

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

**PLANNING COMMISSION RESOLUTION NO. 2022-XX-PC**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARMEL-BY-THE-SEA  
APPROVING A COMBINED CONCEPT AND FINAL DESIGN STUDY (DS 22-198, KARAPETKOV)  
AND ASSOCIATED COASTAL DEVELOPMENT PERMIT FOR TO ADD 323 SQUARE-FEET TO AN  
EXISTING 2,065 SQUARE-FOOT SINGLE-FAMILY RESIDENCE INCLUSIVE OF AN ATTACHED  
GARAGE LOCATED ON 3009 LASUEN DRIVE IN THE SINGLE-FAMILY RESIDENTIAL (R-1)  
ZONING DISTRICT. APN: 009-371-013-000**

WHEREAS, the owner of the subject property ("Owner") is Stefan Karapetkov;  
and

WHEREAS, Mary Ann Schicketanz ("Applicant") submitted an application on behalf of the Owner requesting the approval of a Track 2 Design Study, and Coastal Development Permit "(DS 22-198, Karapetkov)" described herein ("Application"); and

WHEREAS, project site is a 7,560 square foot lot located on 3009 Lasuen Drive in a Single-Family Residential (R-1) Zoning District; and

WHEREAS, the Applicant is proposing a to add 323 square-feet to an existing 2,065 square-foot single-family residence inclusive of an attached garage; and

WHEREAS, a Coastal Development Permit is required in accordance with CMC 17.52.090;  
and

WHEREAS, a Design Study is required in accordance with CMC 17.58.040; and which requires the review of the proposed site design, basic massing, and other elements of the design concept for compliance with the City's design concept guidelines and the findings required in CMC 17.64.080; and

WHEREAS, the project shall be considered at a concept and final details hearing pursuant to CMC 17.64.080; and

WHEREAS, notice of the public hearing was published on September 30, 2022 in compliance with State law (California Government Code 65091), as well as hand-delivery of the public notice by the Applicant to each property owner within a 100-foot radius of the project site indicating the date and time of the public hearing; and

WHEREAS, on October 12, 2022, the Planning Commission held a public hearing to receive public testimony regarding the combined Concept and Final Design Study, including without limitation, information provided to the Planning Commission by City staff and through public testimony on the conceptual design of the project; and

WHEREAS, this Resolution and its findings are made based upon evidence presented to

the Commission at its October 12, 2022 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 judgement 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, the Planning Commission determined that the project consists of additions to an existing single-family residence. Therefore, pursuant to CEQA regulations, the project is categorically exempt under Section 15301 (Existing Facilities); and

WHEREAS, the Planning Commission determined that pursuant to Section 15300.2 of the CEQA Guidelines, the project does not present any unusual circumstances that would result in a potentially significant environmental impact, and there are no exceptions to the exemption; 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 Design Study:

<b><u>FINDINGS REQUIRED FOR DESIGN STUDY APPROVAL (CMC 17.64.80 and LUP Policy P1-45)</u></b>		
For each of the required design study findings listed below, staff has indicated whether the submitted plans support adoption of the findings. For all findings checked "no" the staff report discusses the issues to facilitate the Planning Commission decision-making. Findings checked "yes" may or may not be discussed in the report depending on the issues.		
<b>Municipal Code Findings</b>	<b>YES</b>	<b>NO</b>
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 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 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. 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 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 make the following findings and determinations regarding the Coastal Development Permit:

<b>COASTAL DEVELOPMENT FINDINGS (CMC 17.64.010.B.1):</b>	<b>YES</b>	<b>NO</b>
1. Local Coastal Program Consistency: The project conforms to the certified Local Coastal Program of the City of Carmel-by-the Sea.	✓	
2. Public access policy consistency: The project is not located between the first public road and the sea, and therefore, no review is required for potential public access.	✓	

**BE IT FURTHER RESOLVED** that the Planning Commission of the City of Carmel-by-the-Sea does hereby APPROVE the combined Concept and Final Design Study (DS 22-198, Karapetkov) and associated Coastal Development permit to add 323 square-feet to an existing 2,065 square-foot single-family residence inclusive of an attached garage located on 3009 Lasuen Drive in the single-family residential (r-1) zoning district. APN: 009-371-013, subject to the following Conditions of Approval:

CONDITIONS OF APPROVAL		
No.	Standard Conditions	
1.	<b>Authorization.</b> This approval of Design Study (DS 22-198, Karapetkov) authorizes to add 323 square-foot addition to an existing single-family residence, a new gas-burning fireplace and chimney, a new skylight at the rear west elevation, and site improvement that include site coverage reduction to an existing 2,065 square-foot single-family residence inclusive of an attached garage located on 3009 Lasuen Drive in the single-family residential (r-1) zoning as depicted in the plans prepared by Mary Ann Schicketanz dated received by Community Planning & Building Department on October 12, 2022, unless modified by the conditions of approval contained herein.	✓
2.	<b>Codes and Ordinances.</b> The project shall be constructed in conformance with all requirements of the R-1 zoning district. All adopted building and fire codes shall be adhered to in preparing the working drawings. If any codes or ordinances require design elements to be changed, or if any other changes are requested at the time such plans are submitted, such changes may require additional environmental review and subsequent approval by the Planning Commission.	✓
3.	<b>Permit Validity.</b> This approval shall be valid for a period of one year from the date of action unless an active building permit has been issued and maintained for the proposed construction.	✓
4.	<b>Water Use.</b> Approval of this application does not permit an increase in water use on the project site without adequate supply. Should the Monterey Peninsula Water Management District determine that adequate water is not available for this site, this permit will be scheduled for reconsideration and appropriate findings prepared for review and adoption by the Planning Commission.	✓
5.	<b>Setback and Height Certifications.</b> A State licensed surveyor shall survey and certify the following in writing: <ul style="list-style-type: none"> <li>• The footing locations for conformance with the approved plans prior to footing/foundation inspection;</li> <li>• The roof height and plate height for conformance with the approved plans prior to roof sheathing inspection.</li> </ul> Written certifications prepared, sealed and signed by the surveyor shall be provided prior to footing/foundation inspection and roof sheathing inspection. In the event that multiple footing/foundation pours are required, a survey letter shall be submitted for each separate section.	✓
6.	<b>Service Laterals.</b> All electrical service laterals to any new building or structure, or to any building or structure being remodeled when such remodeling requires the relocation or replacement of the main service equipment, shall be placed underground on the premises upon which the building or structure is located.	✓

	Undergrounding will not be required when the project valuation is less than \$200,000 or when the City Forester determines that undergrounding will damage or destroy significant trees(s) (CMC 15.36.020).	
7.	<b>Modifications.</b> The applicant shall submit in writing, with revised plans, to the Community Planning and Building staff any proposed changes to the approved project plans prior to incorporating those changes. If the applicant changes the project without first obtaining City approval, the applicant will be required to submit the change in writing, with revised plans, within 2 weeks of the City being notified. A cease work order may be issued any time at the discretion of the Director of Community Planning and Building until: a) either the Planning Commission or Staff has approved the change, or b) the property owner has eliminated the change and submitted the proposed change in writing, with revised plans, for review. The project will be reviewed for its compliance to the approved plans prior to final inspection.	✓
8.	<b>Exterior Revisions to Planning Approval Form.</b> All proposed modifications that affect the exterior appearance of the building or site elements shall be submitted on the "Revisions to Planning Approval" form on file in the Community Planning and Building Department. Any modification incorporated into the construction drawings that is not listed on this form, shall not be deemed approved upon issuance of a building permit.	✓
9.	<b>Conflicts Between Planning Approvals and Construction Plans.</b> It shall be the responsibility of the Owner, Applicant, and Contractor(s) to ensure consistency between the project plans approved by Planning Staff, the Planning Commission, or the City Council on appeal, and the construction plans submitted to the Building Division as part of the Building Permit review. Where inconsistencies between the Planning approval and the construction plans exist, the Planning approval shall govern, unless otherwise approved in writing by the Community Planning & Building Director, or their designee.  When changes or modifications to the project are proposed, the applicant shall clearly list and highlight each proposed change and bring each change to the City's attention. Changes to the project that are incorporated into the construction drawings that were not clearly listed or identified as a proposed change shall not be considered an approved change. Should conflicts exist between the originally approved project plans and the issued construction drawings that were not explicitly identified as a proposed change, the plans approved as part of the Planning Department Review, including any Conditions of Approval, shall prevail.	✓
	<b>Landscape Conditions</b>	
10.	<b>Landscape Plan.</b> All new landscaping shall be shown on a landscape plan and shall be submitted to the Community Planning & Building Department and to the City Forester <u>prior to the issuance of a building permit</u> . The landscape plan will be reviewed for compliance with the landscaping standards contained in the Zoning Code, including the following requirements: 1) all new landscaping shall be 75% drought-tolerant; 2) landscaped areas shall be irrigated by a drip/sprinkler system set on a timer; and 3) the project shall meet the City's recommended tree density standards, unless otherwise approved by the City based on-site conditions. The landscaping plan shall show where new trees will be planted when new trees are	✓

	required to be planted by the Forest and Beach Commission or the Planning Commission.	
11.	<b>Tree Removal.</b> Trees on the site shall only be removed upon the approval of the City Forester or Forest and Beach Commission, as appropriate; all remaining trees shall be protected during construction by methods approved by the City Forester.	✓
12.	<b>Significant Trees.</b> All foundations within 15 feet of significant trees shall be excavated by hand. If any tree roots larger than two inches (2") are encountered during construction, the City Forester shall be contacted before cutting the roots. The City Forester may require the roots to be bridged or may authorize the roots to be cut. If roots larger than two inches (2") in diameter are cut without prior City Forester approval or any significant tree is endangered as a result of construction activity, the building permit will be suspended and all work stopped until an investigation by the City Forester has been completed. Twelve inches (12") of mulch shall be evenly spread inside the dripline of all trees prior to the issuance of a building permit.	✓
13.	<b>Erosion Control in the Right-of-Way.</b> Projects with a natural slope within the right-of-way immediately adjacent to the property where parking is not practical shall install jute netting and a drought tolerant ground cover to manage post-construction erosion control. Plants installed within the drip line of trees shall be selected from the City's "List of Compatible Plants Under and Around Native Trees" located in the Forest Management Plan.	✓
14.	<p><b>Tree Protection Measures.</b> Requirements for tree preservation shall adhere to the following tree protection measures on the construction site.</p> <ul style="list-style-type: none"> <li>• Prior to grading, excavation, or construction, the developer shall clearly tag or mark all trees to be preserved.</li> <li>• Excavation within 6 feet of a tree trunk is not permitted.</li> <li>• No attachments or wires of any kind, other than those of a protective nature shall be attached to any tree.</li> <li>• Per Municipal Code Chapter 17.48.110 no material may be stored within the dripline of a protected tree to include the drip lines of trees on neighboring parcels.</li> <li>• Tree Protection Zone -- The Tree Protection Zone shall be equal to dripline or 18 inches radially from the tree for every one inch of trunk diameter at 4.5 feet above the soil line, whichever is greater. A minimum of 4-foot-high transparent fencing is required unless otherwise approved by the City Forester. Tree protection shall not be resized, modified, removed, or altered in any manner without written approval. The fencing must be maintained upright and taught for the duration of the project. No more than 4 inches of wood mulch shall be installed within the Tree Protection Zone. When the Tree Protection Zone is at or within the drip line, no less than 6 inches of wood mulch shall be installed 18 inches radially from the tree for every one inch of trunk diameter at 4.5 feet above the soil line outside of the fencing.</li> <li>• The Structural Root Zone -- Structural Root Zone shall be 6 feet from the trunk or 6 inches radially from the tree for every one inch of trunk diameter at 4.5' above the soil line, whichever is greater. Any excavation or changes to the grade shall be approved by the City Forester prior to work. Excavation within the Structural Root Zone shall be performed with</li> </ul>	✓

	<p>a pneumatic excavator, hydro-vac at low pressure, or another method that does not sever roots.</p> <ul style="list-style-type: none"> <li>• If roots greater than 2 inches in diameter or larger are encountered within the approved Structural Root Zone the City Forester shall be contacted for approval to make any root cuts or alterations to structures to prevent roots from being damaged.</li> <li>• If roots larger than 2 inches in diameter are cut without prior City Forester approval or any significant tree is endangered as a result of construction activity, the building permit will be suspended and all work stopped until an investigation by the City Forester has been completed and mitigation measures have been put in place.</li> </ul>	
15.	<p><b>Exterior Lighting.</b> Exterior lighting shall be limited to 25 watts or less (incandescent equivalent, i.e., 375 lumens) per fixture and shall be no higher than 10 feet above the ground. Landscape lighting shall not exceed 18 inches above the ground nor more than 15 watts (incandescent equivalent, i.e. 225 lumens) per fixture and shall be spaced no closer than 10 feet apart. Landscape lighting shall not be used for tree, wall, fence or accent lighting of any type. The purpose of landscape lighting is to safely illuminate walkways and entrances to the subject property. All fixtures shall be shielded and down facing. The manufacturer's specifications, including illumination information, for each exterior light fixture shall be included in the construction drawings submitted with the building permit application.</p>	✓
16.	<p><b>Skylights &amp; Skylight Shades.</b> The applicant shall submit product information for the skylights and skylight shades prior to issuance of a building permit. All skylights shall be low-profile and use non-reflective glass to minimize the amount of light and glare visible from adjoining properties. Manual or automatic shades shall be installed in each skylight to reduce visible light transmission during the hours of darkness. Skylight flashing shall match the roof color.</p>	✓
17.	<p><b>Stone Facades (including chimneys).</b> Stone facades shall be installed in a broken course/random or similar masonry pattern. Setting the stones vertically on their face in a cobweb pattern shall not be permitted. All stonework shall be wrapped around building corners and terminated at an inside corner or a logical stopping point that provides a finished appearance. Termination of stonework shall be subject to review and approval by the Community Planning &amp; Building Director or his/her designee. The masonry pattern shall be clearly identified in the construction drawings submitted with the building permit application.</p>	✓
18.	<p><b>Metal Frame Windows and Doors.</b> The applicant shall submit product information for the metal windows and doors prior to issuance of a building permit. The window style shall be consistent with the existing metal windows and sliding doors. The painted finish shall be matte or low gloss. Removable, snap-in or internal only mullions and muntins are prohibited.</p>	✓
19.	<p><b>Asphalt Shingle Roofing.</b> The applicant shall submit product information for the asphalt shingle roofing prior to issuance of a building permit. The material shall convey a color and texture similar to that of wood shingles.</p>	✓
20.	<p><b>Indemnification.</b> The applicant agrees, at his or her sole expense, to defend, indemnify, and hold harmless the City, its public officials, officers, employees, and assigns, from any liability; and shall reimburse the City for any expense incurred, resulting from, or in connection with any project approvals. This includes any appeal, claim, suit, or other legal proceeding, to attack, set aside, void, or annul any</p>	✓

	project approval. The City shall promptly notify the applicant of any legal proceeding, and shall cooperate fully in the defense. The City may, at its sole discretion, participate in any such legal action, but participation shall not relieve the applicant of any obligation under this condition. Should any party bring any legal action in connection with this project, the Superior Court of the County of Monterey, California, shall be the situs and have jurisdiction for the resolution of all such actions by the parties hereto.	
21.	<b>Driveway.</b> The driveway material shall extend beyond the property line into the public right of way as needed to connect to the paved street edge. A minimal asphalt connection at the street edge may be required by the Superintendent of Streets or the Building Official, depending on site conditions, to accommodate the drainage flow line of the street. The driveway material and asphalt connection shall be clearly identified on the construction drawings submitted with the building permit application. If a driveway is proposed to be sand set a dimensioned construction detail showing the base material shall be included in the construction drawings.	✓
22.	<b>Hazardous Materials Waste Survey.</b> A hazardous materials waste survey shall be required in conformance with the Monterey Bay Unified Air Pollution Control District prior to issuance of a demolition permit.	✓
23.	<b>Cultural Resources.</b> All new construction involving excavation shall immediately cease if cultural resources are discovered on the site, and the applicant shall notify the Community Planning & Building Department within 24 hours. Work shall not be permitted to recommence until such resources are properly evaluated for significance by a qualified archaeologist. If the resources are determined to be significant, prior to resumption of work, a mitigation and monitoring plan shall be prepared by a qualified archaeologist and reviewed and approved by the Community Planning and Building Director. In addition, if human remains are unearthed during excavation, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and distribution pursuant to California Public Resources Code (PRC) Section 5097.98.	✓
24.	<b>Truck Haul Route.</b> Prior to Building Permit issuance, the applicant shall provide for City (Community Planning and Building Director in consultation with the Public Services and Public Safety Departments) review and approval, a truck-haul route and any necessary temporary traffic control measures for the grading activities. The applicant shall be responsible for ensuring adherence to the truck-haul route and implementation of any required traffic control measures.	✓
25.	<b>USA North 811.</b> Prior to any excavation or digging, the applicant shall contact the appropriate regional notification center (USA North 811) at least two working days, but not more than 14 calendar days, prior to commencing that excavation or digging. No digging or excavation is authorized to occur on site until the applicant has obtained a Ticket Number and all utility members have positively responded to the dig request. (Visit USANorth811.org for more information)	✓
26.	<b>Conditions of Approval.</b> All conditions of approval for the Planning permit(s) shall be printed on a full-size sheet and included with the construction plan set submitted to the Building Safety Division.	✓
<b>ENVIRONMENTAL COMPLIANCE CONDITIONS</b>		
27.	<b>Drainage Plan.</b> Prior to issuance of a building permit, the applicant shall provide a	✓

	drainage plan that meets the requirements of the City's drainage guidance, SOG 17-07. At a minimum, new and replaced impervious area drainage must be dispersed around the site rather than focused into one corner of the property, infiltration features must be sized appropriately and must be located at least 6 feet from neighboring properties. The drainage plan shall include information on drainage from new impervious areas and semi-pervious areas.	
28.	<b>BMP Tracking Form.</b> Prior to issuance of a building permit, the applicant shall submit a completed BMP Tracking form for review and approval by the City of Carmel.	✓
29.	<b>Semi-Permeable Surfaces.</b> Prior to issuance of a building permit, the applicant shall provide cross-section details for semi-permeable surfaces.	✓
30.	<b>Erosion and Sediment Control Plan.</b> Prior to issuance of a building permit, the applicant shall provide an erosion and sediment control plan that includes locations and installation details for erosion and sediment control BMPs, material staging areas, and stabilized access for review and approval by the City of Carmel.	✓
<b>SPECIAL CONDITIONS</b>		
31.	<b>Site Coverage.</b> Prior to the final inspection, the applicant shall remove 620 square feet of site coverage from approximately 1,219 square feet to 599 square feet to comply with zoning requirement.	
32.	<b>Colors and Materials.</b> Prior to the final inspection, the applicant shall demonstrate that the colors, materials, and finishes of the addition shall match the existing primary residence located at 3009 Lasuen Drive.	✓
33.	<b>Light Source.</b> Prior to the final inspection, the applicant shall install light fixture that show that the light source shall be shielded and down-facing.	✓
34.	<b>Volume Study.</b> Prior to issuance of a building permit, the applicant shall apply for a volumetric analysis and meet the required volumetric standards as this project is subject to the approval of a volume study.	✓

\*Acknowledgement and acceptance of conditions of approval.

\_\_\_\_\_  
Property Owner Signature

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Date

***Once signed, please return to the Community Planning and Building Department***

PASSED, APPROVED AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF CARMEL-BY-THE-SEA this 12<sup>th</sup> day of October, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

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Michael LePage  
Chair

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Margi Perotti  
Planning Commission Secretary