAUNDERS SEA TB-644 RECEIVED 10-27-17

NOTICE... This is neither a plat nor a survey, it is furnished merely as a convenience to aid you in locating the land indicated hereon with reference to streets and other land. No liability is assumed by reason of any reliance hereon.

Mr. Jeff Hines
 C/O Mr. Aengus Jeffers
 215 West Franklin Street, 5th Floor
 Monterey, CA 93940

Ref. No.: 4922-01

June 18, 2014

**GEOLOGICAL RECONNAISSANCE REPORT AND
 COASTAL BLUFF EROSION STUDY**

RECEIVED

JUN 30 2014

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

Site Description

The proposed project involves the renovation of an oceanfront residential estate on the subject property (APN 010-321-020 and -021) in Carmel, California.

The property is located at 10 Carmel Way (Figure 1) where it lies atop a coastal bluff overlooking Carmel Bay. On the 0.95-acre parcel closest to Carmel Bay (APN 010-321-021) there are two houses. The larger, westernmost house is a multi-story wood frame house and is the structure closest to the edge of the coastal bluff. There is also a single-story pool house on the eastern portion of the parcel. The 0.52-acre parcel immediately adjacent to the east (APN 010-321-020) has one single-story house located on it that is currently occupied by the caretaker for the property.

The property is located atop a gently sloping coastal bluff, approximately 45 to 58 feet (according to topographic map provided by Central Coast Surveyors) above sea level. This elevation range is consistent with that shown on the USGS 7.5 minute topographic map (Monterey, California, 1947, photo-revised 1983). Earth materials on the site consist of vegetation stabilized dune sand overlying marine terrace deposits that in turn overlie Miocene (approximately 5 to 23 million year old) sandstone (Geologic Map of the Monterey Peninsula and Vicinity, Dibblee, 1999, USGS). Sandstone bedrock was visible at the base of the bluff on the subject property at the time the fieldwork was conducted for this report. Beach sand overlaps onto the sandstone outcrop. Several wooden retaining walls are present on the face of the coastal bluff and most of the bluff face is covered with stabilizing vegetation.

While doing fieldwork on the subject property we observed several features to suggest that the highest elevation on the property, prior to development, was higher than the maximum elevation on the property today.

Several trees (cypress, pine) with thick trunks (30 to 40 inches in diameter) were observed near the southeastern property line at elevations up to 6 feet higher than the highest elevations elsewhere on the property. The thick trunks of these trees indicate that the trees have been growing on the property for a long time, and have likely been there longer than the structures

presently on the property. It appears likely that some excavation and grading, probably associated with construction and landscaping activities on the property, lowered the elevation of the land surface on most of the property.

In addition, dunes present on the adjacent property to the southeast are higher than the maximum elevation on the property. It is quite likely that prior to development on the subject property, the maximum elevation of the property was higher than it is today. Based on field observations, the predevelopment maximum elevation could easily have been 6 feet higher.

Another indicator that the pre-development elevation of the property was higher than today was found on the USGS 15 minute topographic map of the Monterey Quadrangle, 1913, which shows the highest elevation on the subject property as falling between 75 and 100 feet above sea level (Figure 2). Given the topography in the surrounding area, it is likely that the highest elevation was closer to 75 feet than to 100 feet, but regardless, this map indicates that prior to development, the naturally existing high point on the property was at least 75 feet above sea level.

Coastal Bluff Erosion

Our investigation of the coastal bluff erosion hazards have led us to suggest a single set back line for the property to prevent future construction from being subject to coastal bluff erosion and related ocean bluff landslides. This is reasonable as landsliding and erosion are related in that the presence of landslide deposits can result in high erosion rates and bluff erosion can create landslides.

Coastal Bluff Erosion Rate Study

The coastal bluff erosion study was conducted by analyzing stereographic aerial photos and reviewing published coastal bluff retreat rates in the Carmel Beach area. The aerial photos included in this study; 1939, 1945, 1970, 1990, 2001, 2003, and 2012 were selected for their similar scales and observable details.

Figure 3 (Historical Coastal Bluffs: Aerial Photograph Analysis) displays the crests of the historical coastal bluffs outlined against a 1945 aerial photograph as the basemap.

This method of measuring sea cliff retreat rates is the most widely employed method for studying coastal erosion. Newer methods involving use of LIDAR imagery and digital techniques have been developed that are valuable in providing an accessible and standardized methodology for studying coastal retreat over large areas (Hapke and Reid, 2007). These new methods are not expected to improve accuracy for small project site studies such as this project.

Figure 3 does not show a steady regression of the sea cliffs over time. The sea cliffs seem to move back and forth across the base map. This is caused by radial distortion and variation in viewing angle that is inherent to aerial photography. Distortion is also caused by the differences in the scales of the photographs. As a certain amount of error is associated with this method it is most accurate in areas with moderate to high retreat rates. In such areas the changes in the coastal bluffs locations are easily distinguishable. This lack of evidence for sea cliff erosion indicates that there have been less than moderate retreat rates in this area since 1939.

The morphology of the cliff has also not changed significantly during the study period, 1939-2012. This lack of change in the shape of the cliff suggests that there have been no large scale erosional events on the subject property during the study period. This observation is significant, because during the El Nino winter storms of 1982-83, substantial cliff retreat was documented further south along the shore of Carmel Bay by Rogers E. Johnson and Associates (Phase 1 Erosion Protection, Carmel Beach, Carmel-by-the-Sea, California, 26 September 1983).

Johnson analyzed maps and aerial photographs spanning a 75-year period (1908-1983). He determined that for the northern section of Carmel Beach the average yearly rate of coastal bluff erosion was 0.4 feet per year, while the erosion rate for the southern portion of Carmel Beach was between 0.3 and 0.7 feet per year.

The most dramatic erosion of coastal bluffs in Carmel during the 1982-83 El Nino storms was along the stretch of land south of the subject property, starting around Eighth Avenue and continuing further south to the area around Eleventh Avenue and Santa Lucia Avenue. Comparing the coastline along this stretch of Carmel Beach as it appears in aerial photographs from 1970 and 1990, it is readily apparent that there has been significant erosion along the section of beach cited by Johnson (1983).

The subject property lies approximately 1500 feet north of the point where Eighth Avenue would reach the beach (if the street extended that far seaward), putting the subject property over a quarter of a mile north of the area that was severely impacted during the 1982-83 winter storms. Comparing the coastal bluffs on the subject property and the adjacent properties to the north and south, there is little evidence of any significant changes from 1970 to 1990. Indeed, there is little discernible evidence of change in the bluffs along the subject property between aerial photographs taken in 1939 and 2012, or any of the other sets of stereographic aerial photographs analyzed between those years.

Griggs (Living with the California Coast, 1985) shows an erosion rate on the coast along the northern part of Carmel Bay, just down from Pescadero Point, of 3 inches (0.25 feet) per year. Further to the south, along Cypress Point, he shows an erosion rate of less than 1 inch (approximately 0.08 feet) per year. Although Griggs does not show an erosion rate specific to the area of the subject property, he does show that the bluffs along the section of Carmel Beach

where the subject property lies are backed by vegetated dunes. Vegetated dunes are more stable in general than unvegetated dunes and are also more resistant to erosion from waves.

Carmel Beach Sand Budget

Carmel Beach is a “pocket beach”, meaning that it is largely a beach unto itself, separated by headlands on either side of the beach from the rest of the coastline.

Most beaches are less isolated topographically and are participants in the movement of sand along the coast that results from the prevailing winds and wave directions, which serve to transport sand from one beach to another in the direction of flow of the longshore current.

When a succession of waves strikes the shoreline at an angle, sending some of their energy further down the coast, a longshore current is generated. Along the coastline of central California, the longshore current generally flows in a southerly direction, transporting sand along the coast from north to south.

Owing to the prominent headlands on the Monterey Peninsula to the north, such as Cypress Point and Pescadero Point, and the presence of Point Lobos to the south, the longshore currents are effectively held some distance away from the shoreline along Carmel Bay. That distance is thought to keep Carmel Bay from receiving significant inputs of sand from beaches and eroding bluffs further north along the coast. It is thought (Rogers Johnson, 1984) that most of the sand on the beaches within Carmel Bay “is probably derived locally from the erosion of sandstone and granitic bedrock.”

One source of locally derived sand is Pescadero Creek, which flows into Carmel Bay a short distance to the north of the subject property. The drainage basin feeding the creek extends inland over a mile and a half and drains slopes that extend as far inland as Huckleberry Hill, in the center of the Monterey Peninsula, and the interchange of Highways 68 and 1 to the northeast of the property.

The sand Pescadero Creek carries down to Carmel Beach is deposited on the beach just north of the property that lies adjacent to the subject property’s northern boundary. This input of sand helps stabilize the beach in the vicinity of the subject property and appears to be of sufficient volume that it may have built up an offshore sandbar, judging by the bathymetry shown on the USGS 7.5 minute topographic map (Monterey, California, 1947, photo-revised 1983). See Figure 1. Such a sandbar would provide further protection against storm waves for the subject property.

Alternatively, this shallow area may indicate a rocky outcrop under the water. But regardless of whether the shallow bathymetry offshore from the subject property indicates a sandbar or a rocky outcrop, the shallowing of the subsurface topography in this area should help dissipate the

energy of incoming waves, reducing their impact in the vicinity of the subject property. The 1913 USGS topographic map shown in Figure 2 does not include any measured bathymetric data, so it is not possible to use the two maps in analyzing any changes in the subsurface topography over time.

Recommended Setback From Top Edge of Coastal Bluffs

The California Coastal Commission defines the top edge of a coastal bluff as "...the upper termination of a bluff, cliff, or seacliff. In cases where the top edge of the cliff is rounded away from the face of the cliff as a result of erosional processes related to the presence of the steep cliff face, the bluff line or edge shall be defined as that point nearest the cliff beyond which the downward gradient of the surface increases more or less continuously until it reaches the general gradient of the cliff." (California Coastal Commission Memorandum dated 16 January 2014, Mark J. Johnsson, Staff Geologist; California Code of Regulations, Title 14 § 13577 (h) (2).)

As one moves seaward from the edge of the present multistory house towards the face of the coastal bluff, the initial slope away from the house is quite gentle, so much so that the term "slope" is barely applicable. At an elevation of approximately 43 to 44 feet, the land surface begins to slope more noticeably towards the bay and it is approximately along this line of elevation that we interpret the top edge of the bluff to lie as shown in Figure 4. As measured in the field with a tape measure, the distance from the most seaward points of the house to this bluff edge is approximately 30 to 32 feet, although at some points along the edge of the bluff the distance between the house and the bluff edge was determined to be several feet further seaward.

This placement of the top edge of the coastal bluff is supported by the slopes of the land surface as shown in the topographic profile (Figure 5) derived from the topographic map.

The City of Carmel requires a 100-year bluff setback:

(17.20.160.B.9.a) Bluff Retreat Setback Requirements: "New structures shall be set back a sufficient distance from any bluff top to be safe from bluff erosion for a minimum of 100 years as determined by a site-specific geology report, prepared in compliance with CMC 17.20.170(B), Geology Report; provided, that in no case shall the minimum setback be less than 25 feet."

The average rate of erosion for the City of Carmel's northern coastal bluffs was calculated by Rogers E. Johnson (1984) as 0.4 feet per year, as cited in the city's Shoreline Management Plan. The erosion rates cited by Griggs (1985) are not directly applicable to the subject property and as such are not appropriate for use in determining the setback for the subject property. We did not find any other published erosion rates for the area around the city of Carmel.

It should be emphasized that the erosion rate of 0.4 feet per year is an average rate, not only over time, but also distance, having been calculated across the full extent of the northern section of the coastal bluffs. As such this rate is not site-specific and would be inappropriate to use in determining the appropriate setback from the top edge of the coastal bluff for purposes of future construction on the subject property.

Our own aerial photo analysis of bluff retreat specifically for the subject property did not find any evidence of bluff retreat occurring as speedily as the 0.4 feet per year that Johnson (1984) determined for Carmel's northern bluffs in general.

We analyzed aerial photographs from 1939 to 2012, a 73-year span of time. If the coastal bluff on the subject property had retreated at a rate of 0.4 feet per year, we should have seen bluff retreat on the order of 25 feet. We did not see any evidence of bluff retreat of that magnitude, as described earlier in this report (see Coastal Bluff Erosion Rate Study section).

As we were not able to obtain aerial photographs covering the span of time from 1908 to 1939, we could not replicate Johnson's analysis and we cannot estimate how much erosion occurred at the subject property during those years. But since Johnson's analysis, there has been a subsequent El Nino winter (1997-1998), which fell within the span of time for which we analyzed aerial photos. Analysis of the 1990 and 2001 and 2003 and 2012 aerial photographs did not reveal any evidence of significant bluff retreat over that span of time.

In our effort to garner more precise data on the rate of bluff retreat on the subject property, CapRock orthorectified aerial photographs from several years and analyzed them. Orthorectification corrects the radial and angular distortion inherent in all aerial photographs, thus enhancing the ability of an analyst to make meaningful quantitative measurements from the photographs.

CapRock orthorectified, enlarged and analyzed aerial photographs from the years 1949, 1970, 1990 and 2012.

Even working with this enhanced imagery, we could not discern any significant amount of erosion of the coastal bluff on the subject property. This finding corroborates our conclusion that there has been no significant bluff retreat on the subject property in the latter half of the 20th century or to date in the 21st century.

The most recent photos used in CapRock's analysis were taken in 2012. As there have been no major winter storms that caused significant erosion in the last two winters, we are comfortable extending our finding to cover the years between 2012 and now. The earliest aerial photographs we analyzed were taken in 1939, thus our analysis covers the full 75 years from 1939 to the present.

For this reason and for all the reasons cited earlier in this report, in which we discuss several significant factors that may help account for the modest amounts of bluff retreat we discerned, we suggest that the rate of bluff retreat on the subject property is less than the general rate of 0.4 feet per year that Johnson calculated as the average for the city of Carmel's northern bluffs.

To insure the safety of the structures it is necessary to have a safety buffer. We recommend that all future construction be setback a minimum of 30 feet from the top of the cliff face, which corresponds to an average erosion rate of 0.3 feet per year. Based on our analysis and findings, it is entirely possible that the average erosion rate for the subject property has been less than 0.3 feet per year over the last 75 years, but in the absence of hard numbers to support that contention and for the sake of providing a sufficient setback incorporating an adequate margin of safety, we feel that 0.3 feet per year is the appropriate rate of coastal bluff erosion for the subject property. We based our analysis of the hazards of landsliding and erosion. This analysis was qualitative and it is expected that analytical evaluation of slope stability through quantitative slope stability modeling may result in different setbacks than those provided here.

It is significant that this study specifically addressed average erosion rates for the coastal bluffs. Average numbers are very useful for long-term planning but the actual process of erosion occurs episodically, not uniformly. This means that a large retreat event could account for most of the erosion in any given area for an interval spanning decades. Such large events do not necessarily invalidate estimates of annual erosion rates.

Landsliding

Landslides are not an uncommon occurrence along the California coastline, but our review of aerial photographs and our site visits did not identify any evidence of landslides on coastal bluffs that are close enough to impact the subject property.

Further analysis of upslope landslide hazards should be conducted as part of a future Geologic Hazards Investigation.

The Impacts of Sea Level Rise and Erosion Rates

Sea level is dynamic and has varied greatly over millions of years. In part this variation is caused by the occurrence of ice ages. Our sea level is at or near the maximum for the last few million years. This is because we are in between ice ages. The lower sea level during ice ages is caused by the existence of continental ice sheets that hold much of Earth's water. The periodic melting and reformation of these ice sheets has caused sea level to rise and fall by as much as 426 feet during the time frame of hundreds of thousands of years.

There has also been a shorter time scale that has shown a gradual rise since the late 1800's. Douglas (1997) asserts that the average rate of this rise is about 1.8 mm (0.07 inch) per year. Recently satellite altimetry has been used to measure sea level, this research has measured an increase of about 3.4 mm per year between 1993 and 2010. Ice sheets and glaciers have been melting, due to global climate change, and have been contributing melt water to the ocean.

This ongoing climate change is primarily being caused by greenhouse gases trapped in the atmosphere. The principal source of these greenhouse gases is the burning of fossil fuels. This makes estimating the rate and amount of sea level rise complicated and difficult, as one has to consider the socioeconomic trends that affect the rate at which these fossil fuels are burned. This causes there to be a lack of consensus among the scientific community about the amount of potential sea level rise over the next century, although scientists are virtually unanimous in agreeing that such additional sea level rise will occur.

Vermeer and Rahmstorf (2009) estimate sea level rise of 81 to 179 cm (32 to 70 inches) by 2100. The California Ocean Protection Council issued an update to the State of California Sea-Level Rise Guidance Document in March 2013 in which they stated that for the California coastline south of Cape Mendocino, the projected sea level rise between 2000 and 2100 would likely fall somewhere between 1.38 feet (16.56 inches) to 5.48 feet (65.76 inches). The midpoint of this range is 3.43 feet. See Table 1.

Table 1. Sea-Level Rise Projections using 2000 as the Baseline.

Time Period	North of Cape Mendocino	South of Cape Mendocino
2000 - 2030	-4 to 23 cm (-0.13 to 0.75 ft)	4 to 30 cm (0.13 to 0.98 ft)
2000 - 2050	-3 to 48 cm (-0.1 to 1.57 ft)	12 to 61 cm (0.39 to 2.0 ft)
2000 - 2100	10 to 143 cm (0.3 to 4.69 ft)	42 to 167 cm (1.38 to 5.48 ft)

The Sea-Level Rise Guidance Document was updated based upon scientific findings published in a June 2012 report issued by the National Research Council (NRC) titled *Sea-Level Rise for the Coasts of California, Oregon, and Washington*.

The SLR Guidance Document states: “The differences in sea-level rise projections north and south of Cape Mendocino are due mainly to vertical land movement. North of Cape Mendocino, geologic forces are causing much of the land to uplift, resulting in a lower rise in sea level, relative to the land, than has been observed farther south.”

The SLR Guidance Document also states: These projections incorporate a land ice component extrapolated from compilations of observed ice mass accumulation and loss. It is important to note that the NRC report is based on numerical climate models developed for the

Intergovernmental Panel on Climate Change (IPCC) Fourth Assessment Report which do not account for rapid changes in the behavior of ice sheets and glaciers and thus likely underestimate sea-level rise (the new suite of climate models for the Fifth Assessment Report was not available when the NRC report was developed). The committee used the model results from the IPCC Fourth Assessment Report, together with a forward extrapolation of land ice that attempts to capture an ice dynamics component.

The IPCC Fifth Assessment Report, released March 31, 2014, states that the Global Mean Sea Level (GMSL) rise is projected to be from 0.28 meters (11 inches) to 0.98 meters (38.6 inches) by 2100.

The report states: “with regional variations and local factors the local sea level rise can be higher than the projected for the GMSL. This has serious implications for coastal cities, deltas and low-lying states. While higher rates of coastal erosion are generally expected under rising sea levels, the complex inter-relationships between the geomorphological and ecological attributes of the coastal system (Haslett, 2009; Gilman et al., 2007) and the relevant climate and oceanic processes need to be better established at regional and local scales. Such complex inter-relationships can be influenced by different methods and responses of coastal management.”

Rising sea level will increase coastal bluff exposure to storm waves, which will accelerate erosion in coastal areas. A study of the California coast and the potential for increase in erosion in coastal areas caused by sea level change was performed by Philip Williams and Associates (PWA, 2009). This study covered an area that stretched from Santa Barbara to the Oregon border and is the first study of its kind. The study area was large and the scope of the project did not allow for coastal erosion estimates for specific sites. The results of this study were created into GIS shape files where one can distinguish land features and hazard zones. However, because of the large uncertainty the authors do not wish anyone to use these to assess the risk at a specific location.

This study was the first attempt to perform this analysis of sea level change and erosion. As such its methodologies have not yet been validated by observation. There is at the present time no established method for calculating the increase in erosion caused by sea level rise at this site.

Our coastal erosion estimates contained buffers that should compensate for any increase in erosion rates over the next 100 years.

The coastal bluff on the western end of the property at 10 Carmel Way (APN 010-321-021) is to some degree protected from direct wave impact from southerly and northerly swells by the headlands bounding Carmel Bay – Pescadero Point and Cypress Point on the Monterey Peninsula to the north and Carmel Point and Point Lobos to the south. Historically, the area south of Ocean Avenue has been subject to far greater amounts of cliff retreat than has the area north of Ocean Avenue, where the subject properties lie. In addition, the shallowness of the undersea topography immediately offshore from the subject property should help dissipate the energy of incoming waves. These protections should help mitigate any increase in erosion rates.

LIMITATIONS

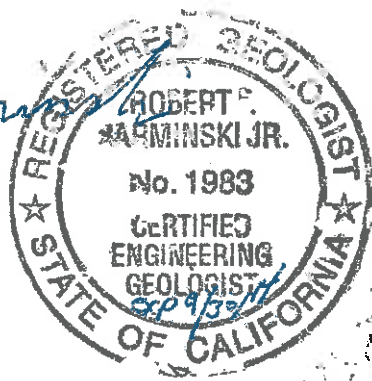
In performing our professional services, we have applied present engineering and scientific judgment and used a level of effort consistent with the standard of practice on the date of this report and the locale of the subject property for similar type studies. CapRock makes no warranty, expressed or implied, in fact or by law, whether of merchantability, fitness for any particular purpose, or otherwise, concerning any of the materials or "services" furnished by CapRock to the client.

This report does not make any attempt to evaluate appropriate foundation design, and is not a Geological Hazards Report or a Geotechnical Report or a Slope Stability Investigation. Coastal bluff erosion setbacks may be modified in the future if warranted further geological investigation. Subsurface soil conditions can vary both vertically and horizontally. Should you have any questions or comments concerning this Geological Investigation report, please contact us at (831) 484-5053.

Sincerely

CapRock Geology, Inc.

Robert Barminski, R.G., C.E.G.
Principal Geologist



REFERENCES

- California Coastal Commission Memorandum dated 16 January 2014, Mark J. Johnsson, Staff Geologist; California Code of Regulations, Title 14 § 13577 (h) (2).)
- Dibblee, T.W. Jr., 1999; Geologic Map of the Monterey Peninsula and Vicinity, Monterey, Salinas, Point Sur, and Jamesburg 15-Minute Quadrangles, Monterey County, California, Dibblee Geological Foundation, Map #DF-71, scale 1:62,500.
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- Hapke, C.J., and Reid, David, 2007, National Assessment of Shoreline Change Part 4: Historical Coastal Cliff Retreat along the California Coast. U.S. Geological Survey Open File Report 2007-1133
- Haslett, 2009; Gilman et al., 2007)
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- PWA (Philip Williams and Associates), 2009, California Coastal Erosion Response to Sea Level Rise Analysis and Mapping. Report: Philip Williams and Associates, San Francisco, California, for The Pacific Institute. 29 p.
- Rogers E. Johnson and Associates (Phase 1 Erosion Protection, Carmel Beach, Carmel-by-the-Sea, California, 26 September 1983).
- The Sea-Level Rise Guidance Document was updated based upon scientific findings published in a June 2012 report issued by the National Research Council (NRC) titled *Sea-Level Rise for the Coasts of California, Oregon, and Washington*.
- USGS 15 minute topographic map of the Monterey Quadrangle, 1913
- USGS 7.5 minute topographic map (Monterey, California, 1947, photo-revised 1983)
- Vermeer, M., and Rahmsorf, S., 2009, Global Sea level linked to global temperature, *Proceedings of the National Academy of Sciences*, December 22, 2009, vol. 106 no. 51 21527-21532

AERIAL PHOTOGRAPH REFERENCES

1939-B; Fairchild Aerial Surveys, Inc., Flight Line ABG, black and white, nominal scale 1:20,000.

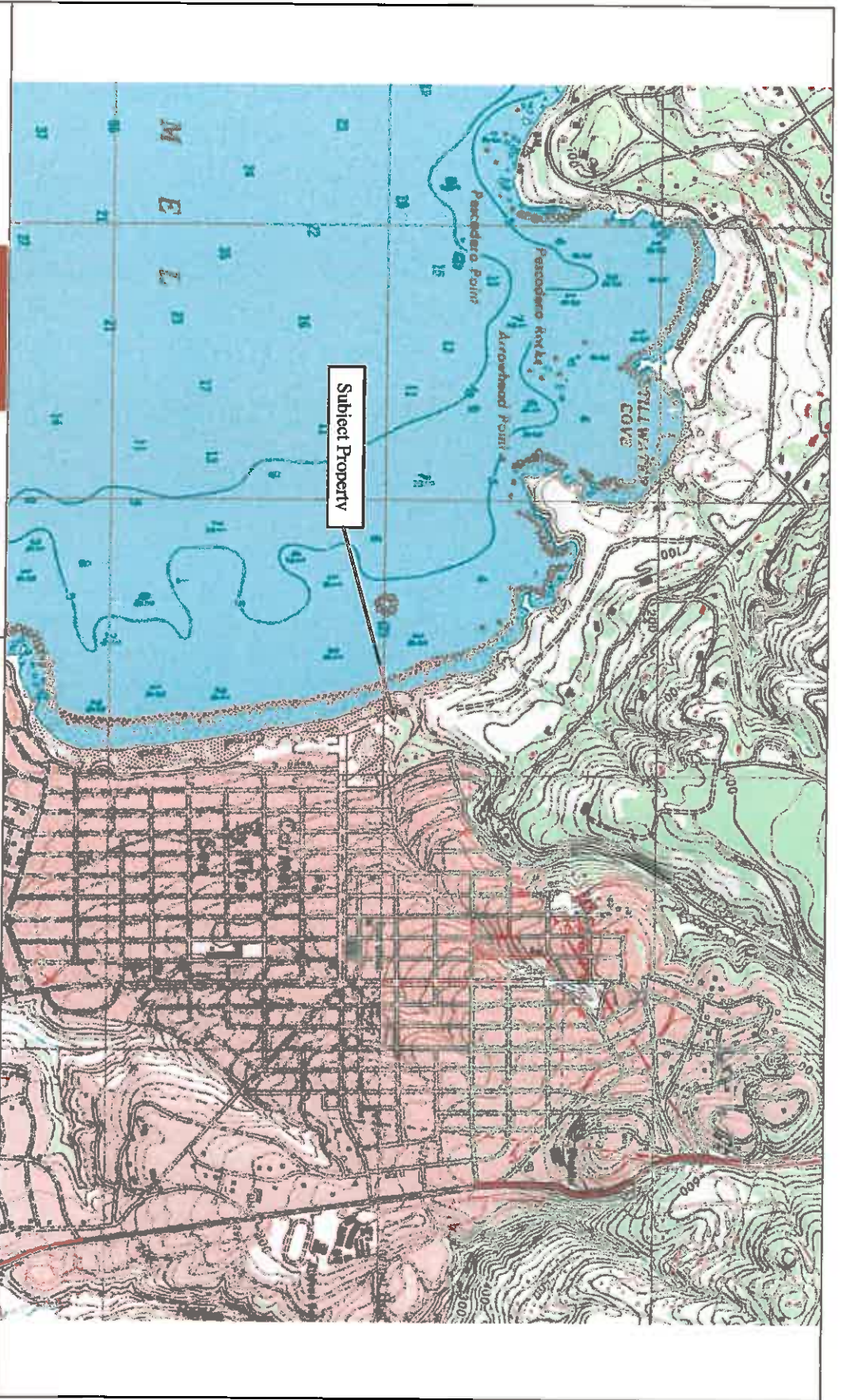
1945-A; Fairchild Aerial Surveys, Inc., Flight Line C-9820, black and white, nominal scale 1:7,200.

1970; California Dept. of Fish and Game, (no flight line identifier), black and white, nominal scale 1:12,000.

1990-D; WAC Corp., Flight Line WAC-MONTEREY-90, black and white, nominal scale 1:15,840.

2001-A; California Coastal Commission, Flight Line CCC-BQK-C, black and white, nominal scale 1:12,000.

2003-C; Sanborn, Flight Line AMBAG, color, nominal scale 1:4,200.



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SITE LOCATION MAP
 10 Carmel Way, Carmel CA
 Reference # 4922-01

Figure
1

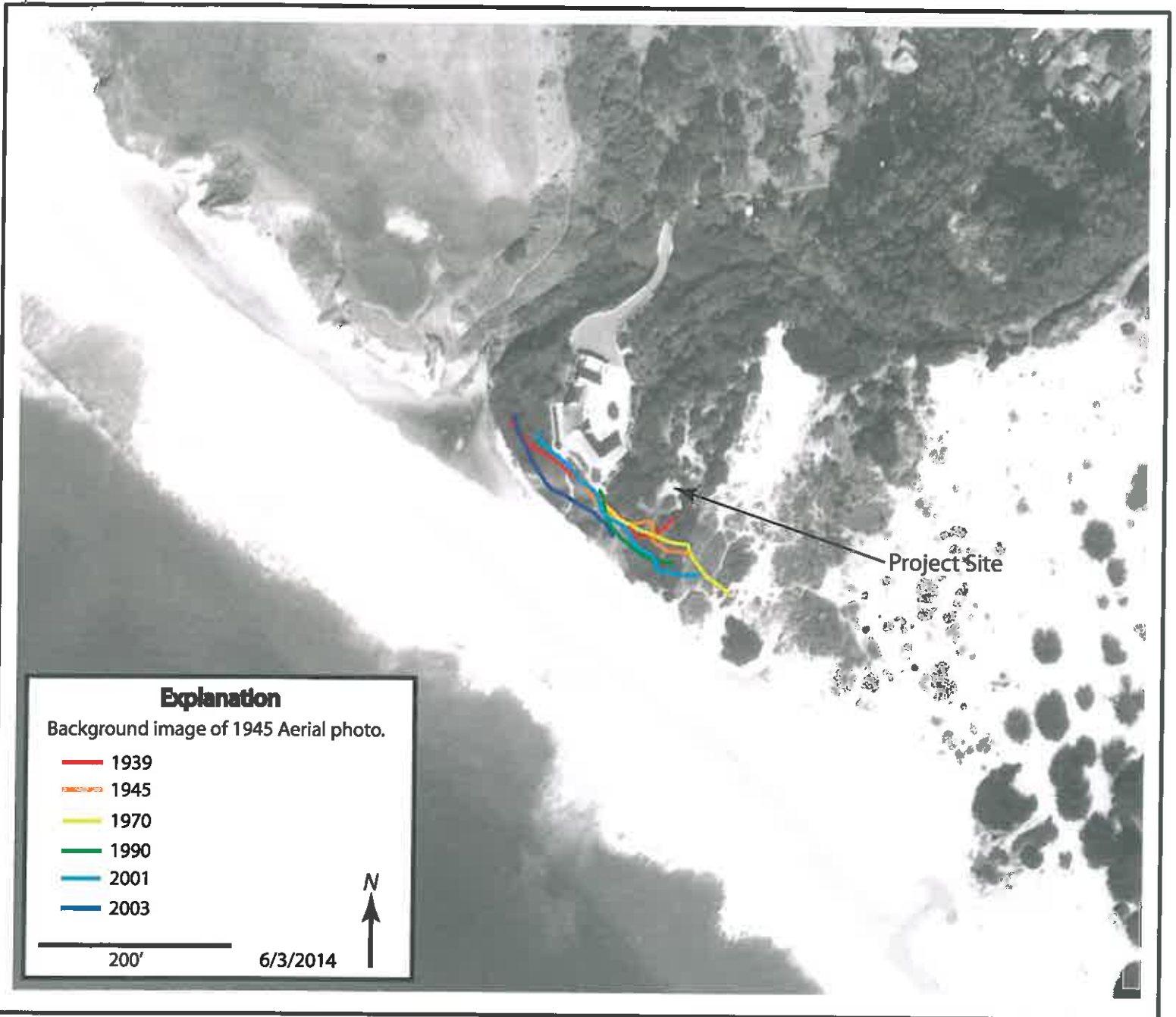


Figure
2

Historic Topographic Map - 1913 USGS
 10 Carmel Way, Carmel, CA
 Reference # 4922-01



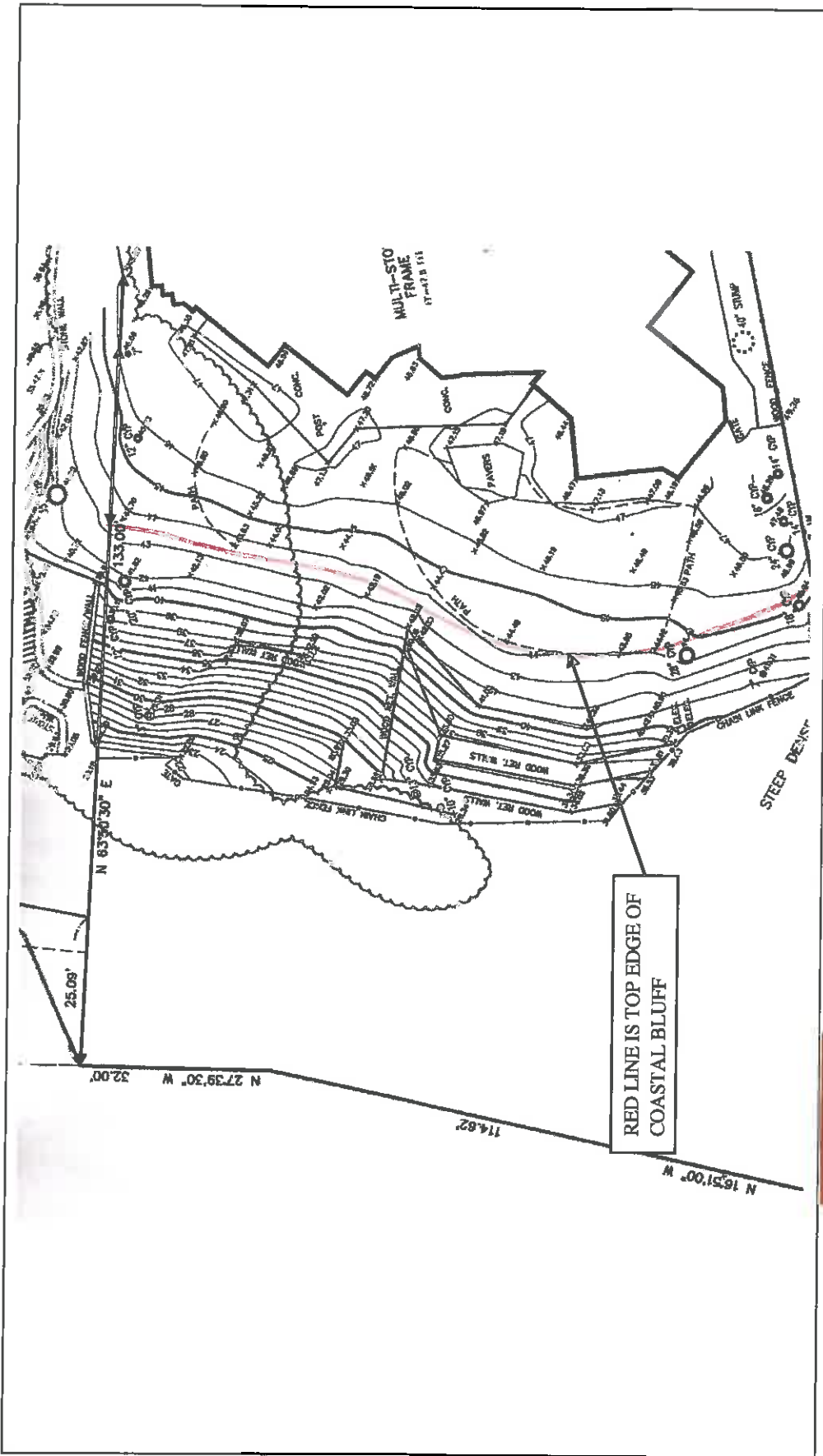
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 GEOLOGY



Historical Coastal Bluffs: Aerial Photograph Analysis

10 Carmel Way
 Carmel, California
 Reference #: 4922-01





TOPOGRAPHIC MAP SHOWING TOP

EDGE OF COASTAL BLUFF

10 Carmel Way, Carmel, CA

Reference # 4922-01

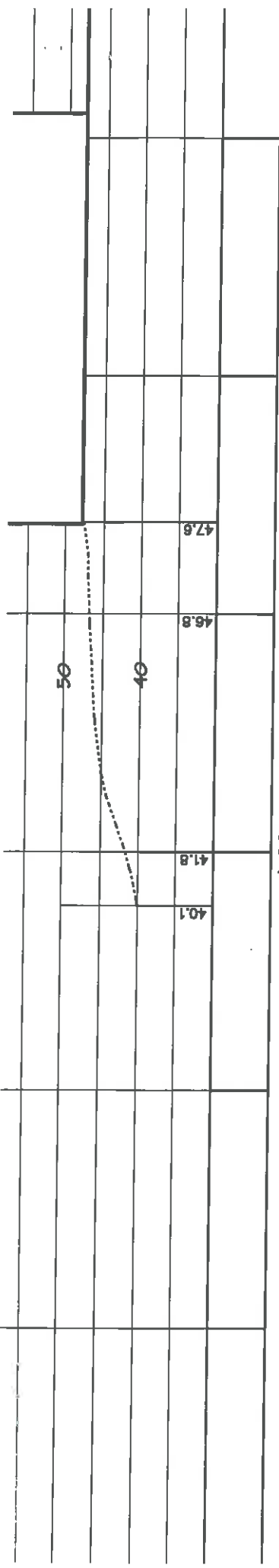
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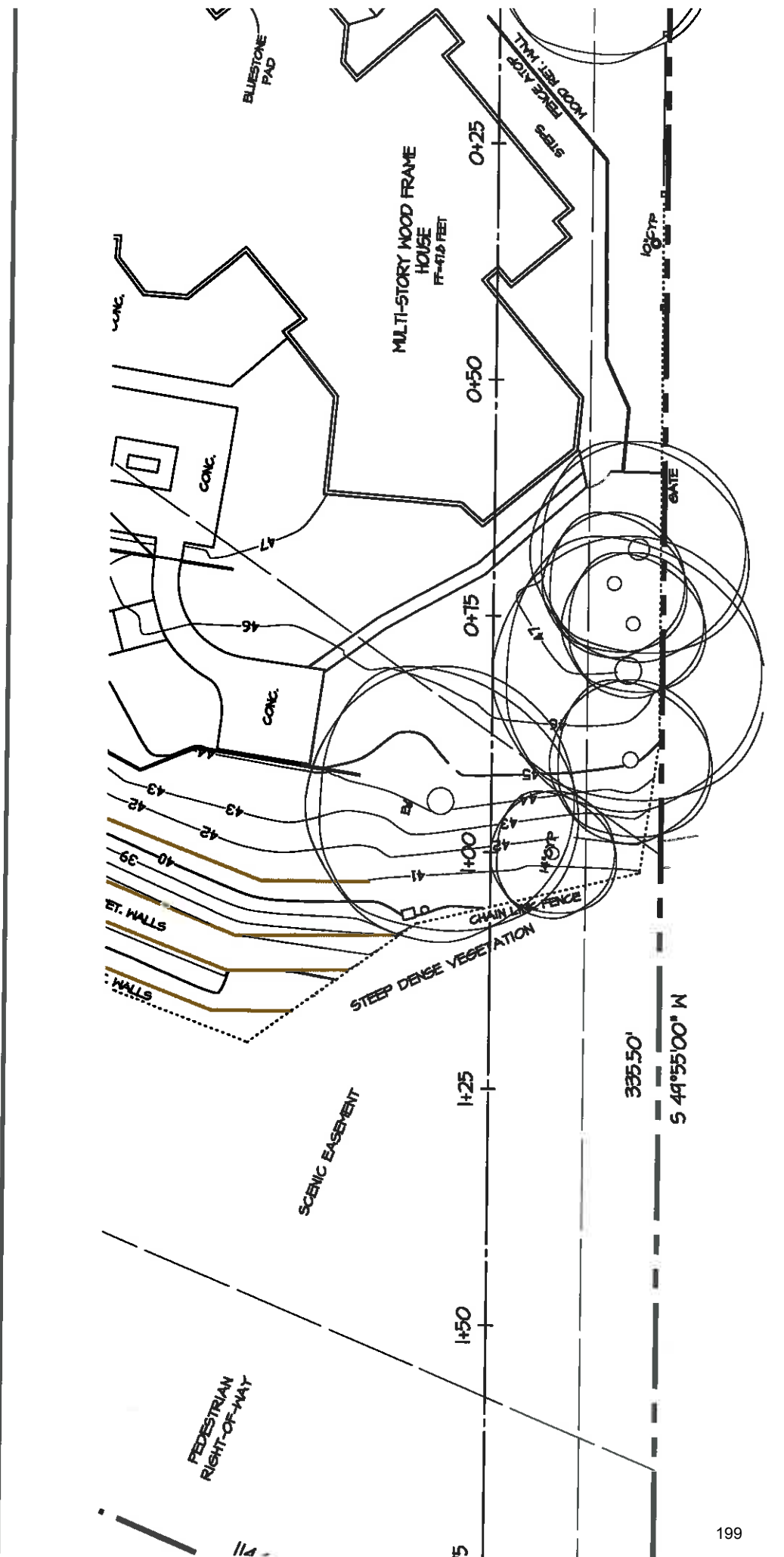
ENVIRONMENTAL, ENGINEERING & MARINE GEOLOGY



Figure 4



1:00



PEDESTRIAN
RIGHT-OF-WAY

SCENIC EASEMENT

MULTI-STORY WOOD FRAME
HOUSE
FT-41.8 FEET

335.50'
S 49°55'00" W

1:50



CARMEL WAY RESIDENCES | CARMEL, CA

CONCEPTUAL DESIGN STUDY

BAR ARCHITECTS

543 Howard Street, San Francisco, CA 94105, T. 415 293 5700, F. 415 293 5701 WWW.BARARCH.COM

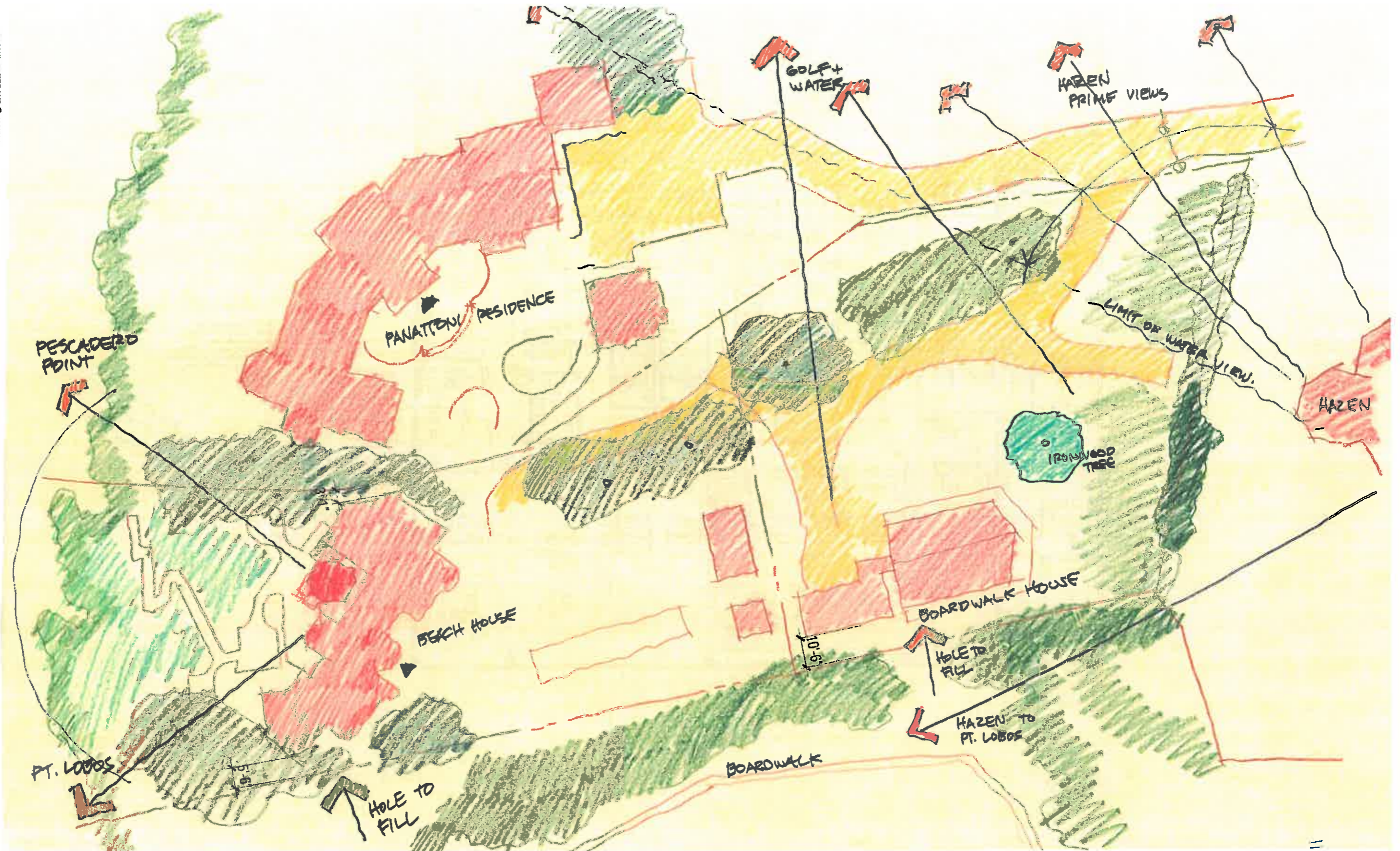
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City of Carmel-by-the-Sea
Planning & Building Dept.



CARMEL WAY RESIDENCES | CARMEL, CA

CONCEPTUAL DESIGN STUDY

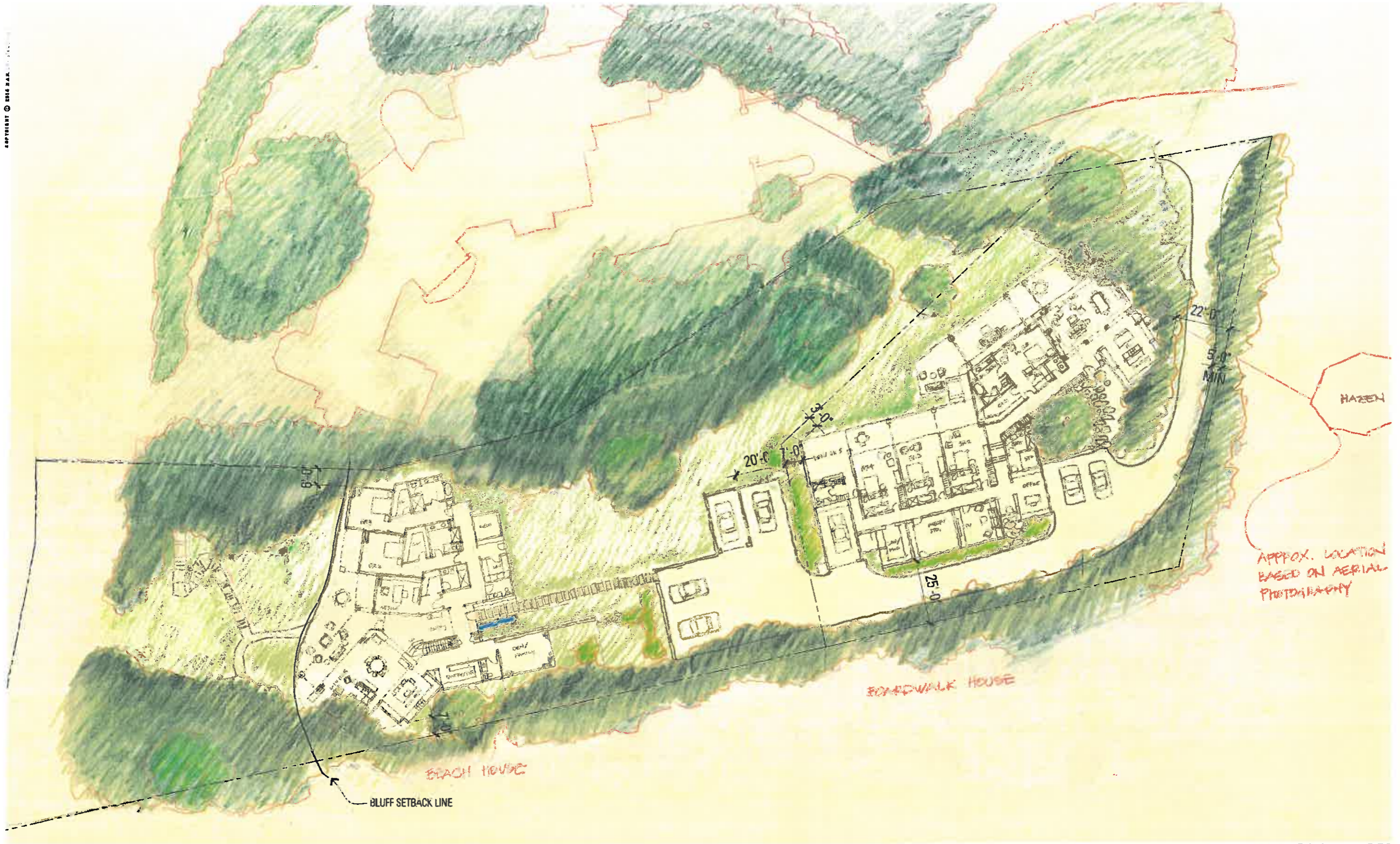
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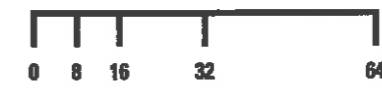
OVERALL SITE PLAN
CONCEPTUAL DESIGN STUDY

BARARCHITECTS

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06.27.2014



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CARMEL WAY RESIDENCES - 06/27/14

- VIEW FROM THE BEACH - PROPOSED CONCEPT RENDERING

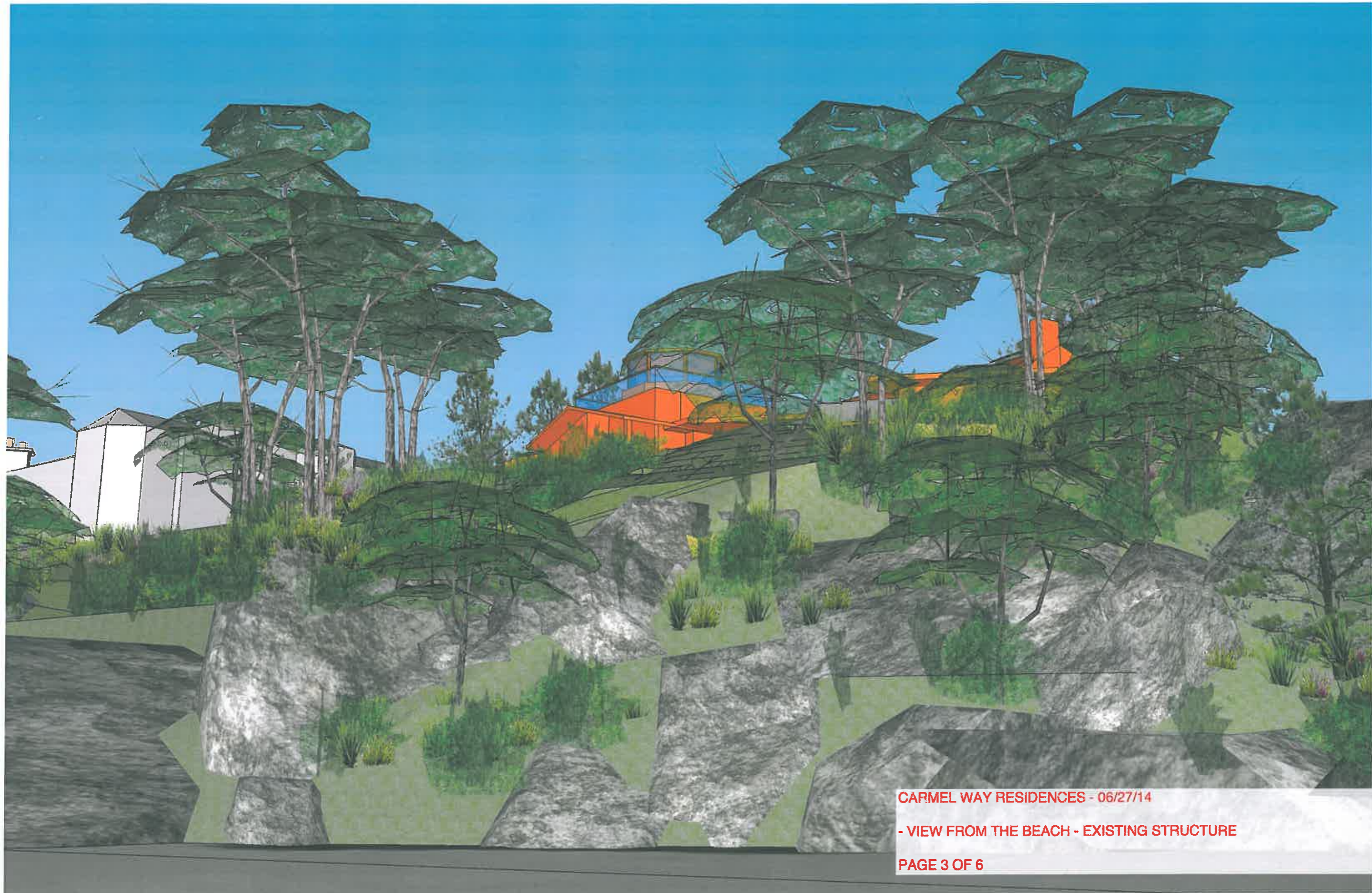
PAGE 1 OF 6



CARMEL WAY RESIDENCES - 06/27/14

- SIDE VIEW - PROPOSED CONCEPT RENDERING

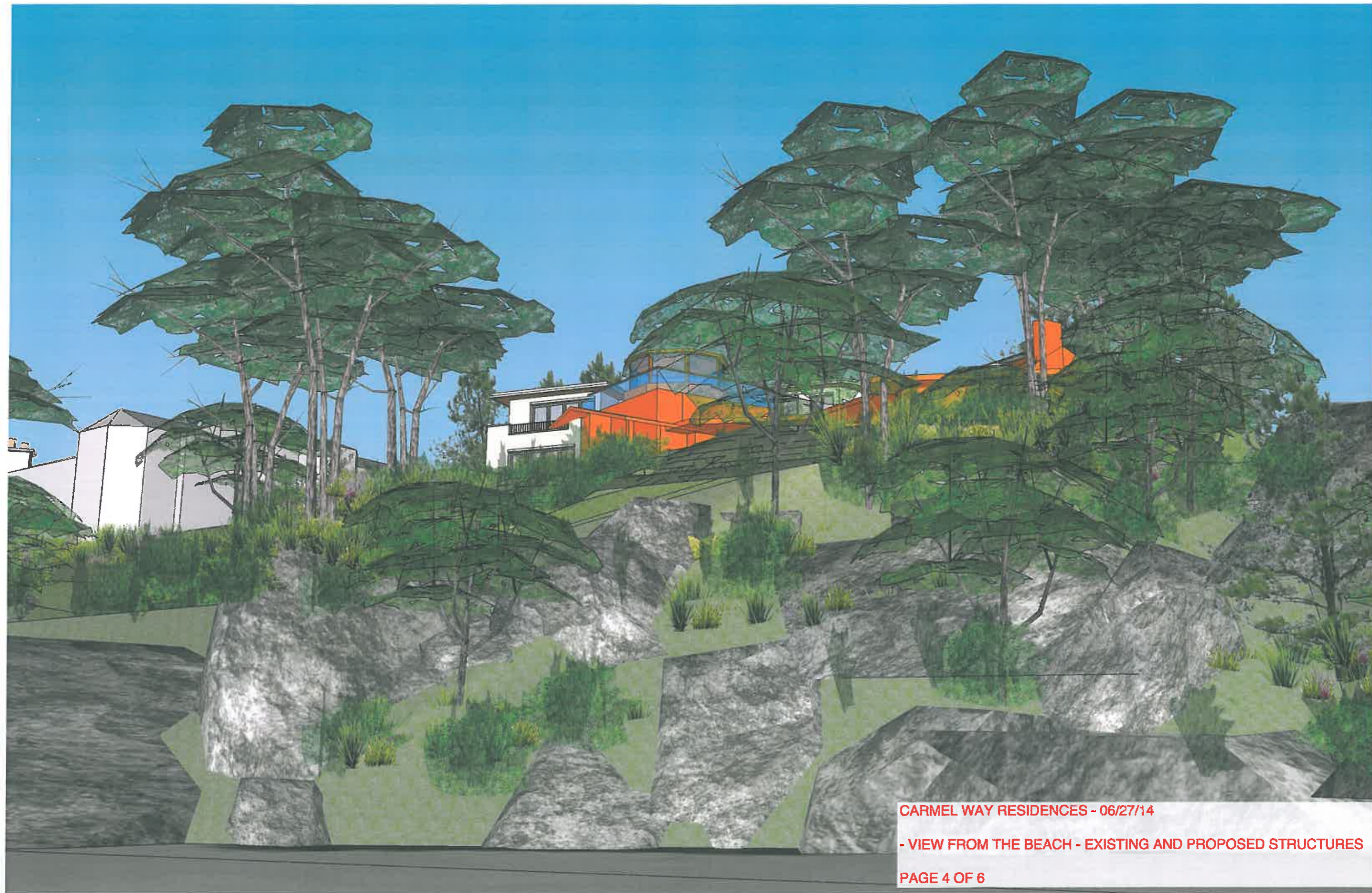
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CARMEL WAY RESIDENCES - 06/27/14

- VIEW FROM THE BEACH - EXISTING STRUCTURE

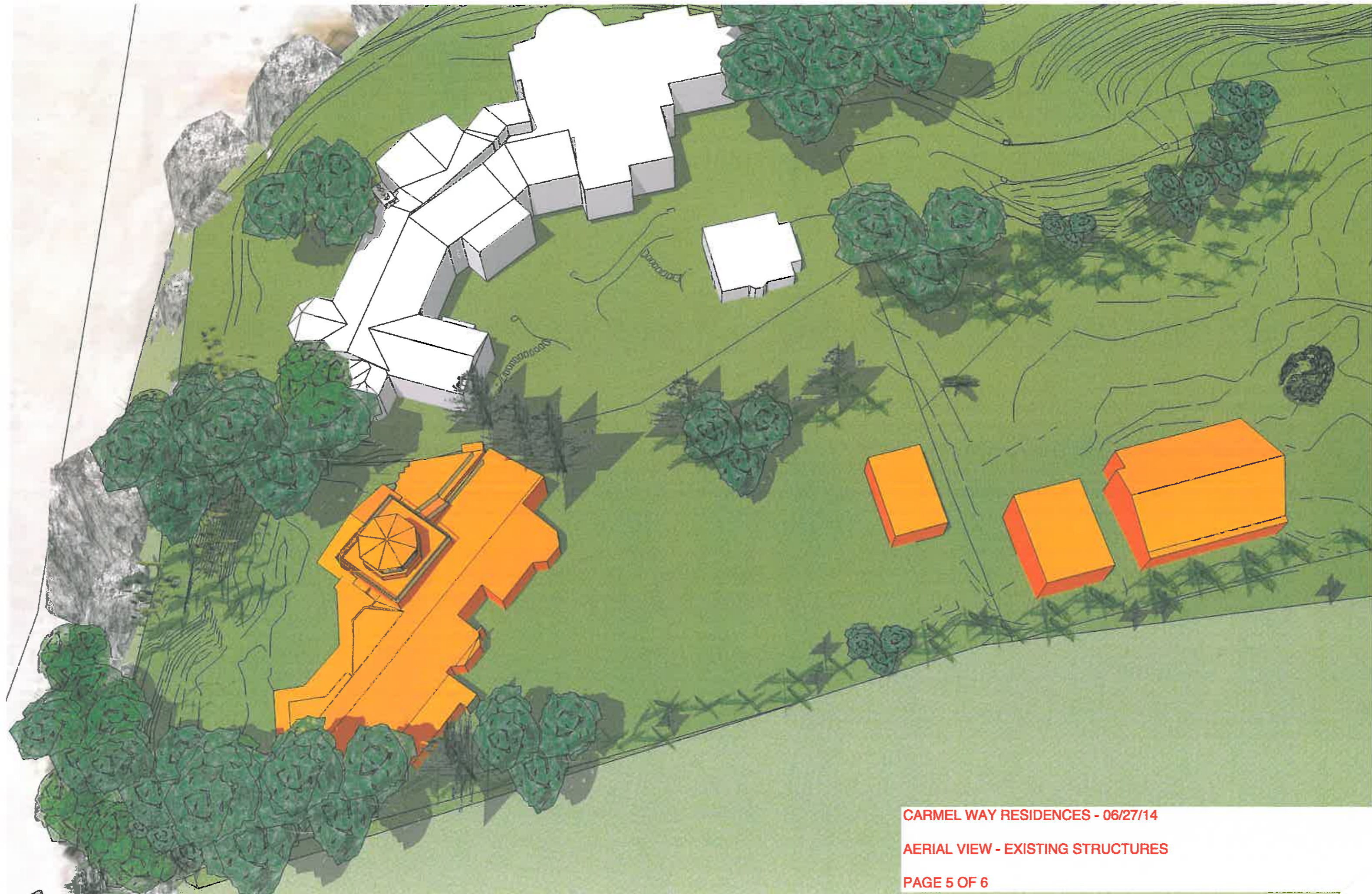
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CARMEL WAY RESIDENCES - 06/27/14

- VIEW FROM THE BEACH - EXISTING AND PROPOSED STRUCTURES

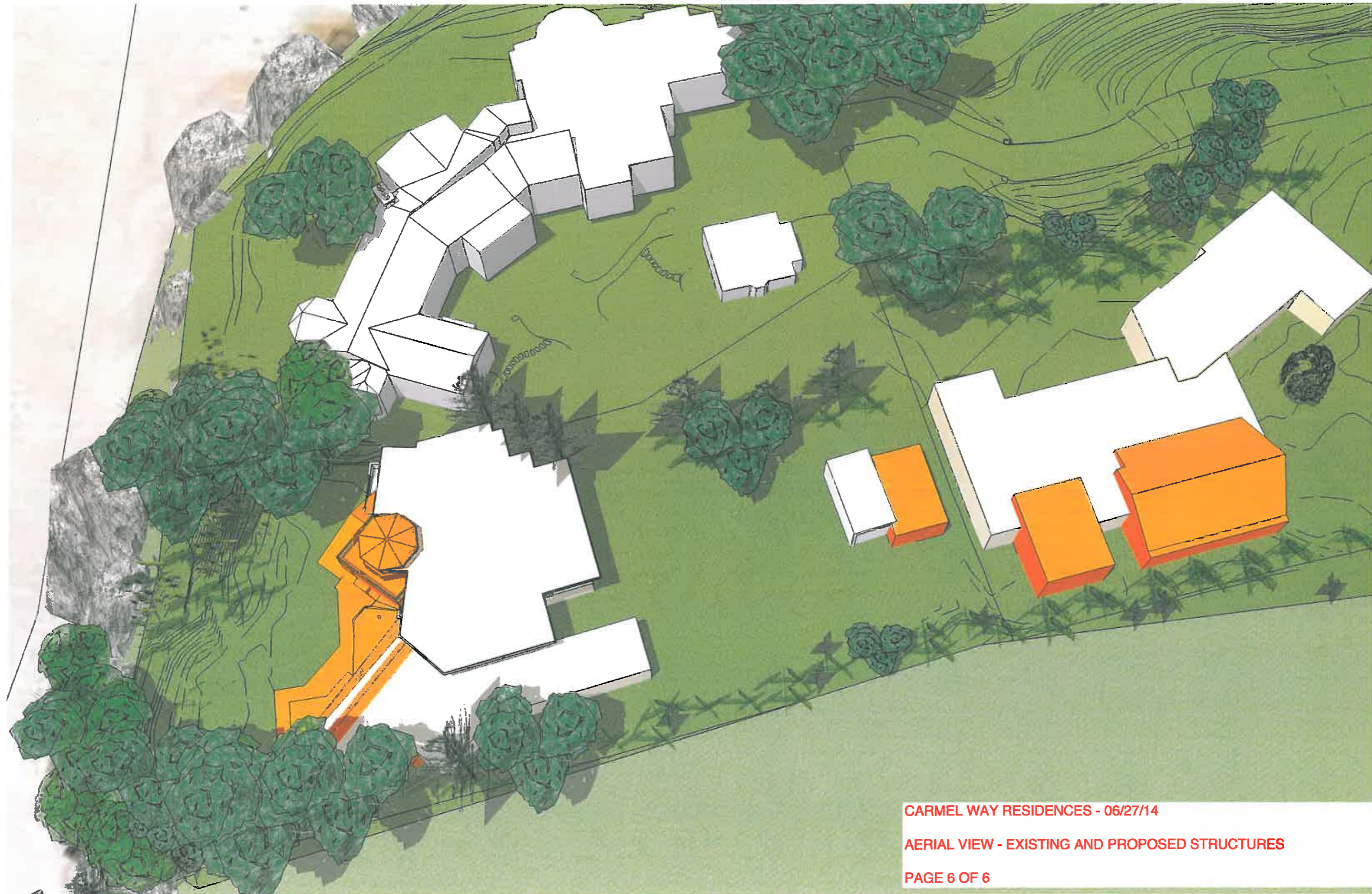
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CARMEL WAY RESIDENCES - 06/27/14

AERIAL VIEW - EXISTING STRUCTURES

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CARMEL WAY RESIDENCES - 06/27/14

AERIAL VIEW - EXISTING AND PROPOSED STRUCTURES

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