



# County of Monterey

Item No.

## Board Report

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

Legistar File Number: RES 24-082

May 14, 2024

**Introduced:** 4/26/2024

**Current Status:** Agenda Ready

**Version:** 1

**Matter Type:** BoS Resolution

Public Hearing to 1) consider an appeal by the Thomas Family from the January 25, 2024 Zoning Administrator decision approving a Combined Development Permit for demolition of a single-family home and the construction of a new, larger single-family residence in its place; and 2) consider de novo whether to approve a Combined Development Permit to demolish the 6,256 square foot residence with an attached guest unit, two-car garage and a 1,476 square foot detached accessory dwelling unit; and the construction of an 8,467 square foot main residence with a 2,723 square foot basement, a 960 square foot detached accessory dwelling unit with an attached garage, 320 square foot pool, and associated site improvements

**Project Location:** 3406 17 Mile Drive, Pebble Beach, Del Monte Forest Land Use Plan (APN: 008-381-002-000)

**Proposed CEQA action:** Find the project categorically exempt from CEQA pursuant to CEQA Guidelines sections 15302 and 15303 and find that none of the exceptions to these exemptions set forth in CEQA Guidelines section 15300.2 applies.

**PLN230140 - HODGE/KEARE FAMILY TR**

### RECOMMENDATION:

It is recommended that the Board of Supervisors adopt a resolution to:

- a. Find that the project qualifies for both a Class 2 Categorical Exemption pursuant to CEQA Guidelines section 15302 and Class 3 Categorical Exemption pursuant to section 15303, and find that none of the exceptions to these exemptions set forth in CEQA Guidelines section 15300.2 apply;
- b. Deny the appeal of the Thomas Family from the January 25, 2024 Zoning Administrator decision approving a Combined Development Permit (HCD-Planning File No. PLN230140/Hodge and Keare; and
- c. Approve a Combined Development Permit consisting of:
  1. Coastal Administrative Permit and Design Approval to allow the demolition of a 6,256 square foot main residence with an attached guest unit, two-car garage and a 1,476 square foot detached accessory dwelling unit; and the construction of an 8,467 square foot main residence with a 2,723 square foot basement, a 320 square foot pool and associated site improvements;
  2. Coastal Administrative Permit and Design Approval to allow construction of 960 square foot accessory dwelling unit with an attached 960 square foot three-car garage; and
  3. Coastal Development Permit for development within 750 feet of known archaeological resources.

A draft resolution, including findings and evidence, is attached for consideration (**Exhibit A**). Staff recommends approval subject to 11 conditions.

PROJECT INFORMATION:

**Agent:** Aengus L Jeffers, Law Offices of Aengus L Jeffers

**Property Owner:** Hodge/Keare Family Trust

**APN:** 008-381-002-000

**Parcel Size:** 2.347 acres

**Zoning:** Low Density Residential, 1.5 acres per unit, with a Design Control Overlay, Coastal Zone [LDR / 1.5-D (CZ)]

**Plan Area:** Del Monte Forest Land Use Plan

**Flagged and Staked:** Yes

SUMMARY:

The project site is currently developed with a 6,256 square foot single-family dwelling with an attached guest house, two-car garage, and a 1,476 square foot detached accessory dwelling unit. The proposed project includes demolition of the existing single-family dwelling and accessory dwelling and construction of an 8,467 square foot main residence, a 960 square foot two-story detached garage and 960 square foot accessory dwelling unit, and associated site improvements on the parcel located at 3406 17 Mile Drive (Assessor's Parcel Number 008-381-002-000) in the Del Monte Forest area of unincorporated Monterey County. Pebble Beach Golf Links is located directly to the southwest of the parcel. Site improvements include additional plantings of 19 new Coast live oak trees and 12 new Western redbud trees, and associated grading and excavation for a 2,723 square foot basement, a 320 square foot pool and hot tub resulting in a total of 7,500 cubic yards of cut and 1,000 cubic yards of fill (6,000 cubic yards of net export).

The plans have been reviewed and found consistent with the Del Monte Forest Land Use Plan policies that govern development in the area. Due to the high archaeological sensitivity of the site, a Phase I Archaeological Assessment was prepared to evaluate the potential for impacts to archaeological and cultural resources from the project. The Phase I report found no evidence of resources on site.

A Phase I Historical Assessment provided by Anthony Kirk was also prepared to determine if the existing house qualifies as a historical resource due to the property's previous owner, Robert Hunter, and known Spanish Colonial Revival Architect, Wallace Neff, who designed and built the home for Robert Hunter, who may be considered an important figure in California history as the owner of a well-known brokerage firm. The Historic Assessment found that the house has lost its historical integrity due to the significant alterations that have taken place over the years. A Peer Review by Meg Clovis agreed with Kirk's assessment that the house is no longer a historical resource.

A Biological Report was prepared by Fred Ballerini due to the property's location within the regional area of native plant communities, however, the site has been thoroughly altered and is void of any significant native habitat or presence of rare or endangered species. A recommendation was made to return the property back to a native oak woodland grassland through restoration and the plantings of 19 Coast Live Oak trees as well as an invasive species eradication plan. This restoration is proposed as part of this development.

This Board of Supervisors hearing on the project is de novo and the attached resolution reflects staff's recommendation to deny the appeal, find the project categorically exempt, and approve the project. The matter can be appealed to/by the Coastal Commission within 10 working days of the Coastal Commission receiving the FLAN.

DISCUSSION:

The project came for public hearing before the Zoning Administrator on January 25, 2024. Public testimony included contention that impacts from the proposed project would negatively affect the environment, scenic views, private views, and the general welfare of persons residing in the neighborhood. The Zoning Administrator found the project categorically exempt from the California Environmental Quality Act (CEQA) and approved a Combined Development Permit to allow the proposed development (Monterey County Zoning Administrator Resolution No. 24-003).

An appeal of the Zoning Administrator action was timely filed by the Thomas Family c/o Jennifer Rosenthal (**Exhibit B**). Appellants contend that there was a lack of fair or impartial hearing, the findings or decision or conditions are not supported by the evidence and that the decision was contrary to law. Appellants further contend that the project would be inconsistent with Policies in the Del Monte Forest Land Use Plan based on potential visual impacts to the public viewshed, and development within environmentally sensitive habitat areas.

*Site Development Standards*

The project is consistent with the applicable development standards from the base zoning district.

The property is 2.34 acres (102,235 square feet), which allows coverage of 15,335 square feet (15%), and a floor area ratio of 17,891 square feet (17.5%). The property is in the Carmel Bay Area of Special Biological Significance (ASBS) and is limited to 9,000 square feet of impermeable site coverage. The property is currently developed with a 4,305 square foot main house and a 1,476 square foot accessory dwelling unit, along with 15,007 of impermeable hardscape, constituting a total of 20,803 square feet of existing impervious lot coverage. The proposed development includes 7,117 square foot main house coverage, 960 square foot accessory dwelling unit, 219 square feet of roof overhangs and eaves greater than 30 inches, and 700 square feet of impervious hardscape totaling in a proposal of 8,996 square feet of impervious lot coverage. The proposed development will reduce the site coverage to be under the 9,000 square foot maximum allowable site coverage. The remaining developed areas will be returned to oak woodland by Applicant planting 19 new Coast live oak trees, 12 Western redbud trees, and native plantings throughout landscaping.

*Biological Resources*

The site was surveyed by Fred Ballerini (see **Exhibit C**), who confirmed that the project site has been altered to the point that the parcel lacks significant native habitat within the proposed areas of construction. During the site visit, several bird and mammal species were observed on neighboring parcels containing adequate vegetative cover. The recommendation to implement an expansive native oak woodland grassland restoration plan will greatly enhance the habitat values of the parcel.

### *Cultural Resources*

An archaeological report was prepared to analyze the potential for impacts to archaeological resources. The assessment included a records search which identified several known resources within 750-feet of the proposed development. The assessment included a field survey of the subject property and archival research to determine if resources extend into the project site. A pedestrian survey produced negative results and indicated that significant cultural materials are not located within the project area. Their analysis also indicated the proposed renovations would not affect a historical resource and no further archeological investigation was recommended. Although not anticipated, a standard condition of approval has been applied that requires the contractor to stop work and contact an archaeologist and the County if resources are discovered during construction.

### *Historical Resources*

The property's historical significance is tied to Robert Hunter, who appears to be a significant historical figure for his brokerage firm, however, a building at his San Francisco office location, the Hunter-Dunlin Building, is more closely associated with Hunter and is in the National Registry. Hunter engaged architect Wallace Neff to design his vacation home, which was constructed in 1928. The Hunter vacation house is an example of Neff's Spanish Colonial Revival architecture and has multi-leveled roof lines and balconies, decorative tiles, an elaborate chimney cap, and an enclosed courtyard with a fountain. However, starting in 1953, the house underwent several alterations over the course of two decades significantly altering the character of the house. A Phase I Historical Assessment (**Exhibit D**) prepared by Anthony Kirk concludes that due to the number of changes, the house has lost its historic integrity and no longer reflects its original character. A Peer Review Letter provided by Meg Clovis (see **Exhibit D - LET\_CLOVIS**) agrees with Anthony Kirk's assessment that the house has lost its historical integrity and is not a historic resource.

### *California Environmental Quality Act (CEQA)*

California Environmental Quality Act (CEQA) Guidelines section 15302 categorically exempts projects consisting of replacement or reconstruction of existing structures. The project consists of demolition and re-construction of a single-family dwelling and accessory dwelling unit that will be located on the same site, and will have substantially the same capacity and purpose as the structure being replaced. CEQA Guidelines Section 3 categorically exempts new construction, including single-family residences. The proposed project is the demolition and construction of a replacement single-family residence in a residential zone. Therefore, the project fits the criteria of both exemptions.

None of the exceptions under CEQA Guidelines section 15300.2 apply to this project:

- a) Location. Class 2 exemptions are not qualified for an exception by their location. Class 3 exemptions qualify by consideration of the project location, however, the project does not impact environmental resources of hazardous or critical concern where designated.
- b) Cumulative Impact. The project does not contribute to any cumulative environmental effects.
- c) Significant Effect. There are no unusual circumstances related to the project that would create the reasonable possibility of a significant effect.
- d) Scenic Highways. The project would not result in damage to scenic resources within

view of State Scenic Highway. The nearest designated State Scenic Highway is Highway 1, which is approximately 1.12 miles east of the property. However, the property is not visible from Highway 1 due to distance, topography, and intervening vegetation and structures. The project also does not propose any physical changes that would damage scenic resources.

- e) Hazardous Waste Sites. The project is not located on a hazardous waste site included on any list compiled pursuant to Section 65962.5 of the Government code.
- f) Historical Resources. The project would not damage any historical resources.

OTHER AGENCY INVOLVEMENT:

Environmental Health Bureau  
Pebble Beach Community Services District  
Del Monte Forest Land Use Advisory Committee  
California Coastal Commission

FINANCING:

Funding for staff time associated with this project is included in the FY2023-24 Adopted Budget for Housing and Community Development Appropriation Unit HCD002, Unit 8543.

BOARD OF SUPERVISORS STRATEGIC INITIATIVES:

This action represents effective response to our HCD customers. Processing this Appeal in accordance with all applicable policies and regulations also provides both applicants and interested parties the opportunity to ensure that land use decisions are given appropriate consideration by decision-makers.

Check the related Board of Supervisors Strategic Initiatives:

- Economic Development
- Administration
- Health & Human Services
- Infrastructure
- Public Safety

Prepared by: Hya Honorato, Assistant Planner, ext. 5173

Reviewed and Approved by: Craig Spencer, Director of Housing and Community Development CS

The following attachments on file with the Clerk of the Board:

Exhibit A - Draft Resolution including:

- Conditions of Approval
- Project Plans, Colors and Materials

Exhibit B - Notice of Appeal, The Thomas Family, Filed February 9, 2024

Exhibit C - Biological Assessment (LIB230228)

Exhibit D - Phase 1 Historical Assessment (LIB230226) including:

- Historical Peer Review (LET\_CLOVIS)

Exhibit E - Geotechnical Report (LIB230229)

Exhibit F - Zoning Administrator Resolution No. 24-003

Exhibit G - Vicinity Map

cc: Front Counter Copy; Pebble Beach Community Services District; HCD-Environmental Services; HCD-Engineering Services; Hya Honorato, Assistant Planner; Anna Quenga, AICP, Principal Planner; Craig Spencer, HCD Director; John Hodge and Stacey Keare, Property Owners; Aengus Jeffers, Attorney for Property Owner; Laura Lawrence (Law Office of Aengus Jeffers), Agent; The Thomas Family, Appellants; Jennifer Rosenthal, Attorney for Appellants; The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury LLP; Project Planning File PLN230140.