

**CITY OF CARMEL-BY-THE-SEA
PLANNING COMMISSION**

PLANNING COMMISSION RESOLUTION NO. 2023-XX-PC

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARMEL-BY-THE-SEA
ACCEPTING A CONCEPT DESIGN STUDY FOR A DEMOLITION OF AN EXISTING 1,053-SQUARE-
FOOT, ONE-STORY SINGLE-FAMILY RESIDENCE INCLUSIVE OF A 205-SQUARE-FOOT DETACHED
GARAGE AND CONSTRUCTION OF A 1,767-SQUARE-FOOT, TWO-STORY SINGLE-FAMILY
RESIDENCE INCLUSIVE OF A 270-SQUARE-FOOT ATTACHED GARAGE IN THE SINGLE-FAMILY
RESIDENTIAL (R-1) DISTRICT, ARCHEOLOGICAL SIGNIFICANCE (AS) OVERLAY, AND
BEACH/RIPARIAN (BR) OVERLAY. APN 010-225-003**

WHEREAS, on March 2, 2022, Angie Phares, on behalf of Hastings Construction, Inc, (“Applicant”) submitted an application on behalf of Liyoong Lim (“Owner”) requesting approval of Track 2 Design Study application DS 22-057 (Lim) described herein as (“Application”); and

WHEREAS, the Application has been submitted for the property located on North Casanova 2 southeast of Palou Avenue in the Single-Family Residential (R-1) District, Archeological Significance (AS) Overlay District, and Beach and Riparian (BR) Overlay District; and

WHEREAS, the Applicant is proposing the demolition of an existing 1,053-square-foot, one-story single-family residence inclusive of a 205-square-foot detached garage and construction of a 1,767-square-foot, two-story single-family residence inclusive of a 270-square-foot attached garage; and

WHEREAS, in accordance with Carmel Municipal Code (CMC) Section 17.58.040 (Residential Design Review), the construction of new dwellings, rebuilds, and substantial alterations requires approval of a Residential Track Two Design Study by the Planning Commission; and

WHEREAS, CMC 17.58.040.B.2 requires a Design Concept Review prior to consideration of the Final Details Review for project approval; and

WHEREAS, a Coastal Development Permit is required for the project in accordance with CMC 17.52.090 and will be considered at the Final Details hearing; and

WHEREAS, on June 30, 2023, a notice of the public hearing scheduled for July 9, 2023, was published in the Carmel Pine Cone in compliance with State law (California Government Code 65091) and mailed to owners of real property within a 300-foot radius of the project indicating the date and time of the public hearing; and

WHEREAS, on or before July 2, 2023, the Applicant posted the public notice on the project

site and hand-delivered a copy of the public notice to each property within a 100-foot radius of the project site indicating the date and time of the public hearing; and

WHEREAS, on July 9, 2023, the Planning Commission held a public hearing to receive public testimony regarding the Track 1 Minor Design Study Referral, including without limitation, information provided to the Planning Commission by City staff and through public testimony on the conceptual design of the project; and

WHEREAS, this Resolution and its findings are made based upon evidence presented to the Commission at the hearing including, without limitation, the staff report and attachments submitted by the Community Planning and Building Department; and

WHEREAS, the Planning Commission did hear and consider all said reports, attachments, recommendations and testimony herein above set forth and used their independent judgement to evaluate the project; and

WHEREAS, the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA"), together with State Guidelines (14 California Code Regulations §§ 15000, *et seq.*, the "CEQA Guidelines") and City Environmental Regulations (CMC 17.60) require that certain projects be reviewed for environmental impacts and that environmental documents be prepared; and

WHEREAS, acceptance of a Concept Design Study is "not a project" pursuant to section 15378 of the CEQA Guidelines. Acceptance of a Concept Design Study does not grant any permits or entitlements approving a project which would result in a direct or indirect physical change in the environment. CEQA analysis and determination of exemption status will be done as part of the Final Design Study hearing; and

WHEREAS, the facts set forth in the recitals are true and correct and are incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Carmel-By-The-Sea does hereby make the following findings and determinations regarding the Concept Design Study:

FINDINGS REQUIRED FOR CONCEPT DESIGN STUDY ACCEPTANCE		
For each of the required design study findings listed below, staff has indicated whether the concept plans submitted or as recommended to be conditioned support adoption of the findings. For all findings checked "no" the staff report discusses the issues to facilitate decision-making by the Planning Commission. Findings checked "yes" may or may not be discussed in the staff report depending on the issues.		
CMC Section 17.64.080.A – Concept Phase Approval Findings	YES	NO
1. The project conforms with all zoning standards applicable to the site, or has received appropriate use permits or variances consistent with the Zoning	✓	

Ordinance.		
2. The project is consistent with the City's design objectives for protection and enhancement of the urbanized forest, open space resources and site design. The project's use of open space, topography, access, trees and vegetation will maintain or establish a continuity of design both on-site and in the public right-of-way that is characteristic of the neighborhood.	✓	
3. The project avoids complexity using simple building forms, a simple roof plan and a restrained employment of offsets and appendages that are consistent with neighborhood character yet will not be viewed as repetitive or monotonous within the neighborhood context.	✓	
4. The project is adapted to human scale in the height of its roof, plate lines, eave lines, building forms, and in the size of windows, doors and entryways. The development is similar in size, scale, and form to buildings on the immediate block and neighborhood. Its height is compatible with its site and surrounding development and will not present excess mass or bulk to the public or to adjoining properties. Mass of the building relates to the context of other homes in the vicinity.	✓	
5. The project is consistent with the City's objectives for public and private views and will retain a reasonable amount of solar access for neighboring sites. Through the placement, location and size of windows, doors and balconies the design respects the rights to reasonable privacy on adjoining sites.	✓	
6. The design concept is consistent with the goals, objectives and policies related to residential design in the general plan.	✓	
7. The development does not require removal of any significant trees unless necessary to provide a viable economic use of the property or protect public health and safety. All buildings are set back a minimum of six feet from significant trees.	✓	

BE IT FURTHER RESOLVED that the Planning Commission of the City of Carmel-by-the-Sea does hereby **ACCEPT** a Concept Design Study for a demolition of an existing 1,053-square-foot, one-story single-family residence inclusive of a 205-square-foot detached garage and construction of a 1,767-square-foot, two-story single-family residence inclusive of a 270-square-foot attached garage in the Single-Family Residential (R-1) District, Archeological Significance (AS) Overlay, and Beach/Riparian (BR) Overlay, APN 010-225-003, subject to the draft conditions/recommendations listed below:

CONCEPT CONDITIONS OF APPROVAL		
No.		
1.	Volume Study. The required Volumetric Study shall be successfully completed and passed prior to scheduling for Final Details Review. The applicant shall provide one full size printed set of plans following Concept Hearing to the Community Planning and Building Department as part of the required Volume Study. Any additional	✓

	changes required by the Planning Commission at the Concept Hearing that would affect volume (changes in massing, heights, site planning, grading, etc.) shall be incorporated into the plans submitted for the volume study.	
2.	Tree Planting. Prior to scheduling for final details review the applicant shall revise plans to meet the recommended tree density for the site (replacement of one upper canopy tree). The location and species of the proposed trees shall be shown on the proposed site plan and required landscape plan.	✓
3.	Tree Pruning. Prior to scheduling for Final Details Review, the applicant shall submit a Tree Pruning Permit Application to be reviewed and approved by the Forestry Department or Forest and Beach Commission, as appropriate. Should the Tree Pruning Permit be not approved, the applicant shall prepare a revised design that does not require the pruning or removal of the subject branches.	✓
4.	Landscape Plan. Prior to scheduling for Final Details Review, a landscape plan shall be submitted for review by staff and final approval by the Planning Commission.	✓

PASSED, APPROVED, AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF CARMEL-BY-THE-SEA this 12th day of July, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Michael LePage
Chair

Leah Young
Planning Commission Secretary