



STAFF REPORT
Monterey County Design Approval
Resource Management Agency - Planning Department
168 W. Alisal St. 2nd Floor, Salinas, CA 93901
(831) 755-5025; FAX (831) 757-9516

Date: November 16, 2012

To: Planning Commission

From: Elizabeth Gonzales, Project Planner (831) 755-5102 *EGG*
gonzalesl@co.monterey.ca.us

cc: Front Counter Copy; Elizabeth Gonzales, Planner; Wanda Hickman, Planning Services Manager; Bob Schubert, Senior Planner; Selvaggi, Frank, TR, Property Owner; Christopher Mack, Agent/Representative; The Open Monterey Project; LandWatch; Project File PLN120400

Re: Sevaggi, Frank TR (PLN120400)

Location: Assessor's Parcel Number: 243-161-013-000
120 Yankee Point Drive, Carmel
Carmel Area Land Use Plan

The applicants are requesting a Design Approval to allow a 265 square foot single story bathroom addition to an existing one story single family dwelling. Colors and materials will match the existing residence. Photos are attached as **Exhibit F**.

The original application included a Variance to exceed the side setback in order to expand and relocate the existing bathroom and add a closet. However, staff could not support a Variance based on the findings to support a Variance. After working with the applicants, plans were resubmitted that were able to meet the Site Development standards required within Low Density Residential zoning districts.

The parcel is located on Yankee Point Drive at the corner of Highway 1. A site visit confirmed that the parcel is located within a public viewshed (Highway 1 is a scenic highway). According to Chapter 20.44.040.E, Title 20 Zoning Ordinance, "The Planning Commission shall be the Appropriate Authority to consider Design Approval applications for those structures which have the greatest potential to impact public views, such as structures along scenic highway or road corridors, in areas designated as critical viewshed, or which may be prominent from common public viewing areas."

Although the 265 square foot single story addition will be seen from Highway 1, the addition will not create a substantial impact; and therefore, staff recommends approval, subject to conditions in **Exhibit B**. Environmental Health Bureau has reviewed the plans and confirms the addition will not impact the septic system.

Attachments: Exhibit A Project Data Sheet
 Exhibit B Findings & Evidence

Exhibit C Recommended Conditions of Approval
Exhibit D Site Plan, Floor Plans, and Elevations
Exhibit E Vicinity Map
Exhibit F Photographs

This report was reviewed by Bob Schubert, Senior Planner



EXHIBIT A

Project Information for PLN120400

Project Information:

Project Name:	SELVAGGI FRANK TR		
Location:	120 YANKEE POINT DR CARMEL		
Permit Type:	Design Approval		
Environmental Status:	Exempt	Final Action Deadline (884):	
Existing Structures (sf):	2721	Coverage Allowed:	15%
Proposed Structures (sf):	265	Coverage Proposed:	15%
Total Sq. Ft.:	2986	Height Allowed:	26
Tree Removal:	0	Height Proposed:	16
Water Source:	Public	FAR Allowed:	0
Water Purveyor:	Cal Am	FAR Proposed:	0
Sewage Disposal (method):	Septic System	Lot Size:	20037
Sewer District:	private	Grading (cubic yds.):	0

Parcel Information:

Primary APN:	243-161-013-000	Seismic Hazard Zone:	Vi
Applicable Plan:	Carmel LUP	Erosion Hazard Zone:	Low
Advisory Committee:	n/a	Fire Hazard Zone:	Moderate
Zoning:	LDR/1-D(26)(CZ)	Flood Hazard Zone:	Low
Land Use Designation:	Residential	Archaeological Sensitivity:	High
Coastal Zone:	Yes	Viewshed:	Yes
Fire District:	CDF Coastal	Special Setbacks on Parcel:	No

Reports on Project Parcel:

Soils Report #:	n/a
Biological Report #:	n/a
Geologic Report #:	n/a
Forest Management Rpt. #:	n/a
Archaeological Report #:	LIB120424
Traffic Report #:	n/a

EXHIBIT B
FINDINGS & EVIDENCE

1. **FINDING:** **CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.
- EVIDENCE:** a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
- the 1982 Monterey County General Plan;
 - the Carmel Area Land Use Plan;
 - Monterey County Coastal Implementation Plan Part 4;
 - Monterey County Zoning Ordinance (Title 20);
- No conflicts were found to exist. 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) The property is located at 120 Yankee Point Drive, Carmel (Assessor's Parcel Number 243-161-013-000), Carmel Area Land Use Plan. The parcel is zoned "LDR/1-D (26) (CZ)" Low Density Residential, 1 unit per acre, Design Control District with a 26 foot height limit in the Coastal Zone, which allows for residential uses which include additions to existing single family dwellings. Therefore, the project is an allowed land use for this site.
- c) Design Approval - Pursuant to Chapter 20.44, Design Control Zoning Districts, the project requires design review of structures to make sure they are appropriate to assure protection of the public viewshed, neighborhood character, and assure visual integrity. To ensure that the addition will not detract from the visual quality of Yankee Point, the addition is lower than the existing structure and colors and materials will match the existing structure that already blends into the character of the neighborhood.
- d) Archaeological Resources - The project is located in a high Archaeological Sensitivity zone and is located within 750 feet of a known resource. Pursuant to Section 20.147.080, (CIP) a Coastal Development Permit is required for development proposed within 750 feet of a known archaeological resource. An Archaeological Reconnaissance prepared by Susan Morley, dated April 2012, concludes that there are no cultural materials to indicate an archaeological deposit on the project parcel and the project should not be delayed for construction.
- e) The project does not propose tree removal, does not propose development on slopes exceeding 30%, nor is there any removal of Environmentally Sensitive Habitat areas. The project is consistent with the Site Development standards required of Low Density Residential zoning districts.
- f) The project planner conducted site inspections on July 6 and October 17, 2012 to verify that the project on the subject parcel conforms to the plans listed above.
- g) The project was not referred to the Carmel Unincorporated/Highlands Land Use Advisory Committee (LUAC) for review. Based on the LUAC Procedure guidelines adopted by the Monterey County Board of

Supervisors per Resolution No. 08-338, this application did not warrant referral to the LUAC because it is a single story addition to an existing single family dwelling; there was no controversy and it does not qualify under the guidelines.

- h) 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 PLN120400.

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 and Environmental Health Bureau. There has been no indication from Planning or Environmental Health that the site is not suitable for the proposed development. Conditions recommended have been incorporated.
 - b) Staff identified potential impacts to Archaeological Resources. The following report has been prepared:
 - “Archaeological Reconnaissance” (LIB120424) prepared by Susan Morley, M.A., Marina, CA, April 2012.

The above-mentioned technical report by an outside consultant indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff has independently reviewed this report and concurs with its conclusion.

- c) Staff conducted site inspections on July 6 and October 17, 2012 to verify that the site is suitable for this use.
- d) 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 PLN120400.

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 provided that the addition will not result in an increase of more than 50 percent of the floor area of the structure before the addition.
 - b) The existing structure consists of 2,721 square feet. The proposed addition consists of 265 square feet, which is less than 50 percent of the floor area of the structure before the addition.
 - c) No adverse environmental effects were identified during staff review of the development application during a site visit on July 6 and October 17, 2012.
 - d) None of the exceptions under CEQA Guidelines Section 15300.2 apply to this project. Although Highway 1 is considered a Scenic Highway, the addition will not result in damage to any scenic resources.
 - e) See Preceding Findings #1 and #2 and see Finding #4.
 - f) Staff conducted site inspections on July 6 and October 17, 2012 to

verify that the site is suitable for this use.

- g) 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 PLN120400.

4. FINDING: VIEWSHED – The Project, as conditioned, is consistent with Public Viewshed Policies of the Carmel Area Land Use Plan.

- EVIDENCE:**
- a) The Public Viewshed refers to the composite area visible from major public use areas including 17 Mile Drive views of Pescadero Canyon, Scenic Road, Highway 1 and Point Lobos Reserve as shown on Map A of the Carmel Area Land Use Plan.
 - b) The proposed project harmonizes and is clearly subordinate to the nature scenic character of the area.
 - c) The addition is designed and carefully sited to minimize visibility. An exterior lighting condition (Condition #4) will ensure the addition does not detract from the natural beauty of the scenic shoreline.
 - d) Although the addition is located in the viewshed, it is designed to blend into the site and surroundings. Colors and materials will match the existing structure that already gives the general appearance of natural materials.
 - e) 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 PLN120400.

5. 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) Section 20.86.080.A.3 of the Monterey County Coastal Implementation Plan, Part 1 (Coastal Commission). The project is subject to appeal by/to the California Coastal Commission because the project includes conditional uses (Coastal Development Permit) to allow development within 750 feet from a known archaeological resource.

EXHIBIT "C"

Monterey County Planning Department DRAFT Conditions of Approval/Mitigation Monitoring Reporting Plan PLN120400

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: This Design Approval for a 265 square foot single story addition to an existing single story single family dwelling was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. 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)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:
"A Design Approval (Resolution Number ***) was approved by the Planning Commission for Assessor's Parcel Number 243-161-0130-000 on December 12, 2012. The permit was granted subject to 4 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)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits or commencement of use, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning Department.

3. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: 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 Register 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 recovery.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to this condition on an on-going basis.

Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "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.

4. PD014(A) - LIGHTING - EXTERIOR LIGHTING PLAN

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit three (3) copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations Title 24 Part 6. The exterior lighting plan shall be subject to approval by the Director of the RMA - Planning Department, prior to the issuance of building permits.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of building permits, the Owner/Applicant shall 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.

Prior to occupancy and on an on-going basis, the Owner/Applicant shall ensure that the lighting is installed and maintained in accordance with the approved plan.

EXHIBIT "D"

Address For Model Trust 120 YANKEE POINT DR MONTEREY

CHRISTOPHER MACK DESIGN 831-622-8482

8/20/12

OWNER: MATTHEW TRUANT
FRANK SACCALO
705 PARK AVE, SOUTH 8th FLOOR
NEW YORK NY 10003 TEL: 768-4460

JOB: 120 YANKEE POINT DR, MONTEREY
243-161-019

DESIGNER: CHRISTOPHER MACK 831-622-8482
PO BOX 937
CARMEL CA 93921

PURPOSE: ADDITION OF 154 SQ FT BATH & CLOSET

Footprints:

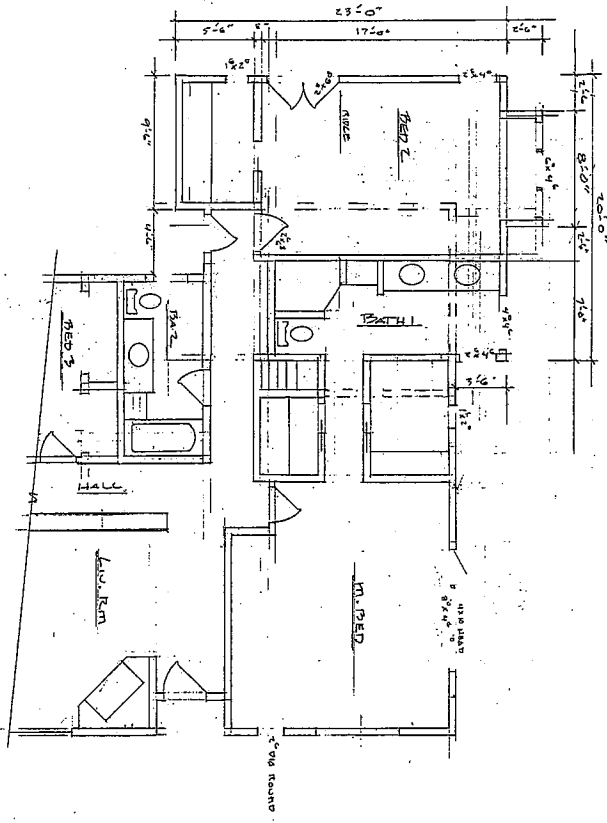
LOFT	20,037	40 FT
EXISTING HOUSE	2,421	24 FT
EXISTING GARAGE	4,009	20 FT
5th TOTAL	26,467	
ADDITION	2,665	
TOTAL	29,132	34 FT

EXISTING 14' x 10'

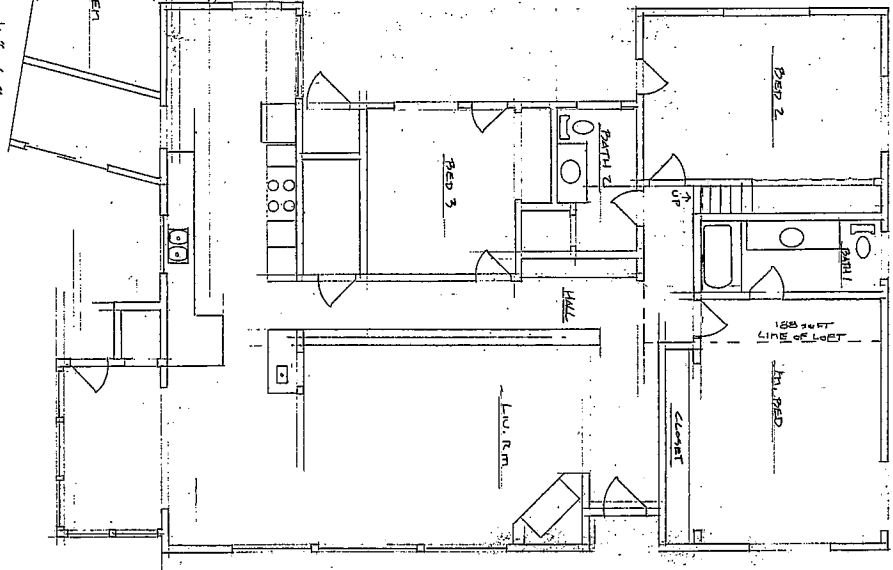
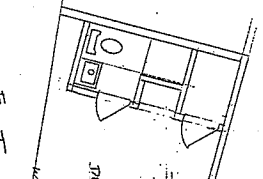
GROUND FLOOR	2,721
LOFT	188
GARAGE	2,799
TOTAL	5,708

FLOOR PLAN

PROPOSED 14' x 10'



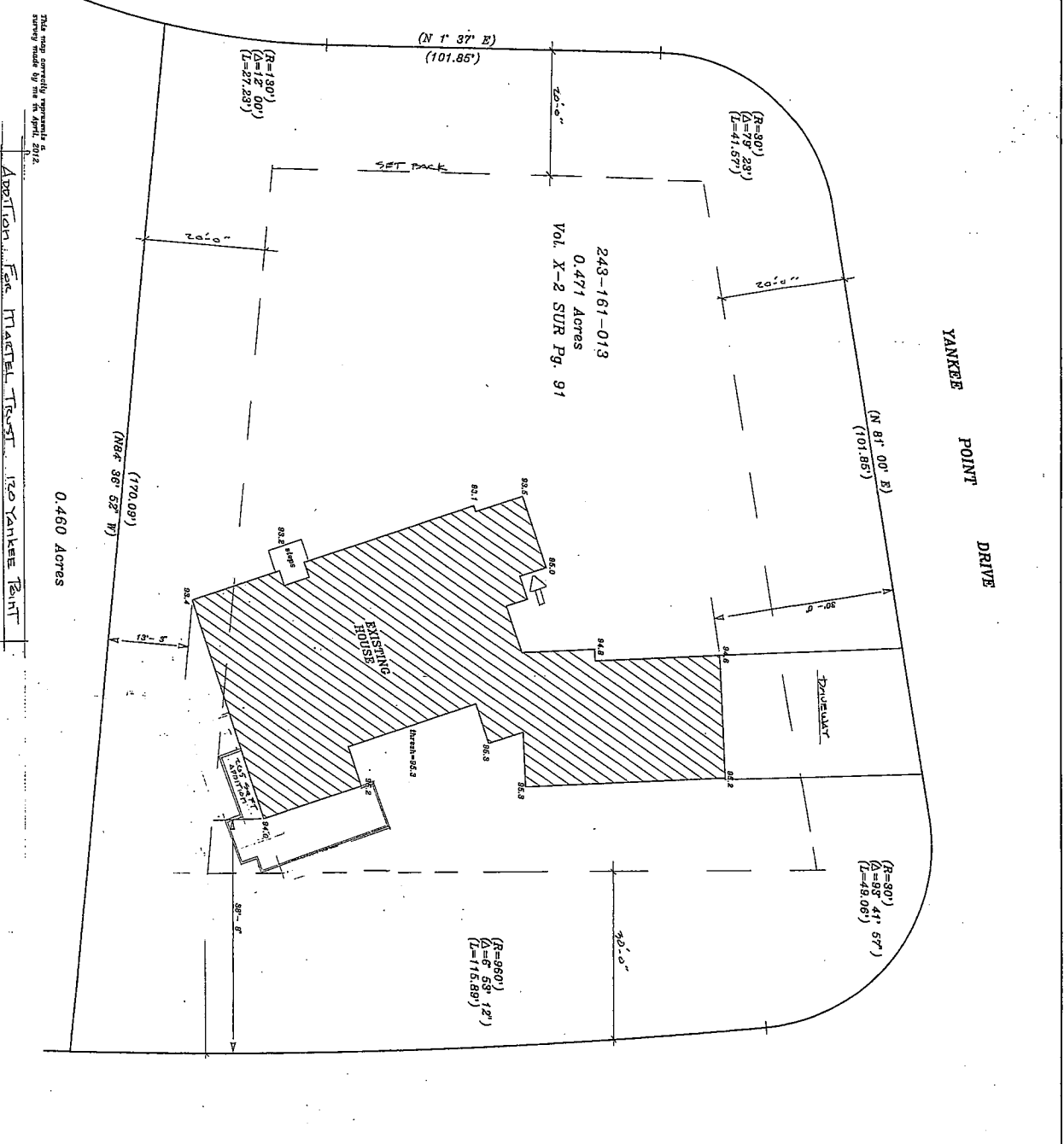
LABORATORY
REMOVE WALLS
EXISTING WALLS



RECEIVED
NOV 15 2012
MONTEREY COUNTY
PLANNING DEPARTMENT



YANKEE POINT DRIVE



This map was prepared, examined, and
 signed by me on the 10th day of April, 2012.

Abdellatif Estate, MARCEL TRUST, 120 Yankee Point
 0.460 Acres

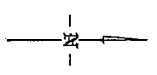
0.460 Acres

243-161-013
 0.471 Acres
 Vol. X-2 SUR Pg. 91

EXISTING HOUSE

DRIVEWAY

STATE HIGHWAY NO. 1



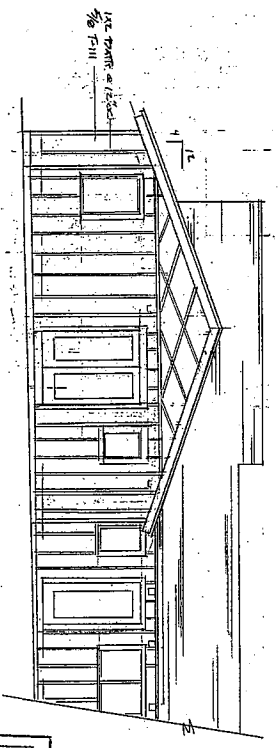
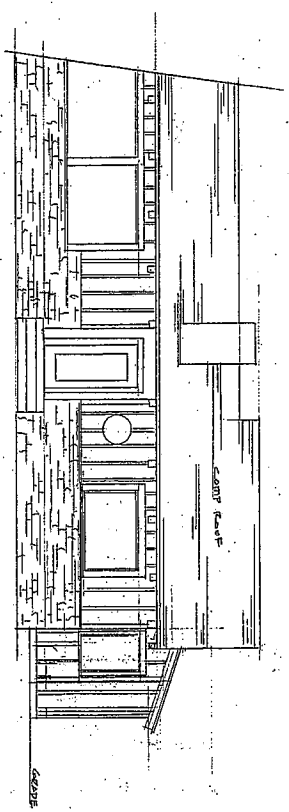
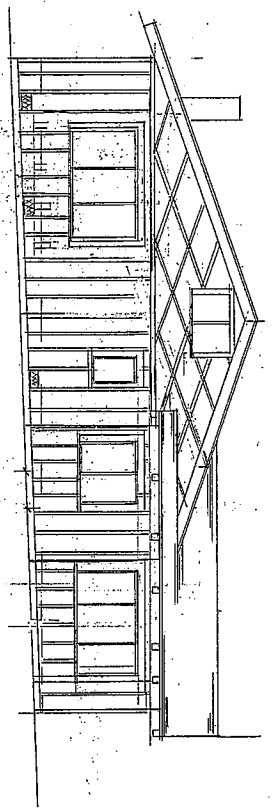
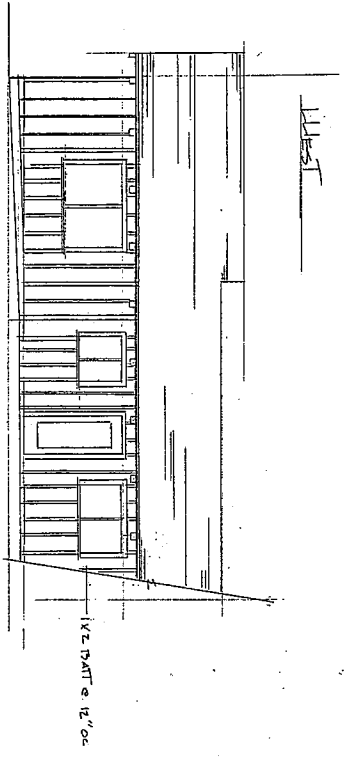
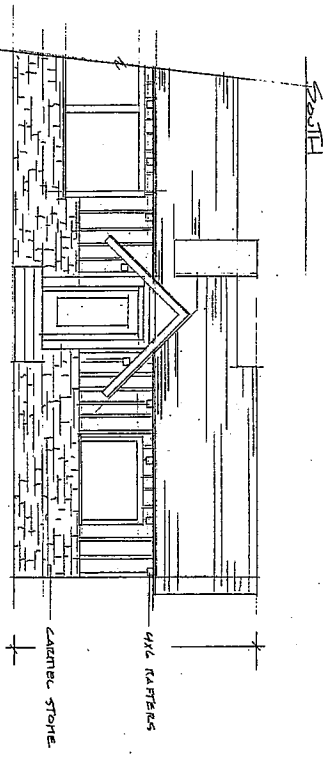
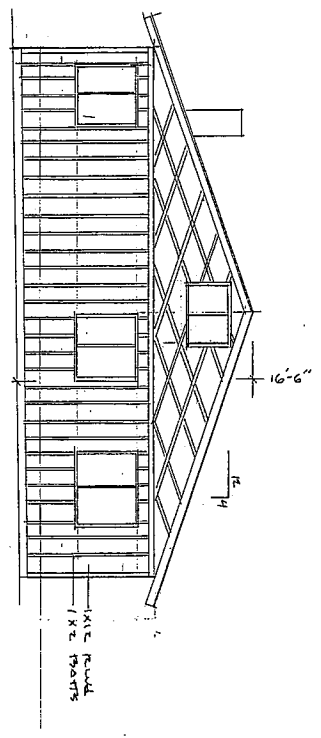
RECEIVED
 NOV 15 2012
 MONTEREY COUNTY
 PLANNING DEPARTMENT

PLAT OF SURVEY

Showing House location on 0.471 Acre Parcel shown
 on Map Book on Volume X-2 of Survey of Page 91,
 Official Record of Surveying and Mapping.

Prepared for: MARCEL TRUST
 CHRIS MACK

Jon A. Hageman, Licensed Land Surveyor
 Surveyor General, California, License No. 10000
 Scale: 1" = 80' Date: April, 2012



EXISTING 1/4" = 1'-0"

PROPOSED 1/4" = 1'-0"

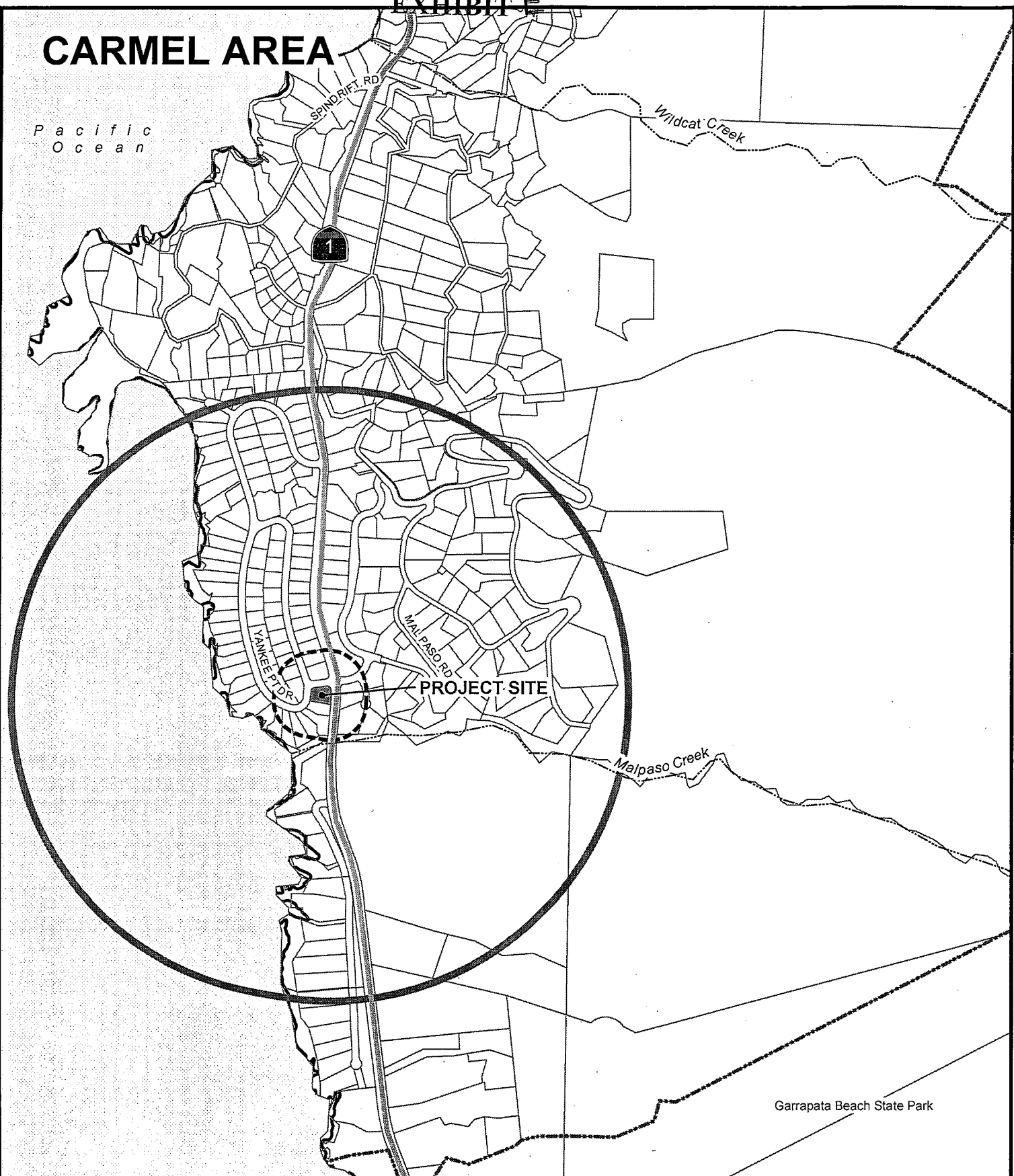
ADDITION FOR CHARLES TRUST 120 YANKEE POINT DR.

CHARLES TRUST, MARK DESIGN, 231. 663. 0002, 6/6/12

RECEIVED
 NOV 15 2012
 MONTEREY COUNTY
 PLANNING DEPARTMENT

CARMEL AREA

Pacific Ocean



APPLICANT: SELVAGGI

APN: 243-161-013-000 FILE # PLN120400

2500' Limit
 300' Limit
 Water
 City Limits

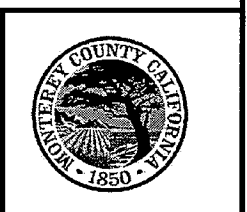
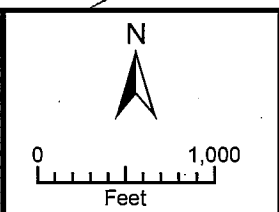


EXHIBIT F

