

**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 APPROVING A ONE-YEAR TIME EXTENSION, EXTENDING THE EXPIRATION DATE TO March 8, 2025, FOR DESIGN STUDY DS 22-151 (CRI ON CARPENTER, INC.-LOT 4) AND ASSOCIATED COASTAL DEVELOPMENT PERMIT FOR THE DEMOLITION OF ASPHALT DRIVEWAYS ASSOCIATED WITH THE CARMEL RESORT INN AND CONSTRUCTION OF A 1,995-SQUARE-FOOT TWO-STORY RESIDENCE WITH A BASEMENT AND A 210 SQUARE-FOOT DETACHED GARAGE LOCATED ON GUADALUPE STREET 2 SOUTHEAST OF 1ST AVENUE
APN 010-021-013**

WHEREAS, the owner of the subject property (“Owner”) is Santa Rosa Motel CO LP ET AL; and

WHEREAS, Eric Miller Architects, Inc. (“Applicant”) submitted an application on behalf of the owner requesting the approval of a Time Extension for a previously approved Design Study DS 22-151 (CRI on Carpenter-Lot 4) described herein (“Application”); and

WHEREAS, the Application has been submitted for a 4,000-square-foot lot located at Guadalupe Street 2 southeast of 1st Avenue in the Single-Family Residential (R-1) Zoning District (Block 17, Lot 4); and

WHEREAS, the Applicant is requesting to construct a 1,995-square-foot two-story residence with a basement and 210-square-foot detached garage; and

WHEREAS, project was approved by the Planning Commission with Conditions of Approval on March 8, 2023; and

WHEREAS, Design Study approvals are valid for a period of one-year, and thus the Design Study approval was set to expire on March 8, 2024; and

WHEREAS, the applicant submitted an inquiry about a time extension before March 8, 2024, after the Design Study approval expiring at 5:00 PM, which pursuant to CMC 17.52.170.C prevented the permit from expiring. The formal request to extend the permit was sent via email June 25, 2024, but since the applicant inquired before the permit expired, we are honoring the request; and

WHEREAS, pursuant to CMC 17.50.170.C, the Planning Commission may administratively grant one extension for approvals originally subject to a public hearing. If, since the date of the original approval, the conditions surrounding the original approval have changed, or the General Plan, municipal code or Local Coastal Plan Program has been amended in any manner which causes the approval to be inconsistent with these plans or codes, no time extension or renewal shall be granted for any approval; and

WHEREAS, there have been no pertinent changes to the General Plan, Municipal Code, or Local Coastal Program since this project was first approved in 2023 that would require re-evaluation of the project; and

WHEREAS, this extension also applies to the approval of the subject Coastal Development Permit as required for the project in accordance with CMC 17.52.090; 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, the Planning Commission found that pursuant to CEQA regulations, the Application is categorically exempt under Section 15303 (Class 3) – New Construction or Conversion of Small Structures, and no exceptions to the exemption exist pursuant to section 15300.2 of the CEQA Guidelines; and

WHEREAS, on January 11, 2023, the Planning Commission held a duly noticed public hearing to receive public testimony regarding the 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, on January 11, 2023, the Planning Commission adopted Resolution 2023-005-PC, accepting the Concept Design Study with conditions; and

WHEREAS, on February 24, 2023, a notice of the public hearing scheduled for March 8, 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 February 26, 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 March 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 March 8, 2023, the Planning Commission held a duly noticed public hearing to receive public testimony regarding the Final Design Study, including, without limitation, the information provided to the Planning Commission by City staff and through public testimony on the final design of the project; and

WHEREAS, the project was scheduled for a time extension request review on July 10, 2024; and

WHEREAS, on June 28, 2024, a notice of the public hearing scheduled for July 10, 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 June 30, 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 July 5, 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 July 10, 2024, the Planning Commission held a duly noticed public hearing to receive public testimony regarding the time extension request, including, without limitation, the information provided to the Planning Commission by City staff and through public testimony on the final design of 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 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 approve a one-year time extension, extending the expiration date to March 8, 2025, for Design Study DS 22-151 (CRI on Carpenter-Lot 4), and associated Coastal Development Permit for the construction of a 1,995-square-foot two-story residence with a basement and 210-square-foot detached garage located Guadalupe Street 2 southeast of 1st Avenue in the Single-Family Residential (R-1) Zoning District.

PASSED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF CARMEL-BY-THE-SEA this 10th day of July, 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Michael LePage
Chair

Leah Young
Planning Commission Secretary