JB Pastor Building: Recommended Evidence for Participation in the Parking in-lieu Fee Program

On behalf of the applicant, EMC Planning Group staff conducted a review and evaluation of the project, and conducted research regarding the applicability of participation in the parking in-lieu fee program and presents the following:

On Site Parking and Parking In-Lieu Fee Program

Required On-Site Parking

A total of twelve on-site parking spaces will be provided via (1) ADA accessible van space, one (1) standard parking space, and ten (10) compact spaces that utilize a parking lift system split between five (5) lifts. A total of seventeen parking space are required per CMC 17.14.200:

- 8 residential units / 1 space per unit = 8 spaces
- 5,339.14 sf of commercial space / 1 parking space per 600 sf of commercial floor area = 8.9 parking spaces required

Per CMC 17.38.010 the purpose of the off-street parking requirements is to "lessen the parking congestion on the public streets and to leave street parking available to persons making short-term visits to the commercial district for shopping, business or related activities".

The applicant has met all of the long-term parking needs of the residential units; however, due to constraints resulting from historical attributes of the site identified in the record, the project is deficient five spaces required for short-term visits to the proposed commercial spaces.

Parking In-Lieu Fee Program

City of Carmel Municipal Code (CMC) allows for exceptions to parking requirements for properties facing challenges such as limited space, irregular shape, topography, or existing buildings, enabling more flexible solutions like reduced parking, shared parking, or alternative methods while maintaining accessibility and functionality.

Protection of the historically ornamented wall requires the imposition of a 'preservation buffer,' and excavation of underground parking would subject the structure to damage as noted in the report by ESA Structural Engineering. This restriction limits the applicant's ability to construct all of the required short-term parking on-site. The Planning Commission may allow the use of in-lieu fees to

fulfill parking requirements through a use permit when on-site parking is impractical or prohibited by City policies (CMC 17.38.030C). Practicality in this instance is evaluated based on peculiar conditions of the site related to historical resources (CMC 17.38.030.B.4) referenced herein. Criteria for participation in the in-lieu fee program, is as follows:

1. *The parking adjustment does not apply to hotel or motel uses; and*

2. *The applicant has diligently pursued meeting the parking requirements both on-site and off-site, but has been unsuccessful in meeting the requirement…", … (17.38.030.C and 17.38.040040 Ord. 2004-02 § 1, 2004; Ord. 2004-01 § 1, 2004).*

The proposed project is not designated for hotel or motel use, thus meeting the first criterion of the in-lieu fee provision. The applicant has diligently pursued meeting parking requirements on site and is restricted by the preservation buffer of the historic resources. The general findings for the use permit can also be made as follows:

1. That the proposed use will not be in conflict with the City's General Plan.

The increase in commercial floor area, residential density, the use of the basement level, and participation in the in-lieu parking program are fully aligned with the City's General Plan, as described in this memo, and do not create any conflicts.

2. That the proposed use will comply with all zoning standards applicable to the use and zoning district.

The project, which includes additional commercial space, residential units, basement use, and participation in the in-lieu parking program, meets all applicable zoning requirements as outlined in this memo.

3. That granting the use permit will not set a precedent for the approval of similar uses whose incremental effect will be detrimental to the City, or will be in conflict with the General Plan.

This proposed development, which includes increased commercial floor area, residential density, basement use, and in-lieu parking, will not set a precedent. The project fits within the existing context of the commercial districts and complies with the municipal code, General Plan, and Local Coastal Plan.

4. That the proposed use will not make excessive demands on the provision of public services, including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection.

The proposed project, which consists of 8 residential units, parking, and up to 7 commercial spaces, will not put a strain on public services. The local utility infrastructure, including wastewater, sewer, and waste management, has sufficient capacity to support the project. Additionally, the project will be conditioned to ensure the necessary service capacities are confirmed prior to the issuance of building permits.

5. That the proposed use will not be injurious to public health, safety, or welfare.

The proposed development, which includes an increase in commercial space, residential units, basement use, and the in-lieu parking program, will not harm public health, safety, or welfare. These uses align with the established land use context in the commercial districts.

6. That the proposed use will be compatible with surrounding land uses and will not conflict with the purpose established for the district within which it will be located.

The increase in commercial floor area, residential density, use of the basement level, and participation in the in-lieu parking program are compatible with surrounding land uses. These changes are in line with the zoning code and General Plan, supporting the intended purpose of the district.

7. That the proposed use will not generate adverse impacts affecting health, safety, or welfare of neighboring properties or uses.

The proposed increases in commercial space, residential density, basement use, and participation in the in-lieu parking program will not cause adverse impacts on neighboring properties. The zoning code is designed to minimize potential effects, ensuring neighboring uses remain unaffected.

ESA structural engineering design inc.
www.esadesign.net
43082 Brighton Common
Fremont, California, 94538
tel: 510-683.8914 fax. 510-683.8941

March 26, 2025

RE: **JB PASTOR BUILDING**
Dolores, 2nd SE of 7th
Carmel, CA 93921

Dear Jun and Ryan,

Nice meeting you at the site on September 20, 2024, regarding the proposed underground or basement parking structure and the effect or disturbance to the adjacent community building and ornamental wall. As I mentioned to you on the site to avoid disturbance to the existing community building and ornamental wall is to adopt theoretical approach based on the Morh's principle. Please refer to the next page FIGURE A. In the figure it shows the minimum distance from the building where no shoring is required, or a shoring is required when the excavation is within the minimum distance from the existing building. Excavation away of more than the minimum distance is considered the soil can withstand, otherwise the failure of soil is possible if the excavation distance is less than the minimum. Another consideration is if the excavation distance is less than the minimum, disturbance due to the construction activity is higher than the excavation distance Is farther away or more than the minimum distance.

Based on my observation, the existing structure is susceptible to damage by disturbance. The disturbance includes but is not limited to the vibration created during the excavation. Another consideration is the soil's shearing capacity. Based on the soil report attached to this letter the classification of soil is sandy and comprised mostly of fine sands with inclusion of gravels, clay, silt and miscellaneous debris. With this classification shoring is highly recommended when excavating is less than the minimum distance from the existing structure as indicated on the next page FIGURE A.

Lastly, I hope this letter of observation will give you some insight into the basement or underground construction adjacent to a historic building and structure and the extra care in excavation of the structure using best construction practices for foundation excavation work. Again, nice meeting you on the site.

Sincerely,
ESA structural engineering inc.

Efren S. Abarado, P.E.
President

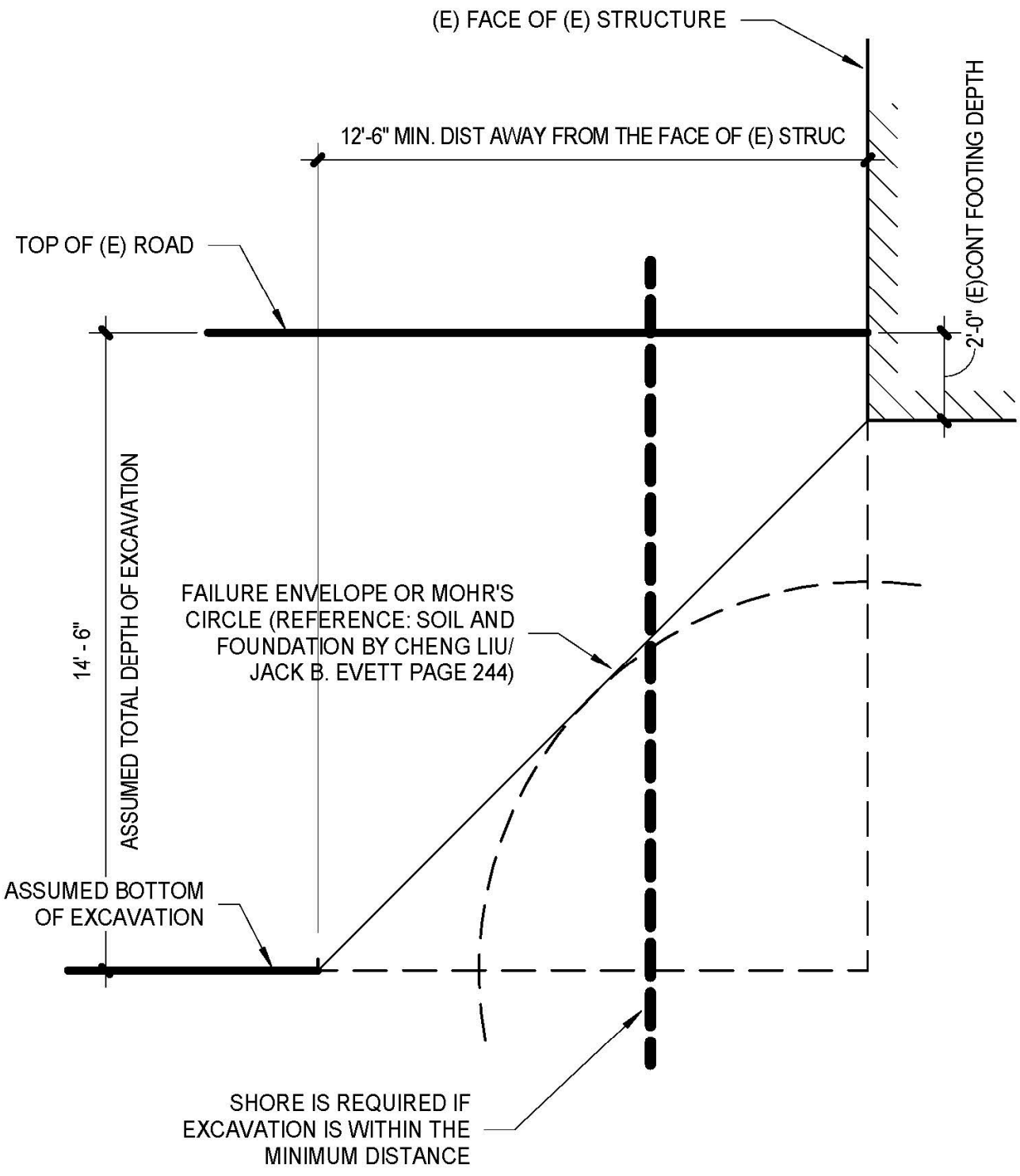

(E) FACE OF (E) STRUCTURE
12'-6" MIN. DIST AWAY FROM THE FACE OF (E) STRUC
TOP OF (E) ROAD
2'-0" (E)CONT FOOTING DEPTH
14' - 6"
ASSUMED TOTAL DEPTH OF EXCAVATION
FAILURE ENVELOPE OR MOHR'S CIRCLE (REFERENCE: SOIL AND FOUNDATION BY CHENG LIU/ JACK B. EVETT PAGE 244)
ASSUMED BOTTOM OF EXCAVATION
SHORE IS REQUIRED IF EXCAVATION IS WITHIN THE MINIMUM DISTANCE

FIGURE A

Site Soil Profile

As found in the exploratory drilling, the site soils are generally consistent between each of the bores.

The shallow horizon is a fill comprised mostly of fine sands with inclusions of gravels, clay, silt and miscellaneous debris. This generally loose deposit was observed mostly on the two northern parcels to depths as great as 3.5 feet.

The native soils were observed near to grade on the southern parcel and below the fill on the northern. These fine sands were observed to have nil to trace amounts of silt and occasional clots of light cementation however below approximately 38 feet contained few amounts of clay. They were observed to be disturbed at grade, medium dense below approximately 3 feet and dense below approximately 15 feet. As encountered they were slightly moist to moist.

Complete soil characteristics and comments are reported on the boring logs at the depths observed. The logs are located in Appendix B.

Groundwater

No groundwater was encountered at this site to the maximum depth of exploration, approximately 44 feet below grade.

(Grice Engineering Geotechnical Report for the proposed JB Pastor Building, 2020, Page 3)

INTERNATIONAL DESIGN GROUP
ARCHITECTURE ■ INTERIOR DESIGN

Best construction practices for foundation excavation. Adjacent to existing historic buildings.

For safe and effective foundation excavation adjacent to existing buildings, prioritize thorough site assessment, implement controlled excavation techniques, and use appropriate support systems like shoring or underpinning, while ensuring compliance with local regulations and clear communication with stakeholders.

1. Pre-Excavation Planning & Assessment:

- ***Thorough Site Assessment:***

Conduct a detailed survey of the site, including soil composition, topography, and the location of existing structures, utilities, and any potential hazards.

- ***Permitting and Regulations:***

Ensure all necessary permits and approvals are obtained and adhere to local building codes and safety regulations.

- ***Communication:***

Establish clear lines of communication with property owners, engineers, and other stakeholders to address any concerns and ensure a smooth process.

- ***Soil Testing:***

Conduct soil testing to determine soil type and stability, which is crucial for determining appropriate excavation methods and support systems.

2. Excavation Techniques & Safety:

- ***Controlled Excavation:***

Use precise excavation methods, such as hand digging or controlled mechanical equipment, to minimize disturbance to adjacent structures.

- ***Sloping and Benching:***

Follow OSHA guidelines for sloping and benching to prevent cave-ins and ensure worker safety.

- ***Sheet Piling or Retaining Walls:***

Implement temporary support systems like sheet piles or retaining walls to prevent soil movement and protect adjacent structures.

- ***Underpinning:***

Consider underpinning or shoring techniques for additional support if needed, especially for shallow foundations of adjacent buildings.

- ***Vibration Monitoring:***

Install vibration monitors and crack gauges to track ground movement and ensure that vibrations don't damage adjacent structures.

- ***Water Management:***

Implement proper drainage and water management systems to prevent water from accumulating near the excavation site and causing instability.

3. Post-Excavation:

- ***Grading and Leveling:***

Level and grade the excavated area as needed, creating a smooth and even surface for the foundation construction.

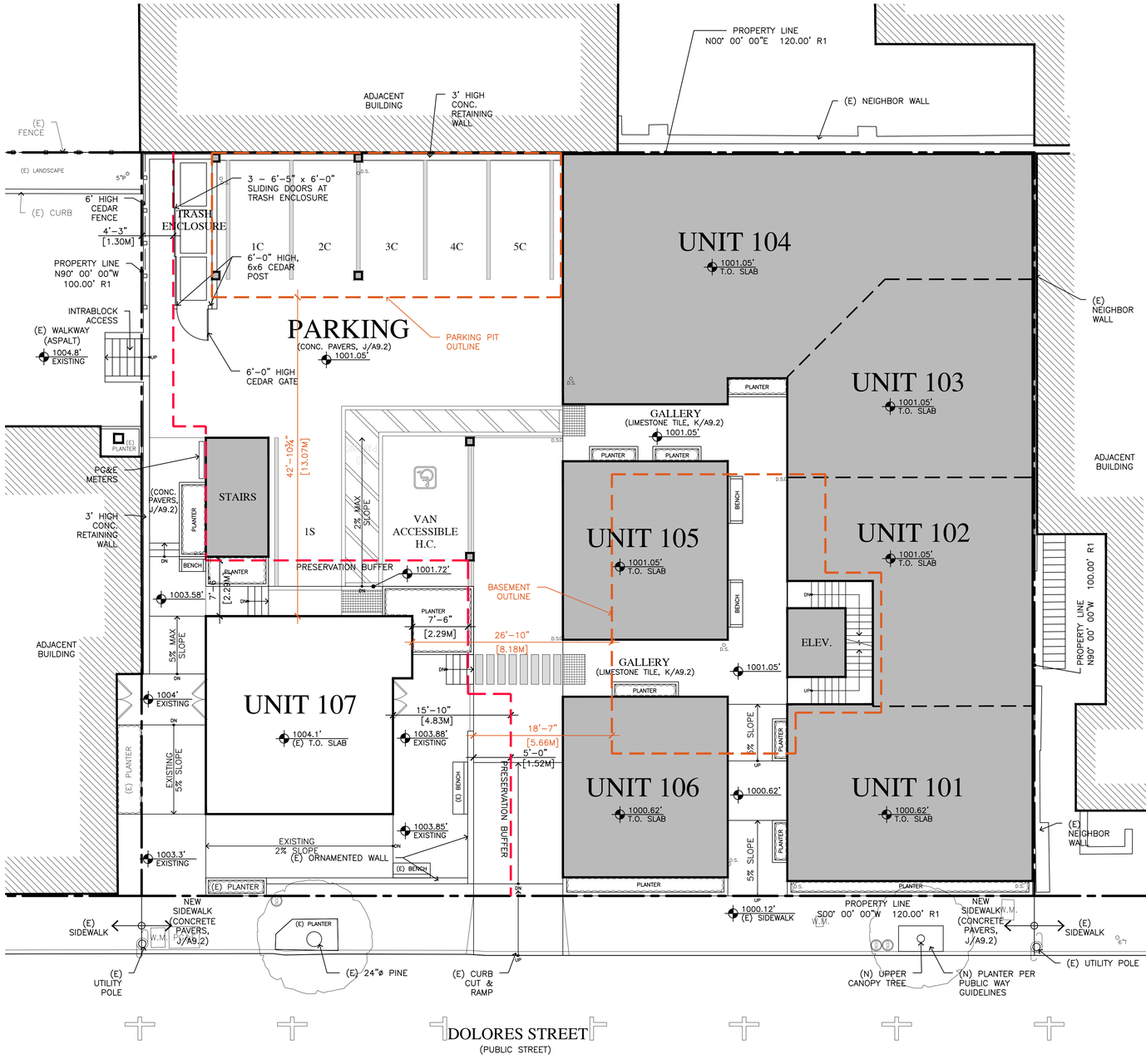
- ***Compaction:***

Ensure proper compaction of the excavated soil to prevent future settlement and ensure stability.

- ***Documentation:***

Maintain detailed records of the excavation process, including soil conditions, excavation depths, and any support systems used.

721 LIGHTHOUSE AVE. PACIFIC GROVE, CALIFORNIA, 93950
TEL: (831) 646-1261 ■ FAX: (831) 646-1290 ■ WEBSITE: idg-inc.net



SITE PLAN W/ BASEMENT & PARKING PIT OVERLAY

0' 4' 8' 16'

0 1.25M 2.5M 5M

1/8"=1'-0"

N

JUN A. SILLANO, AIA

IDG

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721 LIGHTHOUSE AVE
PACIFIC GROVE CA.
93950

PH ■ (831) 646-1261
FAX ■ (831) 646-1290
EMAIL ■ idg@idg-inc.net
WEB ■ idg-inc.net

STAMPS:

PROJECT/CLIENT:

JB PASTOR BUILDING

PROJECT ADDRESS:

DOLORES, 2ND SE OF 7TH
CARMEL, CA
93921

APN: 010-145-012
022, & 023

DATE: NOVEMBER 21, 2024

P.C. SUBMITTAL

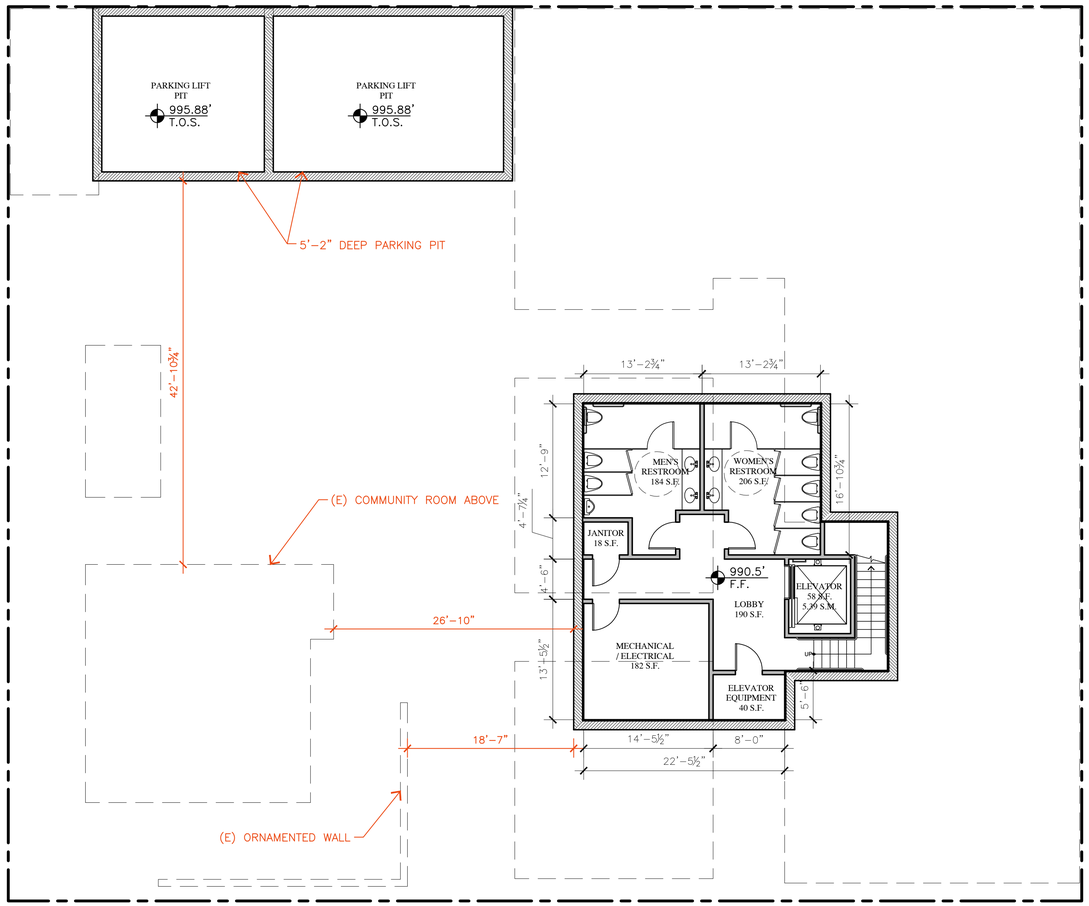
REVISIONS:

1 12/19/24 PLAN UPDATE
2 2/7/25 REV. PER PLANNER COMMENTS
3
4
5
6

SITE PLAN W/ BASEMENT OVERLAY

SHEET NO.

A1.4



BASEMENT PLAN

0' 4' 8' 16'

0 1.25M 2.5M 5M

1/8"=1'-0"

N

WALL LEGEND

- 2X6 EXTERIOR STUD FRAMED WALL
- 2X4 INTERIOR STUD FRAMED WALL, U.O.N.
- 2X4 INTERIOR STUD FRAMED WALL, U.O.N.

JUN A. SILLANO, AIA

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721 LIGHTHOUSE AVE
PACIFIC GROVE CA.
93950

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BASEMENT PLAN

SHEET NO.

A2.0