



# County of Monterey Planning Commission

**Item No.2**

Board of Supervisors  
Chambers  
168 W. Alisal St., 1st Floor  
Salinas, CA 93901

## Agenda Item No. 2

April 12, 2023

Legistar File Number: PC 23-031

**Introduced:** 4/5/2023

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** Planning Item

### PLN210203 - KANI

Continued from the March 29, 2023 Planning Commission Hearing. Public hearing to consider renovation of the exterior and interior of an existing three-story, 3,034 square foot legal non-conforming single-family dwelling with associated site improvements.

**Project Location:** 26398 Isabella Avenue, Carmel, Carmel Area Land Use Plan, Coastal Zone

**Proposed CEQA action:** Adopt a Mitigated Negative Declaration pursuant to Section 15074 of the CEQA Guidelines

### RECOMMENDATION:

It is recommended that the Monterey County Planning Commission:

1. Adopt a Mitigated Negative Declaration pursuant to Section 15074 of the CEQA Guidelines;  
and
2. Approve a Combined Development Permit consisting of a:
  - a. Coastal Administrative Permit and Design Approval to allow the renovation of the exterior and interior of an existing three-story, 3,034 square foot single-family dwelling with associated site improvements;
  - b. Coastal Administrative Permit to allow one parking space to extend into the required front setback;
  - c. Coastal Administrative Permit to allow a reduction of the side setback from 5 feet to 4 feet and 6 inches;
  - d. Coastal Development Permit to allow development within 750 feet of known archaeological resources;
  - e. Coastal Development Permit to allow additional maintenance and repairs to a legal non-conforming structure; and
3. Adopt a Mitigation Monitoring and Reporting Plan.

The attached draft resolution includes findings and evidence for consideration (**Exhibit B**). Staff recommends approval subject to the conditions of approval attached to the draft resolution.

### PROJECT INFORMATION:

**Owner:** Ali Kani and Christine Kani

**Agent:** Denise Duffy & Associates, Inc. w/Studio Schicketanz

**APN:** 009-441-014-000

**Zoning:** Medium Density Residential, 2 units per acre, with a Design Control Overlay and an 18 foot height limit, coastal zone [MDR/2-D(18)(CZ)]

**Parcel Size:** Approximately 0.1 acre, or 4,464 square feet

**Plan Area:** Carmel Area Land Use Plan

**Flagged and Staked:** Yes

SUMMARY:

On March 29, 2023, the Planning Commission, at the request of staff, continued the hearing on the Kani project to April 12, 2023 in order to allow additional time to confirm historical permit history necessary to make appropriate findings relative to maintenance and repairs to legal non-conforming structures.

The proposed project includes the renovation of the exterior and interior of an existing three-story, 3,034 square foot single-family dwelling while maintaining more than 50 percent of the existing exterior walls. The project includes an addition of an elevator, solar panels, and a front deck on the second story and improvements include grading for new footings, driveway reconstruction, new landscaping, interior lighting and plumbing upgrades, and installation of new fire sprinkler system. The project would result in a net reduction of 250 square feet (sf) allowing the property to conform to the allowed lot coverage and reduce the legal non-conforming floor area ratio (FAR) by 2.55 percent.

Due to the high archaeological sensitivity of the site, recommendations contained in the project archaeological assessment, and known resources in proximity of the development, an Initial Study was prepared to evaluate the potential of the project to impact archaeological and cultural resources.

DISCUSSION:

As detailed in **Exhibit A** and demonstrated in the draft resolution, the project as proposed, entitled, conditioned and mitigated, development of the property would be found consistent with the policies contained in the Carmel Area Land Use Plan and is in conformance with the applicable regulations of the Monterey County Code.

CEQA:

Pursuant to Public Resources Code Section 21083 and CEQA Guidelines Sections 15063(a) and 15063(b)(2), Monterey County as lead agency completed an environmental review to determine if the project may have a significant effect on the environment. The County prepared a draft Initial Study and Mitigated Negative Declaration (IS/MND) for this project (**Exhibit C**). The MND was filed with the County Clerk on October 14, 2022, and circulated for public review and comment from October 14, 2022 to November 14, 2022 (SCH No. 2022100320).

The County identified potentially significant impacts to hazards/hazardous materials and tribal cultural resources. Mitigation measures and conditions of approval have been proposed to reduce the identified impacts to a level of less than significant. No comments were received during the public comment period. In accordance with CEQA Guidelines Section 15074, the Planning Commission shall consider the IS/MND prior to approving the project.

OTHER AGENCY INVOLVEMENT:

The following County agencies or departments reviewed this project:

- Environmental Health Bureau
- HCD-Engineering Services
- Cypress Fire Protection District (Fire)

HCD-Environmental Services

LUAC REVIEW:

County staff referred the project to the Carmel Unincorporated/Highlands Land Use Advisory Committee (LUAC) for review. The LUAC reviewed the project on September 8th, 2022 and unanimously voted to recommend approval of the project as proposed. There were no public comments made at the LUAC hearing and none were received by the County throughout the review of the project (**Exhibit D**).

Prepared by: Zoe Zepp, Assistant Planner  
Reviewed by: Anna Ginette Quenga, AICP, Principal Planner  
Approved by: Craig Spencer, Chief of Planning

The following attachments are on file with the HCD:

- Exhibit A - Detailed Discussion
- Exhibit B - Draft Resolution
  - Draft Conditions of Approval
  - Site Plans, Floor Plans, Elevations, and Colors and Materials
- Exhibit C- Initial Study and Mitigated Negative Declaration
- Exhibit D - LUAC Minutes
- Exhibit E - Vicinity Map

cc: Front Counter Copy; Cypress Fire District; HCD-Engineering Services, HCD-Planning; HCD-Environmental Services; Environmental Health Bureau; Zoe Zepp, Assistant Planner; Anna Ginette Quenga, AICP, Principal Planner; Kani Ali & Christine Doris Trs, Property Owner; Josh Harwayne, Applicant's Agent; The Open Monterey Project (Molly Erickson); LandWatch; Project File PLN210203.