

CITY OF CARMEL-BY-THE-SEA
PLANNING COMMISSION

PLANNING COMMISSION RESOLUTION NO. 2023-019-PC

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARMEL-BY-THE-SEA ACCEPTING
A CONCEPT DESIGN STUDY FOR A SUBSTANTIAL ALTERATION TO AN EXISTING SINGLE-FAMILY
RESIDENCE, INCLUDING DEMOLITION OF MORE THAN 50 PERCENT OF THE EXTERIOR WALLS,
CONSTRUCTION OF A 363-SQUARE-FOOT ADDITION, AND CONSTRUCTION OF A 200-SQUARE-
FOOT ATTACHED GARAGE LOCATED ON OCEAN AVENUE
4 NORTHEAST OF GUADALUPE STREET
APN 010-033-011**

WHEREAS, on October 29, 2021, Ngoc Pham, Engineer (“Applicant”) submitted an application on behalf of MARDANI SEYEDEH & MOSTAFAZADEH SHAHRAM (“Owners”) requesting approval of Track 2 Design Study application DS 21-376 (Mardani) described herein as (“Application”); and

WHEREAS, the Application has been submitted for a 2,500-square-foot lot located on Ocean Avenue 4 northeast of Guadalupe Street in the Single-Family Residential (R-1) District (Block 64, Lot 6); and

WHEREAS, the Applicant proposes a substantial alteration to an existing single-family residence, including demolition of more than 50 percent of the exterior walls, construction of a 363-square-foot addition, and construction of a 200-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 Section 17.58.040.B requires a design concept review by the Planning Commission at a public hearing prior to consideration of the final details review for project approval; and

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

WHEREAS, on March 31, 2023, a notice of the April 12, 2023, public hearing 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 April 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 or before April 7, 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 April 12, 2023, the Planning Commission held a duly noticed public hearing to receive public testimony regarding the Application, including, without limitation, the information provided to the Planning Commission by City staff and through public testimony on the project; 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 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, pursuant to CEQA regulations, the Application is "not be 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; 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 ACCEPTANCE OF THE CONCEPT DESIGN STUDY		
For each of the required findings listed below, the staff has indicated whether the application, either as proposed or with conditions, supports adopting the findings. For all findings checked "no," the staff report discusses the issues to facilitate the Planning Commission's decision-making. Findings checked "yes" may or may not be discussed in the report depending on the issues.		
CMC 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 and/or variances consistent with the zoning ordinance.	✓	

<p>2. The project is consistent with the City’s design objectives for the 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 the site and in the public right of way that is characteristic of the neighborhood.</p>	<p>✓</p>	
<p>3. The project avoids complexity using simple/modest building forms, a simple roof plan with a limited number of roof planes, and restrained employment of offsets and appendages consistent with neighborhood character yet will not be viewed as repetitive or monotonous within the neighborhood context.</p>	<p>✓</p>	
<p>4. The project is adapted to human scale in the height of its roof, plate lines, eave lines, and 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 nearby homes.</p>		<p>✓</p>
<p>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.</p>	<p>✓</p>	
<p>6. The design concept is consistent with the goals, objectives, and policies related to residential design in the general plan.</p>	<p>✓</p>	
<p>7. The development does not require the 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 setback at least 6 feet from significant trees unless otherwise agreed upon by the City Forester.</p>		<p>✓</p>
<p>8. The proposed architectural style and detailing are simple and restrained in character, consistent and well-integrated throughout the building, and complementary to the neighborhood without appearing monotonous or repetitive in context with designs on nearby sites.</p>		<p>✓</p>
<p>9. The proposed exterior materials and their application rely on natural materials, and the overall design will add to the variety and diversity along the streetscape.</p>	<p>✓</p>	
<p>10. Design elements such as stonework, skylights, windows, doors, chimneys, and garages are consistent with the adopted Design Guidelines and will complement the character of the structure and the neighborhood.</p>	<p>✓</p>	
<p>11. Proposed landscaping, paving treatments, fences, and walls are carefully designed to complement the urbanized forest, the approved site design, adjacent sites, and the public right of way. The design will reinforce a sense of visual continuity along the street.</p>		<p>✓</p>
<p>12. Any deviations from the Design Guidelines are considered minor and reasonably relate to good design principles and specific site conditions.</p>	<p>✓</p>	

BE IT FURTHER RESOLVED that the Planning Commission of the City of Carmel-by-the-Sea does hereby **ACCEPT** the Concept Design Study DS 21-376 (Mardani) for a substantial alteration to an existing single-family residence, including demolition of more than 50 percent of the exterior walls, construction of a 363-square-foot addition, and construction of a 200-square-foot attached

garage located on Ocean Avenue 4 northeast of Guadalupe Street in the Single-Family Residential (R-1) District (APN 010-033-011), subject to the following Recommendations/Draft Conditions:

Recommendations/Draft Conditions		
No.		
1.	Tree No. 4 and 5 Structural Root Zone. Prior to the final details review, the applicant shall set back the rear addition to maintain a 10-foot setback from Tree No. 4 and 5 or design a foundation that does not encroach into the structural root zone.	✓
2.	Preliminary Landscape Plan. Prior to the final details review, the applicant shall submit a preliminary landscape plan for review by the Planning Division and City Forester identifying the size, species, and location of one upper canopy tree on the project site.	✓
3.	Tree Application. Prior to the final details review, the applicant shall submit a tree application for the proposed removal of tree limbs. If the application requires review by the Forest & Beach Commission, the applicant shall obtain their approval prior to the final details review.	✓
4.	Concrete Wall. Prior to the final details review, the applicant shall eliminate the proposed concrete wall located within the front yard setback on the west property line from the project plans.	✓
5.	Human Scale. Prior to the final details review, the applicant shall reduce the plate and ridge heights of the garage and cottage to achieve a more human scale.	✓
6.	Roof Sample. Prior to the final details review, the applicant shall submit a roof sample for review by the Planning Division. The color of the material should resemble a traditional wood roof.	✓
7.	Elevation Datum. Prior to the final details review, the applicant shall revise the plans to include the following: 1) elevation datum at existing/final grade, 2) measurements of all plate and ridge heights from existing or final grade, whichever is more restrictive (not finish floor), and 3) elevation datum for all plate and ridge heights.	✓
8.	Eave Dimensions. Prior to the final details review, the applicant shall revise the plans to include existing and proposed eave depths. Eaves greater than 18 inches shall be counted towards site coverage.	✓
9.	Paint Color Sample. Prior to the final details review, the applicant shall provide a color paint sample for the proposed Dove Grey and Urbane Bronze.	✓
10.	Window Material. Prior to the final details review, the applicant shall revise the plans to replace the proposed vinyl windows with an alternative appropriate material and submit the manufacturer's information for the window material.	✓
11.	Exterior Lighting Plan. Prior to the final details review, the applicant shall provide an exterior lighting plan identifying the location of all proposed exterior light fixtures.	✓
12.	Rear Yard Retaining Walls. Prior to the final details review, the applicant shall eliminate all retaining walls within the structural root zone of tree no. 5	✓
13.	Double Wood Gate and Pedestals. Prior to the final details review, the applicant shall revise the plans to shift the gate and pedestals to the north to maintain a minimum 15-foot front setback.	✓

14.	Site Coverage. Prior to the final details review, the applicant shall provide existing and proposed site coverage information, including surface calculations for pervious and impervious coverage outside of the building footprint.	✓
15.	Volume Study. Following acceptance of the Concept Design, the Applicant shall revise the plans to incorporate the Planning Commission’s recommendations/draft conditions, as applicable. Any revisions that may affect volume (changes in massing, heights, site planning, grading, etc.) shall be incorporated into the plans submitted for the volume study. The Applicant shall submit one full-size printed set of revised plans to the Planning Division for completion of the volumetric study. Prior to scheduling the project for Final Details review, the project shall be found in compliance with volume standards.	✓
16.	Preliminary Grading Drainage Plan. Prior to the final details review, the applicant shall submit a preliminary stormwater management and drainage plan as required by the Residential Track 2 Design Study Submittal Process requirements and consistent with SOG 17-07. If grading is proposed, all areas of cut and fill and net import/export of grading volumes shall be provided.	✓
17.	Construction Management Plan. Prior to the issuance of a building permit, the Applicant shall submit a Construction Management Plan for review and approval by the Community Planning & Building Director.	✓
18.	Rear Addition Height and Roof Form. Prior to the final details review, the applicant shall lower the rear addition and/or change/lower the roof form to mitigate impacts to the northeast neighbor.	✓

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

AYES: BOLTON, DELVES, LEPAGE

NOES: ALLEN

ABSENT: LOCKE

ABSTAIN:

APPROVED:

ATTEST:

Michael LePage
Chair

Leah Young
Planning Commission Secretary