

**PLANNING COMMISSION
COUNTY OF MONTEREY, STATE OF CALIFORNIA**

RESOLUTION NO. 02054

A.P. # 177-034-013-000

FINDINGS AND

DECISION

In the matter of the application of
Robert C. & Dana Renee Edgull (PLN010339)

for a Use Permit in accordance with Title 21 (Zoning) Chapter 21.74 (Use Permits) of the Monterey County Code, to allow for the demolition of a single car garage and storage shed, and the addition of a two-car garage and a second-story master suite addition to a single family dwelling subject to evaluation as a historic resource within the designated Spreckels Historic District and requiring Design approval, located at 11 First Street, Spreckels in a High Density Residential, Historic Resource zoned district (HDR/5.1 D HR), Greater Salinas area, came on regularly for hearing before the Planning Commission on September 11, 2002.

Said Planning Commission, having considered the application and the evidence presented relating thereto,

FINDINGS OF FACT

1. **FINDING:** The proposed single-family residence, including the addition, is consistent with the Greater Salinas Area Plan designation of “High Density Residential, 5.1 Units per Acre” (“HDR/5.1-D-HR”) with respect to permitted uses and density.

EVIDENCE: The Land Use Plan and the text and policies of the Greater Salinas Area Plan and Chapter 21.10 of Title 21 (Zoning) of the Monterey County Code were evaluated during the review of the application. The proposed single-family residence is consistent with the land use designation, lot coverage and density allowed under the Greater Salinas Area Plan and under Title 21.

EVIDENCE: Application and materials in project File PLN000403, and the administrative record.

EVIDENCE: Project planner conducted an on-site inspection to verify that the project on the subject parcel conforms. Notes regarding the site visit are in PBI File No. PLN010339.

2. **FINDING:** The site is physically suitable for the proposed residential addition.

EVIDENCE: The subject parcel is flat, already developed, and contains no major vegetation. There has been no testimony received either written or oral, during the course of public hearings to indicate that the site is not suitable for the project. Necessary public facilities are available for the use proposed. The project has been reviewed by the Monterey County Planning and Building Inspection Department, Water Resources Agency, Public Works Department and Health Department. There has been no indication from those agencies that the site is not suitable. There are no physical or environmental constraints such as geologic or seismic hazard areas, environmentally sensitive habitats, or similar areas that would indicate the site is not suitable for the use proposed.

3. **FINDING:** The project will not have a significant impact on the environment.

EVIDENCE: The project is exempt from environmental review under Section 15301, Class 1, (e) (1) of the Monterey County CEQA Guidelines relating to additions that are 2,500 square feet or less. No environmental effects are identified during project review.

4. **FINDING:** The proposed single-family residence is consistent with Policy 27.1.5(GS) of the Greater

Salinas Area Plan, the “HR” zoning of the property, and in particular, Section 21.54.060 E. 1 of the Zoning Ordinance (Title 21).

EVIDENCE: Policy 27.1.5 (GS) of the Greater Salinas Area Plan states the following: “Development in the town of Spreckels shall be allowed only...[if] new development is harmonious with existing development in exterior treatment, building lines, and bulk and height specifications.”

EVIDENCE: Under Chapter 21.54 of Title 21 (Zoning) of the Monterey County Code, the purpose of the “HR” (Historic Resource) zoning is to “provide...regulations for the protection, preservation, enhancement, and perpetuation of those structures and areas of historic...significance which contribute to the historic heritage of Monterey County.” Proposed work is considered consistent with the purposes of the “HR” zoning district with the design changes recommended by the Spreckels Neighborhood Design Committee, and conforms largely to the design guidelines for the district as found in the Spreckels Design Guidelines in the following ways:

- the addition is placed in the back of the building (Policy R1.3);
- the lap siding distinguishes the addition from the existing shingle wood siding to separate new construction from the historic structure (Policy R1.5), but retain wood features (Policy 3.1);
- the colors, including the trim, will match the existing residence (Policies R1.10, R4.1 and R4.2, R4.3): blue-gray walls (Glidden: “Teyton Sky”) with pale beige trim (OSH #232: “Full Moon”);
- the front historical façade is not modified (Policy R1.1);
- the new roof of the addition matches the roof pitch and materials of the existing roof (Policy R1.8);
- New door and window openings maintain the same size spacing and proportions as those existing (Policy R2.3);
- The new side porch will not be enclosed, which will maintain the historic character of the building (Policy R2.8)
- The parking area will be located behind the residence, accessible from the public alley (Policy S3.1)
- The existing fence in the front yard does not exceed four feet in height (existing 36” fence on front property line) and is constructed of wood slats in an open work pattern (Policy S2.1)
- The existing large shade tree at the front northwest portion of the lot will serve to partially screen the proposed second story addition while leaving open to view the first-story, double gabled, historic residence (Policy S1.2).

EVIDENCE: Pursuant to the Greater Salinas Area Plan policy 27.1.5 and Title 21, the Board of Supervisors adopted the Design Guidelines for the Town of Spreckels on February 23, 1999, by Resolution No. 99-075.

EVIDENCE: Exhibit F of the Planning Commission staff report for September 11, 2002 public hearing.

EVIDENCE: The HRRB had no consensus on the applicability of Spreckels Design Guidelines Policy R1.1 that states: Additions or alterations which alter the height, main façade elements, distinguishing architectural features or architectural character or a structure when viewed from the street generally are inappropriate. Some of the HRRB members expressed concern for the addition to the height and bulk of the addition to the house. Other HRRB members and staff note that the main façade elements fronting on the street—the double-gable façade of the historic structure--remain. The Spreckels Neighborhood Design Committee unanimously approved the project with minor design changes to roof height and window placement.

EVIDENCE: While the addition adds a third gable roof and height behind the historic structure, the additional height is consistent with over 50% of the residences on the same block as well as the adjacent two-story commercial building at the corner of First Street and Railroad Avenue. In addition,

the existing large shade tree in the front screens the proposed second-story addition from the street.

EVIDENCE: The proposed residential addition and existing single-family residence, while not constituting a Spreckels “contributing structure,” meets some 14 design policies of the Spreckels Design Guidelines listed above as a “supporting structure.” It does not detract from the design integrity and distinguishing features of the neighboring residences on First Street between Railroad and Hatton Avenues. The original integrity of the residential facade, estimated to have been built in 1928 in Salinas and moved to the Spreckels site in 1954, is retained. Yet, the structure’s movement to another site removes it from the Spreckels classification as a “contributing structure,” thereby qualifying the structure as a historic building under California State Law, subject to provisions of the State Historic Building Code.

EVIDENCE: The proposed two-story addition adds approximately 1,544 square feet (859 sq. ft. garage; 51 sq. ft. porch; 598 sq. feet of second-story habitable space (the master bedroom) to the existing 988 square feet of the existing house. After demolishing the existing detached garage and shed totaling 267 square feet, the net structural addition amounts to 1,277 square feet. Although some of the HRRB members objected to the added size and bulk of the addition, staff and other HRRB members recognize that the second-story addition is typical of the residences and next door commercial structure on the First Street neighborhood block where the subject parcel is located. The additional height does not adversely affect the character of the district when considering the neighboring residences.

EVIDENCE: Site visit by Planning and Building Inspection Department staff.

EVIDENCE: Exhibit E of the Planning Commission staff report for September 11, 2002 public hearing that includes the Spreckels Neighborhood Design Review recommendations.

EVIDENCE: Application and materials in project File PLN010339.

5. **FINDING:** The proposed addition to the single-family residence is consistent with Section 21.54.060 E. 2. of the Zoning Ordinance (Title 21), the applicable historic resource regulation with reference to conformity with the prescriptive standards and design guidelines for the Spreckels Historic District adopted by the Board of Supervisors.

EVIDENCE: Chapter 18.25 of the Monterey Code; the High Density Residential (“HDR”) site development standards for height and setback requirements set forth in Section 21.10.060 of Title 21.

EVIDENCE: The Spreckels Neighborhood Design Review Committee recommended approval of the application for a Use Permit for a two-story addition to the existing single-family residence at 11 First Street, Spreckels. While the HRRB did not come to a consensus for approval of the addition, the Board did recommend design changes to the residence that are largely consistent with the recommendations made by the Spreckels Neighborhood Design Review Committee.

EVIDENCE: The project meets 14 of the design guideline policies of The Spreckels Design Guidelines as adopted by the Board of Supervisors for the Town of Spreckels on February 23, 1999 (Resolution No. 99-075), and listed as evidence under Finding No. 4 above.

EVIDENCE: The proposed work is found to be consistent with the purposes of the Historic Resources Zoning District, Chapter 21.54 of Title 21, and will neither adversely affect the significant architectural features of the designated resource as a “supporting structure,” nor adversely affect the character of historical, architectural, or aesthetic interest or value of the designated resource and its site (see Section 21.54.060 E.1. of Title 21).

EVIDENCE: The addition to the supporting historic resource site includes a compatible use and exterior with the existing building on site (see Section 21.54.060 E. 3. of Title 21).

EVIDENCE: Application and materials in project File PLN000126, and the administrative record.

6. **FINDING:** The proposed addition will not adversely affect nor be incompatible with the use and exterior of the supporting historical building on site as required by Section 21.54.040 E. 3. of Zoning

Ordinance, Title 21.

EVIDENCE: The proposed residential addition and existing single-family residence, while not constituting a Spreckels “contributing structure,” meets some 14 design policies of the Spreckels Design Guidelines listed under Finding no. 4 above as a “supporting structure,” including the following:

- the lap siding distinguishes the addition from the existing shingle wood siding to separate new construction from the historic structure (Policy R1.5), but retain wood features (Policy 3.1);
- the colors, including the trim, will match the existing residence (Policies R1.10, R4.1 and R4.2, R4.3): blue-gray walls (Glidden: “Teyton Sky”) with pale beige trim (OSH #232: “Full Moon”);
- the new roof of the addition matches the roof pitch and materials of the existing roof (Policy R1.8); and
- New door and window openings maintain the same size spacing and proportions as those existing (Policy R2.3).

7. **FINDING:** The action proposed is not necessary to correct an unsafe or dangerous condition on the property and such unsafe or dangerous condition has not been ordered to be corrected pursuant to Section 21.54.040 E. 4. and Section 18.25.175 of the Monterey County Code.

EVIDENCE: The Application and materials in project File PLN010339. The project is to increase habitable family space and uninhabitable garage space, not correct an unsafe or dangerous condition.

8. **FINDING:** Denial of the application will not result in immediate and substantial financial hardship as established pursuant to Section 18.25.175 of the Monterey County Code.

EVIDENCE: The application and materials in project File PLN010339. The project better accommodates covered parking spaces for cars and living space for a family.

9. **FINDING:** The subject parcel is in a Design Control or “D” District requiring action pursuant to Chapter 21.44 of Title 21 (Zoning) of the Monterey County Code. The Spreckels Neighborhood Design Review Committee has suggested any changes in the plans of the proposed buildings deemed necessary to accomplish the purposes of the above Chapter. To this end, the applicant has provided the Planning Commission with a Design Approval Request, drawings, and a statement of materials and colors to be used.

EVIDENCE: Design Approval Request form with design changes recommended for approval by the Spreckels Neighborhood Design Review Committee attached as Exhibit E to Planning Commission staff report for September 11, 2002 and located in File No. PLN010339.

10. **FINDING:** The subject property is in compliance with all rules and regulations pertaining to the zoning uses, subdivision, and any other applicable provisions of Title 21 and any zoning violation abatement costs have been paid.

EVIDENCE: Staff verification of the records at the Monterey County Planning and Building Inspection Department and field visits confirm that no zoning violations exist on the subject property.

11. **FINDING:** The establishment, maintenance or operation of the uses and buildings applied for will not under the circumstances of this particular case, be detrimental to the health, safety, peace morals, comfort, and general welfare of persons residing or working in the neighborhood or to the general welfare of the County.

EVIDENCE: The project as described in the application and accompanying materials was reviewed by the Planning and Building Inspection Department, Health Department, Public Works Department, Water Resources Agency, and Salinas Rural Fire District. These departments and agencies have recommended conditions, where appropriate, to ensure that the project will not have an

adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood, or the county in general.

DECISION

THEREFORE, it is the decision of said Planning Commission that said application be granted as shown on the attached sketch, subject to the following conditions:

1. Use Permit to allow for the demolition of a single car garage and storage shed, and the addition of a two-car garage and a second-story master suite addition to a single family dwelling subject to evaluation as a historic resource within the designated Spreckels Historic District and Design Approval. The proposed two-story addition adds approximately 1,544 square feet (859 sq. ft. garage; 51 sq. ft. porch; 598 sq. feet of second-story habitable space (the master bedroom) to the existing 988 square feet of the existing house. After demolishing the existing detached garage and shed totaling 267 square feet, the net structural addition amounts to 1,277 square feet.

The project is located at 11 First Street, Spreckels (Assessor's Parcel Number 177-034-013-000) in a High Density Residential, Historic Resource zoned district (HDR/5.1 D HR) with Design Control, Greater Salinas area. Neither the use nor the construction allowed by this permit shall commence unless and until all of the conditions of the permit are met to the satisfaction of the Director of Planning and Building Inspection. 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 these permits is allowed unless additional permits are approved by the appropriate authorities. **(Planning and Building Inspection)**

Prior to Issuance of Grading or Building Permits:

2. The applicant shall comply with Ordinance No. 3539, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:
 - a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.
 - b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. **(Water Resources Agency)**
3. The applicant shall record a notice which states: "A permit (Resolution 02054) was approved by the Planning Commission for Assessor's Parcel Number 177-034-013 on September 11, 2002. The permit was granted subject to 7 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. **(Planning and Building Inspection Department)**

Prior to Final Inspection/Occupancy:

4. Roof construction shall be Class A or Class B, with fire resistive materials, or as approved by the Reviewing Authority. This requirement shall apply to all new construction and existing roofs that are repaired so as to affect 50 percent or more of the roof. Vegetation removal will not be allowed as a means of removing high or

very high fire hazard area designation from an entire parcel. **(Salinas Rural Fire District)**

- 5. When construction begins, temporary or permanent address numbers shall be posted. Permanent address numbers shall be posted prior to requesting final clearance. All address numbers (permanent and temporary) shall be posted on the property so as to be clearly visible from the road. Where visibility cannot be provided, a post or sign bearing the address numbers shall be set adjacent to the driveway or access road to the property. Address numbers posted shall be Arabic, not Roman or written out in words. Address numbers posted shall be a minimum number height of 3 inches with a 3/8 inch stroke, and contrasting with the background colors of the sign. **(Salinas Rural Fire District)**

Continuous Permit Conditions

- 6. All exterior lighting shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. **(Planning and Building Inspection Department)**
- 7. All landscaped areas and/or fences shall be continuously maintained by the applicant and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. **(Planning and Building Inspection Department)**

PASSED AND ADOPTED this 11th day of September, 2002, by the following vote:

AYES: Errea, Hawkins, brennan, Parsons, Diehl, Hernandez, Wilmot
 NOES: Engell
 ABSENT: Sanchez, Pitt-Derdivanis

Original Signed By:

DALE ELLIS, SECRETARY

Copy of this decision mailed to applicant on

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK OF THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE

This decision, if this is the final administrative decision is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

- 1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning and Building Inspection Department office in Salinas.

2. This permit expires 2 years after the above date of granting thereof unless construction or use is started within this period.