

## MONTEREY COUNTY PLANNING COMMISSION

<b>Meeting:</b> January 28, 2015	<b>Agenda Item No.:</b> 1
<b>Project Description:</b> Consider a Use Permit and Design Approval to allow a 592 square foot residential addition to a single family residence, a 528 square foot detached garage, and the relocation of an existing 152 square foot shed located within the Speckles HR District.	
<b>Project Location:</b> 39 Railroad Avenue, Spreckels	<b>APN:</b> 177-033-008-000
<b>Planning File Number:</b> PLN140485	<b>Owner:</b> Kelly Moore & Brian Damschen <b>Agent:</b> Mark Norris
<b>Planning Area:</b> Greater Salinas Plan	<b>Flagged and staked:</b> No
<b>Zoning Designation:</b> HDR/5.1-D-HR [High Density Residential, 5.1 units per unit acre with Design Control and Historic Resources Overlays]	
<b>CEQA Action:</b> Categorically Exempt per Section 15301(e)	
<b>Department:</b> RMA-Planning	

**RECOMMENDATION:**

Staff recommends that the Planning Commission adopt a resolution (**Exhibit B**) to:

- 1) Find the project categorically exempt per Section 15301(e); and
- 2) Approve PLN140485, based on the findings and evidence and subject to the conditions of approval (**Exhibit B**)

**PROJECT DISCUSSION:**

The property is located directly adjacent to a public alley on block 33, within the historic Town of Spreckels, which is designated as a Historic Resources (HR) District. The subject single family dwelling (SFD) was built in 1899. According to the Spreckels Design Guidelines the SFD is considered contributing subject to minor corrections.

The project proposes a residential addition (592 square feet) to an existing SFD, construction of a new detached garage (528 square feet), the relocation of a shed (152 square feet), and a new driveway from Railroad Avenue to access the proposed detached garage.

The proposed addition is consistent with the Spreckels Design Guidelines in that the proposed addition will be located at the rear of the SFD and match colors and materials of the existing SFD (Policies R1.3, R1.4, and R1.5).

The proposed detached garage is consistent with the Spreckels Design Guidelines being that it is proposed to consist of the same colors and materials of the SFD, will be smaller than the SFD in regards to both bulk and height, and will be placed behind the SFD with a six foot gate to reduce visibility from Rail Road Avenue (Policies R1.10 and S3.2).

The existing shed proposed to be relocated will be relocated to a location that will further minimize visibility from Railroad Avenue.

The project proposes a new driveway from Railroad Avenue to access the proposed detached garage. However, the Spreckels Design Guidelines include a policy that states parking areas should be accessed from public alleys whenever possible (Policy S3.1). The majority of properties along this alley have the ability to gain access through the public alley, but they do not access their garages through the alley, but instead gain access from adjacent roads, such as Railroad Avenue, First Street, and Second Street.

In order to gain access from Railroad Avenue to the proposed garage, a Magnolia landscape tree must be removed and the driveway would be immediately adjacent to the alley. The Spreckels Design Guidelines include a policy requiring preservation of historic landscape and existing mature tree plantings within the HR zoning district boundary (Policy S1.1).

The project was referred to the Spreckels Neighborhood Design Review Committee (SNDRC) for review, pursuant Section Three of the Spreckels Design Guidelines. On October 15, 2014, the SNDRC unanimously recommended approval of the project with the recommendation that access to the garage be from the adjacent public alley, and the Magnolia tree not to be removed. (See Exhibit D)

The project was reviewed by the Historic Resources Review Board (HRRB) on November 6, 2014 and subsequently continued to allow a site visit by the HRRB members. On November 11, 2014 the HRRB members visited the project site and requested that the project return to the HRRB on December 4, 2014 for a recommendation.

On December 4, 2014 the HRRB recommended that access be allowed from Railroad Avenue rather than from the alley due to the condition and width of the alley, which would not provide sufficient turning radius for vehicles accessing the garage. The surrounding residences within the immediate vicinity have driveways that are accessed from Railroad Avenue, First Street, and Second Street rather than the adjacent alley as well. The HRRB concluded that the Magnolia tree does not fall within the period of significance and was not a part of the original streetscape design and therefore, can be removed.

After the discussions and site visits the HRRB voted to recommend approval of the project as proposed with a condition which requires the owner to work with RMA-Public Works to provide a clear delineation between the alley entrance and the driveway proposed from Railroad Avenue, and to replace the Magnolia tree with a Pistache tree, which is consistent with the historic landscape within the vicinity. (See Exhibit E)

The applicant has worked with the RMA-Public Works Department to create a delineation between the alley entrance and the driveway proposed from Railroad Avenue. County driveway approach regulations require a minimum of 24 inches between driveway approaches; however, a 24 inch separation would not be possible in this specific situation; therefore, the RMA-Public Works Department has required that the alley and the proposed driveway share an approach and a delineation be created by including a three foot picket fence, a landscape hedge, and the installation of a pipe guard rail as shown on the proposed plan. The updated plans have been submitted and are incorporated into the resolution (Exhibit B).

After thorough review of the proposed project and subject property in comparison to other properties in the area, staff concurs with the HRRB recommendation and is recommending approval of the project.

Please note that the HRRB expressed the desire to revisit the Spreckels Design Guidelines to revise various policies, which the HRRB finds to be incorrect and/or inconsistent with the neighborhood character of the Town of Spreckels.

**OTHER AGENCY INVOLVEMENT:** The following agencies and departments reviewed this project:


RMA-Public Works Department

RMA-Environmental Services  
Environmental Health Bureau  
Water Resources Agency  
Monterey County Regional Fire Protection District  
Parks Department

Agencies that submitted conditions are noted with a check mark (“√”). No conditions were recommended by the reviewing agencies. Conditions recommended by the RMA-Planning Department have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached to the draft resolution (**Exhibit B**).

Note: The decision on this project is appealable to the Board of Supervisors.

/S/ ASHLEY NAKAMURA

  
Ashley Nakamura, Assistant Planner  
(831) 755-5892, NakamuraA@co.monterey.ca.us  
January 13, 2015

cc: Front Counter Copy; Planning Commission; Monterey County Regional Fire Protection District; RMA-Public Works Department; RMA-Environmental Services; Parks Department; Environmental Health Bureau; Water Resources Agency; John Ford, RMA Services Manager; Ashley Nakamura, Project Planner; Kelly Moore & Brian Damschen, Owner; Mark Norris, Agent; The Open Monterey Project (Molly Erickson); LandWatch (Amy White); Planning File PLN140485

Attachments:	Exhibit A	Project Data Sheet
	Exhibit B	Draft Resolution, including: <ul style="list-style-type: none"><li>• Conditions of Approval</li><li>• Site Plan, Floor Plan and Elevations</li></ul>
	Exhibit C	Vicinity Map
	Exhibit D	Advisory Committee Minutes (SNDRC)
	Exhibit E	Historic Resource Review Board (HRRB)

This report was reviewed by John Ford, RMA Services Manager.



## EXHIBIT A

### Project Information for PLN140485

**Application Name:** Damschen Brian & Moore Kelly  
**Location:** 39 Railroad Ave, Spreckels  
**Applicable Plan:** Greater Salinas  
**Primary APN:** 177-033-008-000  
**Advisory Committee:** Spreckels Neighborhood Design Review  
**Coastal Zone:** No  
**Permit Type:** ~~Use Permit~~ <sup>Competition</sup>  
**Final Action Deadline (884):** 12/29/2014  
**Environmental Status:** Categorical Exemption  
**Zoning:** HDR/5.1-HR-D  
**Land Use Designation:** Residential - High Density 5  
- 20 Units/Acre

#### Project Site Data:

<b>Lot Size:</b> 7200	<b>Coverage Allowed:</b> 60%
<b>Existing Structures (sf):</b> 1087	<b>Coverage Proposed:</b> 2207
<b>Proposed Structures (sf):</b> 2207	<b>Height Allowed:</b> 35
<b>Total Sq. Ft.:</b> 2207	<b>Height Proposed:</b> 19
<b>Special Setbacks on Parcel:</b> N	<b>FAR Allowed:</b> NA
	<b>FAR Proposed:</b> NA

#### Resource Zones and Reports:

<b>Seismic Hazard Zone:</b> IV	<b>Soils Report #:</b> NA
<b>Erosion Hazard Zone:</b> Low	<b>Biological Report #:</b> NA
<b>Fire Hazard Zone:</b>	<b>Forest Management Rpt. #:</b> NA
<b>Flood Hazard Zone:</b> X (shaded)	<b>Geologic Report #:</b> NA
<b>Archaeological Sensitivity:</b> low	<b>Archaeological Report #:</b> NA
<b>Visual Sensitivity:</b> None	<b>Traffic Report #:</b> NA

#### Other Information:

<b>Water Source:</b> Public	<b>Grading (cubic yds.):</b> 0
<b>Water Purveyor:</b> City	<b>Sewage Disposal (method):</b> Public
<b>Fire District:</b> Spreckels VFC	<b>Sewer District Name:</b> City
<b>Tree Removal:</b> 1 Magnolia	

**EXHIBIT B  
DRAFT RESOLUTION**

**Before the Planning Commission in and for the  
County of Monterey, State of California**

In the matter of the application of:

**Kelly Moore & Brian Damschen (PLN14085)**

**RESOLUTION NO. \_\_\_\_\_**

Resolution by the Monterey County Hearing Body:

- 1) Finding the project Categorically Exempt pursuant to CEQA Guidelines Section 15301(e); and
- 2) Approving Use Permit and Design Approval to allow a 592 square foot residential addition to a single family residence, a 528 square foot detached garage, and the relocation of an existing 152 square foot shed located within the Speckles HR District.

[PLN140485, Kelly Moore & Brian Damschen, 39 Railroad Avenue, Spreckels, Greater Salinas Area Plan (APN: 177-033-008-000)]

**The Damschen application (PLN140485) came on for public hearing before the Monterey County Planning Commission on January 28, 2015. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides as follows:**

**FINDINGS**

1.       **FINDING:**       **PROJECT DESCRIPTION** – The proposed project is a Use Permit and Design Approval to allow a 592 square foot residential addition to a single family residence, a 528 square foot detached garage, and the relocation of an existing 152 square foot shed located within the Speckles HR District.  
**EVIDENCE:**       The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN140485.
  
2.       **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 2010 Monterey County General Plan;
  - Greater Salinas Area Plan;
  - Monterey County Zoning Ordinance (Title 21); and
  - Spreckels Design GuidelinesNo 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 project proposes a new driveway from Railroad Avenue to access the proposed detached garage. The Spreckels Design Guidelines includes a policy that states that parking areas should be accessible from public alleys whenever possible (Policy S3.1). In this particular case the alley is too narrow to allow adequate vehicular access to the garage. The subject alley is 12 feet wide, which would not provide sufficient turning radius for vehicles. The surrounding residences within the immediate vicinity have driveways that are accessed from Railroad Avenue, First Street, and Second Street rather than the adjacent alley.
- c) The property is located at 39 Railroad Avenue, Spreckels (Assessor's Parcel Number 177-033-008-000), Greater Salinas Area Plan. The parcel is zoned HDR/5.1-D-HR [High Density Residential, 5.1 units per unit acre with Design Control and Historic Resources Overlays], which allows the construction of the first single family dwelling and accessory structures associated with the single family dwelling. The project proposes an addition located at the rear of the existing dwelling and detached garage. Pursuant to Section 21.10.030 (HDR District) of the Zoning Ordinance (Title 21), the residential addition and detached garage are allowed uses. Therefore, the project is an allowed land use for this site.
- d) The project site is located within a Design Control District (D) which requires design review to ensure protection of "public viewshed, neighborhood character, and visual integrity of certain developments" (21.44.010, Zoning Ordinance). The project is consistent with the Design Control District by proposing colors and materials that match the existing dwelling, which is consistent with the neighborhood setting.
- e) The project was referred to the Spreckels Neighborhood Design Review Committee (SNDRC) for review, pursuant Section three of the Spreckels Design Guidelines. On October 15, 2014, the SNDRC unanimously recommended approval of the project with recommended changes that include the garage being accessed through the adjacent public alley, and not removing the Magnolia tree; see Exhibit D. As noted in Evidence (b) alley access is not feasible and vehicular access from Railroad Avenue is deemed preferable for adequate circulation.
- f) The project planner conducted a site inspection on September 29, 2014 and verified that the project on the subject parcel conforms to the attached plans.
- g) The project is located within the Town of Spreckels which has a Historic Resources (HR) zoning overlay to indicate the location of a historic structure, town or area that requires protection and preservation. Pursuant to Section 21.54.040 of the Zoning Ordinance, the project is required to be reviewed and approved by the Historic Resources Review Board (HRRB). The project was heard by the HRRB on November 6, 2014 and was continued to allow a site visit by the HRRB members. On November 11, 2014, the HRRB members visited the project site and requested that the project return to the HRRB on December 4, 2014 for deliberation. On December 4, 2014 the HRRB recommended that access be allowed from Railroad Avenue rather than the alley due to the current

condition and width of the alley, which would not provide sufficient turning radius for vehicles and may be problematic during adverse weather conditions. The surrounding residences within the immediate vicinity have driveways that are accessed from Railroad Avenue rather than the adjacent alley as well. The HRRB concluded that the Magnolia tree does not fall within the period of significance and was not a part of the original streetscape design and therefore, can be removed. (See Exhibit E)

- h) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN140485.

3. **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, Monterey County Regional Fire Protection District, Parks, RMA-Public Works, RMA- Environmental Services, Environmental Health Bureau, 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) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning for the proposed development found in Project File PLN140485.

4. **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) The project was reviewed by the RMA - Planning, Monterey County Regional Fire Protection District, Parks, Public Works, Environmental Health Bureau, and Water Resources Agency. The respective agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
  - b) The project is located where necessary public facilities already exist. Pursuant to review by the Environmental Health Bureau and Water Resources Agency, the proposed addition does not pose any water or sewage issues.
  - c) Access to the garage from Railroad Avenue is better to protect the public safety, because the alley is too narrow to support safe and unimpeded circulation.
  - d) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning for the proposed development found in Project File PLN140485.

5. **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.

- EVIDENCE:** a) Based on staff's review Monterey County RMA - Planning and Building Services Department records no violations exist on the subject property.  
b) There are no known violations on the subject parcel.

6. **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 single family dwellings.  
b) The project proposes a 592 square foot addition with a new 528 square foot detached garage to an existing single family dwelling. Therefore, the residential addition is consistent with the categorical exemption.  
c) No adverse environmental effects were identified during staff review of the development application during a site visit on September 29, 2014.  
d) The project will not create impacts listed CEQA Guidelines Section 15300.2 (Exceptions).  
e) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development found in Project File PLN140485.

7. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Board of Supervisors.

- EVIDENCE:** a) Section 21.80.040.D of the Monterey County Zoning Ordinance states that the proposed project is appealable to the Board of Supervisors.

#### DECISION

**NOW, THEREFORE**, based on the above findings and evidence, the Planning Commission does hereby:

1. Find the project Categorical Exempt pursuant to CEQA Guidelines Section 15301(e); and
2. Approve Use Permit and Design Approval to allow a 592 square foot residential addition to a single family residence, a 528 square foot detached garage, and the relocation of an existing 152 square foot shed located within the Speckles HR District, subject to the attached conditions, being attached hereto and incorporated herein by reference.

**PASSED AND ADOPTED** this 28<sup>th</sup> day of January, 2015 upon motion of \_\_\_\_\_, seconded by \_\_\_\_\_, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Mike Novo, Secretary



COPY OF THIS DECISION MAILED TO APPLICANT ON \_\_\_\_\_.

THIS APPLICATION IS APPEALABLE TO THE BOARD OF SUPERVISORS.

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

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

NOTES

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

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

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

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

# Monterey County RMA Planning

## DRAFT Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN140485

### 1. PD001 - SPECIFIC USES ONLY

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** This Use Permit and Design Approval (PLN140485) allows a 592 square foot residential addition to a single family residence, a 528 square foot detached garage, and the relocation of an existing 152 square foot shed located within the Speckles HR District. The property is located at 39 Railroad Avenue, Spreckels (Assessor's Parcel Number 177-033-008-000), Greater Salinas Area Plan. This permit 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 RMA - Planning. 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)

**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:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The applicant shall record a Permit Approval Notice. This notice shall state:  
"A Use Permit and Design Approval (Resolution Number \*\*\*) were approved by the Planning Commission for Assessor's Parcel Number 177-033-008-000 on December 10, 2014. The permit was granted subject to 8 conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

Proof of recordation of this notice shall be furnished to the Director of RMA - Planning prior to issuance of building permits or commencement of the use. (RMA - Planning)

**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.

**3. PD002(A) - ATTACH RESOLUTION TO CONSTRUCTION PLANS**

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** A copy of the Resolution of Approval (Resolution No. \*\*\*) for the Use Permit and Design Approval (Planning File No.: PLN140485) shall be incorporated onto the construction plans for the project prior to the issuance of a grading or building permit. The Contractor/Owner/Applicant shall be responsible for compliance with all conditions of approval. (RMA - Planning)

**Compliance or Monitoring Action to be Performed:** Prior to commencement of any grading or construction activities, the Owner/Applicant shall submit evidence to RMA-Planning for review and approval, that the Resolution of Approval, for the project, has been incorporated onto the construction plans for the project/approved development.

Ongoing throughout construction and until all Conditions of Approval and/or Mitigation Measures have been complied with, the Contractor/Owner/Applicant shall provide evidence of compliance with Conditions of Approval to the Responsible Land Use Department as specified in the "Condition of Approval Implementation Plan/Mitigation Monitoring Reporting Plan."

**4. PD004 - INDEMNIFICATION AGREEMENT**

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The property owner agrees as a condition and in consideration of 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. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his/her/its 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 property, filing of the final map, recordation of the certificates of compliance 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)

**Compliance or Monitoring Action to be Performed:** Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the Director of RMA-Planning for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to RMA-Planning .

**5. PD006(A) - CONDITION COMPLIANCE FEE**

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors, for the staff time required to satisfy conditions of approval. The fee in effect at the time of payment shall be paid prior to clearing any conditions of approval.

**Compliance or Monitoring Action to be Performed:** Prior to clearance of conditions, the Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors.

**6. PD012(F) - LANDSCAPE PLAN & MAINTENANCE (SFD ONLY)**

**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** 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 RMA - Planning. 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. 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)

**Compliance or Monitoring Action to be Performed:** Prior to issuance of building permits, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall submit landscape plans and contractor's estimate to the RMA - Planning for review and approval. Landscaping plans shall include the recommendations from the Forest Management Plan or Biological Survey as applicable. All landscape plans shall be signed and stamped by licensed professional under the following statement, "I certify that this landscaping and irrigation plan complies with all Monterey County landscaping requirements including use of native, drought-tolerant, non-invasive species; limited turf; and low-flow, water conserving irrigation fixtures."

Prior to occupancy, the Owner/Applicant/Licensed Landscape Contractor/Licensed Landscape Architect shall ensure that the 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.

On an on-going basis, all landscaped areas and fences shall be continuously maintained by the Owner/Applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.

## 7. PD014(A) - LIGHTING - EXTERIOR LIGHTING PLAN

**Responsible Department:** RMA-Planning

**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 lighting source shall be shielded and recessed into the fixture. 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 RMA - Planning, prior to the issuance of building permits.  
(RMA - Planning)

**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 RMA - Planning for review and approval. Approved lighting plans shall be incorporated into final building plans.

Prior to final/occupancy, the Owner/Applicant/Contractor shall submit written and photographic evidence demonstrating that the lighting has been installed according to the approved plan.

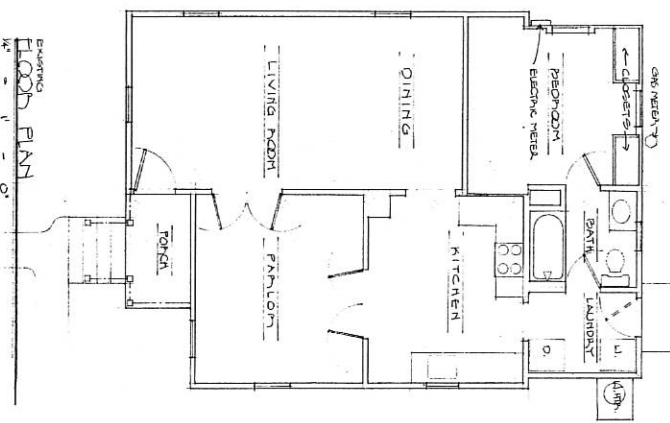
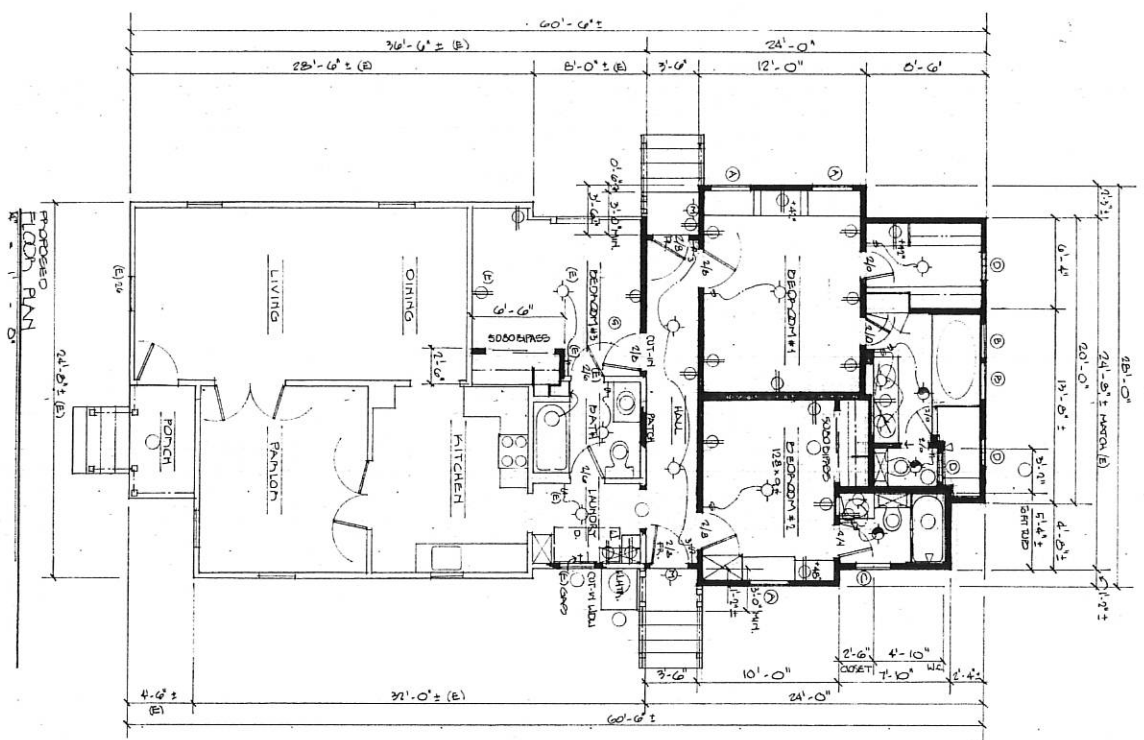
On an on-going basis, the Owner/Applicant shall ensure that the lighting is installed and maintained in accordance with the approved plan.

## 8. PD032(A) - PERMIT EXPIRATION

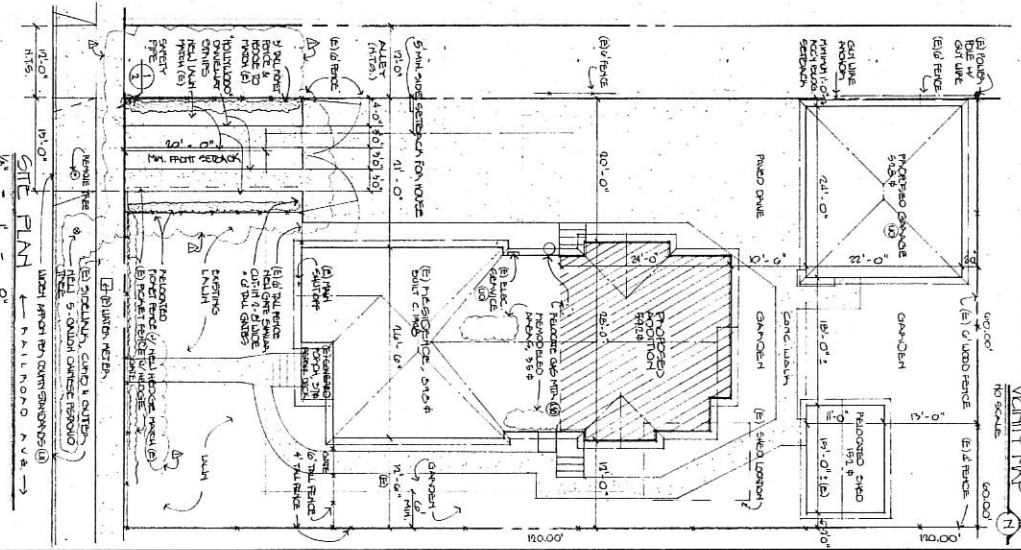
**Responsible Department:** RMA-Planning

**Condition/Mitigation Monitoring Measure:** The permit shall be granted for a time period of 3 years, to expire on January 28, 2018 unless use of the property or actual construction has begun within this period.  
(RMA-Planning)

**Compliance or Monitoring Action to be Performed:** Prior to the expiration date stated in the condition, the Owner/Applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the RMA-Director of Planning. Any request for extension must be received by RMA-Planning at least 30 days prior to the expiration date.

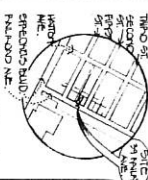


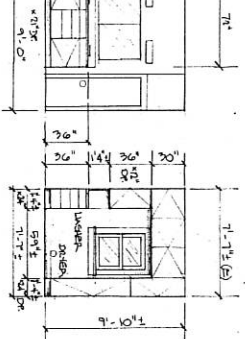
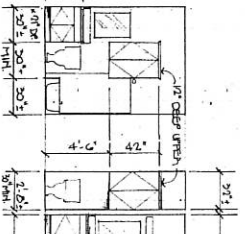
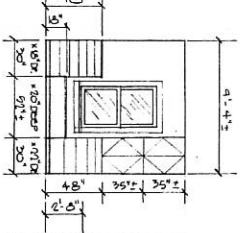
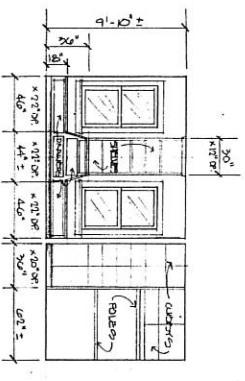
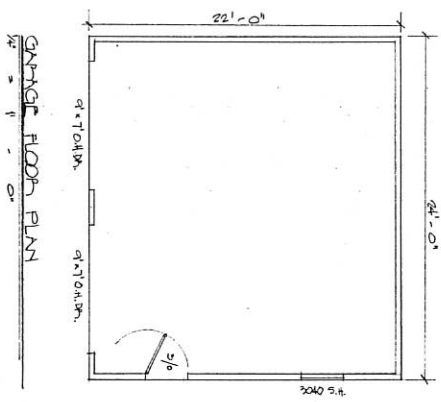
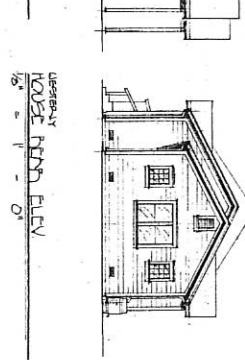
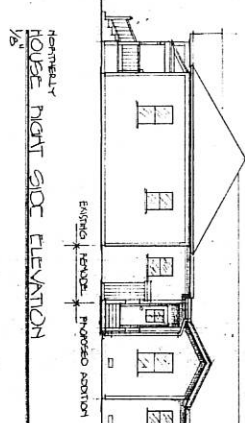
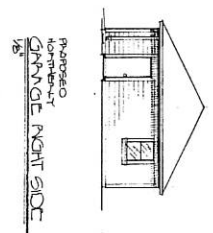
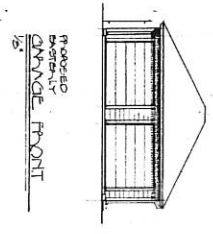
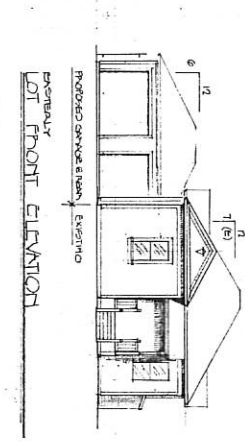
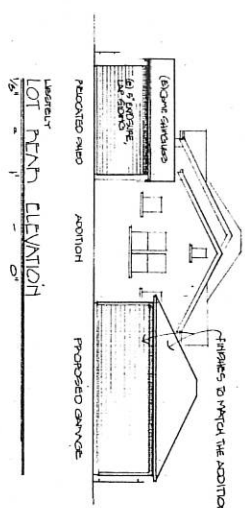
- NOTES** continued
- ① LOT OVERHEAD OCCUPANCY: 100%
  - ② LOT SIZE: 7200 sq ft
  - ③ FLOOR AREA: 2700 sq ft
  - ④ FLOOR AREA: 2700 sq ft
  - ⑤ FLOOR AREA: 2700 sq ft
  - ⑥ FLOOR AREA: 2700 sq ft
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  - ㊺ FLOOR AREA: 2700 sq ft



Property Report for Selected Location

Address	7700 S. 10th St.
City	Phoenix, AZ
County	Maricopa
Parcel No.	100-000000000000000000
Area	7200 sq ft
Volume	0.000000000000000000
Year Built	1950
Year Renovated	1950
Year Demolished	1950
Year Occupied	1950
Year Vacant	1950
Year Sold	1950
Year Leased	1950
Year Mortgaged	1950
Year Encumbered	1950
Year Easement	1950
Year Lien	1950
Year Judgment	1950
Year Foreclosure	1950
Year Auction	1950
Year Bankruptcy	1950
Year Other	1950



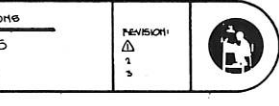
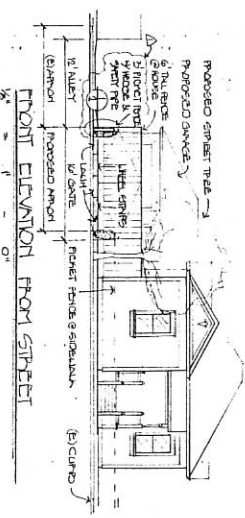
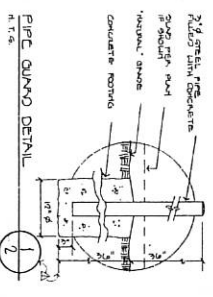


ROOM #1 INTERIOR ELEVATION

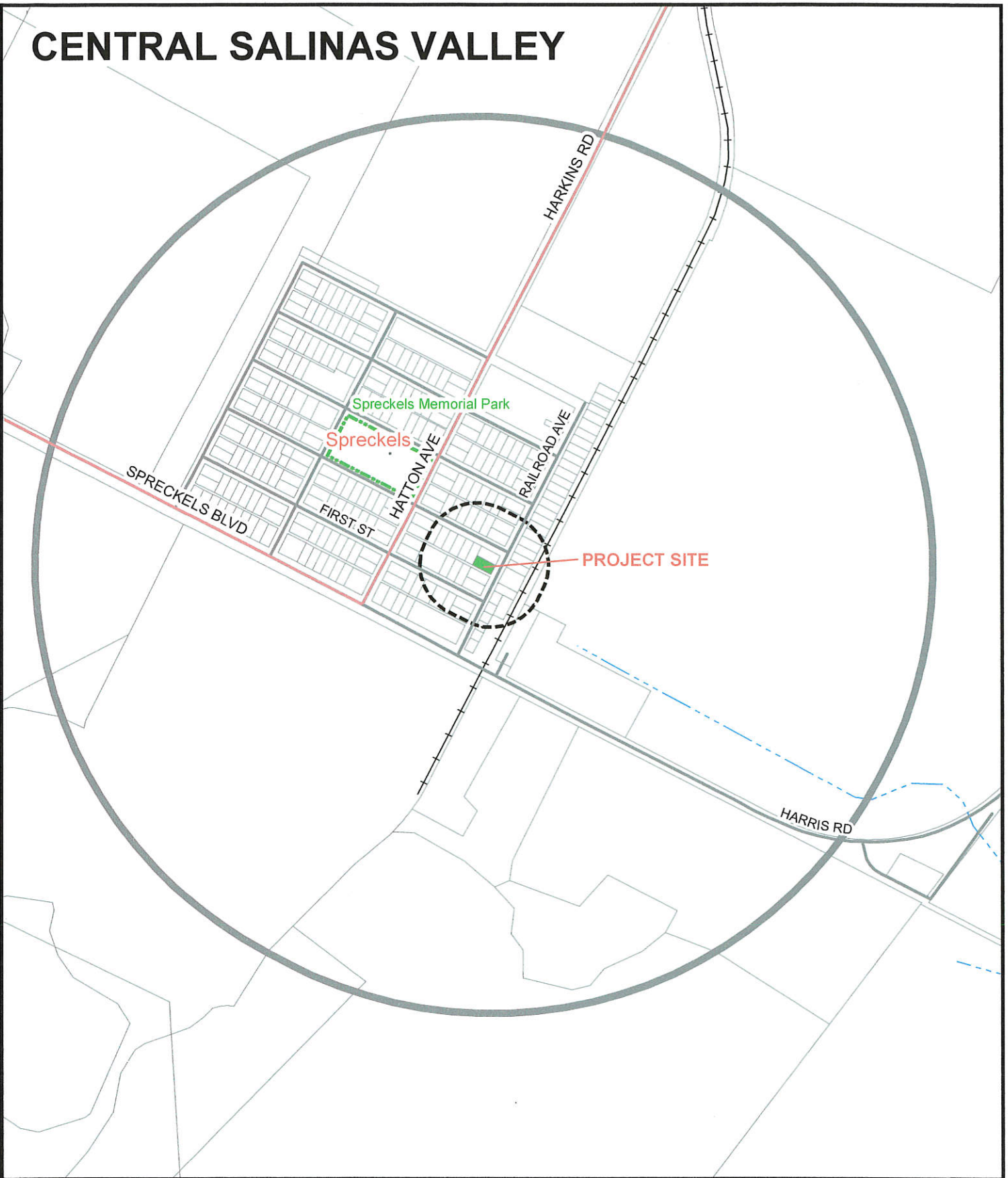
ROOM #2 INTERIOR ELEVATION

ROOM #1 INTERIOR ELEVATION

LAUNDRY INTERIOR ELEVATION



# CENTRAL SALINAS VALLEY

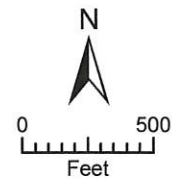


APPLICANT: DAMSCHEN

APN: 177-033-008-000

FILE # PLN140485

2500' Limit 300' Limit Water



## EXHIBIT C

PLANNER: NAKAMURA



**MINUTES**  
**Spreckels Neighborhood Design Review Committee**  
**Wednesday, October 15, 2014**

1. Meeting called to order by Jim Riley at 7.45 pm

2. Roll Call

Members Present: Scott H. Lockham McVicar, Jim Riley (3)

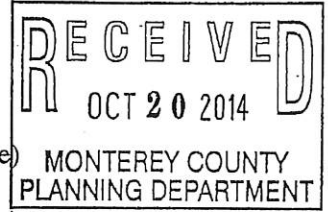
Members Absent: Brian Sgherza, Tom Chavez (2)

3. Approval of Minutes:

A. June 18, 2014 minutes

Motion: Scott H (LUAC Member's Name)

Second: Lockham Mc. (LUAC Member's Name)



Ayes: 3

Noes: 0

Absent: 2 (Chavez, Sgherza)

Abstain: 0

4. **Public Comments:** The Committee will receive public comment on non-agenda items that are within the purview of the Committee at this time. The length of individual presentations may be limited by the Chair.

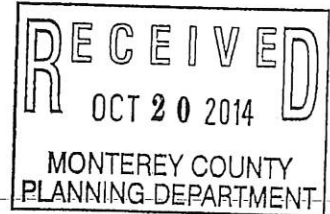
- Complaint about Adama removing tree
- Complaint about Damschen removing tree

5. **Scheduled Item(s)** – Refer to attached project referral sheet(s)

6. **Other Items:**

A) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects

*none*



B) Announcements

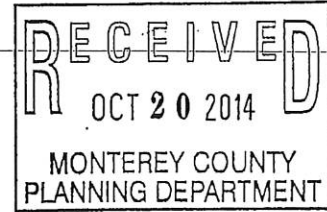
*none*

7. Meeting Adjourned: 8:32 pm

Minutes taken by: Scott Henningsen

# Action by Land Use Advisory Committee Project Referral Sheet

Monterey County Planning Department  
168 W. Alisal St. 2<sup>nd</sup> Floor  
Salinas CA 93901  
(831) 755-5025



Advisory Committee: **Spreckels**

Please submit your recommendations for this application by: **October 15, 2014**

**Project Title:** SLAMA KENNETH EUGENE TR

**File Number:** PLN140223

**File Type:** ZA

**Planner:** MACK

**Location:** 14 SPRECKELS LN SALINAS

**Project Description:**

Combined Development Permit consisting of: 1) Use Permit for the establishment of a mini storage facility; 2) Use Permit to allow the conversion of existing second story offices to residential units; 3) Use Permit for the removal of 24 trees; and 4) General Development Plan. The property is located at 14 Spreckels Lane, Salinas (Assessor's Parcel Number 207-053-014-000), Greater Salinas Area Plan and Toro Area Plan.

Was the Owner/Applicant/Representative Present at Meeting? Yes  No

*Belinda Teuluban*

Was a County Staff/Representative present at meeting? no (Name)

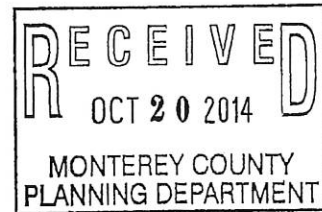
**PUBLIC COMMENT:**

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
<i>Harold Lee</i>	<input checked="" type="checkbox"/>		<i>Traffic, need of a security guard do not remove trees</i>
<i>Anonymous</i>		<input checked="" type="checkbox"/>	<i>Please do not remove trees. If they do please replant</i>
<i>Harold Simms</i>	<input checked="" type="checkbox"/>		<i>Keep signage + colors to blend with existing</i>

**LUAC AREAS OF CONCERN**

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
<i>Do not remove trees, Please replant any removed</i>		<i>relocate trees</i>

**ADDITIONAL LUAC COMMENTS**



**RECOMMENDATION :**

Motion by: *Scott Henningsen* (LUAC Member's Name)

Second by: *Zochlan McWican* (LUAC Member's Name)

Support Project as proposed

Recommend Changes (as noted above)

Continue the Item

Reason for Continuance: \_\_\_\_\_

Continued to what date: \_\_\_\_\_

AYES: *3*

NOES: *0*

ABSENT: *2 (Chavez, Sgherza)*

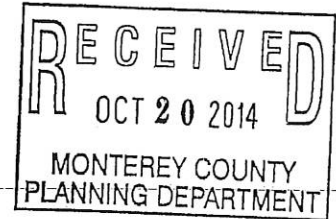
ABSTAIN: *0*

# Action by Land Use Advisory Committee Project Referral Sheet

Monterey County Planning Department  
168 W. Alisal St. 2<sup>nd</sup> Floor  
Salinas CA 93901  
(831) 755-5025

Advisory Committee: **Spreckels**

Please submit your recommendations for this application by: **October 15, 2014**



**Project Title:** DAMSCHEN BRIAN & MOORE KELLY

**File Number:** PLN140485

**File Type:** DIRECTOR OF RMA PLANNING

**Planner:** NAKAMURA

**Location:** 39 RAILROAD AVE SPRECKELS

**Project Description:**

Use Permit and Design Approval to allow a 592 square foot residential addition to a single family residence, a 528 square foot detached garage, and the relocation of an existing 152 square foot shed located within the Speckles HR District. The property is located at 39 Railroad Avenue, Spreckels (Assessor's Parcel Number 177-033-008-000), Greater Salinas Area Plan.

Was the Owner/Applicant/Representative Present at Meeting? Yes  No

*Mark Norris*

Was a County Staff/Representative present at meeting? no (Name)

**PUBLIC COMMENT:**

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
<i># Anonymous</i>	<input checked="" type="checkbox"/>		<i>Please do not remove Magnolia tree</i>

LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
<del>Driveway</del> Garage to be accessed off of alley and not a new driveway	Sprecher Book Pg 67 (S3.1)	Access off of Alley
Do not remove tree	Sprecher Book Pg 66 (S1.1)	

ADDITIONAL LUAC COMMENTS



RECOMMENDATION :

Motion by: Scott Reminger (LUAC Member's Name)

Second by: Loehla McVicar (LUAC Member's Name)

Support Project as proposed

Recommend Changes (as noted above)

Continue the Item

Reason for Continuance: \_\_\_\_\_

Continued to what date: \_\_\_\_\_

AYES: 3

NOES: 0

ABSENT: 2 (Chavez, Sgherza)

ABSTAIN: 0

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

Resolution No. PLN140485 (Brian Damschen and Kelly Moore)

Resolution by the Monterey County Historic Resources Review Board (HRRB) to recommend approval of a Use Permit and Design Approval to allow a 592 square foot residential addition to a single family residence, a 528 square foot detached garage, and the relocation of an existing 152 square foot shed located within the Spreckels HR District. The property is located at 39 Railroad Avenue, Spreckels (Assessor's Parcel Number 177-033-008-000), Greater Salinas Area Plan.

WHEREAS, this matter was heard by the Historic Resources Review Board (HRRB) of the County of Monterey on December 4, 2014, pursuant to the zoning regulations for development in the "HR" (Historic Resource) Zoning District as contained in Chapter 21.54 of the Monterey County Code, and the Spreckels Design Guidelines; and

WHEREAS, the parcel is located at 39 Railroad Avenue, Spreckels within an "HR" (Historic Resource) District (APN 177-033-008-000) within the Greater Salinas Area Plan in the County of Monterey. The dwelling is located within the town of Spreckels, which is designated as a Historic Resource District. Pursuant to the Spreckels Design Guidelines and Assessor's Database, the existing house was built in 1899, and is identified as C2 - contributing minor corrections, within the Spreckels Design Guidelines; and

WHEREAS, Brian Damschen and Kelly Moore (applicants) filed with the County of Monterey, an application for a Use Permit and Design Approval to allow a 592 square foot residential addition to a single family residence, a 528 square foot detached garage, and the relocation of an existing 152 square foot shed. The project was reviewed by the Spreckels Neighborhood Design Review Committee on October 15, 2014. The Committee recommended changes to the proposed project. The recommended changes were based on policies of the Spreckels Design Guidelines. The recommended revisions included keeping the magnolia tree identified for removal within the front sidewalk vicinity of the property, and to change the proposed driveway access from being accessed from Railroad Avenue to being accessed through the adjacent public alley. The Committee recommended approval of the project, subject to the recommended changes, with a vote of 3-0; and

WHEREAS, 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 and visiting the property, the HRRB rendered its decision to adopt findings and evidence to recommend approval of the Use Permit and Design Approval, subject to the following findings:

Finding: The proposed work is consistent with Section 21.54 of the Monterey County Zoning Code (Regulations for Historic Resources Zoning Districts) and will neither adversely affect the significant architectural features of the designated resource, nor adversely affect the character, historical, architectural, or aesthetic interest, or value of the designated resource and its site.

Finding: The project is consistent with Chapter 21.54 of the Monterey County Code, and Spreckels Design Guidelines because the project will not create or adversely affect the significant architectural features of the designated resource, nor adversely impact the historic neighborhood of Spreckels. The committee's interpretation of the Guidelines concluded that the magnolia tree was historically significant but the HRRB did not concur due to the fact that the tree does not fall within the period of significance and was not a part of the original streetscape design.

Evidence:       1.       Design Approval and Use Permit Applications and other materials in File No. PLN140485 (Brian Damschen and Kelly Moore); and  
                  2.       "HR" (Historic Resource) zoning regulations applicable to the site as found in Chapter 21.54 of the Monterey County Code; and  
                  3.       Spreckels Design Guidelines; and  
                  4.       Spreckels Neighborhood Design Review Committee Minutes; and  
                  5.       Oral testimony and HRRB discussion during the public hearing and the administrative record.

THEREFORE, it is the decision of the Monterey County Historic Resources Review Board to recommend approval of the Brian Damschen and Kelly Moore Use Permit and Design Approval subject to the following conditions:

1. Revise site plan to show a clear delineation between the alley entrance and the proposed driveway from Railroad Avenue; and
2. Replace the Magnolia tree with a minimum five gallon Chinese Pistache tree.

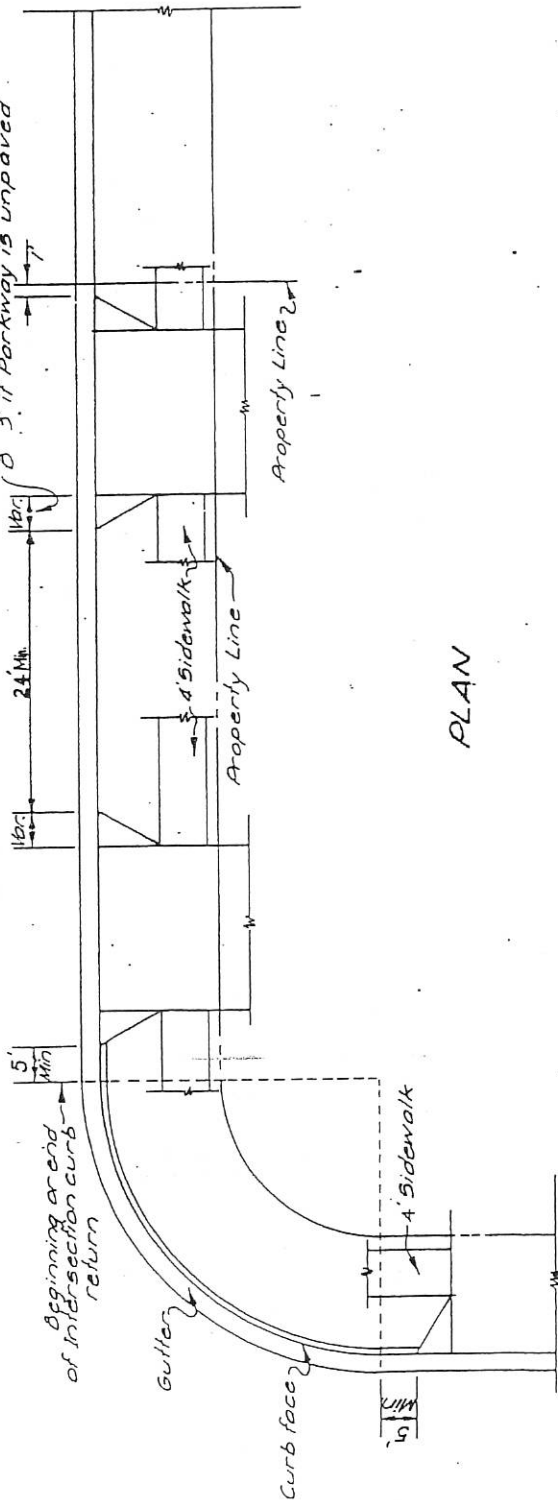
Passed and adopted on this 4<sup>th</sup> day of December, 2014, upon motion of Salvador Munoz, seconded by Judy MacClelland, by the following vote:

AYES: Salvador Munoz, Judy MacClelland, John Scourkes, Barbara Rainer  
NOES: None  
ABSENT: Kelly Morgantini, Sheila Lee Prader  
ABSTAIN: None

  
\_\_\_\_\_  
Attest  
Ashley Nakamura, Project Planner  
**December 4, 2014**



Flare Varies  
 4'-5" if flare is in sidewalk pavement  
 0'-3" if Parkway is unpaved



PLAN

NOTE:

Total driveway width for any property, or properly line, shall not exceed 60% of lot frontage on any street.  
 All driveways to be constructed perpendicular to street with no horizontal curves allowed within Right of Way.

MONTEREY COUNTY		DEPT. OF PUBLIC WORKS
STANDARD DETAILS DRIVEWAY SETBACK		
APPROVED	<i>James H. M. [Signature]</i>	DATE 10-24-77
REVISED	DATE	PLATE NO.
		13