

CITY OF CARMEL-BY-THE-SEA
PLANNING COMMISSION

PLANNING COMMISSION RESOLUTION NO. 2024-XX-PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARMEL-BY-THE-SEA ACCEPTING
A CONCEPT DESIGN STUDY FOR THE DEMOLITION OF MORE THAN 50 PERCENT OF THE EXTERIOR
WALLS OF A SINGLE-STORY RESIDENCE AND CONSTRUCTION OF A TWO-STORY RESIDENCE
LOCATED ON THE NORTHWEST CORNER OF CARPENTER STREET AND 4TH AVENUE
APN 010-023-008

WHEREAS, on June 16, 2022, Lewis Builders (“Applicant”) submitted an application on behalf of Torrie C & Antonette M Nute (“Owners”) requesting approval of a Track 2 Design Study application DS 22-191 (Nute) described herein as (“Application”); and

WHEREAS, the project site is a 4,000-square-foot lot of record located on the northwest corner of Carpenter Street and 4th Avenue in the Single-Family Residential (R-1) District (Block 41, Lot 19); and

WHEREAS, the Applicant is proposing to demolish more than 50 percent of the exterior walls of a one-story residence, demolish a detached garage, and construct a two-story residence with an attached garage, and in accordance with Carmel Municipal Code (CMC) Section 17.58.040 (Residential Design Review), the project requires approval of a Track Two Design Study by the Planning Commission; and

WHEREAS, CMC Section 17.58.040.B, Step Two: Design Concept Review, requires the Planning Commission to review the design concept plans 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 November 9, 2022, the Planning Commission held a duly noticed public hearing to receive public testimony regarding the original Concept Design Study, including, without limitation, the information provided to the Planning Commission by City staff and through public testimony on the conceptual design of the project; and

WHEREAS, the Planning Commission passed a motion to continue the project with direction to the Applicant to mitigate mass, solar, and view impacts to the northern neighbor, among other design considerations; and

WHEREAS, on February 16, 2023, the Applicant submitted plans for consideration of a revised Concept Design Study; and

WHEREAS, on June 14, 2023, the Planning Commission held a duly noticed public hearing to receive public testimony regarding the revised Concept Design Study, including, without limitation, the information provided to the Planning Commission by City staff and through public testimony on the conceptual design of the project; and

WHEREAS, the Planning Commission passed a motion to continue the project with direction to the Applicant to submit a design that mitigates impacts to the northern neighbor; and

WHEREAS, on January 25, 2024, the Applicant submitted plans for consideration of a third Concept Design Study; and

WHEREAS, on February 2, 2024, a notice of public hearing was published in the Carmel Pine Cone for the February 14, 2024, Planning Commission meeting 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 February 4, 2024, 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 February 9, 2024, 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 February 14, 2024, 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.	✓	
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.	✓	
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 that are consistent with neighborhood character yet will not be viewed as repetitive or monotonous within the neighborhood context.	✓	
4. As conditioned, 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 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 a minimum of 6 feet from significant trees unless otherwise agreed upon by the City Forester.	✓	
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.	✓	
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.	✓	
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.	✓	
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.	✓	
12. Any deviations from the Design Guidelines are considered minor and reasonably relate to good design principles and specific site conditions.	✓	

BE IT FURTHER RESOLVED that the Planning Commission of the City of Carmel-by-the-Sea does hereby **ACCEPT** the revised concept design for Design Study application DS 22-191 (Nute) for the demolition of more than 50 percent of the exterior walls of a single-story residence and construction of a two-story residence located at the northwest corner of Carpenter Street and 4th Avenue in the Single-Family Residential (R-1) District (APN 010-023-008) subject to the following conditions:

Conditions for Concept Acceptance	
No.	
1.	Volume Study. Prior to the final details review, the required Volumetric Study shall be successfully completed. The applicant shall provide one full-size printed set of plans following the 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.	Street Side Yard Setback. Prior to the final details review, the applicant shall shift the south wall of the addition to maintain a minimum 5-foot street side yard setback.

PASSED, APPROVED, AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF CARMEL-BY-THE-SEA this 14th day of February 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Michael LePage
Chair

Leah Young
Planning Commission Secretary