

MONTEREY COUNTY PLANNING COMMISSION

Meeting: January 14, 2009 Time: 2:30 P.M.		Agenda Item No.: 9
Project Description: Combined Development Permit consisting of 1) A Coastal Administrative Permit to allow the partial demolition and remodel of a 6,579 square foot single family dwelling including the demolition of a 1,111 square foot breezeway and the reconstruction of 804 square feet on the first floor; demolition of 415 square feet on the second story and reconstruction and addition of 673 square feet (net reduction of 49 square feet total), replacement of a 416 square foot pool with a 618 square foot lap pool, and improvements and reconfiguration of the patios and courtyard; 2) A Coastal Development Permit to allow development within the critical viewshed; and 3) A Design Approval.		
Project Location: 35500 Highway 1, Carmel		APN: 243-231-024-000
Planning File Number: PLN080022		Name: James Kearns, Property Owner Carver + Schicketanz, Agent/Architect
Plan Area: Big Sur Land Use Plan		Flagged and staked: Yes
Zoning Designation: "WSC/40-D (CZ)" [Watershed and Scenic Conservation, 40 acres per unit, with a Design Control Overlay (Coastal Zone)].		
CEQA Action: Exempt per Section 15301 (e)		Department: RMA - Planning Department

RECOMMENDATION:

Staff recommends that the Planning Commission approve the Combined Development Permit (PLN080022) based on the Findings and Evidence (**Exhibit C**) and subject to the recommended Conditions (**Exhibit D**).

PROJECT SUMMARY:

The proposed project includes the remodel of a portion of an existing 6,579 square foot single family dwelling including demolition of 1,526 square feet and new construction of 1,477 square feet resulting in a 6,530 square foot single family dwelling (net reduction of 49 square feet total). Staff's review of the project focused on compliance with the Local Coastal Plan (LCP) policies including the Big Sur Land Use Plan and Coastal Implementation Plans Part 1 and Part 3.

The Kearns property is located off Highway 1, just north of Garrapata Creek Bridge, between the sea and Highway 1 on a coastal bluff. The existing dwelling is visible from Highway 1 and is therefore, within the critical viewshed as defined in the Big Sur Land Use Plan (Policy 3.2.2). Replacement or enlargement of existing structures within the critical viewshed is not allowed to increase visibility within the viewshed. The proposed addition/remodel is sited within the existing footprint of the dwelling and patios. The overall square footage of the dwelling will be reduced by 49 square feet total and by design the resulting project will be less visually intrusive on the critical viewshed particularly at night.

A portion of the dwelling (the Wurster Stone House) is historically significant because of its design by William Wurster, a Master Architect who designed the house for Morley and Francis Baer. Morely Bear was a renowned photographer. The Stone House is eligible for listing on the National Register of historic places but only limited work to the Stone House is proposed. The project went before the Historic Resource Review Board (HRRB) on December 4, 2008 for review. The HRRB found that the proposed development is consistent with the Secretary of Interior Standards for Treatment of Historic Structures and recommended approval of the project by a vote of 4-0.

As conditioned, the project will not have significant impacts on sensitive resources and the project was determined to be categorically exempt from the California Environmental Quality Act (CEQA) per Section 15301 (e). See Exhibit B for a more detailed discussion.

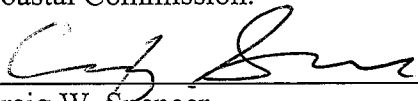
OTHER AGENCY INVOLVEMENT:

- ✓ Big Sur Volunteer Fire Brigade
- ✓ Public Works Department
- ✓ Parks Department
- ✓ Environmental Health Division
- ✓ Water Resources Agency

The above checked agencies and departments have reviewed this project. Conditions recommended by the RMA-Planning Department, Big Sur VFB, and Water Resources have been incorporated into the condition compliance reporting plan (**Exhibit D**).

The project was referred to the Big Sur Land Use Advisory Committee (LUAC) for review. On June 24, 2008 the Big Sur LUAC voted to recommend approval of the project, with conditions, by a vote of 6-0. Concerns raised at the meeting were focused on impacts to the critical viewshed. A discussion ensued regarding the policies of the critical viewshed, in the context of the letter of the code and the spirit of the code. The LUAC recommended seven conditions that, in conjunction with site specific features, were determined to reduce the overall impact on the viewshed, particularly at night. The applicant has revised the plans to incorporate the changes requested by the LUAC including eliminating the 9-inch height increase, revising the windows at the "Bridge room" and the "Knoll bathroom", and eliminating the deck originally proposed on the southern elevation. Other recommended conditions including landscape maintenance, the use of tinted windows, and reduced lighting have been included as conditions of approval in **Exhibit D**. With these changes and conditions incorporated, the LUAC felt that the project was in compliance with the spirit of the critical viewshed policies and intentions.

Note: The decision on this project is appealable to the Board of Supervisors and the California Coastal Commission.



Craig W. Spencer
(831) 755-5233, spencerc@co.monterey.ca.us
December 17, 2008

cc: ~~Front Counter Copy, Planning Commission Members (10), Big Sur VFB, Public Works Department, Parks Department, Environmental Health Division, Water Resources Agency, California Coastal Commission, Laura Lawrence, Planning Services Manager, Craig Spencer, Planner, Carol Allen, James P. Kearns, Applicant, Carver & Schicketanz, Agent, Planning File PLN080022.~~

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|--------------|-----------|--------------------------------------|
| Attachments: | Exhibit A | Project Data Sheet |
| | Exhibit B | Project Discussion |
| | Exhibit C | Recommended Findings and Evidence |
| | Exhibit D | Recommended Conditions of Approval |
| | Exhibit E | Vicinity Map |
| | Exhibit F | Site Plan, Floor Plan and Elevations |
| | Exhibit G | LUAC Minutes |
| | Exhibit H | Phase II Historic Report |
| | Exhibit I | HRRB Resolution |
| | Exhibit J | Photo Simulations |

This report was reviewed by Laura Lawrence, Planning Services Manager

Exhibit A

Project Data Sheet

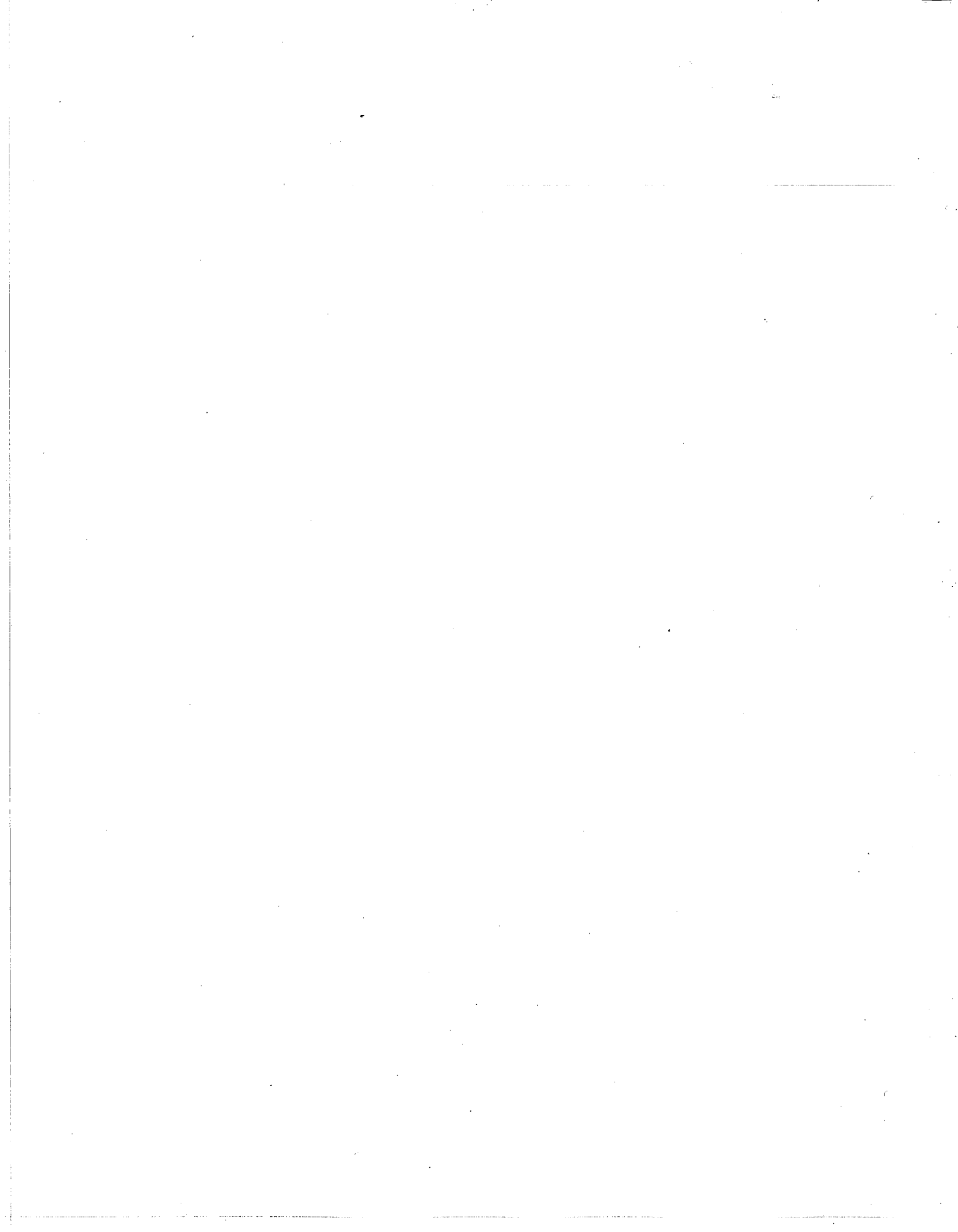


EXHIBIT A

Project Information for PLN080022

Project Title: KEARNS JAMES P TR

Location: 35500 HIGHWAY 1 CARMEL

Primary APN: 243-231-024-000

Applicable Plan: Big Sur Coast Land Use Plan

Coastal Zone: Yes

Permit Type: Combined Development Permit

Zoning: WSC/40-D (CZ)

Environmental Status: Exempt

Plan Designation: WATERSHED & CO

Advisory Committee: Big Sur

Final Action Deadline (884): 11/21/2008

Project Site Data:

Lot Size: 2.2 ACRES

Coverage Allowed: 10%

Coverage Proposed: .01%

Existing Structures (sf): 6,579

Height Allowed: 24'

Height Proposed: 19'

Proposed Structures (sf): 6,530

Total Sq. Ft.: 6,530

FAR Allowed: N/A

FAR Proposed: N/A

Resource Zones and Reports:

Environmentally Sensitive Habitat: Yes

Erosion Hazard Zone: IV

Biological Report #: N/A

Soils Report #: N/A

Forest Management Rpt. #: N/A

Archaeological Sensitivity Zone: HIGH

Geologic Hazard Zone: UNDETERMINED

Archaeological Report #: N/A

Geologic Report #: N/A

Fire Hazard Zone: VERY HIGH

Traffic Report #: N/A

Other Information:

Water Source: PUBLIC

Sewage Disposal (method): SEPTIC

Water Dist/Co: GARRAPATA WATER SYSTEM

Sewer District Name: N/A

Fire District: CDF-COASTAL

Grading (cubic yds.): 0.0

Tree Removal: N/A

Exhibit B

Detailed Project Discussion

EXHIBIT B
DETAILED PROJECT DISCUSSION
PLN080022 (Kearns)

A. PROJECT SETTING AND DESCRIPTION:

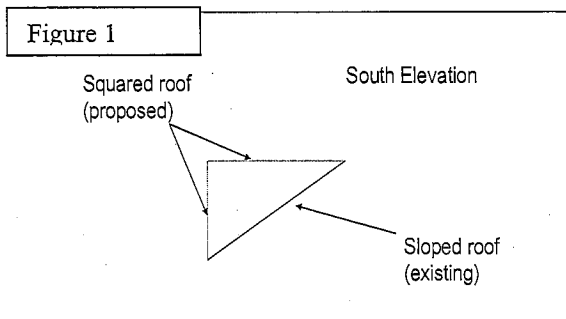
Setting The Kearns property is located west of Highway 1 just north of the Garrapata Creek Bridge. The parcel fronts along Highway 1 and is bordered on the south by a bluff above Garrapata Creek and to the north by a path that leads to Garrapata Beach which is located west of the existing dwelling. The site currently contains a two-part single family dwelling connected by an enclosed breezeway all located on the southeastern portion of the site. The northern portion of the dwelling has been labeled as the Wurster House. The Wurster house is a rectangular two story residential structure with a large northern facing window and stone veneer. The southern portion of the dwelling is a partial two-story structure with weathered wood siding, steep pitched roof-lines and large windows which is very different in appearance from the Wurster House. The southern portion is labeled both the Moore/Turnbull and Shaw additions. This portion of the house includes the garage and an indoor lap pool. The whole structure is located in a small depression in the topography minimizing the visibility and providing a small knoll as the backdrop of the structure when viewed from Highway 1. The structures are also surrounded by landscaping and planted Cypress trees which also provide screening when viewed from Highway 1.

Project Description The proposed project entails the demolition of a small loft that was previously added to the Wurster House (approximately 112 square feet), demolition and reconstruction of the enclosed breezeway and portion of the existing Moore/Turnbull segment of the house (approximately 1,477 square feet), demolition and reconstruction of the rear patio retaining wall, and remodel of the existing Shaw addition (approximately 1,420 square feet).

B. ANALYSIS

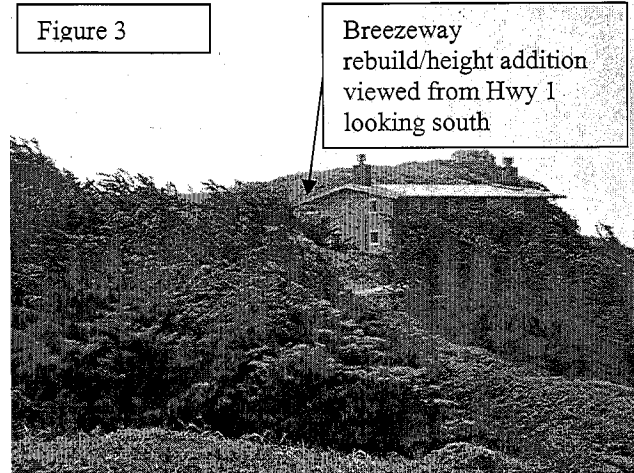
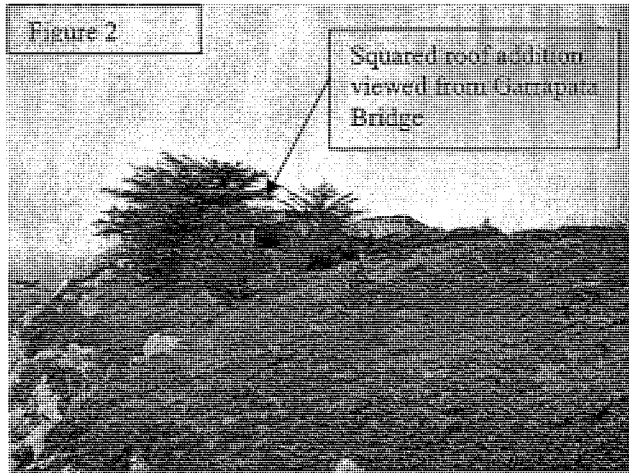
Development Standards The project is consistent with the applicable WSC/40-D (CZ) zoning district standards including setbacks, height, and lot coverage. The colors and materials will match the existing residence. The property is located within a Watershed and Scenic Conservation land use designation, which allows residential use and is suitable for the proposed use. The proposal was also reviewed for consistency with the Big Sur Land Use Plan and the Coastal Implementation Plan (CIP) Part 3. The main issue identified during review of the proposed development was in regard to the strict policies of the Critical Viewshed in Big Sur.

Visual Resources At issue regarding the project is the rebuild of a connection/breezeway that will increase the height, from existing, by 2 feet 4 inches and a slight increase of the bulk of the "Shaw addition" by squaring the roof line of the structure on the rear of the house (meaning the pitched roof sloping towards the rear will be a new second story living area with a flat roof, see Figure 1). Within these two areas orange netting could be seen from two locations along Highway 1 and at a distance (See Figures 2 & 3). The existing topography and vegetation screen views of the existing and proposed breezeway and the new design uses appropriate siting within the existing footprint and behind the



existing structure(s) and landscaping. Staff has worked with the applicant to redesign portions of the original project including eliminating a proposed increase in height of the "Shaw addition" and a

proposed cantilevered deck on the south elevation that both would have increased visibility. Generally development within the Critical Viewshed is prohibited; however, due to special circumstances of the lot, location of the existing structure, and the design of the proposed project, the new additions will not increase visibility of the structure within the viewshed once constructed. There are no alternative building sites on the property that would avoid development within the critical viewshed. Based on these conditions Big Sur Land Use Plan Policy 3.2.3.A.7 applies. This Policy allows replacement and enlargement if it does not increase the visibility of the structure in the viewshed. Other techniques to minimize visibility have been incorporated or required by condition such as the use of tinted glass in combination with reduced lighting to soften nighttime visibility (no exterior lighting allowed that can be seen from Highway 1 per Big Sur LUP Policy 3.2.3.B.1) and new landscaping to screen portions of the structure already visible.



Historic Resources As mentioned above and evident in Figures 2 & 3 above, the existing structure has two distinctly different portions connected by a breezeway. The Stone House or Wurster house, shown in Figure 3, was the original house on the lot and has been determined to be historically significant for its relation to William Wurster, a Master Architect, and Morley Bear, a renown photographer. Development associated with the Stone House includes demolition of a previously added loft area, replacement of one second story window with an operable window, and demolition and reconstruction of the connecting breezeway. Due to the historic nature of the structure, a Phase II historic report, prepared by Kent Seavey, dated November 20, 2008 was submitted for the project. The project was also referred to the Historic Resource Review Board (HRRB) for recommendation. Both the Phase II report and the HRRB concluded that the project is consistent with the Secretary of Interior Standards for the Treatment of Historic Structures and that the proposed development would not significantly affect the Wurster house. No conditions were determined to be required based on the proposed development and design. A condition to require the applicant to request a Historic Resources (HR) Zoning Overlay has been included in the conditions of approval for the project (Condition 11).

C. CEQA DETERMINATION

Categorically Exempt: The project entails the remodel of, and addition to, an existing single family dwelling. Section 15301(e) of the California Environmental Quality Act (CEQA) exempts additions to existing structures where it would not result in an increase of more than 50 % of the Floor Area before the addition (Class 1). The proposed addition would not exceed this threshold. Another Categorical Exemption applies to projects involving historic structures where those projects are determined to be consistent with the Secretary of Interior Standards (CEQA Section 15331). Staff reviewed the technical reports prepared for the proposed project and the site for unique conditions that may supersede these exemptions. It was determined that there are no

significant impacts to sensitive resources, as the new development will not require removal of any native vegetation or the potential for disturbance of archaeological resources. Impacts to Scenic Highway 1 have been evaluated and determined to be insignificant and in compliance with the Local Coastal Program. No other evidence was observed that would supersede this exemption and no significant impacts to the environment as a result of this project, are foreseen.



Exhibit C

Recommended Findings & Evidence

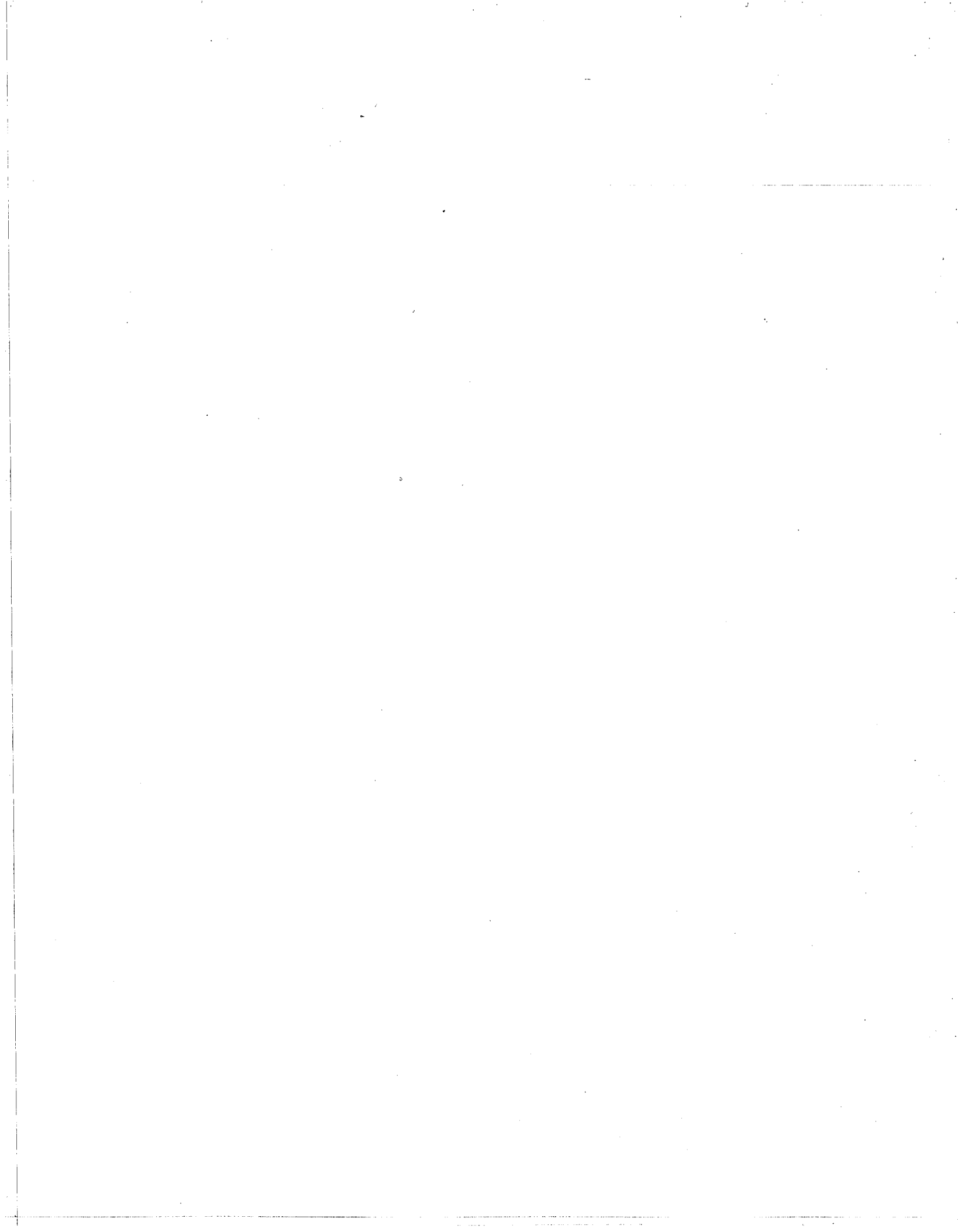


EXHIBIT C
RECOMMENDED FINDINGS AND EVIDENCE

1. **FINDING: CONSISTENCY** – The project, as described in Condition No. 1 and as conditioned, conforms to the policies, requirements, and standards of the Big Sur Land Use Plan, Coastal Implementation Plan Part 3, and the Monterey County Zoning Ordinance (Title 20, Part 1), which designates this area as appropriate for development.

- EVIDENCE:**
- (a) Plan Conformance The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of applications. Policies of the Big Sur Land Use Plan regarding the Critical Viewshed have been addressed. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
 - (b) Zoning Consistency The property is located at 35500 Highway 1, Carmel (Assessor's Parcel Number 243-231-024-000), Big Sur Land Use Plan. The parcel is zoned Watershed and Scenic Conservation, 40 acres per unit, with a Design Control Overlay, in the Coastal Zone ("WSC/40-D (CZ)") which allows the first single family dwelling per lot as a principally permitted use subject to a Coastal Administrative Permit in each case. The proposed project includes an entitlement for development within the critical viewshed which is a conditional use subject to a Coastal Development Permit in each case. Therefore, the property is suitable for the proposed development.
 - (c) Site Visit The project planner conducted a site inspection on October 1, 2008 to verify that the project on the subject parcel conforms to the plans listed above.
 - (d) Critical Viewshed The Kearns property (APN: 243-231-024-000) is located west of Highway 1, just north of Garrapata Bridge. The existing structure is visible from Highway 1 and a separate entitlement (Coastal Development Permit) is included in this permit to allow for development within the critical viewshed (See Finding #6 for more detail).
 - (e) Archaeological The subject site is high in archaeological sensitivity. There is little to no potential for impacts to archaeological resources as a result of the proposed development due to the location of the work within an existing disturbed area (over an existing patio and within the existing footprint of house). A condition to require work to be halted if unforeseen resources are discovered during construction has been incorporated in the conditions of approval (Condition 3).
 - (f) Historic Resources A portion of the existing dwelling (the Wurster House or Stone House) is a historic structure, eligible for listing on the Local, State, and National register of historic structures, due to its design by William Wurster, a master architect and its relation to a famous photographer, Morley Bear. A Phase II historic report has been prepared for the project by Kent Seavey dated November 20, 2008 and the project was referred to the Historic Resource Review Board (HRRB) for review. Both the Phase II report and the HRRB concluded that the project is consistent with the Secretary of Interiors Standards for Rehabilitation and that the proposed development would not significantly affect the Wurster house. A condition to require the applicant to request a Historic Resource

Zoning Overlay has been included to provide long term protection and ensure adequate review of the historic structure (Condition 11).

- (g) LUAC The project was referred to the Big Sur Land Use Advisory Committee (LUAC) for review. On June 24, 2008 the Big Sur LUAC voted to recommend approval of the project, with conditions, by a vote of 6-0. Concerns raised at the meeting were focused on impacts to the critical viewshed. A discussion ensued regarding the policies of the critical viewshed, in the context of the letter of the code and the spirit of the code. The LUAC recommended seven conditions that, in conjunction with site specific features, were determined to reduce the overall impact on the viewshed, particularly at night. The applicant has revised the plans to incorporate the changes requested by the LUAC including eliminating the 9-inch height increase, revising the windows at the "Bridge room" and the "Knoll bathroom", and eliminating the deck originally proposed on the southern elevation. Other recommended conditions including landscape maintenance, the use of tinted windows, and reduced lighting have been included as conditions of approval in **Exhibit D**. With these changes and conditions incorporated, the LUAC felt that the project was in compliance with the spirit of the critical viewshed policies and intentions. (See Conditions 7 & 8).
- (g) Application The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File PLN080022.

2. **FINDING: SITE SUITABILITY** – The site is physically suitable for the use proposed.

- EVIDENCE:** (a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Carmel Big Sur VFB, Parks, Public Works, Environmental Health Division, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
- (b) A technical reports by outside geotechnical and historical consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff concurs. The following report was prepared:
- i. "Geotechnical Report" (LIB080340) prepared by Grice Engineering Inc., Salinas, CA, April 2008.
 - ii. "Phase II Historic Report" (LIB0800629) prepared by Kent Seavey, Pacific Grove, CA, November 20, 2008.
- (c) Staff conducted a site inspection on October 1, 2008 to verify that the site is suitable for this use.
- (d) Materials in Project File PLN080022.
- (e) See Findings 1, 3, and 5.

3. **FINDING: CEQA (Exempt):** - The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.

- EVIDENCE:** (a) California Environmental Quality Act (CEQA) Guidelines Section 15301 (e), categorically exempts additions to existing structures that do not resulting in an increase of more than 50 percent of the floor area or 2,500

square feet whichever is greater. The proposed project will reduce the square footage by 49 square feet.

- (b) The Phase II Historic Report prepared for the project concluded that the development, as proposed, is consistent with the Secretary of Interior Standards for the Treatment of Historic Structures. On December 4, 2008, the Monterey County Historic Resource Review Board unanimously agreed (vote: 4-0). CEQA categorically exempts projects involving historic structures where the project is consistent with the Secretary of Interior Standards (Section 15331, Class 31).
- (c) The geotechnical report prepared for the project deemed the project suitable for the proposed project provided the recommendations in the report are followed. No significant impacts were identified. A standard condition of approval has been implemented to assure compliance with the report (Condition #9).
- (d) The development will be contained within the previously disturbed footprint of the existing structure and the project is consistent with the Local Coastal Program governing development in the area (See Finding 1 with supporting Evidence).
- (e) No adverse environmental effects were identified during staff review of the development application during a site visit on October 1, 2008.
- (d) See also Findings 2 and 5 with supporting Evidence.

4. **FINDING: NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property. Zoning violation abatement costs, if any, have been paid.

EVIDENCE: (a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department Monterey County records and is not aware of any violations existing on subject property.

5. **FINDING: HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project 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 of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

EVIDENCE: (a) See Findings 1, 2, & 3 with supporting Evidence.

6. **FINDING: CRITICAL VIEWSHED** - The project will not impede or degrade the natural beauty or scenic resources of Highway 1 and/or the Big Sur area and is consistent with the siting and design criteria set fourth in Section 3.2.3 of the Big Sur Land Use Plan.

EVIDENCE: (a) The policies of the Big Sur Coast LUP allow the reconstruction and enlargement of existing structures on the original site provided no other less visible portion of the site is acceptable to the property owner, and provided the replacement or enlargement does not increase the visibility of the structure (Policy 3.2.3.A.7).

- (b) The entire parcel is visible within the Big Sur Critical Viewshed, and both the existing and proposed structures are visible when traveling on Highway One. Staff conducted a site visit on October 1, 2008, to assess the potential viewshed impacts of the proposed project. Based on the site visit, no alternative building site outside of the Critical Viewshed exists on

the parcel to which the proposed structure could be relocated (Policy 3.2.3.A.3). Relocation would also not be desirable in this case because a portion of the existing structure is historically significant, contributing to scenic beauty and character of the viewshed.

- (c) The applicant revised the plans to reduce the height of the proposed structure from a 9-inch increase, to no height increase beyond that existing. Overall the proposed improvements will be reduce the size of the structure by 49 square feet. In addition, the applicant proposes to plant cypress trees on the southeast corner of the project site. These trees will screen the proposed structure from view when traveling north on Highway 1. Visibility will not be increased due to project revisions recommended by the LUAC and Planning staff and accepted by the applicant (Policy 3.2.3.A.3).
- (d) The project, as proposed, is subordinate to the natural and scenic character of the area. The proposed design and materials will blend with the surrounding environment more than the existing structure, including reducing visibility substantially at night through new window tinting and lighting plans, and the proposed landscape screening will further obscure the view of the structure from the public viewshed (Conditions 7 & 8).
- (e) Fire Department Standard condition requirements also present potential conflicts with encroachment on the critical viewshed due to the required driveway improvements for a turnout and fire suppression equipment in the form of water tanks or fire hydrants. The turnout has been sited just off the existing driveway, behind existing landscaping and will consist of Grass Crete or similar material, so that it will blend with the site and surroundings. The fire suppression requirement will be satisfied through use of an existing fire hydrant that is not more than 1,000 feet from the residence. These improvements will not significantly affect the critical viewshed.
- (f) A condition requiring the property owner to grant a scenic easement over the areas of the property within the critical viewshed is included in the conditions of approval (Condition 10) in compliance with the Coastal Implementation Plan Policy 20.145.030.A.2.g.

7. FINDING: PUBLIC ACCESS The project is in conformance with the public access and public recreation policies of the Coastal Act and Local Coastal Program, and does not interfere with any form of historic public use or trust rights. No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.70.050.B.4.c of the Monterey County Coastal Implementation Plan, can be demonstrated.

- EVIDENCE:**
- (a) The project site is located in an area shown in the Big Sur Land Use Plan Trails Plan maps as a priority 1 access area (Figure 2) and public trail "public lands or public rights-of-way" area (Figure 3). The project, the remodel of and addition to an existing single family dwelling, does not impact any existing trails at the site. There is a dedicated Vertical Access trail on the neighboring parcel to the north. Lateral Access is then allowed along Garrapata Beach. The Kearns property does not contain appropriate area for additional Vertical Access and the Lateral Access along the creek and beach will not be affected by the proposed development.
 - (b) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property and the

addition is not sited in a manner that would necessitate a shoreline protective device or public maintenance area.

(c) Staff site visit on October 1, 2008.

8. **FINDING:** **APPEALABILITY** - The decision on this project is appealable to the Board of Supervisors and the California Coastal Commission.

EVIDENCE: (a) Section 20.86.030 of the Monterey County Coastal Implementation Plan - Part 1 (Board of Supervisors).

(b) The project may be appealed to the California Coastal Commission pursuant to Section 20.86.080 of the Monterey County Coastal Implementation Plan - Part 1 because the proposed project is subject to a Coastal Development Permit. In addition, the site is located between the sea (Pacific Ocean) and the first public road paralleling the sea (Highway 1).

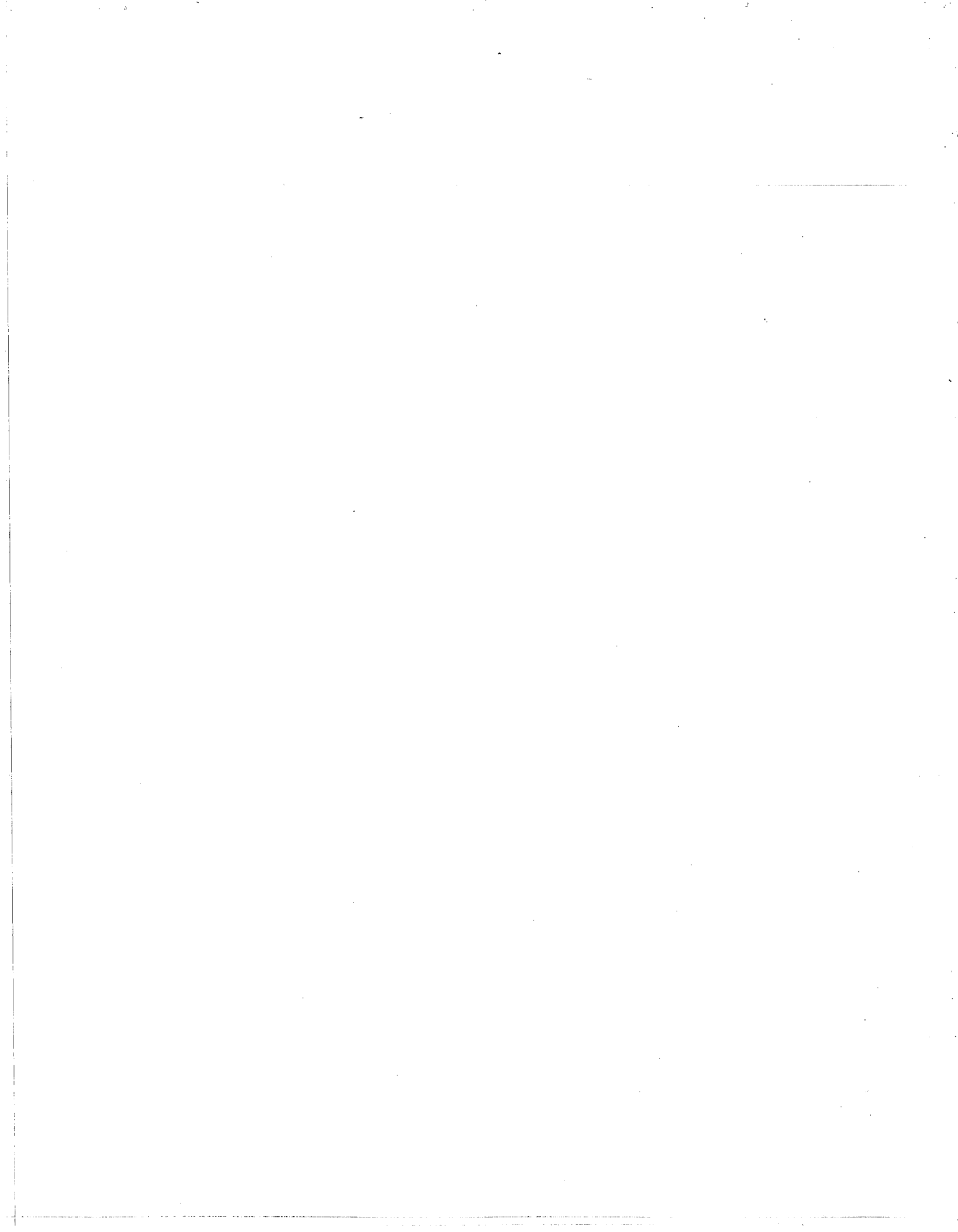


Exhibit D

Recommended Conditions of Approval

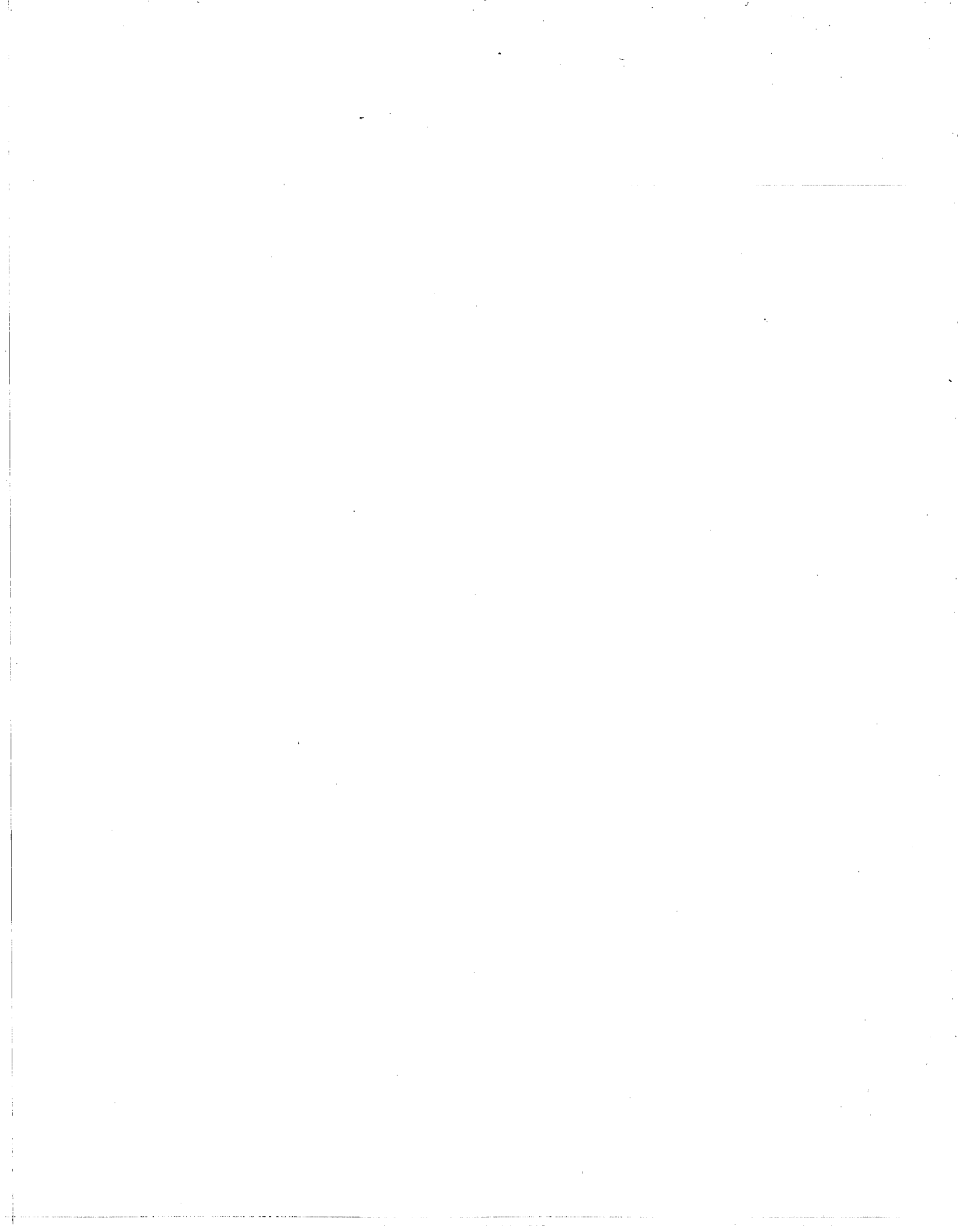


EXHIBIT D

**Monterey County Resource Management Agency
Planning Department
Condition Compliance and/or Mitigation Monitoring
Reporting Plan**

Project Name: James Kearns

File No: PLN080022

Approved by: Planning Commission

APNs: 243-231-024-000

Date: January 14, 2009

**Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

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	Verification of Compliance (name/date)
1.		<p>PD001 - SPECIFIC USES ONLY This Combined Development Permit (PLN080022) allows 1) A Coastal Administrative Permit to allow the partial demolition and remodel of a 6,579 square foot single family dwelling including the demolition of a 1,111 square foot breezeway and the reconstruction of 804 square feet on the first floor, demolition of 415 square feet on the second story and reconstruction and addition of 673 square feet (net reduction of 49 square feet total), replacement of a 416 square foot pool with a 618 square foot lap pool, and improvements and reconfiguration of the patios and courtyard; 2) A Coastal Development Permit to allow development within the critical viewshed; and 3) A Design Approval. The property is located at 35500 Highway 1, Carmel (Assessor's Parcel Number 243-231-024-000), Big Sur Land Use Plan. This permit was approved in accordance with County</p>	<p>Adhere to conditions and uses specified in the permit.</p>	<p>Owner/ Applicant</p>	<p>Ongoing unless otherwise stated</p>	

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	Verification of Compliance (name/date)
		<p>ordinances and land use regulations subject to the following terms and conditions. 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. 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. 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. (RMA - Planning Department)</p>				
2.		<p>PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice which states: "A permit (Resolution) was approved by the Planning Commission for Assessor's Parcel Number 241-231-024-000 on January 14, 2009. The permit was granted subject to 18 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Department)</p>	<p>Proof of recordation of this notice shall be furnished to the RMA - Planning Department.</p>	<p>Owner/ Applicant</p>	<p>Prior to the issuance of grading and building permits or commencement of use.</p>	

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	Verification of Compliance (name/date)
3.		<p>PD003(A) – CULTURAL RESOURCES – NEGATIVE ARCHAEOLOGICAL REPORT</p> <p>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)</p>	<p>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.</p>	Owner/ Applicant/ Archaeologist	Ongoing	

Permit Cond. 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	Verification of Compliance (name/date)
4.	<p>PD004 - INDEMNIFICATION AGREEMENT</p> <p>The property owner agrees as a condition and in consideration of the approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the county for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the county harmless. (RMA - Planning Department)</p>	<p>Submit signed and notarized Indemnification Agreement to the Director of RMA -- Planning Department for review and signature by the County.</p> <p>Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA -- Planning Department.</p>	Owner/ Applicant	Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, filing of the final map, whichever occurs first and as applicable	

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5.		<p>PD005a – NOTICE OF EXEMPTION Pursuant to CEQA Guidelines § 15062, a Notice of Exemption shall be filed for this project. The filing fee shall be submitted prior to filing the Notice of Exemption. (RMA – Planning Department)</p>	<p>The applicant shall submit a check, payable to the <i>County of Monterey</i>, to the Director of the RMA - Planning Department.</p>	Owner/ Applicant	Within 5 working days After project approval.	
6.		<p>PD007 - GRADING-WINTER RESTRICTION No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of RMA - Building Services Department. (RMA – Planning Department and Building Services Department)</p>	<p>Obtain authorization from the Director of RMA - Building Services Department to conduct land clearing or grading between October 15 and April 15.</p>	Owner/ Applicant	Ongoing	
7.		<p>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 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)</p>	<p>Submit landscape plans and contractor's estimate to the RMA - Planning Department for review and approval.</p> <p>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.</p> <p>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.</p>	Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to issuance of Building Permits	
				Owner/ Applicant/ Licensed Landscape Contractor/ Licensed Landscape Architect	Prior to Occupancy	
				Owner/ Applicant	Ongoing	

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8.		<p>PDSP001 – WINDOWS AND EXTERIOR LIGHTING PLAN (BIG SUR) (NON-STANDARD)</p> <p>All exterior lighting shall be unobtrusive, down-lit, compatible with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. Exterior lights shall have recessed lighting elements. Exterior light sources that would be directly visible from critical viewshed viewing areas, as defined in Section 20.145.020.V, are prohibited. The use of tinted windows is also required to reduce nighttime visibility of the structure. The applicant shall submit three (3) copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures including catalog sheets for each fixture and proposed window types, colors, and specifications. The lighting and windows 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)</p>	<p>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.</p> <p>The lighting shall be installed and maintained in accordance with the approved plan.</p>	<p>Owner/ Applicant</p> <p>Owner/ Applicant</p>	<p>Prior to the issuance of building permits.</p> <p>Prior to Occupancy / Ongoing</p>	
9.		<p>PD016 – NOTICE OF REPORT</p> <p>Prior to issuance of building or grading permits, a notice shall be recorded with the Monterey County Recorder which states: "A geotechnical report has been prepared for this parcel by Grice Engineering Inc., dated April 2008 and is on record in the Monterey County RMA - Planning Department, Library No. LIB080340. All development shall be in accordance with this report." (RMA – Planning Department)</p>	<p>Proof of recordation of this notice shall be furnished to the RMA - Planning Department.</p>	<p>Owner/ Applicant</p>	<p>Prior to the issuance of grading and building permits.</p>	

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10.		<p>PD040 – CRITICAL VIEWSHED (BIG SUR) The applicant shall record a Scenic Easement over all portions of the subject parcel that are in the critical viewshed, including, but not limited to, all existing vegetated areas without which the development would be located within the critical viewshed, pursuant to Sections 20.145.030.A.2 (g) & (h) of the <i>Regulations for Development in the Big Sur Coast Land Use Plan.</i> (RMA – Planning Department)</p>	<p>Submit the scenic easement deed and corresponding map to the RMA - Planning Department for review and approval.</p>	<p>Owner/ Applicant</p>	<p>Prior to the issuance of grading or building permits</p>	
			<p>Record a map showing the approved scenic easement.</p>	<p>Owner/ Applicant</p>	<p>Prior to commencement use</p>	
11.		<p>PDSP002 – HISTORIC RESOURCE ZONING OVERLAY (NON-STANDARD) The applicant shall formally request the director to re-zone the property adding a “HR” zoning district overlay to assure adequate review and long-term protection of the Wurster/Morely house. (RMA – Planning Department)</p>	<p>Request the RMA – Planning Department to amend the zoning map to include a “HR” over lay</p>	<p>Owner/ Applicant</p>	<p>Prior to final building inspection</p>	

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	Verification of Compliance (name/date)
12.		<p>WR40 - WATER CONSERVATION MEASURES The applicant shall comply with Ordinance No. 3932, 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:</p> <p>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.</p> <p>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)</p>	<p>Compliance to be verified by building inspector at final inspection.</p>	<p>Owner/ Applicant</p>	<p>Prior to final building inspection/occupancy</p>	
13.		<p>FIRE007 - DRIVEWAYS Driveways shall not be less than 12 feet wide unobstructed, with an unobstructed vertical clearance of not less than 15 feet. The grade for all driveways shall not exceed 15 percent. Where the grade exceeds 8 percent, a minimum structural roadway surface of 0.17 feet of asphaltic concrete on 0.34 feet of aggregate base shall be required. The driveway surface shall be capable of supporting the imposed load of fire apparatus (22 tons), and be accessible by conventional-drive vehicles, including sedans. For driveways with turns 90 degrees and less, the minimum horizontal inside radius of curvature shall be 25 feet. For driveways with turns greater than 90 degrees, the minimum horizontal inside radius curvature shall be 28 feet. For all driveway turns, an additional surface of 4 feet shall be added. All</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	<p>Applicant or owner</p>	<p>Prior to issuance of grading and/or building permit.</p>	

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	Verification of Compliance (name/date)
		<p>driveways exceeding 150 feet in length, but less than 800 feet in length, shall provide a turnout near the midpoint of the driveway. Where the driveway exceeds 800 feet, turnouts shall be provided at no greater than 400-foot intervals. Turnouts shall be a minimum of 12 feet wide and 30 feet long with a minimum of 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall long with a minimum 25-foot taper at both ends. Turnarounds shall be required on driveways in excess of 150 feet of surface length and shall be located within 50 feet of the primary building. The minimum turning radius for a turnaround shall be 40 feet from the center line of the driveway. If a hammerhead/T is used, the top of the "T" shall be a minimum of 60 feet in length. (Big Sur Volunteer Fire Brigade)</p>	<p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p>	<p>Prior to final building inspection.</p>	
14.		<p>FIRE011 - ADDRESSES FOR BUILDINGS All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material.</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	<p>Applicant or owner</p>	<p>Prior to issuance of building permit.</p>	

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	Verification of Compliance (name/date)
		<p>Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. (Big Sur Volunteer Fire Brigade)</p>	<p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p>	<p>Prior to final building inspection</p>	
15.		<p>FIRE015 - FIRE HYDRANTS/FIRE VALVES A fire hydrant or fire valve is required. The hydrant or fire valve shall be 18 inches above grade, 8 feet from flammable vegetation, no closer than 4 feet nor further than 12 feet from a roadway, and in a location where fire apparatus using it will not block the roadway. The hydrant serving any building shall be not less than 50 feet and not more than 1000 feet by road from the building it is to serve. Minimum hydrant standards shall include a brass head and valve with at least one 2 1/2 inch National Hose outlet supplied by a minimum 4 inch main and riser. More restrictive hydrant requirements</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	<p>Applicant or owner</p>	<p>Prior to issuance of grading and/or building permit.</p>	

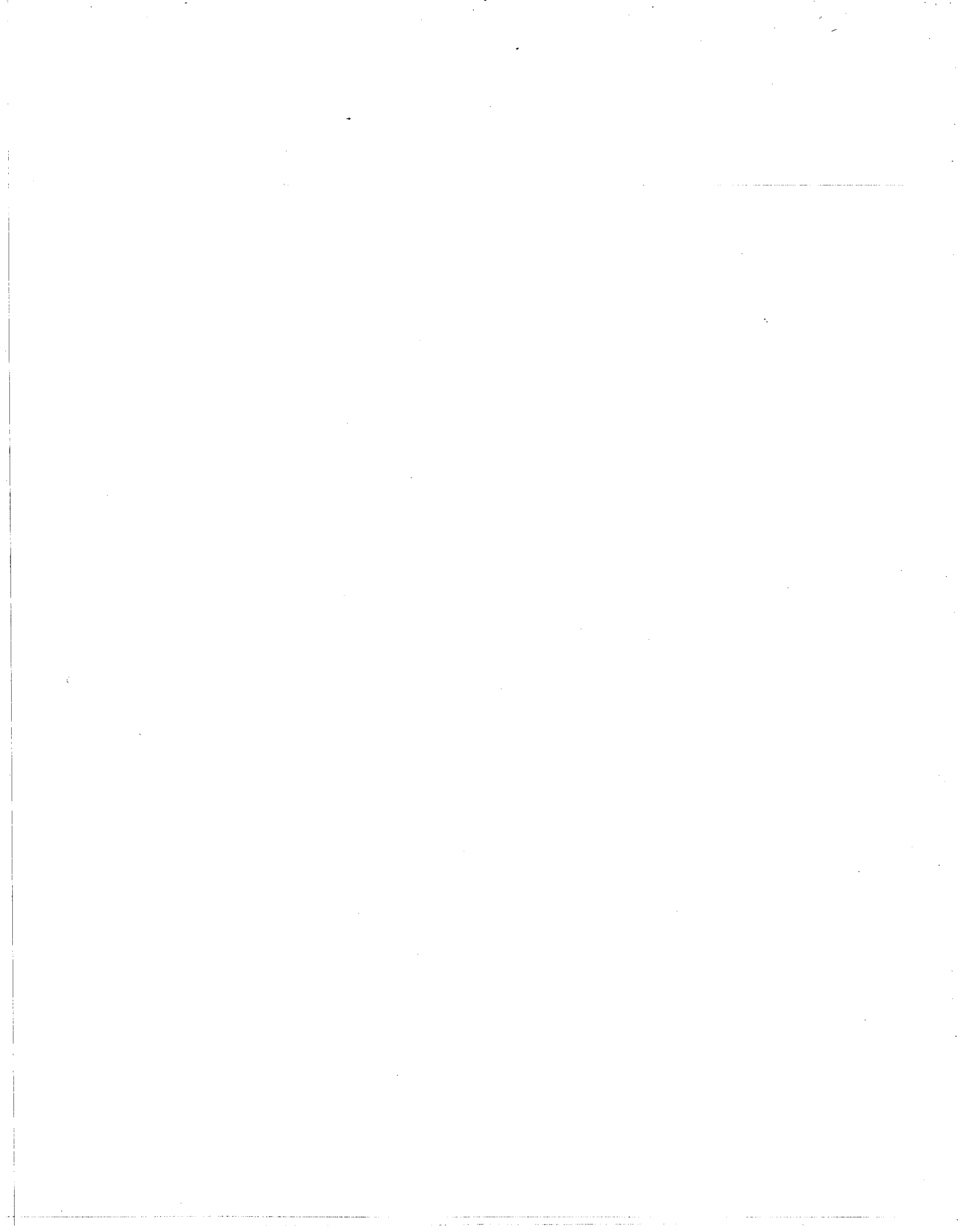
Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>may be applied by the Reviewing Authority. Each hydrant/valve shall be identified with a reflectorized blue marker, with minimum dimensions of 3 inches, located on the driveway address sign, non-combustible post or fire hydrant riser. If used, the post shall be within 3 feet of the hydrant/valve, with the blue marker not less than 3 feet or greater than 5 feet above the ground, visible from the driveway. On paved roads or driveways, reflectorized blue markers shall be permitted to be installed in accordance with the State Fire Marshal's Guidelines for Fire Hydrant Markings Along State Highways and Freeways, May 1988. (Big Sur Volunteer Fire Brigade)</p>	<p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p>	<p>Prior to final building inspection</p>	
16.		<p>FIRE020 - DEFENSIBLE SPACE REQUIREMENTS (HAZARDOUS CONDITIONS) Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional fire protection or firebreaks approved by the Reviewing Authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. (Big Sur Volunteer Fire Brigade)</p>	<p>Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans.</p>	<p>Applicant or owner</p>	<p>Prior to issuance of grading and/or building permit.</p>	
17.		<p>FIREP001 - FIRE PROTECTION EQUIPMENT & SYSTEMS - FIRE SPRINKLER SYSTEM (NON-STANDARD) The building(s) and attached garage(s) shall be fully protected with automatic fire sprinkler system(s).</p>	<p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p>	<p>Prior to final building inspection</p>	
			<p>Applicant shall enumerate as "Fire Dept. Notes" on plans.</p>	<p>Applicant or owner</p>	<p>Prior to issuance of building permit.</p>	

Permit Cond. Number	Mittig. 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	Verification of Compliance (name/date)
		<p>Installation shall be in accordance with the applicable NFPA standard. A minimum of four (4) sets of plans for fire sprinkler systems must be submitted by a California licensed C-16 contractor and approved prior to installation. This requirement is not intended to delay issuance of a building permit and does not apply to the original Wuster/Bear house. A rough sprinkler inspection must be scheduled by the installing contractor and completed prior to requesting a framing inspection. (Big Sur Volunteer Fire Brigade)</p>	<p>Applicant shall schedule fire dept. rough sprinkler inspection</p>	Applicant or owner	Prior to framing inspection	
18.		<p>FIRE027 - ROOF CONSTRUCTION - (VERY HIGH HAZARD SEVERITY ZONE) All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class A roof construction. (Big Sur Volunteer Fire Brigade)</p>	<p>Applicant shall schedule fire dept. final sprinkler inspection</p>	Applicant or owner	Prior to final building inspection	
			<p>Applicant shall enumerate as "Fire Dept. Notes" on plans.</p>	Applicant or owner	Prior to issuance of building permit.	

END OF CONDITIONS

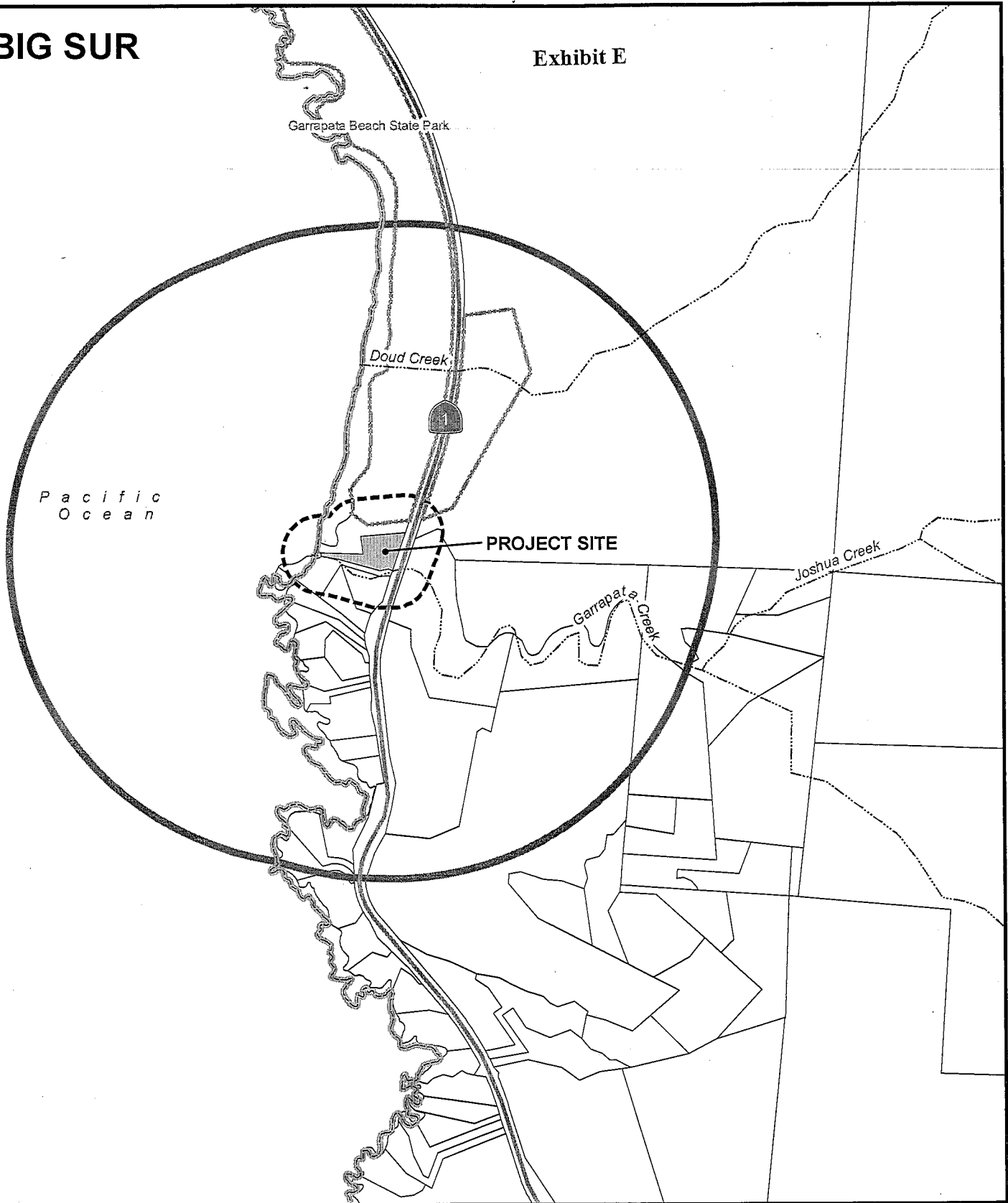
Exhibit E

Vicinity Map



BIG SUR


Exhibit E




APPLICANT: KEARNS

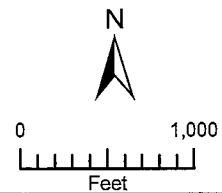
APN: 243-231-024-000

FILE # PLN080022

 300' Limit

 2500' Limit

 City Limits



PLANNER: SPENCER

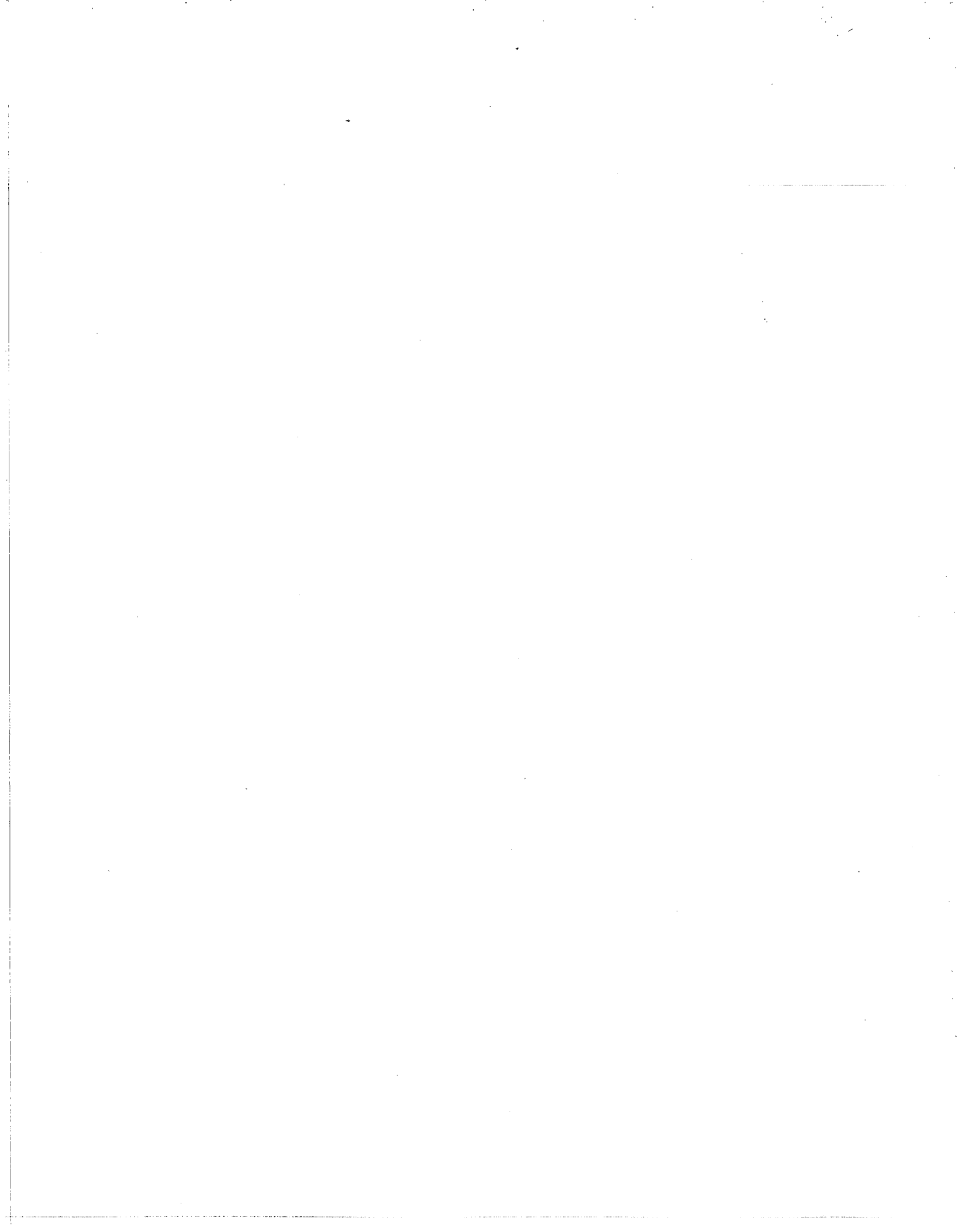


Exhibit F

Site Plan, Floor Plan
& Elevations

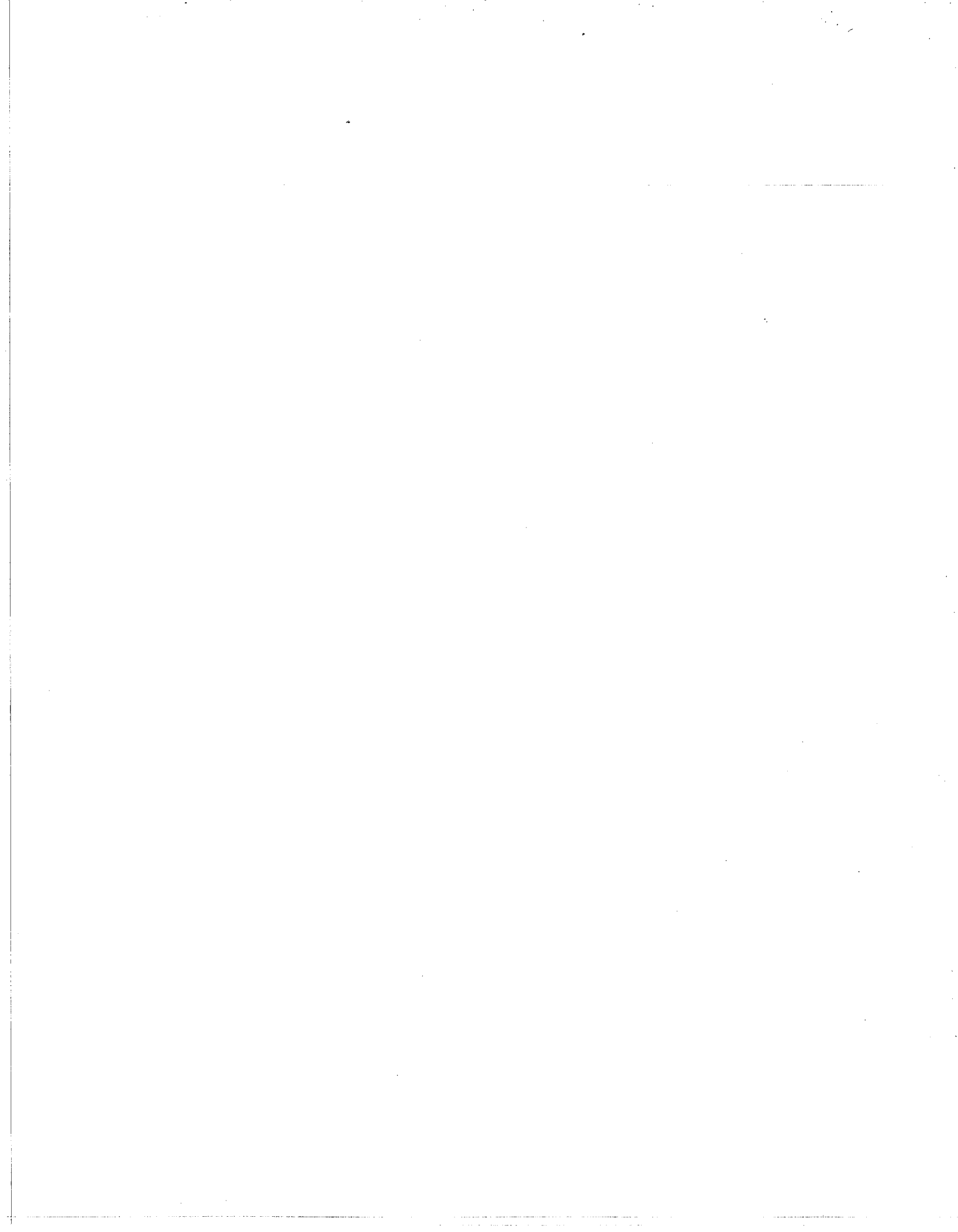


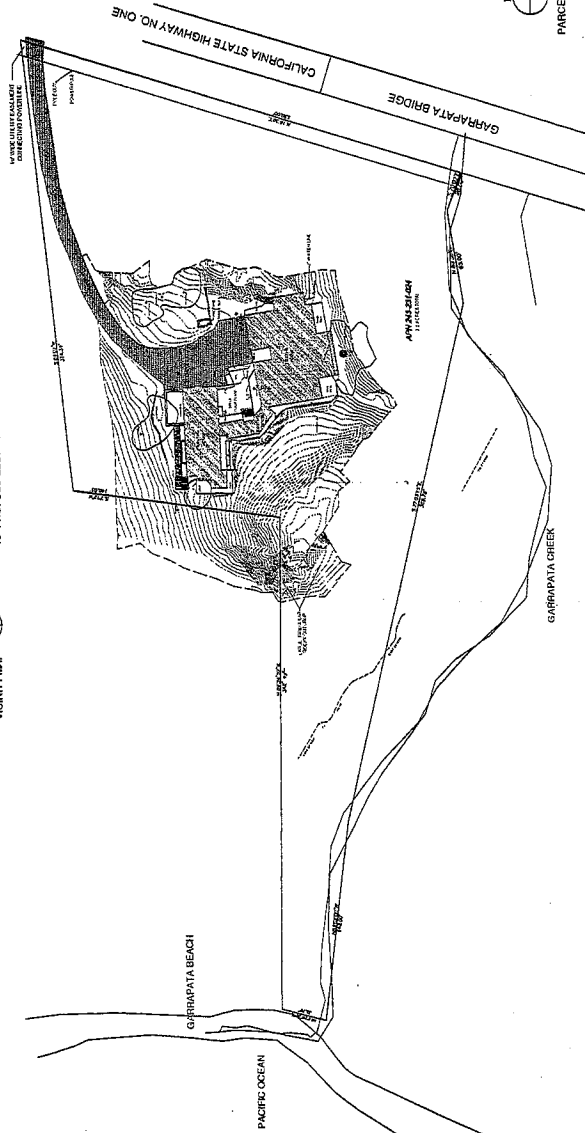
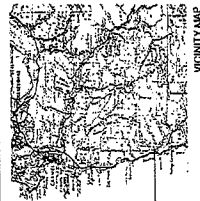
Exhibit F

SCOPE OF WORK

- REMODEL OF EXISTING STRUCTURES; ELECTRICAL
- DEMOLITION EXISTING HALLWAY, KITCHEN,
- BATHROOM, LAUNDRY, GUEST ROOM, HOT TUB
- AND LOFT ADDITION
- CONNECTIONS LINK POOL
- EXTENSION, PATIOS, MASTER SUITE AND HOT TUB.

SHEET SCHEDULE

- PROJECT DATA, PARCEL MAP, VICINITY MAP
- EXISTING SITE/ROOF PLAN
- EXISTING LEVEL ONE FLOOR PLAN
- EXISTING LEVEL TWO FLOOR PLAN
- EXISTING ELEVATIONS - NORTH
- EXISTING ELEVATIONS - SOUTH AND EAST
- PROPOSED SITE/ROOF PLAN
- PROPOSED LEVEL ONE FLOOR PLAN
- PROPOSED LEVEL TWO FLOOR PLAN
- PROPOSED ELEVATIONS - NORTH AND EAST
- PROPOSED ELEVATIONS - WEST



PROJECT DATA

OWNER
James P. Kearns 2001 Trust

ARCHITECT
Cervar + Solickstanz Architects
1000 Elgin Street
Palo Alto, CA 94301
Phone: 831-624-2204 Fax: 831-624-0264
e-mail: jay@cervarsolickstanz.com
Contact: Jay Auburn

SURVEYOR
Rasmussen Land Surveying, Inc.
P.O. Box 3155, Monterey, CA 93942
Phone: 831-375-7540 Fax: 831-375-2545

PROPERTY ADDRESS 35500 HIGHWAY ONE, MONTEREY, CA 93940

APN 243 231 024

ZONING WSC / A00 (CZ)

TYPE OF CONSTRUCTION TYPE I, TYPE V NON-HATED

LOT SIZE: 95,882 SF (2.2 ACRES)

EXISTING HOUSE SF: 5,419 SF
FIRST FLOOR: 4,152 SF
SECOND FLOOR: 1,267 SF
TOTAL EXISTING SF: 5,419 SF

EXISTING LOT COVERAGE: 6.87% OF SITE

DEMOLITION SF:
FIRST FLOOR: 1,111 SF
SECOND FLOOR: 415 SF
TOTAL DEMOLITION SF: 1,526 SF

NEW CONSTRUCTION SF:
FIRST FLOOR: 804 SF
SECOND FLOOR: 1,073 SF
TOTAL NEW CONSTRUCTION SF: 1,877 SF

PROPOSED HOUSE SF:
FIRST FLOOR: 5,116 SF
SECOND FLOOR: 1,415 SF
TOTAL PROPOSED HOUSE SF: 6,530 SF

PROPOSED LOT COVERAGE: 6.81% OF SITE

HT. LIMIT: 24'-0" ABOVE AVERAGE NATURAL GRADE

EXISTING HEIGHT: 16'-8 1/2" ABOVE AVERAGE NATURAL GRADE

PROPOSED HEIGHT: 17'-5" ABOVE AVERAGE NATURAL GRADE

WATER SOURCE: GARRAPATA WATER SYSTEM (EXISTING)

SEWER SYSTEM: SEPTIC (EXISTING)

TREES TO BE REMOVED: NONE

GRADING ESTIMATES: NONE REQUIRED

ARCHITECTURAL GENERAL COVER SHEET

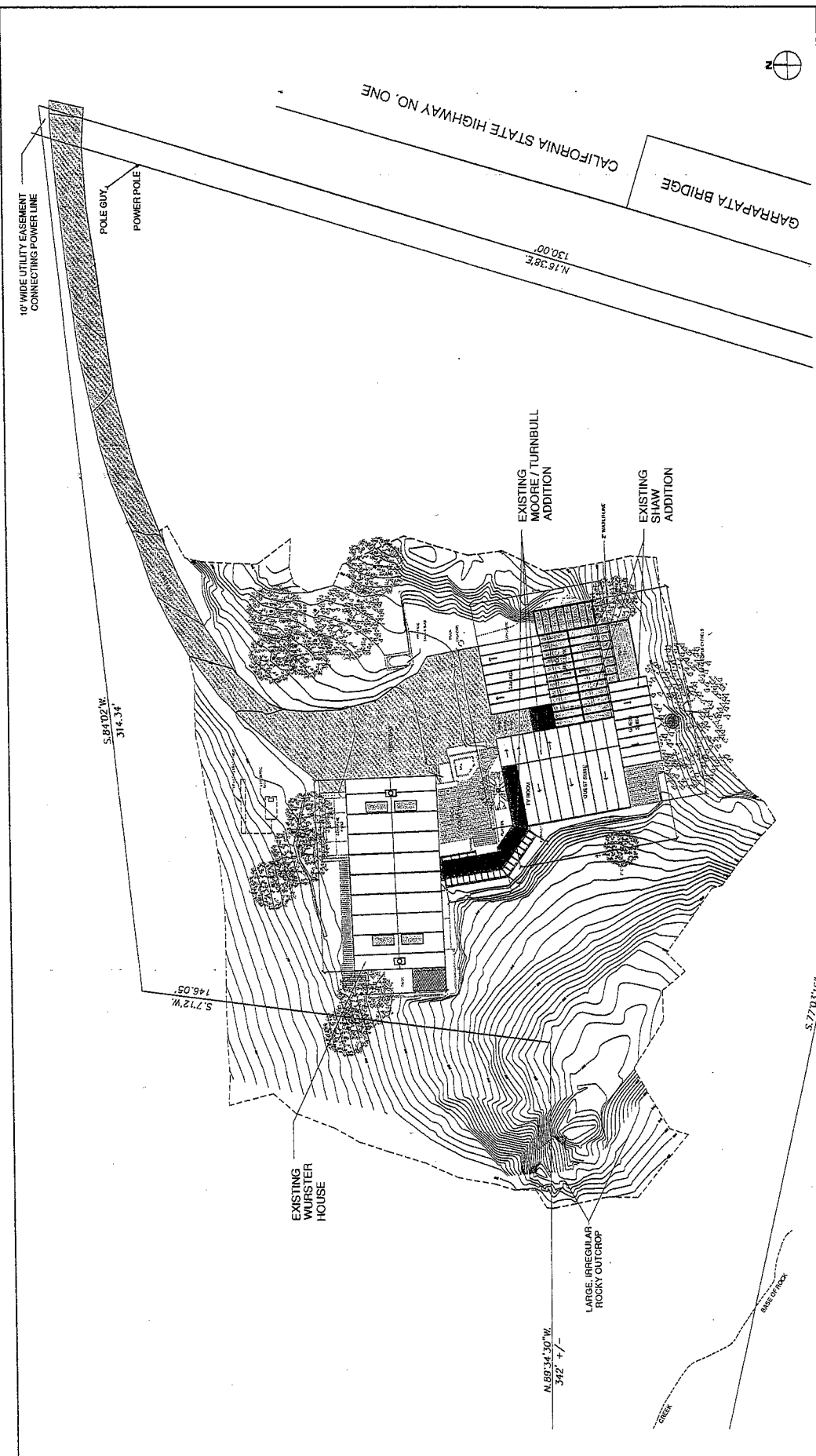
KEARNS RESIDENCE
HIGHWAY 1 AT GARRAPATA BEACH • MONTEREY, CA

PO BOX 285 • SANJUAN, CA 93951 • USA
PHONE: 831-375-7540
WWW.CERVARSOLICKSTANZ.COM

Cervar + Solickstanz
ARCHITECTS • PLANNERS • INTERIOR DESIGNERS



12 NOVEMBER 2008
1"=40'
CG18
0118



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PO BOX 2024 - GARRAPATA, CA 94024
 PHONE 531.832.3364 - FAX 531.832.3364
 carver@carver.com

Carver Architects
 ARCHITECTS • PLANNERS • INTERIOR DESIGNERS



EXISTING SITE PLAN

KEARNS RESIDENCE

MOHAWT AT GARAPATA BEACH - MONTEREY, CA

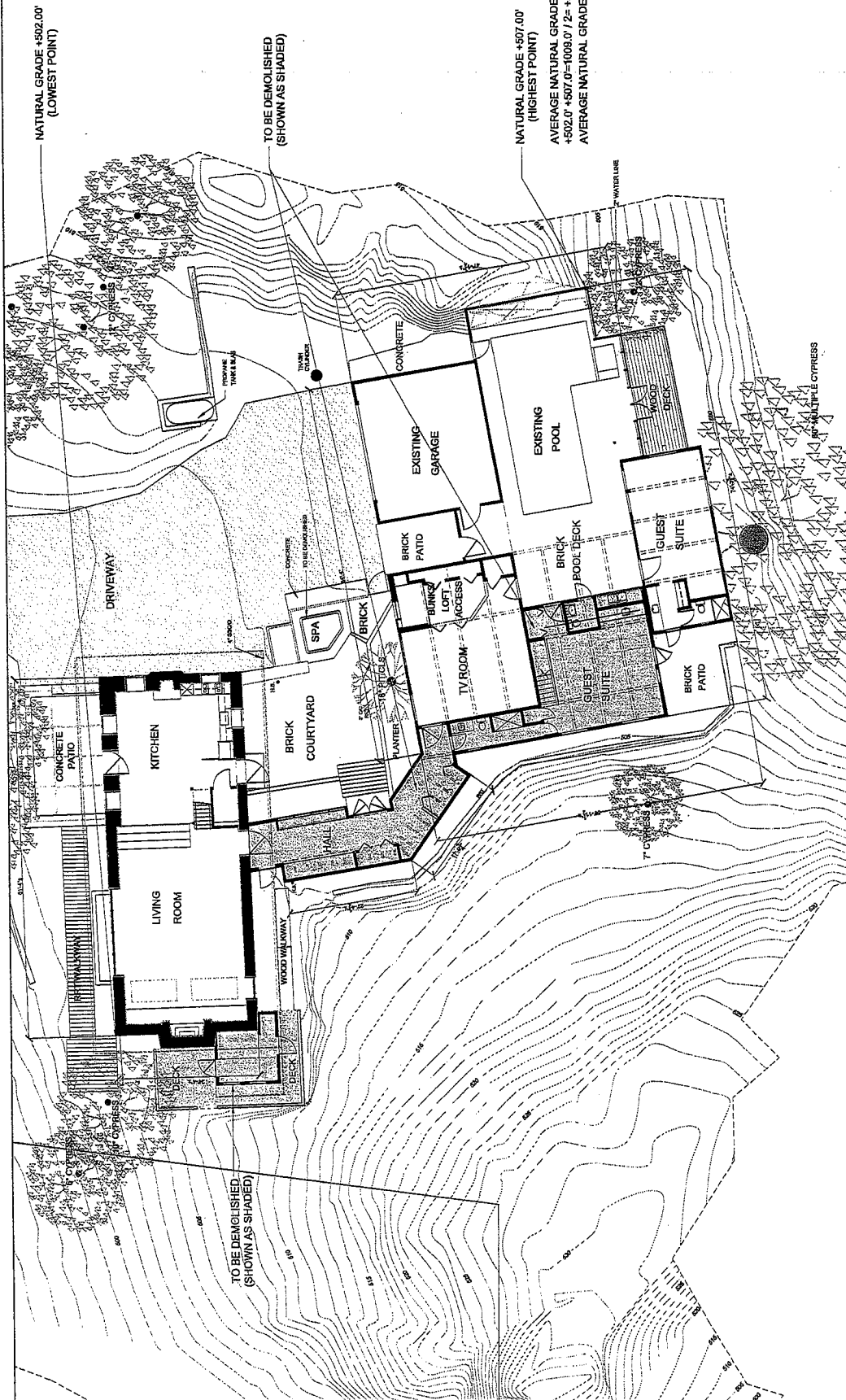
14 NOVEMBER 2009

1/8" = 1'-0"

CGLB

0719

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3

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EXISTING LEVEL ONE FLOOR PLAN

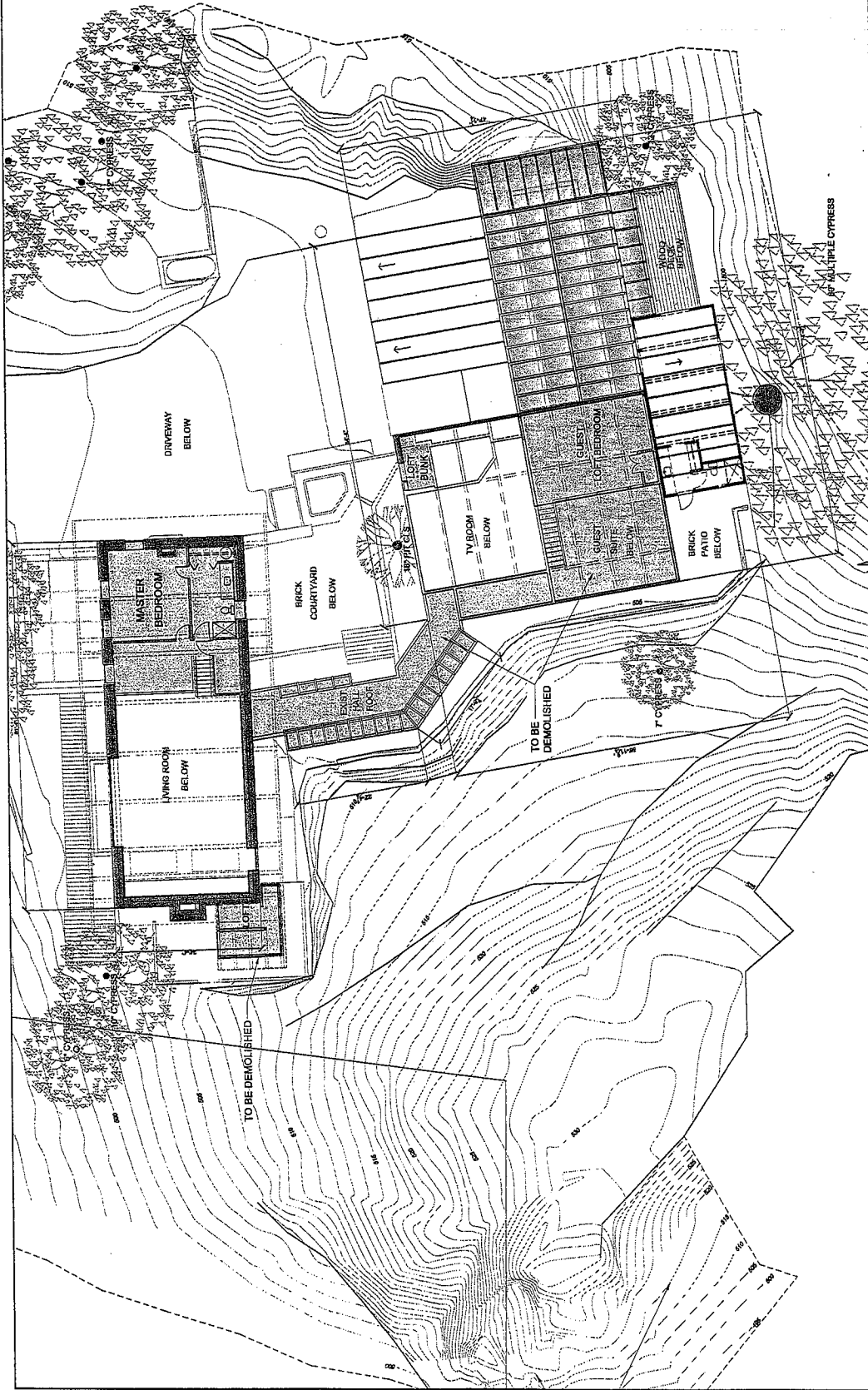
KEARNS RESIDENCE
 HIGHWAY 1 AT CARROLLA BEACH • MONTEREY, CA

12 NOVEMBER 2008

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PO BOX 8841 - CARROLL, MO 64631 - USA
 TEL: 417-335-8841
 WWW.SOLICKSTENZ.COM

Carver & Solickstenz
 ARCHITECTS - PLANNERS - INTERIOR DESIGNERS



EXISTING LEVEL TWO FLOOR PLAN

KEARNS RESIDENCE
 HIGHWAY 141, CARROLLVILLE BEACH, MISSOURI, MO

12 NOVEMBER 2009

1/4" = 1'-0"

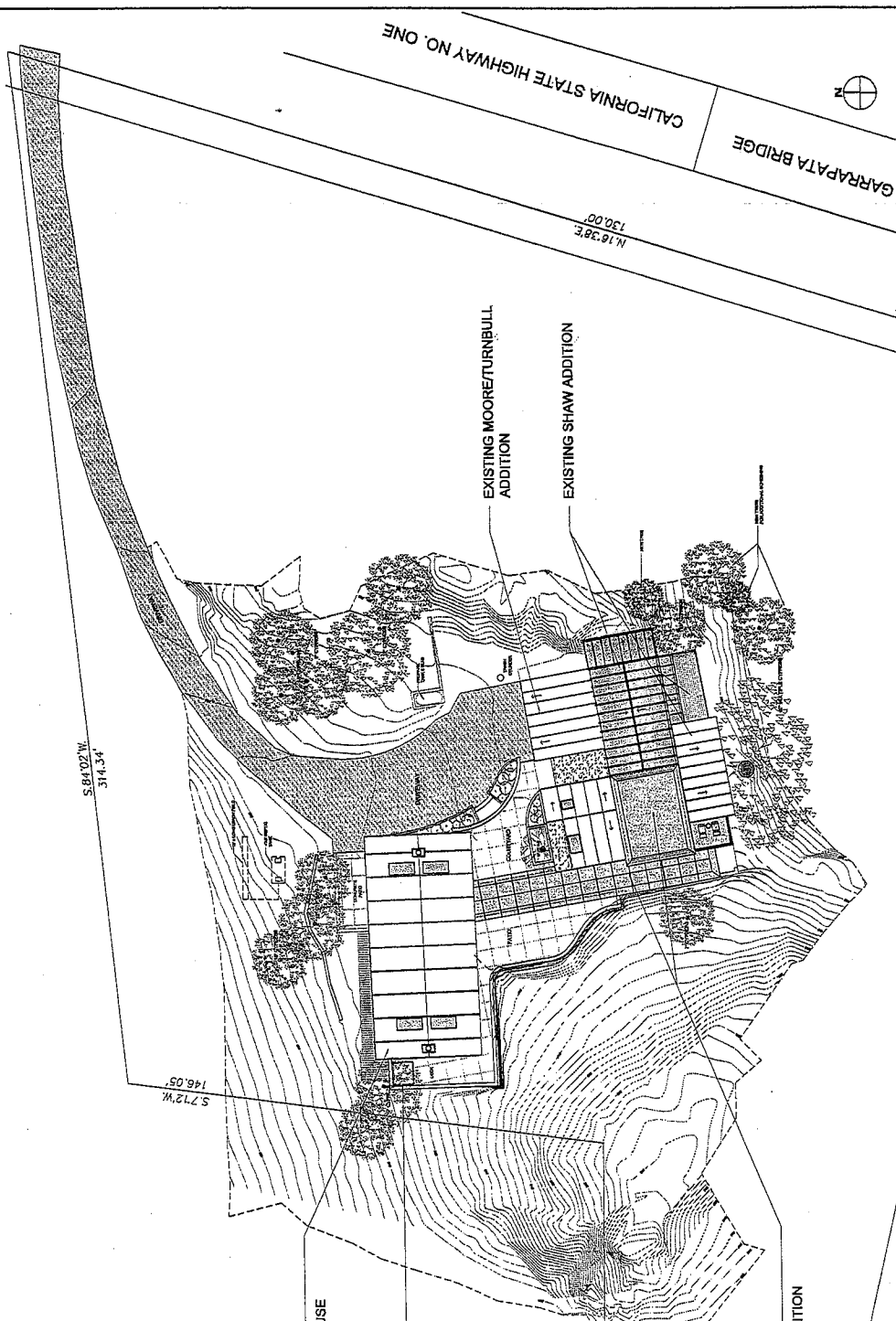
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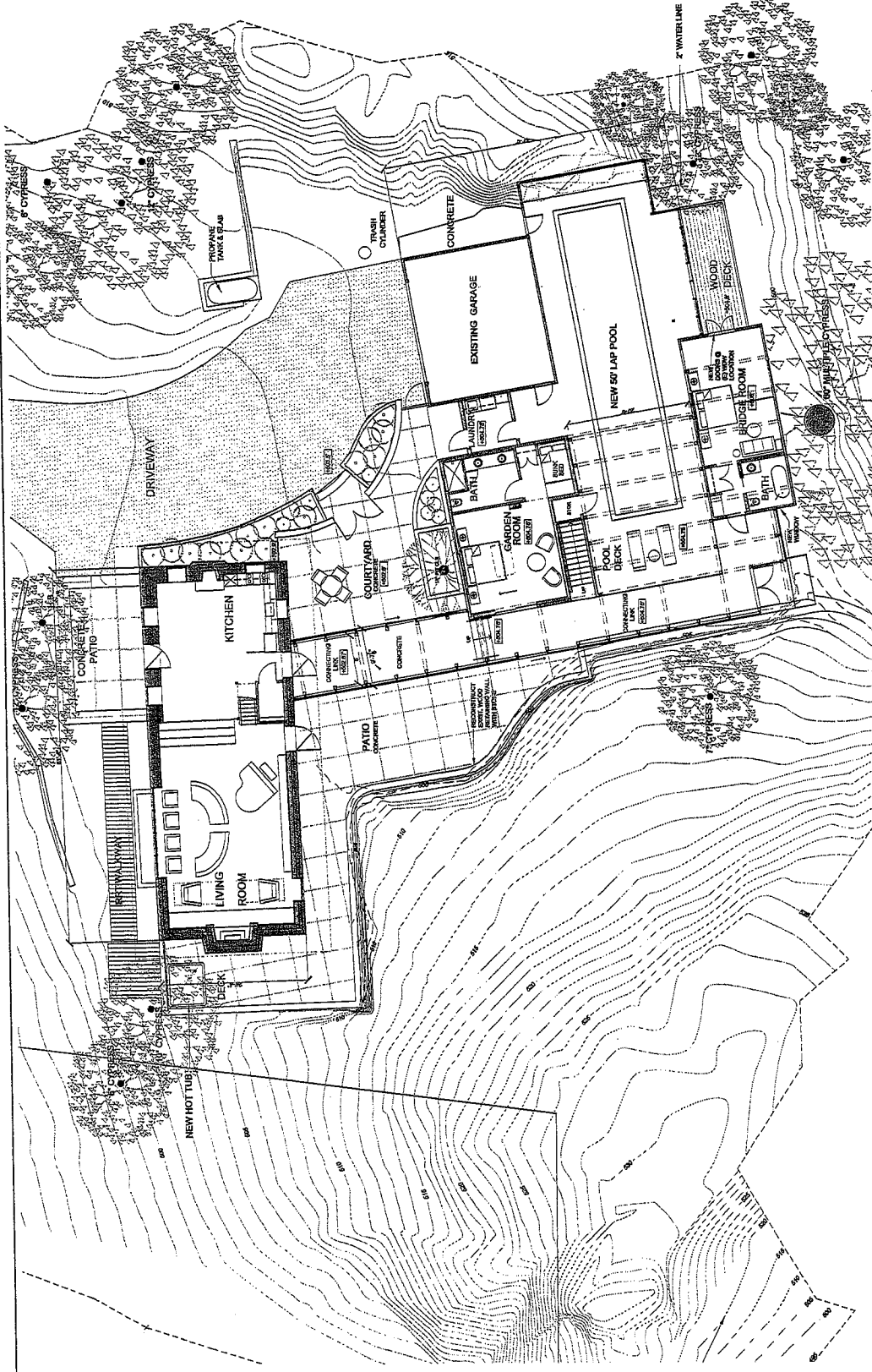
EROSION CONTROL NOTES

1. ALL SITES EXPOSED OR EXPECTED TO BE EXPOSED DURING CONSTRUCTION ACTIVITIES SHALL BE PREPARED AND MAINTAINED THROUGHOUT THE LENGTH OF THE ENTIRE PROJECT TO PROTECT AGAINST EROSION.
2. ACTUAL DAMAGE SHALL BEGAIN WITHIN 30 DAYS OF RESTORATION/REMOVAL OF THE AREA SHALL BE PLANTED TO CONTROL EROSION.
3. THE FOLLOWING PROVISIONS SHALL APPLY TO ALL SITES EXPOSED TO EROSION:
 - A. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
 - B. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
 - C. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
 - D. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
 - E. EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
4. AT ALL TIMES DURING CONSTRUCTION AND UNTIL FINAL COMPLETION, THE CONTRACTOR SHALL PREVENT THE FORMATION OF AN AIRBORNE DUST HAZARD TO THE ADJACENT PROPERTY AND TO THE IMMEDIATE SURFACE OF THE WORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE DONE BY DUST FROM HIS OR HIS SUBCONTRACTOR. CONTRACTORS SHALL WEAR AND ENFORCE DUST CONTROL MEASURES IN COMPLIANCE WITH COUNTY OF SAN DIEGO.



<p>12/07/2018 10:00 AM</p>	<p>1/16/2018</p>	<p>06/03</p>	<p>0116</p>	<p>PROPOSED SITE/ROOF-PLAN WITH EROSION CONTROL NOTES</p>
<p>KEARNS RESIDENCE HIGHWAY 147 GARRAPATA BEACH - MONTEREY, CA</p>				
<p>Carver + Schickstanz ARCHITECTS - PLANNERS - INTERIOR DESIGNERS</p>				
<p>PO BOX 288 - SAN DIEGO, CA 92101, USA TEL: 619 594 0000 WWW.CARVER-SCHICKSTANZ.COM</p>				

GARRAPATA BRIDGE
 CALIFORNIA STATE HIGHWAY NO. ONE



9

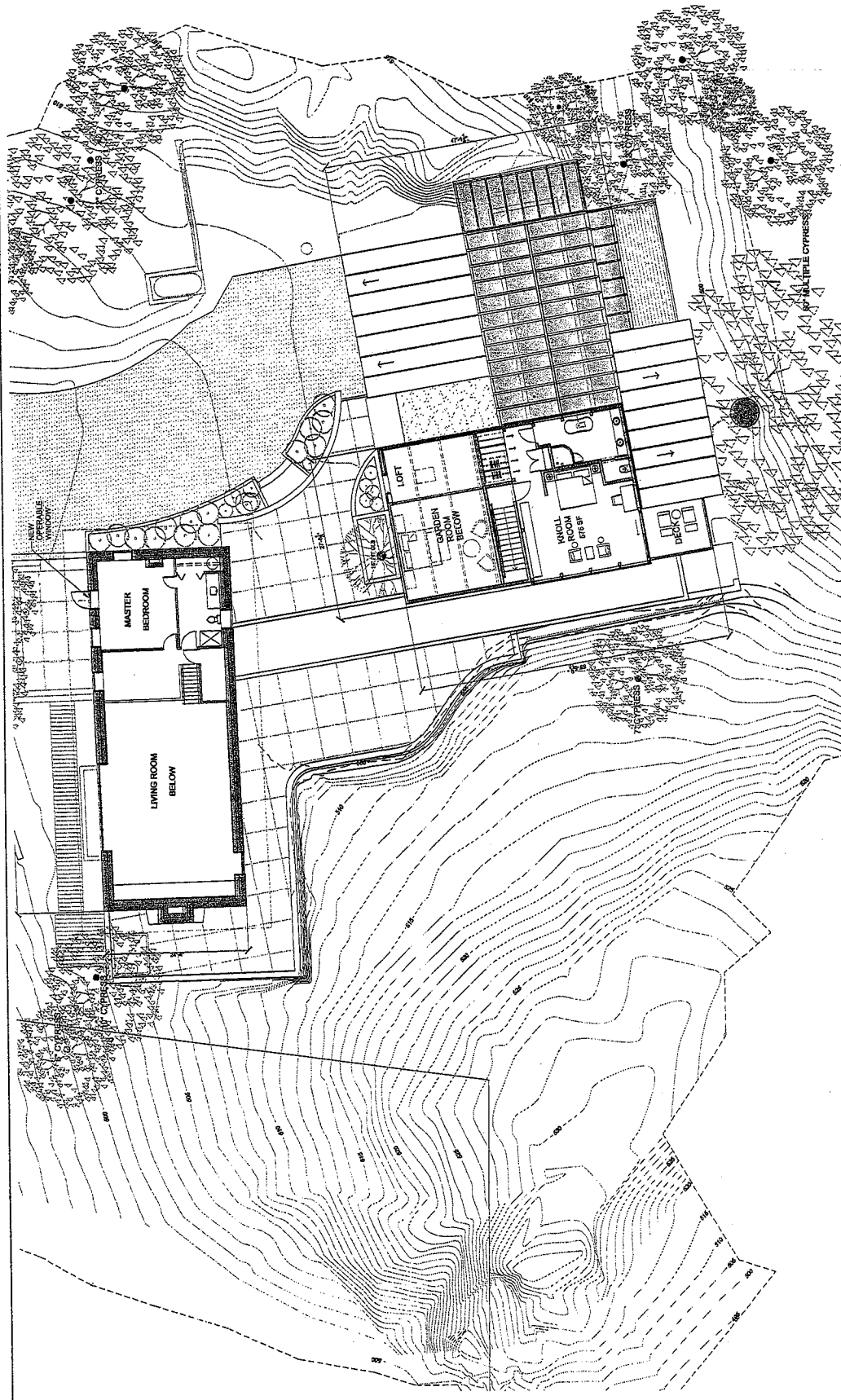
12 NOVEMBER 2008
 10' x 11' 0"
 00148
 0715

PROPOSED FLOOR LEVEL ONE PLAN
KEARNS RESIDENCE
 HIGHWAY 1 AT GARDENVA BEACH • GARDENVA, CA



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PROPOSED FLOOR LEVEL TWO PLAN

KEARNS RESIDENCE
 HIGHWAY 1 AT DUBBUKATA BEACH • MONTEREY, CA

12 NOVEMBER 2008

WP-107

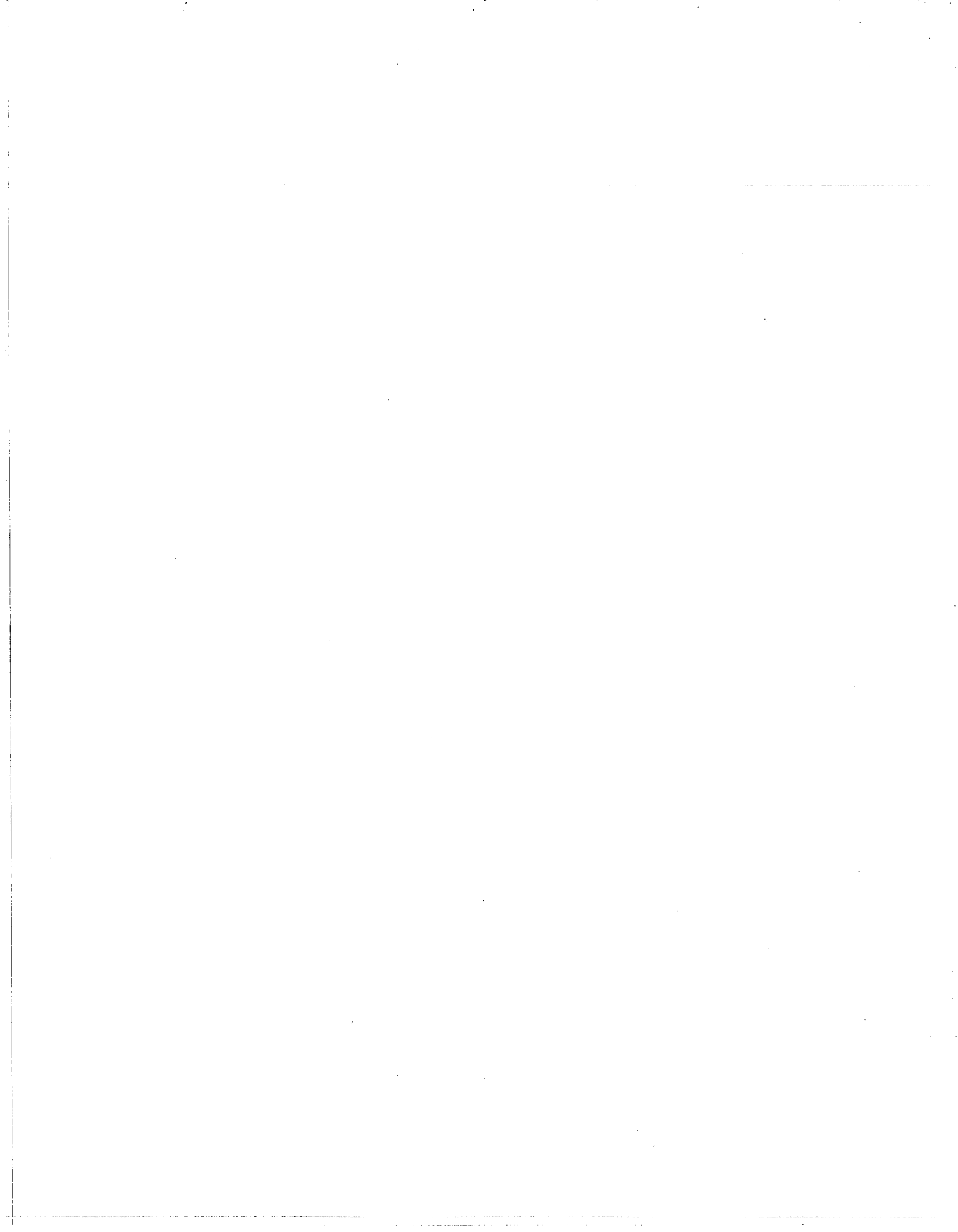
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Exhibit G

LUAC Minutes



MINUTES

*Rescheduled to 7/8 then
to July 22nd*

Big Sur Land Use Advisory Committee
Tuesday, June 24th, 2008

1. Meeting called to order 10:15

2. Members Present: Priano - Beck - Woyt - Layne - Callihan - Trotter

3. Members Absent: Schindler

4. Approval of Minutes: Motion: _____ (LUAC Member's Name)
(May 20, 2008)

Second: _____ (LUAC Member's Name)

Ayes: _____

Noes: _____

Absent: _____

Abstain: _____

5. Public Comments:

*MIKE Miller - Grange MASTER - present concept
for water system he is developing.*

6. Other Items: A) Preliminary Courtesy Presentations by Applicants Regarding Potential
Projects/Applications

RECEIVED JUL 23 2008

Action by Land Use Advisory Committee Project Referral Sheet

Monterey County Planning Department
168 W Alisal St 2nd Floor
Salinas, California
(831) 755-5025

Advisory Committee: Big Sur

Please submit your recommendations for this application by Tuesday, June 24, 2008.

Project Title: KEARNS JAMES P TR
File Number: PLN080022
File Type: ZA
Location: 35500 HIGHWAY 1 MONTEREY

Project Description:

COMBINED DEVELOPMENT PERMIT TO ALLOW 1) COASTAL ADMINISTRATIVE PERMIT AND DESIGN APPROVAL CONSISTING OF THE PARTIAL DEMOLITION AND REMODEL OF A 6,579 SQ. FT. SINGLE FAMILY DWELLING INCLUDING THE DEMOLITION OF 1,000 SQ. FT. ON THE FIRST FLOOR AND THE ADDITION OF 1,234 SQ. FT. TO THE FIRST FLOOR (234 SQ. FT., NET); THE DEMOLITION OF 339 SQ. FT. ON THE SECOND FLOOR AND THE ADDITION OF 577 SQ. FT. TO THE SECOND FLOOR (238 SQ. FT., NET); 135 SQ. FT. CANTILEVERED DECK ADDITION; REPLACEMENT OF EXISTING 416 SQ. FT. POOL WITH NEW 618 SQ. FT. LAP POOL; AND IMPROVEMENTS AND RECONFIGURATION OF PATIO AND COURTYARD AREAS; 2) A COASTAL DEVELOPMENT PERMIT TO ALLOW DEVELOPMENT WITHIN THE CRITICAL VIEWSHED. PROJECT IS LOCATED AT 35500 HIGHWAY 1 (AT GARRAPATA CREEK,) MONTEREY (ASSESSOR'S PARCEL NUMBER: 243-231-024-000) WEST OF HIGHWAY 1, BIG SUR LAND USE AREA.

Was the Owner/Applicant/Representative Present at Meeting? Yes X No
MARY ANN Schickertanz

PUBLIC COMMENT:

AREAS OF CONCERN (e.g. traffic, neighborhood compatibility, visual impact, etc.):

Impact on Critical Viewshed

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RECOMMENDED CHANGES/CONDITIONS (e.g. reduce scale, relocate on property, reduce lighting, etc.):

1. 9" increase in Ridgeline = doesn't change overall profile - Keep spirit of LUP. *ENriched criteria*
2. Reduce Lighting exterior impact in UNCONDITIONED CONNECTION
3. "BRONZE" tinted glass for all glazed exterior surfaces
4. "BRIDGE" ROOM - 2 windows become 1 CENTERED WINDOW
5. "Knoll" Room bath = WRAP METAL around both CORNERS to Replace glass
6. ELIMINATE deck south of connector
7. DEED RESTRICTION TO REQUIRE Landscape SCREENING of existing pool exposure & maintenance in perpetuity (LUP - 2.1 para 7 Basic goal & 2.2.2)

ADDITIONAL LUAC COMMENTS: THIS situation inspired discussion of Letter & spirit of the law and the improvements/tradeoffs we discussed we intend to preserve the spirit of the LUP without setting over all precedent for other specific cases

RECOMMENDATION (e.g. recommend approval; recommend denial; recommend continuance):

Recommend approval with ABOVE conditions and ONE deed restriction.

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CONCUR WITH RECOMMENDATION:

AYES: Trotter - Layne - Callihan - Woyt - Bees - Priano

NOES: Ø

ABSENT: Schindler

ABSTAIN: Ø

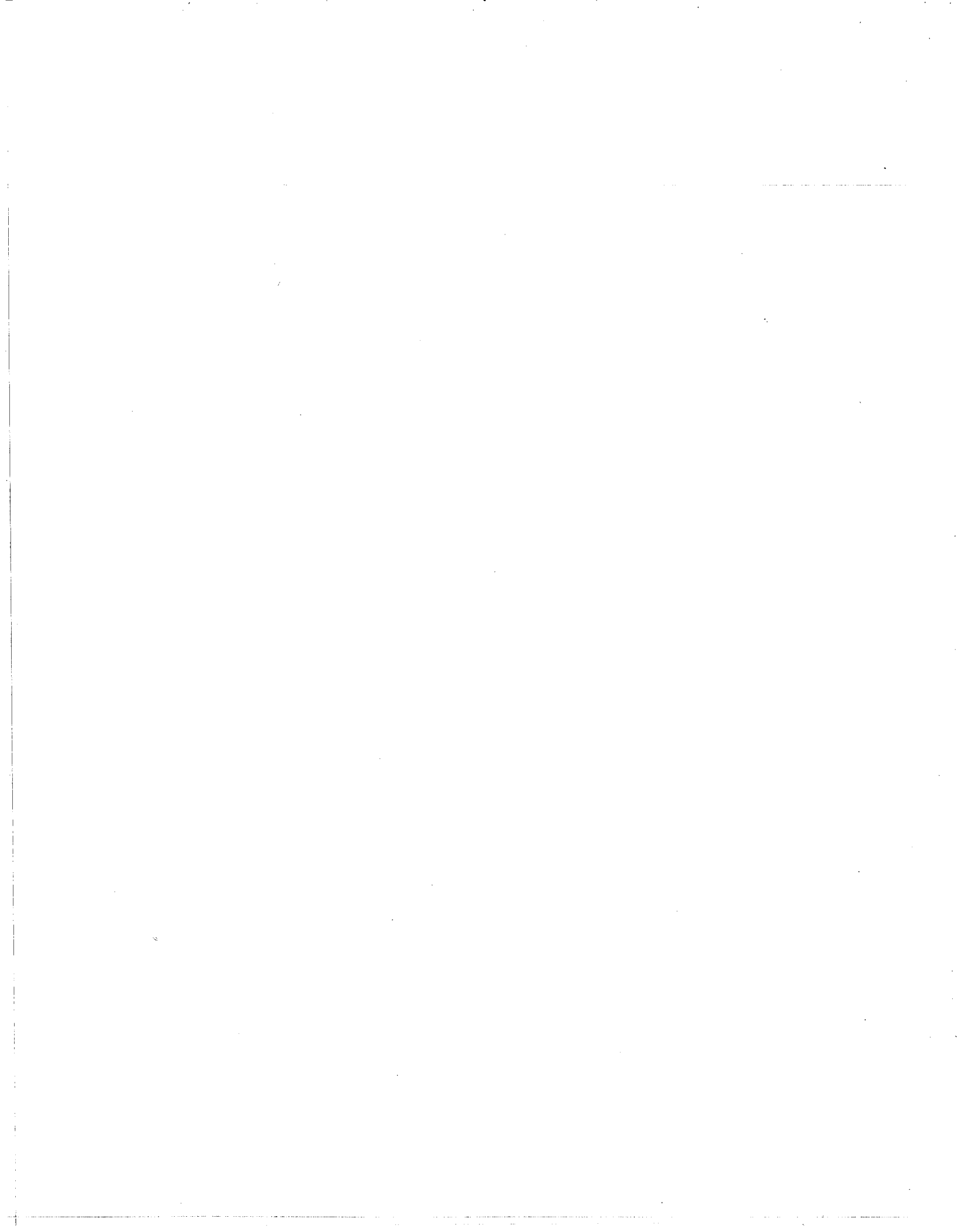
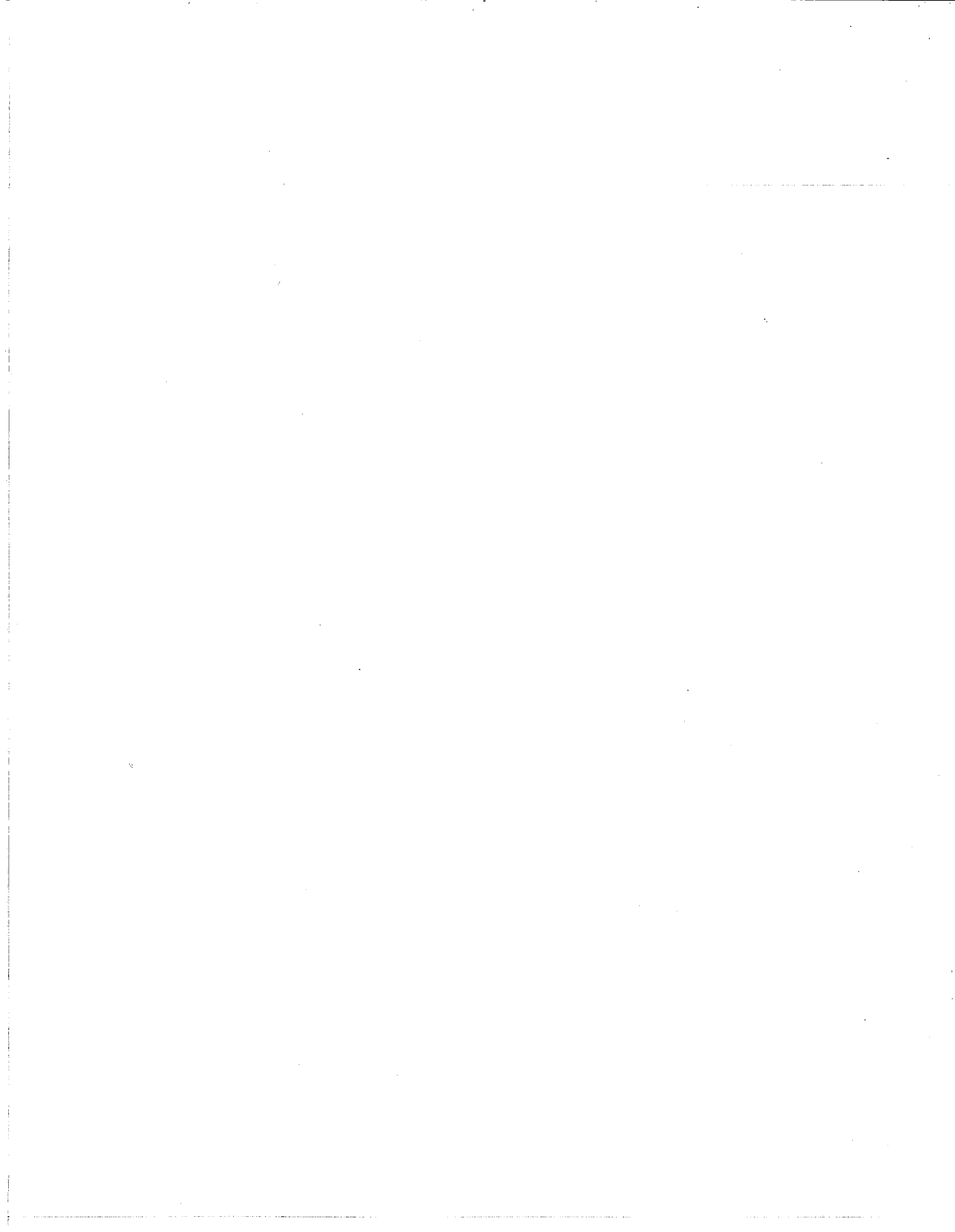


Exhibit H

Phase II Historic Report



LIB080629

Exhibit H

HISTORICAL AND ARCHITECTURAL EVALUATION

35500 Highway One
Monterey, CA 93940

For
The James P. Kearns 2001 Trust
699 San Ysidro Road
Santa Barbara, CA 93108

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NOV 26 2008

MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

Prepared By:

Kent L. Seavey
Preservation Consultant
310 Lighthouse Ave.
Pacific Grove, CA 93950
(831) 375-8739

November 20, 2008

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INTRODUCTION

This is a Phase II Historic Assessment of the residential property at 35500 Highway One, Monterey, California. The applicant and owner of the property is The James P. Kearns 2001 Trust. The Assessor's Parcel Number is 243-231-024.

The owners propose the rehabilitation of the existing "Stone House", designed by William W. Wurster for photographer Morley Baer in 1965. The scope of work includes reroofing the existing gravel roof, in kind; upgrading of the existing plumbing and electric systems and restoring the original fixtures where possible; the demolition of an undated wooden shed and a new spa addition along the west side-elevation that were not part of the original 1965 design (see photo #5, Appendix I). The project also proposes the demolition and replacement of a deteriorated wood and glass hyphen with a new glass and steel feature connecting the "stone House" with later wood-framed dependencies some thirty feet to the south (see photo #4, Appendix I).

The in kind reroofing of the subject property and code required upgrading of the existing electric and plumbing systems is consistent with the Secretary of the Interiors Standards for the Treatment of Historic Properties, particularly Standards #1, #2, #5, and #6 where deteriorated features will be repaired rather than replaced. Where any required replacement of a distinctive feature will match the old in design, color, texture, and, where possible, materials, and replacement of missing features will be substantiated by documentary and physical evidence.

The demolition of the later undated wooden shed and new spa along the west side-elevation of the subject property are consistent with the Secretary's Standards #2, and #5 in that the historic character of the property will be preserved by the return of the distinctive materials, features, finishes, construction techniques and craftsmanship that characterized the original (1965) building envelope.

The proposed demolition and replacement of a deteriorated wood and glass hyphen with a new glass and steel feature is consistent with the Secretary's Standards #9, and #10 in that the new exterior alteration will not destroy historic materials, features or spatial relationships that characterize the property. The proposed new work will be differentiated from the old and will be compatible with size, scale and proportion, and massing to protect the integrity of the property and its environment.

As proposed, if the new hyphen is removed in the future, the essential form and integrity of the historic property and its environment will be unimpaired.

The Secretary of the Interior's Standards for the Treatment of Historic Properties recommends the construction of new additions on secondary elevations, and in areas that have already been altered, so that there is the least possible loss of historic materials, and that the character-defining features of a historic property are not obscured, damaged or destroyed.

The existing hyphen is framed around an existing original door opening centrally located on the rear (south) elevation of the subject property, a secondary elevation. The proposed replacement feature would connect with the "Stone House" at a similar door opening just east of the feature proposed for removal.

The wood and glass hyphen was added by the San Francisco architectural firm of MLTW to connect the original Wurster residence to a garage and family room in 1970. In 1973 the Carmel architectural firm of Shaw and Associates designed an attached guest suite and swimming pool, covered by a glazed skylight, to the south elevation of the 1970 dependencies. Sometime later, at an unspecified date by an unknown builder, a two-story wood-framed guest suite was added at the west side of the pool enclosure (see plans & drawings, Appendix III). The 1970 and later wood-framed dependencies are not the subject of this historic assessment).

It is my professional opinion that the proposed treatments for the subject property are consistent with the Secretary of the Interior's Standards under the the treatment for Preservation (see Impacts of the Proposed Project section for specific treatments). The property is zoned and used for residential use. The assessment was conducted in October, 2008 by Kent L. Seavey, consultant for the owners.

The residence is under fifty years of age, and is located on the west side of Highway One below the Carmel Highlands in Monterey County. The property is identified as 35500 Highway One. The project lot size is approximately 2.2 acres. This evaluation is in the form of a report and includes State of California DPR 523 forms, used for recordation of properties of possible historical and cultural significance (see DPR 523 A & B, Appendix II).

Qualifications

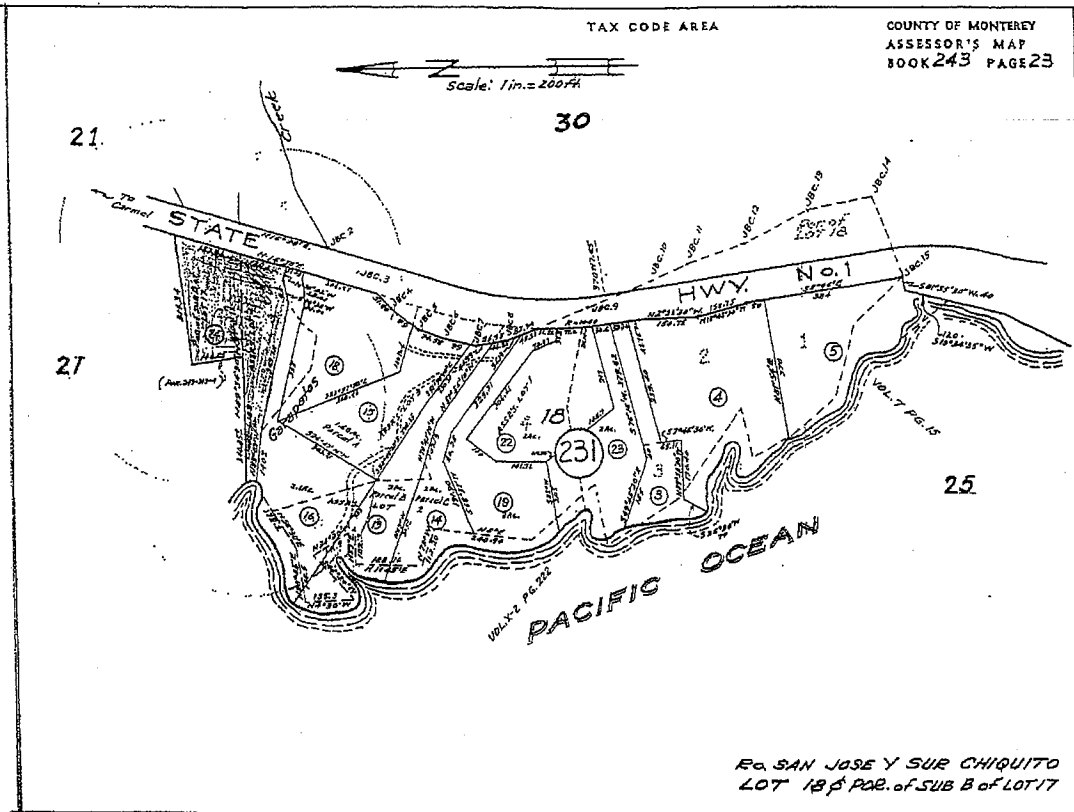
Kent L. Seavey, Principal of the firm has a Bachelor of Arts Degree in the Humanities, with a concentration on architectural history from San Francisco State University, and did graduate work at Stanford University in art and architectural history. Mr. Seavey was the first Historical Coordinator for the County of Monterey, and has been an independent historic preservation consultant in Monterey County since 1978. Mr. Seavey is listed with the Northwest Information Center as meeting the requirements to perform identification, evaluation, registration and treatment activities within the profession of Architectural Historian in compliance with state and federal environmental laws. The Northwest Information Center utilizes the criteria of the National Park Service outlined in 36 CFR Part 61. Mr. Seavey is also a certified Preservation Professional with the California Council for the Promotion of History, and adheres to their standards of professional conduct.

Methodology

Kent Seavey conducted a field survey of the subject property in October of 2008. The principal buildings on the property were examined. Notes on the architecture, characteristic features, and the physical setting were made. Photographs were taken of the exterior elevations of the subject property. The architectural descriptions within this report were written based on these notes and photographs, as well as subsequent site visits. California DPR 523 A & B recording forms were completed for the property on October 30, 2008.

Research was conducted in major repositories of potential source materials. These repositories included the Monterey County Assessor's Office; Monterey County Planning Department; Chicago Title Co.; California History Room of the Monterey Public Library; Carmel Public Library; the archives of the School of Environmental Design, U.C. Berkeley, and the Dept. of Special Collections, McHenry Library, U.C. Santa Cruz.

The report was prepared utilizing the methodology recommended by the National Park Service, as outlined in Preservation Briefs #17 (Architectural Character: Identifying the Visual Aspects of Historic Buildings as an Aid to Preserving their Character), and #35 (Understanding Old Buildings: The Process of Architectural Investigation).



(Location Map)

Historic Status

The property, constructed in 1965 and therefore less than 50 years old, was the last residential design in Monterey County by internationally recognized architect and educator William Wilson Wurster. The subject property was designed and constructed for nationally recognized architectural and landscape photographer Morley Baer, and was Baer's place of residence and studio during a productive period of his life.

The subject property retains its physical integrity of original design from 1965 to a remarkable degree. It qualifies for listing in the National Register of Historic Places and the California Register of Historical Resources at the local level of significance for its architectural design by William Wilson Wurster, FAIA, and its association with noted American photographer Morley Baer. The subject property is not currently listed in any federal, state or local historic resource inventory.

HISTORICAL BACKGROUND

Brief Historical Background of the Subject Property

Spanish-Mexican Settlement

The subject property is located on land that was once part of the Rancho San Jose' and Sur Chiquito, granted to Teodoro Gonzales in 1835, and then regranted to Marcelino Escobar, a government official in Monterey, by Alta California governor, Juan Alvarado in 1839 (Clark 1991: 465-466). The 8000+ acre rancho ran in a long narrow strip along the coast from the Carmel River to the mouth of Palo Colorado Canyon.

The property changed hands a number of times between 1839 and 1853, when it was purchased by Jose Castro who initiated a case with the U.S. Land Commission to secure American title.

American Settlement

By 1855 a rudimentary public road had been cut from Monterey to Rancho El Sur. Little more than a wagon trail, the Coast Road as it would be called began to open up the Big Sur country to agricultural settlement. It was improved and realigned into the early twentieth century, primarily by local farmers and ranchers who relied on the county for its maintenance.

Jose Castro's claim before the U.S. Land Commission was denied and he sold his interest in the property in 1854. However, a lengthy appeal process clouded title to the rancho through the 1880s. During that period various competing claimants, basing their claims on the Pre-Emption Act of 1853, the Homestead Act of 1862, and prior ownership, settled on various portions of the land (Robinson 1948: 167-168). These individuals bought and sold 160-acre claims as though they owned them.

Big Sur pioneer William Brainard Post claimed a place at Soberanes Point, just north of the subject property, and occupied the parcel between 1858 and 1866, building a house, outbuildings and corrals for cattle. The unsecured claim was purchased by Ezequiel Soberanes in 1867 (Monterey Co. Assessor's records).

Soberanes was the grandson of Jose Maria Soberanes, a soldier with the 1769 Portola Expedition. Ezequiel continued to acquire portions of the coastal rancho through purchase and pre-emption claims well into the 1870s.

Clear title to the Rancho San Jose y Sur Chiquito was finally confirmed in December, 1884, and not in favor of Ezequiel Soberanes (Land Case 546, SD373:4). That being said, the legally dispossessed Soberanes purchased an additional 640-acre section of the rancho in 1889 from the Carmelo Land and Coal Company. However, in January, 1891, economic circumstances forced Ezequiel Soberanes to sell his Big Sur ranch to John B. H. Cooper of the neighboring El Sur Rancho (Monterey Book of Deeds 3: 179).

Just two years prior to the Soberanes sale to Cooper, in January of 1889, an American pioneer of Old Monterey Francis Doud, who was well established in the livestock and butchering business began buying up large tracts of land along the coast south of Carmel. Some of the purchases were in partnership with Anthony Brazil. In 1890 the partners purchased 1,300+ coastal acres that included the subject property (Monterey County Book of Deeds 30: 19). Several smaller additions were made to the acreage over time until Mr. Doud's passing in 1910.

Francis Doud's heirs continued to operate the ranch for stock raising into the 1950s. Family members held the ranch in generally undivided interests, with some division of the shoreline made by realtor/heir James C. Doud, until sale of 2,879 acres of the coastal property to the State of California for recreation use as the Garrapata State Park in 1983 (Clark 1991: 183). The park includes outstanding coastal headlands at Soberanes Point and Garrapata Beach at the mouth of Garrapata Creek, just below the subject property.

Twentieth Century development

As the Coast Road improved over time the Big Sur region saw the seasonal influx of sportsmen and tourists. As early as the 1890s Thomas B. Slate and his wife Bersabe Soberanes operated a natural hot springs at the location of today's Esalen Institute. Some of the pioneer families, like the Posts and Swetnams accepted paying guests at their ranches. The Pfeiffer's opened the first "resort" in 1910 at the site of the current Big Sur Lodge.

The development of the automobile, and the construction of the Carmel-San Simeon Highway between 1919 and 1937 however, were the biggest factors in opening up Big Sur to the modern tourist industry.

As early as the 1920s attempts were made to develop summer homes and primary residences in the region.

The Coastlands development adjacent to today's Nepenthe Restaurant was initiated in 1924. By the 1930s Partington Ridge had been subdivided, with people of independent means building single family homes. A number of artists and writers of lesser means settled also settled into the region.

The homes they built, from small subsistence cabins to architect designed getaways, tended to reflect the creative and independent character of the population. Margaret and Nathaniel Owings A-framed home "Wildbird" (1958), below Castro Canyon, is a good representative example. One of the important early architects to design in the Big Sur was William Wilson Wurster.

William W. Wurster (1898-1973), was one of the earliest exponents of northern California's modernist architectural movement and is generally recognized as a founder of the regional architecture referred to as "soft modernism". Wurster believed it was absolutely necessary to search for spiritual roots in the place itself and in the local way of life. He found his models in the vernacular. His work is a popular architecture in the sense that much of the Internationalists work is not. Wurster's was an architecture of the everyday, rather than form, or intellectual theory. His aim was to hide the presence of the architect within the commonplace. Beaux Arts trained, Wurster emphasized the overriding importance of proportion in design, the art of building beautifully, not just building differently.

Wurster's first work in Monterey County was a residence at Lucia, part of a proposed resort for noted international golf celebrity and conservation minded real estate developer Marion Hollins in 1930. The architect's 1931 Carl L. Voss House on the Big Sur coast was featured in the Museum of Modern Art's 1937 exhibition "Modern Houses in America". Others followed through the 1930s and 1940s, many award winning like the 1933 Converse House in Carmel which won him one of a number of AIA Honor Awards over the life of his practice.

Wurster is perhaps best recognized for his achievement in education. As dean of the School of Architecture at U.C. Berkeley in 1959 Wurster integrated departments of Architecture, Landscape Architecture and Urban Design into a new College of Environmental Design whose principal building bears his name, Wurster Hall. In 1969 Wurster was the recipient of the Gold Medal of the American Institute of Architects, the AIA's highest national award.

It was in the context of twentieth century development of the Big Sur for summer homes and primary residences that the architect designed Morley Baer's 1965 "Stone House", the subject property of this study.

DESCRIPTION OF HISTORIC RESOURCE

A two-story, stone masonry residence, rectangular in plan, resting on a concrete foundation. The exterior wall cladding is roughly squared granite rock, locally quarried.

The low-pitched, side-gabled roof has wide overhanging eaves. There are two chimneys present. One interior type is centered in the ridge line at the east gable end of the residence and an exterior eave wall type is centered in the ridge line at the west gable end. The chimney stacks have copper surrounds and are capped w/ stainless steel ventilators. Flat skylights are found near the east and west ends of the roof system. The roof is covered in tar & gravel.

Fenestration is irregular with single and banked fixed and casement type windows. A massive fixed multi-paned focal window with large square mullions characterizes the west side of the north facing facade. Deeply recessed single lights, on two floors, framing the planked wood Dutch entry door characterize the east end of this elevation. A vertical stack of three large square windows is found on the rear (south) elevation near the west end of the residence. The top and bottom lights are fixed, and the center window is a hopper type.

Two Dutch doors are found on this elevation. One leads to an open patio, and one is connected to a wood-framed & glazed shed-roofed hyphen, added in 1970, that projects south from the center of the building envelope to a series of wood-framed dependencies & utility buildings constructed after 1970. These features are not a part of this nomination. A small, undated square wood-framed noncontributing addition at the SW corner of "Stone House" will be removed as part of a future Rehabilitation project for the building. The subject property is sited on the west side of Highway One, ten miles south of Carmel in a natural landscape setting of coastal chaparral on a bench above Garrapata Beach. It is located adjacent to the open space of Garrapata State Park (see photographs provided, Appendix I.)

Character-defining features include:

- Simple rectangular footprint.

- Wall cladding of locally quarried stone masonry.
- Low-pitched side-gabled roof.
- Expressive treatment of fenestration.
- Landscape setting.

EVALUATION FOR SIGNIFICANCE

The eligibility criteria for designating historic properties under federal and state criteria are essentially the same. The criteria employed in the current Monterey County preservation ordinance is generally similar to the federal and state models. However, the ordinance has several provisions for evaluation that differ from the federal and state criteria. This section will address the federal and state criteria together, and then will address the Monterey County criteria.

The criteria for listing properties in the National Register of Historic Places (NRHP) are codified in 36 CFR 60 and expanded upon in numerous guidelines published by the National Park Service. Buildings, structures, objects, sites and districts listed in, eligible for listing in, or appear eligible for listing in the NRHP are considered historic properties under the regulations for Section 106 of the National Historic Preservation Act (NHPA).

Eligibility for listing buildings, structures, objects, sites, and districts (i.e., resources) in the NRHP rests on twin factors of *historic significance* and *integrity*. A resource must have both significance and integrity to be considered eligible.

Loss of integrity, if sufficiently great, will overwhelm the historic significance a resource may possess and render it ineligible. Likewise, a resource can have complete integrity, but if it lacks significance, it must also be considered ineligible. Historic significance is judged by applying the NRHP criteria, identified as Criteria A through D.

The NRHP guidelines state that a historic resource's "quality of significance in American history, architecture, archaeology, engineering, and culture" must be determined by meeting at least one of the four main criteria. Properties may be significant at the local, state or national level.

The NRHP criteria are:

- Criterion A: association with "events that have made significant contributions to the broad patterns of our history;"
- Criterion B: association with "the lives of persons significant in our past;"
- Criterion C: resources "that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values;"
- Criterion D: resources "that have yielded, or may be likely to yield, information important to history or pre history."

Integrity is determined through applying seven factors to the historic resource: location, design, setting, workmanship, materials, feeling and association. These seven can be roughly grouped into three types of integrity considerations. Location and setting relate to the relationship between the property and its environment. Design, materials, and workmanship, as they apply to historic buildings, relate to construction methods and architectural details. Feeling and association are the least objective of the seven criteria and pertain to the overall ability of the property to convey a sense of historical time and place in which it was constructed.

The California Environmental Quality Act (CEQA) requires consideration of the possible impacts to and the evaluation of resources using the criteria set forth by the California Register of Historical Resources (CRHR). In order to be determined eligible and considered a historical resource for the purpose of CEQA, each resource must be determined to be *significant* under the local, state, or national level under one of four criteria (Criteria 1 through 4) and retain historic *integrity*. The CRHR criteria closely parallel those for the NRHP (Criteria A through D) outlined above. Resources should be at least 50 years old in order to be eligible to the NRHP or the CRHR.

Monterey County has its own local criteria for designating buildings as historically significant. The review criteria are outlined in Chapter 18.25 "Preservation of Historic Resources" at Section 18.25.070.

Under Criterion A, "Historical and Cultural Significance" the local ordinance includes criteria similar to the NRHP and CRHR programs, but also adds:

- . properties that are "representative of a way of life;"
- . properties that were "once common but now rare;"
- . properties "connected with someone renowned;"
- . properties that are "connected with a business or use which was once common but is now rare."

Under Criterion B, "Historic, Architectural, and Engineering Significance," the local ordinance establishes certain thresholds for significance that are not found in the National Register of California Register criteria. These include properties proposed for designation that:

- . exemplifies "a particular style or way of life important to the county;"
- . exemplifies the "best remaining architectural type of a community;"
- . embodies "elements of outstanding attention to architectural or engineering design, detail, material, or craftsmanship."

Under Criterion C, "Community and Geographic Setting," properties are considered historically significant if the proposed resource:

- . materially benefits the historic character of a community
- . by virtue of its location or singular physical characteristics represents "an established and familiar feature of the community, area, or county;"
- . possesses "a significant concentration or continuity of buildings, structures or objects unified by past events, or aesthetically by plan or physical development;"
- . "is essential to the integrity of" a historic district.

Using these federal, state and local criteria to define the potential historic significance of "Stone House" the property would clearly qualify for significance under the criteria established by the California and National Registers at the local and/or state level, for its architectural design by William W. Wurster, and its association with noted architectural and landscape photographer Morley Baer.

Areas of Significance

The subject property is an excellent example of the mature "soft modernism" residential design of internationally recognized architect William W. Wurster. It is also closely associated with the productive life of noted architectural and landscape photographer Morley Baer. The period of significance would be the date of construction, 1965.

IMPACTS OF THE PROPOSED PROJECT

The owners have proposed the following alterations and additions for contemporary usage. The scope of work includes reroofing the existing gravel roof, in kind; code required upgrading of the existing plumbing and electric systems and restoring the original fixtures where possible; the demolition of an undated wooden shed and a new spa addition along the west side-elevation that were not part of the original 1965 design (see photo #5, Appendix I). The project also proposes the demolition and replacement, of a deteriorated wood and glass hyphen with a new glass and steel feature connecting the "stone House" with later wood-framed dependencies some thirty feet to the south (see photo #4, Appendix I). The property is zoned and employed for residential use (see plans and drawings, Appendix III). All work undertaken will be reversible.

The Secretary of the Interior's Standards for the Treatment of Historic Properties identify four primary treatment approaches to historic buildings. They are Restoration, Preservation, Reconstruction and Rehabilitation. Rehabilitation is the recommended standard for treatment.

Rehabilitation is defined as the act or process of making a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.

The Secretary's Standards encourages "placing a new addition on a non-character-defining elevation." and locating alterations to historic properties in areas where previous alterations already exist.

As stated in the 1992 National Park Service *Illustrated Guidelines for Rehabilitating Historic Buildings*, "The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility."

REROOFING AND UTILITIES UPGRADE

The proposed in kind reroofing of the subject property and code required upgrading of the existing electric and plumbing systems is consistent with the Secretary of the Interiors Standards for the Treatment of Historic Properties, particularly Standards #1, #2, #5, and #6 where deteriorated features will be repaired rather than replaced. Where any required replacement of a distinctive feature will match the old in design, color, texture, and, where possible, materials, and replacement of missing features will be substantiated by documentary and physical evidence (see Secretary's Standards for Rehabilitation, Appendix II).

DEMOLITION OF UNDATED ADDITIONS ALONG WEST SIDE-ELEVATION

The demolition of the later undated wooden shed and new spa along the west side-elevation of the subject property are consistent with the Secretary's Standards #2, and #5 in that the historic character of the property will be preserved by the return of the distinctive materials, features, finishes, construction techniques and craftsmanship that characterized the original (1965) building envelope (see photo#5, Appendix I). The Standards recommend removing non-historic additions which detract from the historic character of the site. (see Secretary's Standards for Rehabilitation, Appendix II).

DEMOLITION OF EXISTING WOOD-FRAMED CONNECTING HYPHEN

The proposed demolition of a deteriorated 1970 wood and glass hyphen connecting the subject property to later noncontributing dependencies, about thirty feet south of the subject property, will return an existing doorway on the south (rear) elevation to its original 1965 appearance (see photo #4, Appendix I).

The existing wood and glass hyphen was added by the San Francisco architectural firm of MLTW to connect the original Wurster residence to a garage and family room in 1970. In 1973 the Carmel architectural firm of Shaw and Associates designed an attached guest suite and swimming pool, covered by a glazed skylight, to the south elevation of the 1970 dependencies. Sometime later, at an unspecified date by an unknown builder, a two-story wood-framed guest suite was added at the west side of the pool enclosure (see plans & drawings, Appendix III). The post-1970 wood-framed dependencies are not the subject of this historic assessment.

CONSTRUCTION OF A NEW STEEL AND GLASS CONNECTING HYPHEN

A new steel and glass hyphen, attached at the doorway on the eastern side of the south (rear) elevation of "Stone House", is proposed to connect the historic property to its non-historic dependencies. The addition will replace the existing hyphen. The choice of steel and glass over wood for construction addresses both the issues of durability in a marine environment, and the greater visual transparency of the proposed new element.

The Secretary of the Interior's Standards for the Treatment of Historic Properties recommends the construction of new additions on secondary elevations, and in areas that have already been altered, so that there is the least possible loss of historic materials, and that the character-defining features of a historic property are not obscured, damaged or destroyed. The Standards also recommend designing new additions in a manner that makes clear what is historic and what is new.

The proposed hyphen follows the Standards recommendations and is consistent with the Secretary's Standards #9, and #10 in that the new exterior alteration will not destroy historic materials, features or spatial relationships that characterize the property (see plans & drawings, Appendix III). The proposed new work will be differentiated from the old and will be compatible with size, scale and proportion, and massing to protect the integrity of the "Stone House" and its environment. As proposed, if the new hyphen is removed in the future, the essential form and integrity of the historic property and its environment will be unimpaired.

Based on the recommended treatments from the Secretary's Standards for the Rehabilitation, the massing of the proposed addition at the rear of the property will meet the specific intent of the Standards allowing for the historic building envelope to remain essentially intact as constructed in 1965, with the least possible loss of historic materials, and that the character-defining features of the historic property will not be obscured, damaged or destroyed. As proposed the new addition will not create a significant change to the historic building and will not cause a significant adverse effect on the environment.

HISTORIC LANDSCAPE SETTING

The Secretary's Standards for Rehabilitation identify landscape features of historic properties as important in defining the overall character of a resource. The Standards recommend retaining these landscape features which are important in maintaining the historic character of the setting. The Secretary's Standards recommend that when designing exterior additions to historic buildings the work should be compatible with the historic character of the site and should preserve the historic relationship between the building and the landscape.

The subject property is sited in a coastal landscape setting of native chaparral with introduced cypress trees and other shrubbery adjacent to the residence. As proposed there may be minor trimming to some of the vegetation on the SW side of the residence to accommodate the alignment of the proposed new hyphen. There should be little or no change in the historic visual appearance of the property from Highway One (see photographs provided, Appendix I). The project as proposed should have little or no visual impact on the from any public right-of-way. The project is consistent with the Secretary of the Interior's Rehabilitation Standards for site and setting.

The residence is under fifty years of age, and is located on the west side of Highway One below the Carmel Highlands in Monterey County. The property is identified as 35500 Highway One. The project lot size is approximately 2.2 acres. The property is zoned and employed for residential use.

It is my professional opinion that the proposed treatments for the subject property are consistent with the Secretary of the Interior's Standards under the the treatment of Rehabilitation. The assessment was conducted in October, 2008 by Kent L. Seavey, consultant for the owners.

MITIGATION

The proposed project is in conformance with the Secretary of the Interior's *Standards for the Treatment of Historic Properties* under the standard for Rehabilitation (see supporting documents, Appendix II). No mitigation is needed for this project.

SOURCES

1. Boone, L., Janick, R., Seavey, K., (Editors), *Architecture of the Monterey Peninsula*, Monterey Peninsula Museum of Art, 1976.
2. Clark, D., *Monterey County Place Names*, Kestrel Press: Carmel Valley, CA, 1991.
3. JRP Historical Consulting Services, *Corridor Intrinsic Qualities Inventory Historic Qualities, Summary Report*, CalTrans, Dist. 5, 2001.
4. MacMasters, D., "A Visit to the Carmel Country", *Los Angeles Times*, 5/25/69.
5. McAlester, Virginia & Lee, *A Field Guide to American Houses*, Alfred Knopf: New York, 1992, pp. 417-429.
6. Monterey County Assessor's records, Mo. Co. Assessor's office, Salinas, CA.
7. Monterey County Deeds, Chicago Title Co., Salinas, CA.
8. *Monterey Peninsula Herald*, Morley Baer (Obit.), 11/11/95.
9. National Park Service, *The Secretary of the Interior's Standards for Rehabilitation & Illustrated Guidelines for Rehabilitating Historic Buildings*, U.S. Department of the Interior, 1991.
10. Robinson, W.W., *Land in California*, Univ. of California Press: Berkeley, CA, 1948.
11. Treib, M. *An Everyday Modernism*, Univ. of California Press: Berkeley, CA, 1995.
12. Woolfenden, J., *Big Sur A Battle for the Wilderness 1869-1981*, The Boxwood Press: Pacific Grove, CA, 1985.
13. Norman, J., *Big Sur*, Arcadia Press: Charleston, SC, 2004.

APPENDIX I



Photo #1. Looking SW at the facade, east side-elevation,
and landscape setting, 1965.

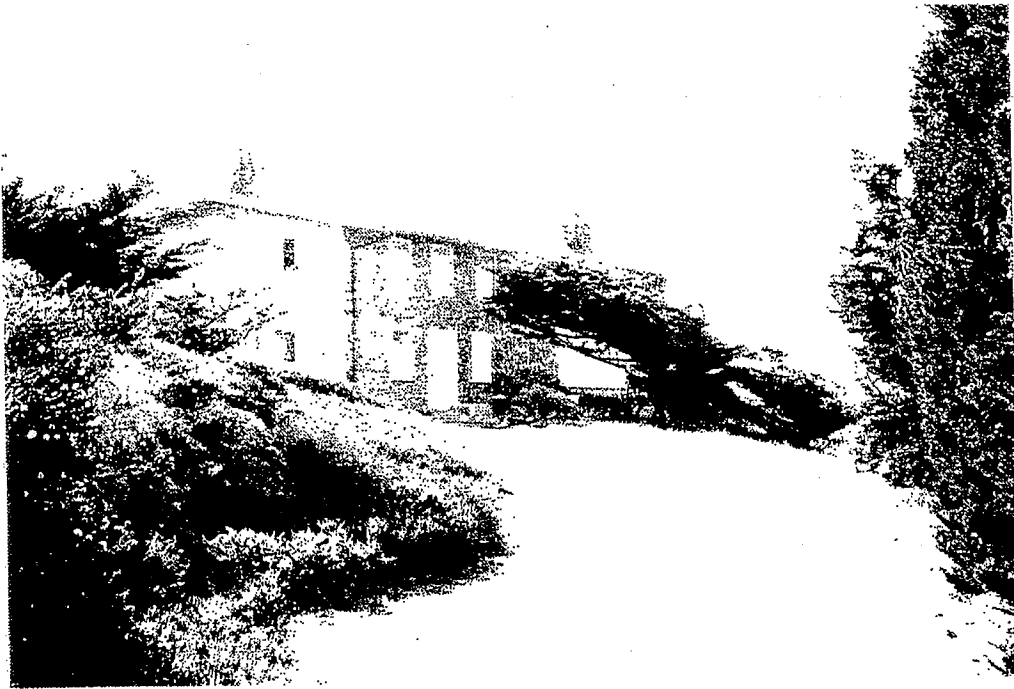
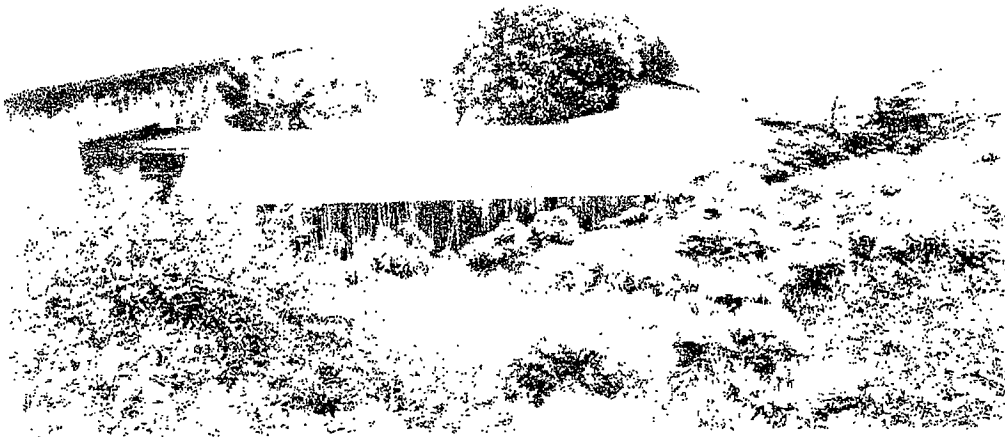


Photo #2. Looking SW at the facade, east side elevation, and landscape setting, 2008.



Photo #3. Looking west at the east side-elevation. note hyphen (center) screened by stone wall, 2008.



APPENDIX II

PRIMARY RECORD

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code 35

Other Listings
Review Code _____ Reviewer _____ Date _____

Page 1 of 3

Resource Name or #: (Assigned by recorder) Morley Baer House

P1. Other Identifier:

P2. Location: Not for Publication Unrestricted a. County Monterey
and (P2b and P2c or P2d. Attach a Location Map as necessary.)

b. USGS 7.5' Quad _____ Date _____ T _____ R _____ 1/4 of _____ 1/4 of Sec _____ S.M. _____

c. Address: 35500 Highway One City Monterey Zip 93940

d. UTM: (Give more than one for large and/linear resources) _____ mE/ _____ mN

e. Other Locational Data (Enter Parcel #, legal description, directions to resource, elevation, etc., as appropriate)

Parcel No. 243-231-024

P3. Description (Describe resource and its improvements. Include design, materials, condition, alterations, size, setting, and boundaries)

A two-story, stone masonry residence, rectangular in plan, resting on a concrete foundation. The exterior wall cladding is roughly squared granite rock, locally quarried. The low-pitched, side-gabled roof has wide overhanging eaves. There are two chimneys present. One interior type is centered in the ridge line at the east gable end of the residence and an exterior eave wall type is centered in the ridge line at the west gable end. The chimney stacks have copper surrounds and are capped w/stainless steel ventilators. Flat skylights are found near the east and west ends of the roof system. The roof is covered in tar & gravel. Fenestration is irregular with single and banked fixed and casement type windows. A massive fixed multi-paned focal window with large square mullions characterizes the west side of the north facing facade. Deeply recessed single lights, on two floors, framing the planked wood Dutch entry door characterize the east end of this elevation. A vertical stack of three large square windows is found on the rear (south) elevation near the west end of the residence. The top and bottom lights are fixed, and the center window is a hopper type. Two Dutch doors are found on this elevation. One leads to an open patio, and one is connected to a wood-framed & glazed shed-roofed hyphen, added in 1970, that projects south from the center of the building envelope to a series of wood-framed dependencies & utility buildings constructed after 1970. These features are not a part of this nomination.

P3b. Resource Attributes: (List attributes and codes) HP2 - Single Family Property

P4. Resources Present Building Structure Object Site District Element of District Other (Isolates, etc.)

P5a. Photograph or Drawing (Photograph required for buildings, structures, and objects)



P5b. Description of Photo (View, date, accession #)
Looking SW at the east side-elev. & north facing facade, 10/30/08

P6. Date Constructed/Age and Sources
 Prehistoric Historic Both
1965, Mo. Co. building records

P7. Owner and Address
James P. Keams 2007 Trust
699 San Ysidro Road
Santa Barbara, CA 93108

P8. Recorded by: (Name, affiliation, and address)
Kent L. Seavey
Preservation Consultant
310 Lighthouse Avenue
Pacific Grove, CA 93950

P9. Date Recorded: 10/30/2008

P10. Survey Type: (Describe)
intensive-request of owner

P11. Report Citation: (Cite survey report and other sources, or enter "none")

None

Attachments NONE Continuation Sheet District Record Rock Art Record Other: (List)
 Location Map Building, Structure, and Object Record Linear Feature Record Artifact Record
 Sketch Map Archaeological Record Milling Station Record Photograph Record

BUILDING, STRUCTURE, AND OBJECT RECORD

Resource Name or #: (Assigned by recorder) *Morley Baer House*

B1. Historic Name: *"Stone House"*

B2. Common Name: *Morley Baer House*

B3. Original Use: *residence*

B4. Present Use: *residence*

B5. Architectural Style:

B6. Construction History: (Construction date, alterations, and date of alterations)

Constructed, 1965 (MCBP# 5745); attached family rooms and garage, 1970 (MCBP# 22730); pool and guest suite, 1973 (MCBP#s 24451/24574); undated 2-story guest suite (no record of permits).

B7. Moved? No Yes Unknown Date: Original Location:

B8. Related Features: *The family/guest rooms, pool and garage are connected to the main residence by a one-story glazed wooden hyphen off the south (rear) elevation as part of the 1970 additions. A small, undated noncontributing wood-framed room at the SW corner of the "Stone House" is scheduled for removal.*

B9a. Architect: *William Wilson Wurster & others*

b. Builder: *T. Gudmunson & C. Bradanini (1965)*

B10. Significance: Theme: *Architectural Development*

Area: *Big Sur Coast*

Period of Significance: *1965* Property Type: *single family residence* Applicable Criteria: *CR 2, 3*
(Discuss importance in terms of historical or architectural context as defined by theme, period and geographic scope. Also address integrity.)

"Stone House" is significant under California Register criterion 3, in the area of architecture as the last William W. Wurster residential design in Monterey County, and under criterion 2, for its association with noted American architectural and landscape photographer Morley Baer.

William W. Wurster (1896-1973), was one of the earliest exponents of northern California's modernist architectural movement and is generally recognized as a founder of the regional architecture referred to as "soft modernism". Wurster believed it was absolutely necessary to search for spiritual roots in the place itself and in the local way of life. He found his models in the vernacular. His work is a popular architecture in the sense that much of the Internationalists work is not. Wurster's was an architecture of the everyday, rather than form, or intellectual theory. His aim was to hide the presence of the architect within the commonplace. Beaux Arts trained, Wurster emphasized the overriding importance of proportion in design, the art of building beautifully, not just building differently. Wurster's first work in Monterey County was a residence for Marion Hollins in Big Sur, others followed through the 1930s and 1940s, many award winning like the 1931 Converse House in Carmel which won him one of a number of AIA Honor Award's over the life of his practice. He is perhaps best recognized for his achievement in education. As dean of the School of Architecture at U.C. Berkeley in 1959 Wurster integrated departments of Architecture, Landscape Architecture and Urban Design into a new College of Environmental Design whose principal building bears his name, Wurster Hall. In 1969 Wurster was the recipient of the Gold Medal of the American Institute of Architects, the AIA's highest national award.

"Stone House" was designed and constructed by Wurster for an old friend, nationally recognized architectural and landscape photographer Morley Baer (1916-1995). Baer came to the Monterey Peninsula in 1945 as a Navy photographer to record the Del Monte Hotel which had recently become the Navy's Line Officers School.

B11. Additional Resource Attributes: (List attributes and codes) *HP2 - Single Family Property*

B12. References:

Boone, L., Janick, R. Seavey, K., Editors, *Architecture of the Monterey Peninsula*, Monterey: Monterey Peninsula Museum of Art, 1976.

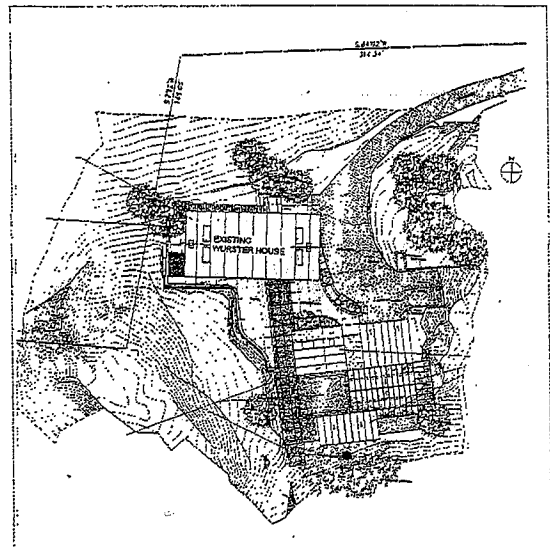
Hunt, W.D., Jr., *Encyclopedia of American Architecture*, New York: McGraw-Hill, 1980, pp.584-585.

B13. Remarks: *Zoning WSC/40D (CZ)*

B14. Evaluator: *Kent Seavey*

Date of Evaluation: *10/30/2008*

(This space reserved for official comments.)



CONTINUATION SHEET

Page 3 of 3 Resource Name or #: (Assigned by recorder) *Morley Baer House*
Recorded by: *Kent L. Seavey* Date *10/30/2008* Continuation Update

P3 (cont.) A small, undated square wood-framed noncontributing addition at the SW corner of "Stone House" will be removed as part of a future preservation project for the building. The subject property is sited on the west side of Highway 1 ten miles south of Carmel in a natural landscape setting of coastal chaparral on a bench above Garrapata Beach. It is located adjacent to the open space of Garrapata State Beach.

B10 (cont.) During WWII Baer had worked under Edward Steichen, documenting the war in the Pacific. In 1946 Baer applied unsuccessfully for an apprenticeship with Edward Weston in Carmel. Later, the two would become good friends as members of the circle of innovative landscape photographers living in the region. Baer also knew and conducted seminars with Ansel Adams, and helped found Adams Friends of Photography foundation. He served for a time as the head of the Photography Department of the San Francisco Art Institute. He published several books of photography, among which are *Adobes in the Sun*, *The Wilder Shore*, and *Painted Ladies*. The photographer relieved the National Award for photography from the American Institute of Architects in 1965, the year "Stone House" was completed. As noted, Baer and Wurster were friends, the architect had done work for the photographer before. When he purchased the two- and- one-half- acre site ten miles south of Carmel. Baer asked his friend to design the new home, and to incorporate a stone fireplace in it as he had liked the one in his earlier Wurster house. Baer said, "We want something to match the magnificence of the environment", hence the impressive use of the material for the exterior wall cladding. "We asked Bill Wurster because I always remembered his saying that it was not the architect's prerogative to design all the living into a house; the rest is up to the client". "I don't know anyone else who could have done so simply and directly what we wanted". Baer noted, "I suppose the thing I like best here is that the house makes it perfectly natural to combine photography with everyday living. And while it is practical and sensible, it still gives people a sense of exhilaration".

Morley Baer's "Stone House" is an icon of William Wurster's mature "soft modernism" residential design, and was for many years both an anchor and framing device for Morley Baer's nationally acclaimed photography. The residence retains its physical integrity to a remarkable degree and continues to evoke a strong sense of time and place, and of feeling and association with its builder and owner and their respective professions. It clearly qualifies for listing in the National and California register's at the state level of significance for its design by William W. Wurster and association with its owner, noted architectural and landscape photographer Morley Baer.

B12 (cont.)
MacMasters, D., "A Visit to the Carmel country" *Los Angeles Times*, 5/25/69.
Monterey Peninsula Herald, (Obit.) Morley Baer, 11/11/95.
Treib, M., *An Everyday Modernism*, Berkeley, CA: Univ. of California Press, 1995.

Supplemental Photograph or Drawing



Description of Photo: (View, date, accession#)
Looking SW at east side-elev., and north facing facade, Morley Baer, 1965

APPENDIX III

SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

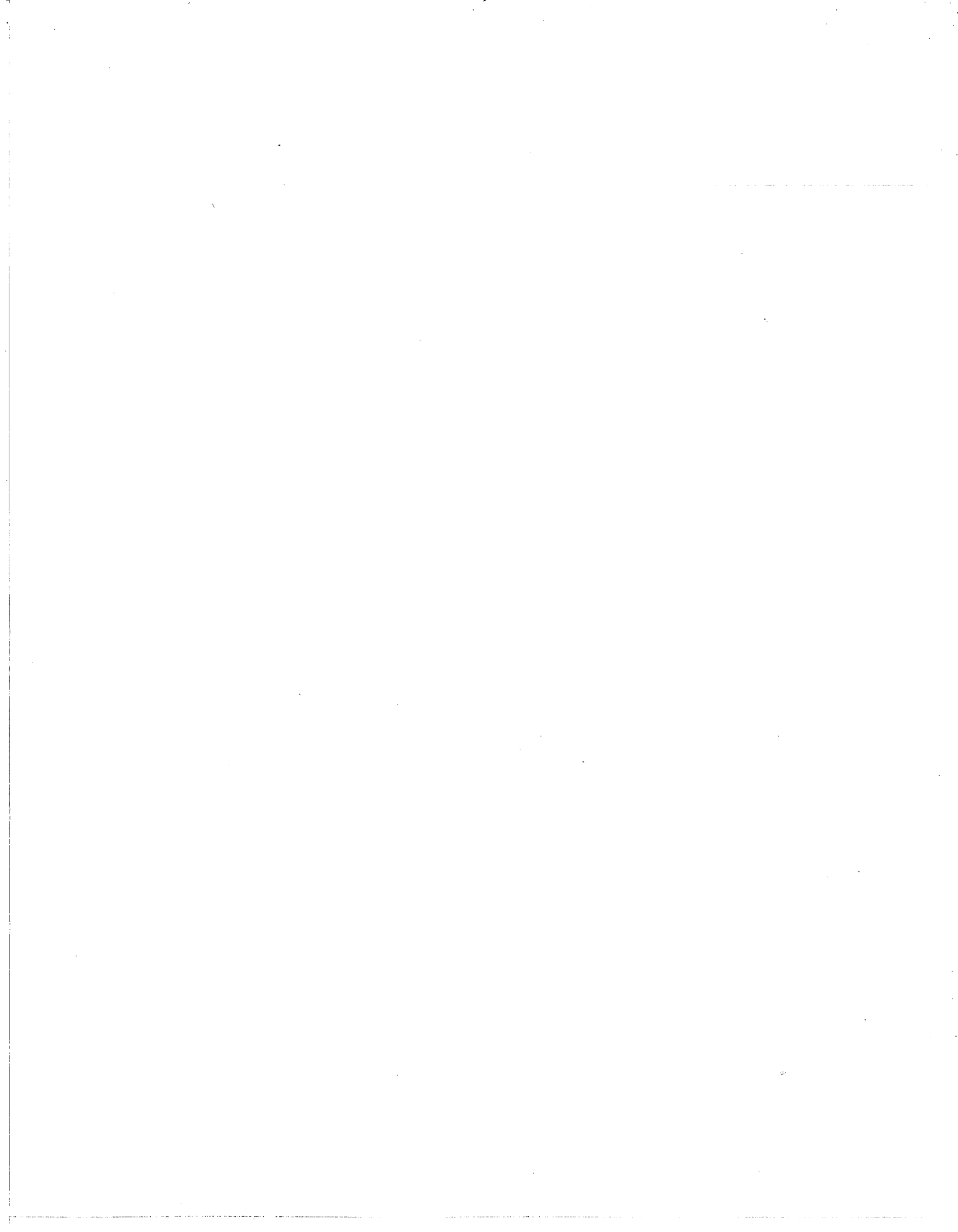


Exhibit I

HRRB Resolution

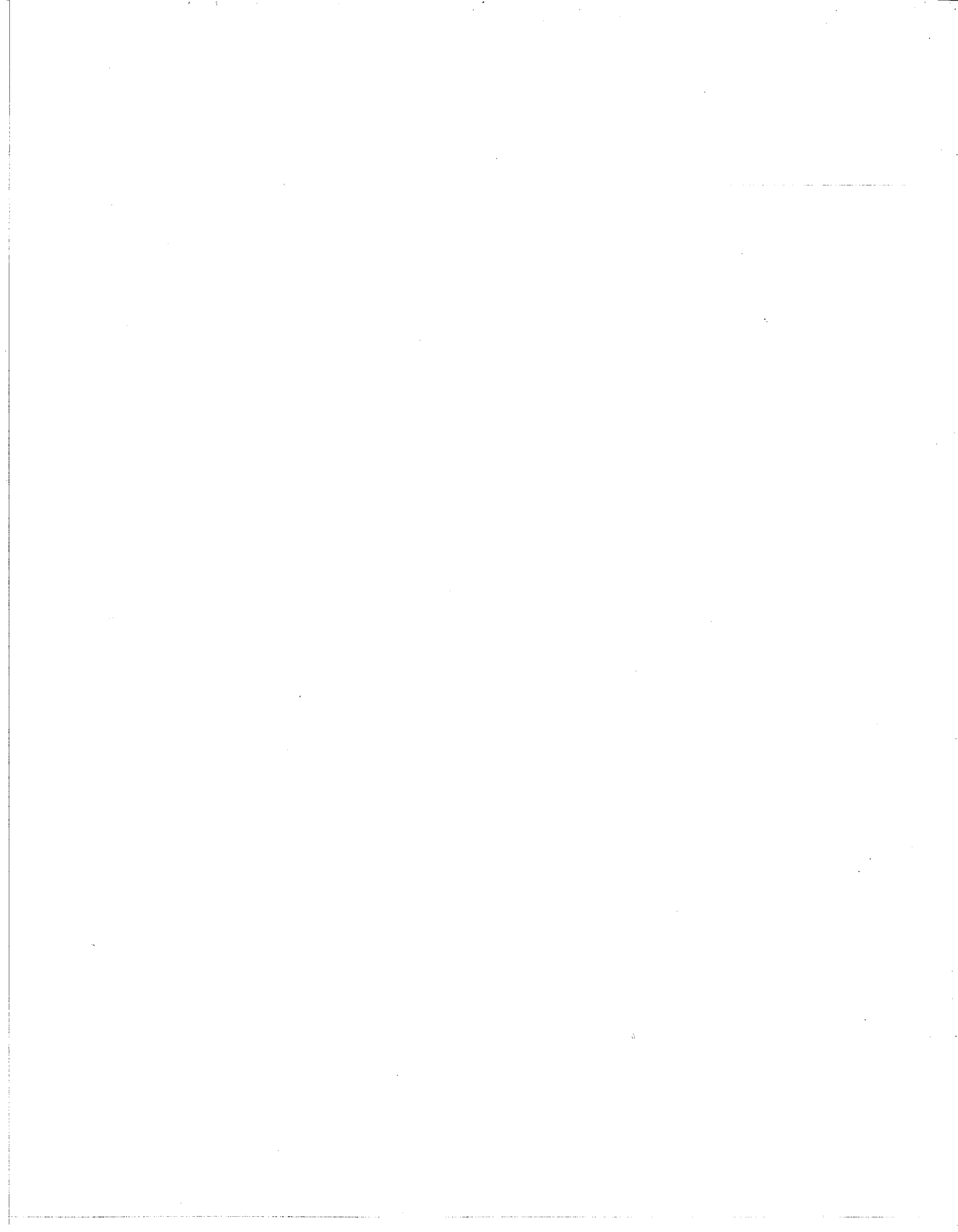


Exhibit I

Before the Historic Resources Review Board in and for the County of Monterey, State of California

Resolution No. **080022 (Kearns)**

Resolution by the Monterey County Historic Resources Review Board (HRRB) to recommend approval of a Combined Development Permit by James P. Kearns to allow 1) A Coastal Administrative Permit to allow the partial demolition and remodel of a 6,579 square foot single family dwelling including the demolition of a 1,111 square foot breezeway and the reconstruction of 804 square feet on the first floor, demolition of 415 square feet on the second story and reconstruction and addition of 673 square feet (net reduction of 49 square feet total), replacement of a 416 square foot pool with a 618 square foot lap pool, and improvements and reconfiguration of the patios and courtyard; 2) A Coastal Development Permit to allow development within the critical viewshed; and 3) A Design Approval.. The project is located at 35500 Highway 1, Carmel (Assessor's Parcel Number 243-231-024-000), Big Sur Land Use Plan (Coastal Zone).

WHEREAS, this matter was heard by the Historic Resources Review Board (HRRB) of the County of Monterey on December 4, 2008, pursuant to the regulations for the Preservation of Historic Resources as contained in Chapter 18.25 of the Monterey County Code and the Secretary of the Interior's Standards for the Treatment of Historic Properties.

WHEREAS, the single family dwelling, on a parcel located at 35500 Highway 1, Carmel (APN 243-231-024-000) in the County of Monterey, has been determined by a qualified historian to be eligible for listing on the Local, State, and Federal Registers of Historic Resources/Places.

WHEREAS, Carver + Schicketanz Architects, agent of James P. Kearns filed an application for a Combined Development Permit to allow the partial demolition and remodel of a 6,579 square foot single family dwelling including the demolition of a 1,111 square foot breezeway and the reconstruction of 804 square feet on the first floor, demolition of 415 square feet on the second story and reconstruction and addition of 673 square feet (net reduction of 49 square feet total), replacement of a 416 square foot pool with a 618 square foot lap pool, and improvements and reconfiguration of the patios and courtyard.

WHEREAS, at the conclusion of the hearing, the matter was submitted to the HRRB for a recommendation. Having considered all the written and documentary information submitted, oral testimony, and other evidence presented before the HRRB, the HRRB rendered its decision

to adopt findings and evidence to recommend approval of the Combined Development Permit (PLN080022), subject to the following findings:

Finding: Impacts of the proposed development upon a historic resource have been adequately mitigated through the project design in accordance with the Secretary of Interior's Standards for the Treatment of Historic Properties (Rehabilitation). The proposed work is consistent with the same.

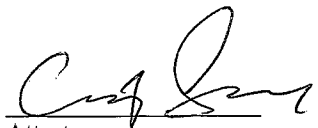
Finding: The proposed construction of the new improvements, addition, building or structure upon a potentially historic resource, the use and exterior of such improvements will neither adversely effect nor be incompatible with the use and exterior of the existing historical resource, improvements, buildings and natural features of the site.

- Evidence:
1. Combined Development Permit Application and other materials in File PLN080022.
 2. Secretary of the Interior's Standards for the Treatment of Historic Properties.
 3. Phase II historic assessment prepared by Kent Seavey dated November 20, 2008.
 4. Oral testimony and HRRB discussion during the public hearing and the administrative record.
 5. Big Sur Land Use Advisory Committee decision to recommend approval of PLN080022 (Kearns) dated July 22, 2008.
 6. Chapter 18.25 of the Monterey County Code.

THEREFORE, it is the decision of the Monterey County Historic Resources Review Board to recommend approval of the Kearns project (PLN080022). No Conditions are necessary as the project as designed is consistent with the Secretary of Interior's Standards for the Treatment of Historic Properties and no adverse impacts are foreseen.

Passed and adopted on this 4th day of December 2008, upon motion of Judy MacDelland seconded by Marleen Burch, by the following vote:

AYES: 4
NOES: 0
ABSENT: 2
ABSTAIN: 0



Attest
Craig W. Spencer, Project Planner
December 4, 2008

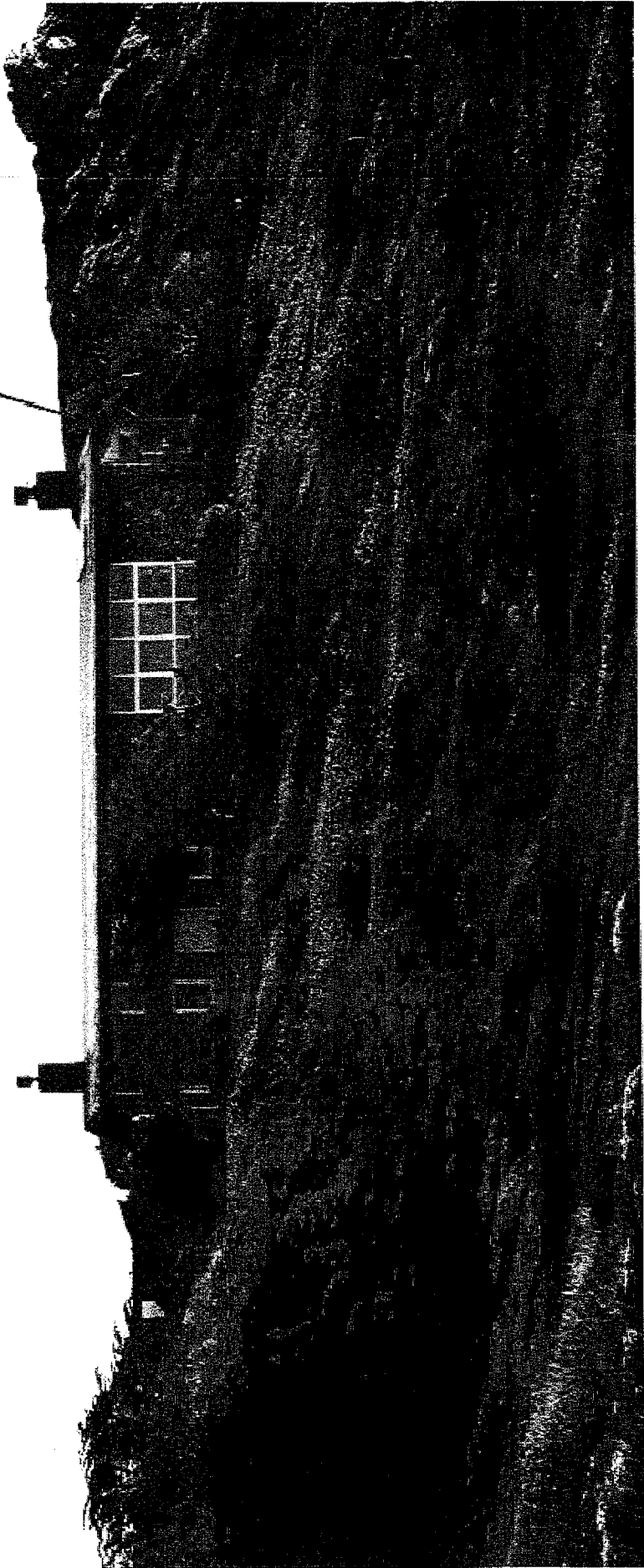
Exhibit J

Photo Simulations



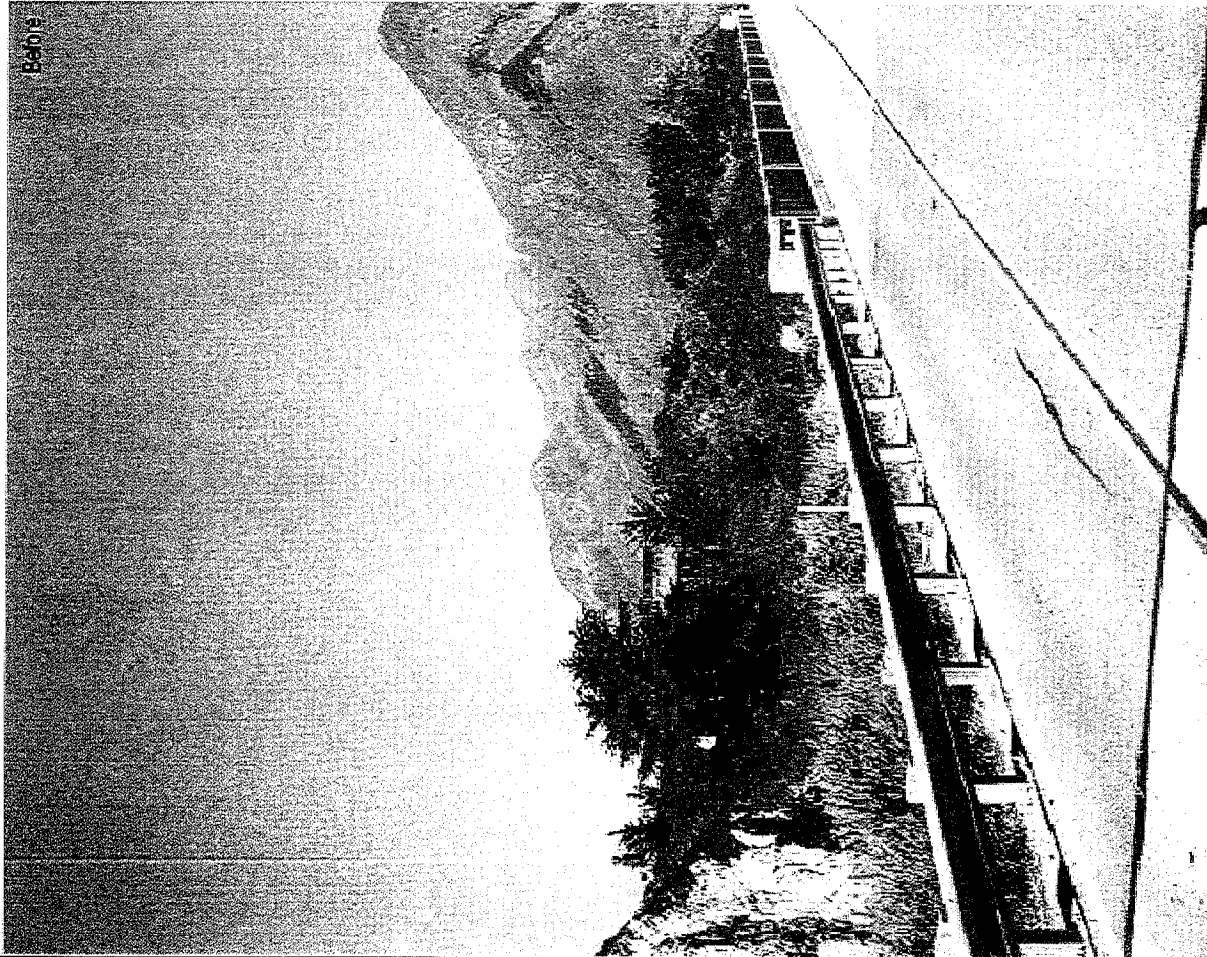
Exhibit J

ADDITION TO
BE REMOVED

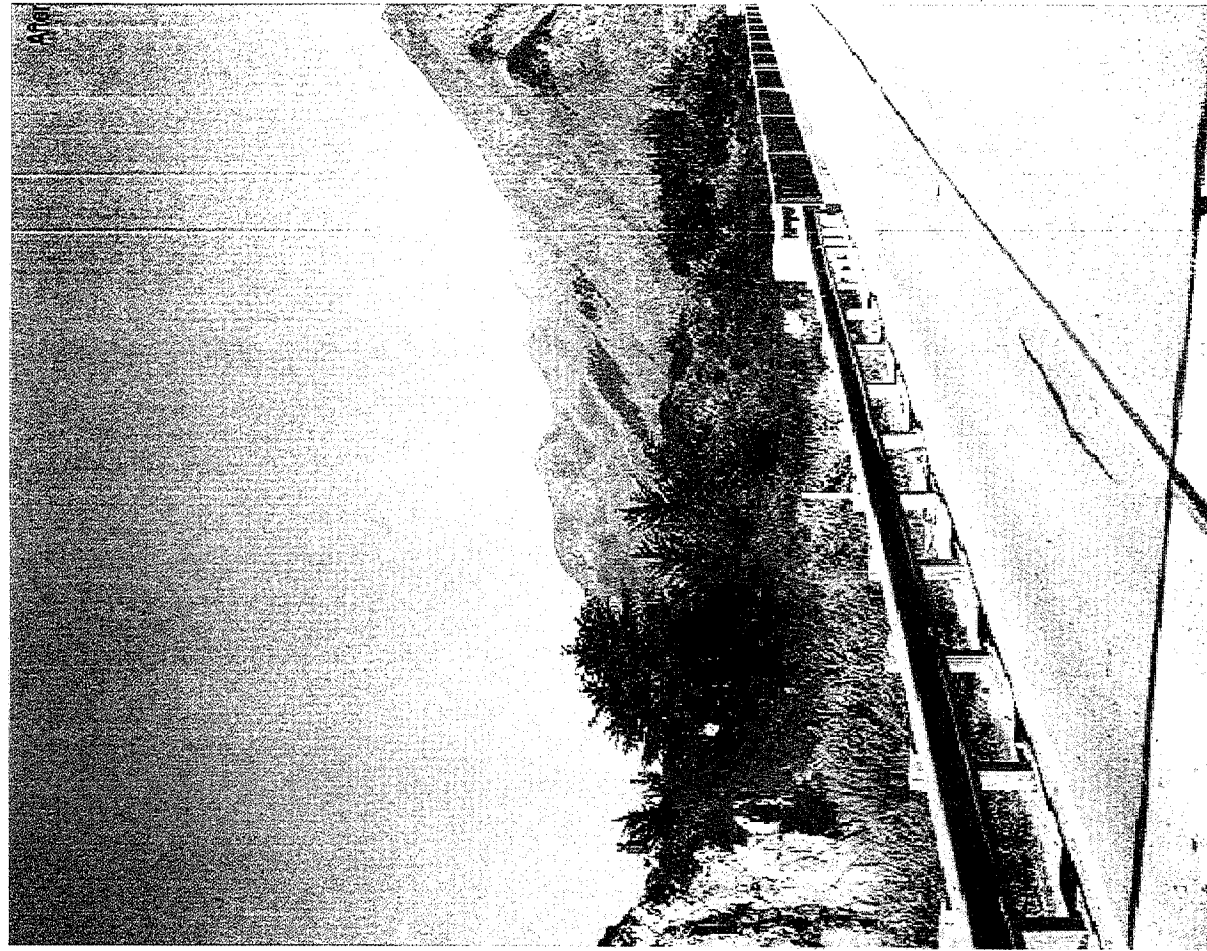


View from path to Garraipata Beach
Taken Sept. 30, 2008
w/ Nikon D70 Digital Camera
Nikon DX Lens

Kearns Residence
PLN: 080022



View from Garrapata Bridge
Taken Sept. 30, 2008
w/ Pentax Optio Digital Camera
Sinc Pentax Lens



Kearm's Residence
PLN: 08002