

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

**PLANNING COMMISSION**

**PLANNING COMMISSION RESOLUTION NO. 2023-XXX-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 1,038-SQUARE-FOOT, ONE-STORY SINGLE-FAMILY RESIDENCE AND 247-SQUARE-FOOT DETACHED GARAGE AND CONSTRUCTION OF A 1,351-SQUARE-FOOT, ONE-STORY SINGLE-FAMILY RESIDENCE AND A 225-SQUARE-FOOT ATTACHED GARAGE AND VARIOUS SITE COVERAGE CHANGES LOCATED ON THE SOUTHEAST CORNER OF 3RD AVENUE AND SANTA FE STREET IN THE SINGLE-FAMILY RESIDENTIAL (R-1) DISTRICT. APN: 010-029-019.**

WHEREAS, on December 29, 2021, Thomas Hardy (“Applicant”) submitted an application on behalf of Ana and Daniel Pressey (“Owner”) requesting approval of Track 2 Design Study application DS 21-446 (Pressey) described herein as (“Application”); and

WHEREAS, the Application has been submitted for a 4,000-square-foot lot located at the southeast corner of 3rd Avenue & Santa Fe Street in the Single-Family Residential (R-1) Zoning District; and

WHEREAS, the applicant is requesting approval of a Concept Design Study for an addition to a one-story single family residence. The major alterations to be considered for the concept hearing are multiple small additions to the ground floor totaling 512 square feet, and a new 432 square foot second story addition toward the rear of the residence; 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 approval of a Final Design Study following acceptance of a Design Concept Review; 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 December 1, 2023, a notice of the public hearing scheduled for December 15, 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 December 3, 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 or before December 3, 2023, the meeting agenda was posted in three locations in compliance with State law indicating the date and time of the public hearing; and

WHEREAS, on December 15, 2023, the Planning Commission held a duly noticed public hearing to receive public testimony regarding the combined concept and final design study, including, without limitation, the information provided to the Planning Commission by City staff and through public testimony on 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, this Resolution and its findings are made based upon the evidence presented to the Commission at the hearing date, 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 judgment to evaluate the project; 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**:

<b><u>FINDINGS REQUIRED FOR CONCEPT DESIGN STUDY ACCEPTANCE</u></b>		
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 739-square-foot net addition to an existing one-story residence, including the addition of a new 868-square-foot second story located at Mission Street 2 northwest of Santa Lucia Avenue in the Single-Family Residential (R-1) District. APN: 010-162-028-000, subject to the draft conditions/recommendations listed below:

<b>CONCEPT CONDITIONS OF APPROVAL</b>	
<b>No.</b>	
1.	<p><b>Volume Study.</b> The required Volumetric Study shall be successfully completed 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.</p>
2.	<p><b>Floor Area Revision.</b> Prior to scheduling for Final Details Review, the applicant shall revise the plans to revise the floor area diagram accordingly and include the underfloor area in the project data table accordingly for the primary dwelling and the garage (as appropriate) for review by the Community Planning and Building Department, as described in the subject staff report.</p> <p>The purpose of this Condition is to find the project, as proposed, consistent with the development standards for the underlying zoning and not to allow for additional modification that may otherwise increase the mass, bulk, or bring other changes to the proposed residence. Should additional changes be made to the project, additional review may be required.</p>
3.	<p><b>Garage height.</b> Prior to scheduling for Final Details Review, the applicant shall submit revised plans to the Community Planning and Building Department so that the height of the garage complies with the 15’ height limit for building elements located within the 15’ rear setback.</p>
4.	<p><b>Garage Elevations.</b> Prior to scheduling for Final Details Review, the applicant shall submit revised plans to include a complete east elevation that includes the garage, as described in Condition #3.</p>
5.	<p><b>Site Coverage Improvements.</b> Prior to building permit issuance, the project plans shall be revised so that all proposed walkways, pathways, decks, and other site coverage improvements shall be clearly labeled with materials identified on both the site plan and corresponding landscape plan.</p>

	The applicant shall demonstrate the proposed improvements the site meets the requirements to qualify for the site coverage permeability bonus, or revise the plans accordingly. A project data table showing existing and proposed site coverage noting the material of each improvement and whether it is permeable or impermeable shall be printed on the cover sheet of the project plans.
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PASSED, APPROVED, AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF CARMEL-BY-THE-SEA this 15th day of December 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

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Michael LePage  
Chair

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Leah Young  
Planning Commission Secretary