

MONTEREY COUNTY

RESOURCE MANAGEMENT AGENCY – PLANNING DEPARTMENT

MEMORANDUM



Date: January 21, 2010

To: Mike Novo, Zoning Administrator

From: Delinda G. Robinson, Senior Planner

Subject: Linden Design Approval No. DA090260

Owner: Tom Linden Tr., et. al.

The Design Approval application for LINDEN is to amend previously approved Design Approval No. DA080411 to: 1) add brick facia to the lower three feet of exterior walls; 2) modify the style of dormers to an "eyebrow" style; 3) add brick and stone chimney to north elevation; 4) change stucco chimney on west elevation to brick and stone; 5) add dark bronze wrought iron railing around exterior of tower element; and 6) allow modifications to style, number and locations of windows and doors on all elevations. The property is located at 1051 Rodeo Road, Pebble Beach (Assessor's Parcel Number 007-322-012-000), Greater Monterey Peninsula Area Plan.

The previously approved Design Approval (DA080411) allows the construction of a 3,865 square foot one-story single family residence with a 3,075 square foot habitable basement and a 763 square foot basement garage. The plans originally submitted for this amendment included an increase in the previously approved height and a reduction in the number of dormers. These changes were significant enough that staff determined that a public hearing was appropriate for the project. Staff did not support the approval of that amendment because the height and visual impact of the large expanse of red roof were not in character with the neighborhood. However, revised plans submitted on January 20, 2010 show the proposed height returned to 24'-9 3/4" from average natural grade, as was previously approved, and the deleted dormers reinstated on the plans. With these changes and the proposed additional decorative elements, staff recommends approval of the project as submitted on January 20, 2010.

The project was referred to the Del Monte Forest Land Use Advisory Committee (LUAC) for review. On September 19, 2009 the Del Monte Forest LUAC voted to recommend approval of the project as submitted, by a vote of 4 to 0. The LUAC minutes reflect that there was concern about the visual impact of the project.

The LINDEN project (DA090260) as described is consistent with the plans and policies of the Monterey County General Plan and the Greater Monterey Peninsula Area Plan. The project is consistent with requirements and standards of Monterey County Zoning Ordinance (Title 21).

RECOMMENDATION:

Staff recommends that the Zoning Administrator:

- (1) Approve the application, subject to the recommended conditions of approval (**Exhibit A**).

RESOLUTION - <u>DA090260</u> - EXHIBIT A Monterey County Resource Management Agency Planning Department Condition Compliance and/or Mitigation Monitoring Reporting Plan	Project Name: <u>LINDEN</u> File No: <u>DA090260</u> Approved by: <u>Zoning Administrator</u>
APNs: <u>007-322-012-000</u> Date: <u>January 28, 2010</u>	
<i>*Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.</i>	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verificatio n of Complianc e (name/date)
RMA – Planning Department						
1.		PD001 - SPECIFIC USES ONLY This Design Approval (DA090260) allows an amendment to previously approved design approval DA080411 to: 1) add brick and stone fascia to the lower three feet of exterior walls; 2) modify the style of dormers to an "eyebrow" style; 3) add brick and stone chimney to north elevation; 4) change stucco chimney on west elevation to brick and stone; 5) add dark bronze wrought iron railing around mid-level exterior of tower element; and 6) modifications to style, number and locations of windows and doors on all elevations. The property is located at 1051 Rodeo Road, Pebble Beach (Assessor's Parcel Number 007-322-012-000), Greater Monterey Peninsula Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. (RMA-Planning Department)	Adhere to conditions and uses specified in the permit. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled.	Owner/ Applicant RMA - Planning WRA RMA - Planning	Ongoing unless otherwise stated	

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2.		PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution DA090260) was approved by the Zoning Administrator for Assessor's Parcel Number 007-322-012-000 on January 28, 2010 . The permit was granted subject to 9 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." (RMA-Planning Department)	Obtain appropriate form from the RMA-Planning Department. The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.	Owner/ Applicant RMA-Planning	Prior to the issuance of grading and building permits or commencement of use.	
3.		PD003(A) – CULTURAL RESOURCES – NEGATIVE ARCHAEOLOGICAL REPORT If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. (RMA - Planning Department)	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.	Owner/ Applicant/ Archaeologist	Ongoing	
4.		PDSP001 – TREE REPLACEMENT (NON-STANDARD) The applicant shall plant four trees to replace the 28" Monterey pine tree which was removed from the adjacent Pebble Beach Company property. The replacement trees shall be: 1) either Monterey pine and/or Coast live oak (species to be selected by owner of property that the original tree was removed from); 2) minimum one gallon size; and 3) of local	Submit evidence of re-planting to the RMA-Planning Department. Evidence to consist of a copy of the receipt for the purchase of the replacement trees, photos of the replacement trees in the ground and a site plan showing the location of the replacement trees.	Owner/ Applicant	Prior to occupancy or final inspection	

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		genetic stock. Evidence of the replacement shall be submitted to the RMA-Planning Department. One year after the planting of the replacement trees, a letter shall be prepared by a County approved tree consultant reporting on the health of the trees and whether or not the replacement was successful or if follow-up remediation measures are required.	Submit a copy of letter prepared by a County approved tree consultant reporting on the health of the trees and whether the replacement was successful or if follow-up remediation measures are required	Owner/applicant	One year after planting of replacement trees.	
5.		PD011 – TREE AND ROOT PROTECTION Trees which are located close to the construction site(s) shall be protected from inadvertent damage from construction equipment by fencing off the canopy driplines and/or critical root zones (whichever is greater) with protective materials, wrapping trunks with protective materials, avoiding fill of any type against the base of the trunks and avoiding an increase in soil depth at the feeding zone or drip-line of the retained trees. Said protection, approved by a certified arborist, shall be demonstrated prior to issuance of building permits subject to the approval of the RMA – Director of Planning. If there is any potential for damage, all work must stop in the area and a report, with mitigation measures, shall be submitted by a certified arborist. Should any additional trees not included in this permit be harmed, during grading or construction activities, in such a way where removal is required, the owner/applicant shall obtain required permits.(RMA - Planning Department)	Submit evidence of tree protection to the RMA - Planning Department for review and approval.	Owner/Applicant	Prior to the issuance of grading and/or building permits	
			Submit on-going evidence that tree protection measures are in place through out grading and construction phases. If damage is possible, submit an interim report prepared by a certified arborist.	Owner/Applicant/Arborist	During Construction	
			Submit photos of the trees on the property to the RMA – Planning Department after construction to document that tree protection has been successful or if follow-up remediation or additional permits are required.	Owner/Applicant	Prior to final inspection	
6.		PD012(F) - LANDSCAPE PLAN AND MAINTENANCE (SINGLE FAMILY DWELLING ONLY) The site shall be landscaped. Prior to the issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA - Planning Department. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the	Submit landscape plans and contractor's estimate to the RMA - Planning Department for review and approval. Landscaping plans shall include the recommendations from the Forest Management Plan or Biological Survey as applicable.	Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect	Prior to issuance of Building Permits	

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		location, species, and size of the proposed landscaping materials and shall include an irrigation plan. The plan shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Before occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning Department. All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (RMA – Planning Department)	Landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning Department. All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to Occupancy Ongoing	
7.		PD014(A) – LIGHTING – EXTERIOR LIGHTING PLAN All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit 3 copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations, Title 24, Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits. (RMA – Planning Department)	Submit three copies of the lighting plans to the RMA - Planning Department for review and approval. Approved lighting plans shall be incorporated into final building plans. The lighting shall be installed and maintained in accordance with the approved plan.	Owner/ Applicant Owner/ Applicant	Prior to the issuance of building permits. Prior to Occupancy/ Ongoing	
8.		PD041 – HEIGHT VERIFICATION The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans.	1) The applicant shall have a benchmark placed upon the property and identify the benchmark on the building plans. The	Owner/ Applicant	Prior to the issuance of grading or	

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		The benchmark shall remain visible onsite until final building inspection. The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA- Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit associated with this project. (RMA – Planning Department and Building Services Department)	benchmark shall remain visible onsite until final building inspection		building permits	
			2) The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA-Building Services Department for review and approval, that the height of first finished floor from the benchmark is consistent with what was approved on the building permit.	Owner/ Applicant	Prior to the founda- tion pre- pour inspection	
			3) The applicant shall provide evidence from a licensed civil engineer or surveyor, to the Director of the RMA-Building Services Department for review and approval, that the height of the structure(s) from the benchmark is consistent with what was approved on the building permit.	Owner/ Applicant/ Engineer	Prior to the final inspection	

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9.		<p>PDSP002 -- CONSTRUCTION MANAGEMENT PLAN (NON-STANDARD)</p> <p>Prior to issuance of Grading or Building Permits, the applicant shall submit a Construction Management Plan (CMP) to the RMA-Planning Department for review and approval. The CMP shall include measures to minimize traffic impacts during the construction/grading phase of the project and shall provide the following information: Duration of the construction, hours of operation, an estimate of the number of truck routes, number of construction workers, parking areas for both equipment and workers, and locations of truck staging areas. Approved measures included in the CMP shall be implemented by the applicant during the construction/grading phase of the project. (RMA-Planning Department)</p>	Applicant shall prepare a CMP and shall implement approved measures during the construction/grading phase of the project.	Owner/ Applicant/ Contractor	Prior to issuance of the Grading Permit or Building Permit and ongoing during construction	

END OF CONDITIONS

Rev. 11/21//2009