

SIGNAL HILL, LLC (MEHDIPOUR)
PLN100338

COUNTY OF MONTEREY BOARD OF SUPERVISORS

MAY 9, 2023

UNPERMITTED TREE CUTTING AND REMOVAL AND DUNE DEGRADATION

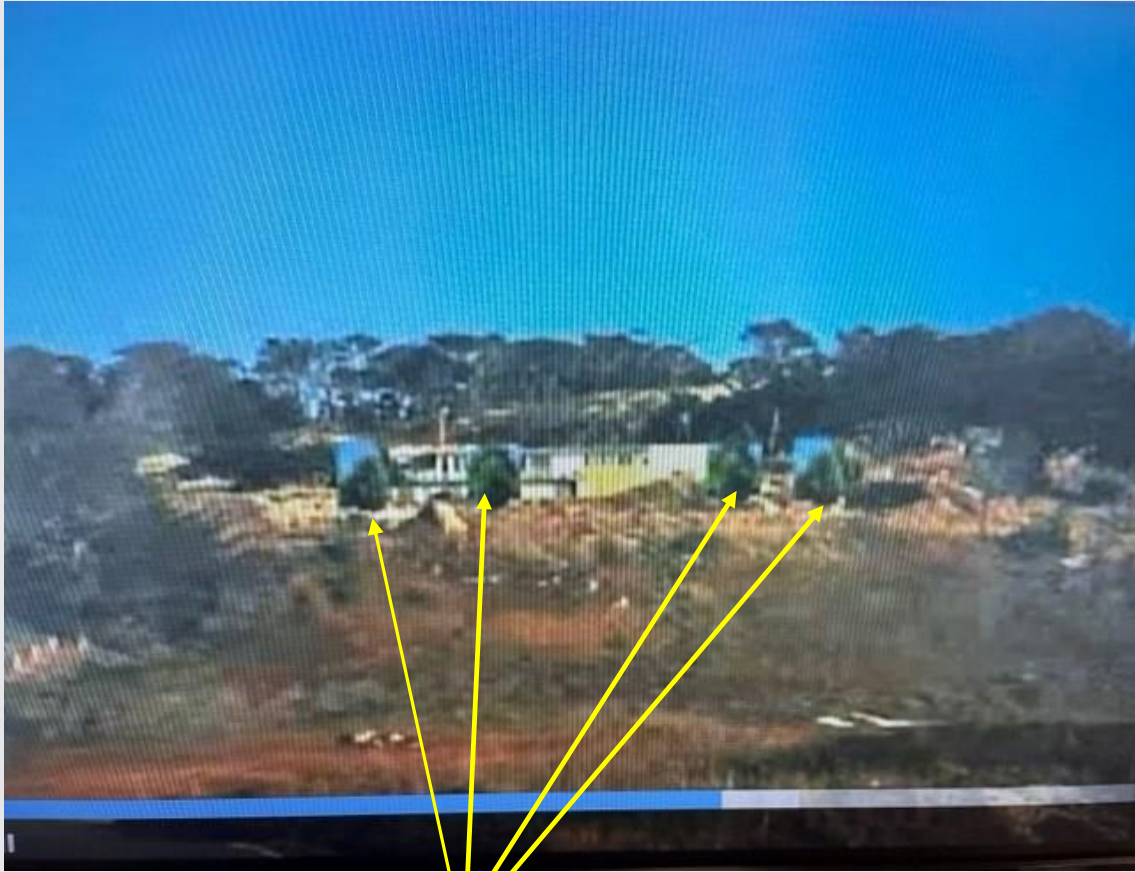


2009



2007

VIEWSHED “RESTORATION” (BRIDGES 12.4.12)



Replacement Trees to be Planted

VIEWSHED “RESTORATION” (BRIDGES 12.4.12)



Screening Promised by 2017

View from 17 Mile Drive looking towards house.



UNPERMITTED DEMOLITION OF A HISTORIC RESOURCE

2010 Photos



Planning Department 7/28/10





“VANDALS” JUNE 2015 (CODE ENFORCEMENT)



“VANDALS” JUNE 2015 (CODE ENFORCEMENT)

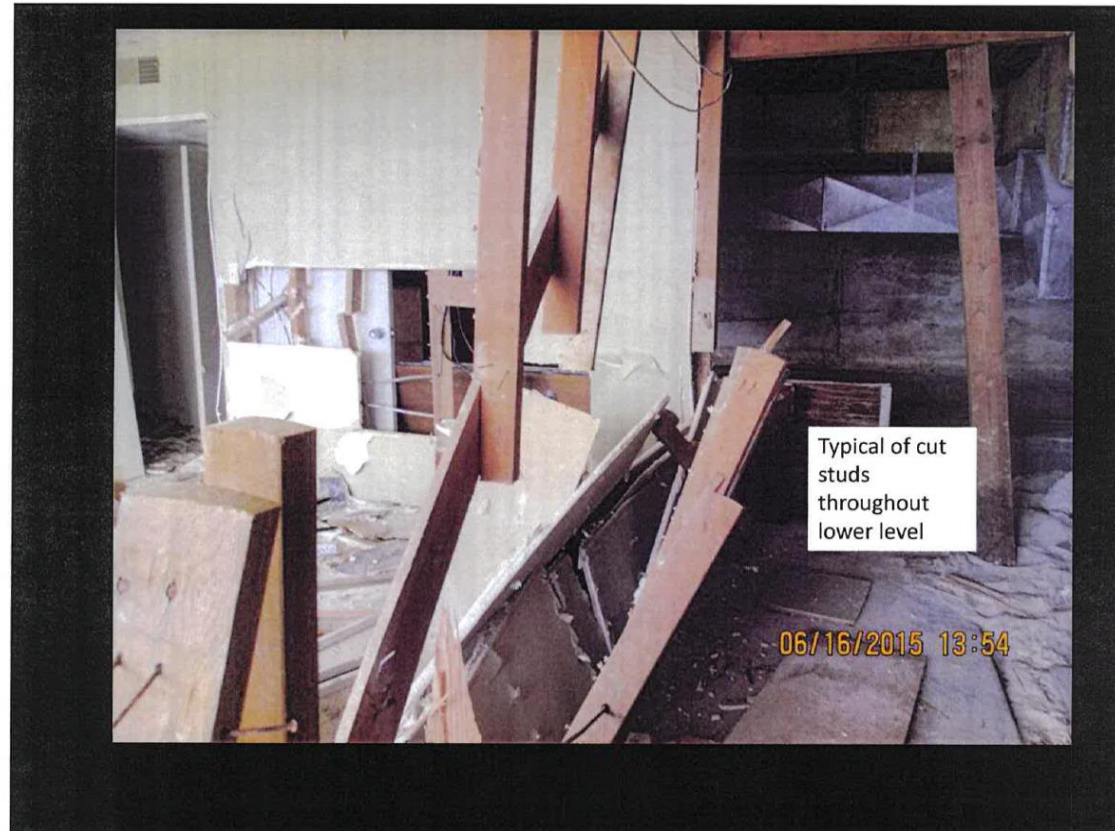


“VANDALS” JUNE 2015 (CODE ENFORCEMENT)



Wall that supported balcony cut at base

“VANDALS” JUNE 2015 (CODE ENFORCEMENT)



Typical of cut studs throughout lower level

06/16/2015 13:54

UNPERMITTED ALTERATIONS TO INTERIOR JUNE 2022

Construction without permits – placement of drywall

18.00.020 – Continuation of Public Nuisance

18.01.030.B.4-5 – Department of Building and Safety

18.01.090.A; B; D.2-3; E F; G - Violations

18.14.090.H; M – Violations

18.15.030.C.1-2 – Substandard Buildings

21.84.050 – Violations of Conditions of Permits



ENVIRONMENTALLY SENSITIVE HABITAT (ESHA)

- The Signal Hill Dunes are ESHA.
- Degraded ESHA is still ESHA
- Violates Del Monte Forest LCP and California Coastal Act (California Coastal Commission letters of January 24, 2023 and May 8, 2023)



DEL MONTE FOREST LCP POLICIES

- DMFLCP Policies 8, 13, 14 and 17 which require ESHA to be protected.
 - protected against any disruption...new land uses shall be limited to those that are dependent on the resources... (Policy 8);
 - Environmentally sensitive habitat areas shall be protected through deed restrictions or permanent open space conservation and scenic easements... (Policy 13),
 - The remnant native sand dune habitat... on Signal Hill...shall be preserved through open space conservation and scenic easements... (Policy 17)

CALIFORNIA COASTAL COMMISSION LETTER TO PLANNING COMMISSION JANUARY 24, 2023

Consistent with Coastal Act ESHA policies, existing policies in the Del Monte Forest LCP limit development within ESHA to those uses which are dependent on the resource and require that for remnant native sand dunes specifically, uses shall be limited to low intensity scientific, educational, or recreational activities dependent on the resource (i.e., *not* residential expansion). *The expansion of residential development, a non-resource dependent use, such as is proposed here, is not permissible* under the LCP...

Chapter 20.44

REGULATIONS FOR DESIGN CONTROL ZONING DISTRICTS OR "D (CZ)" DISTRICTS

Sections:

20.44.010	Purpose.
20.44.020	Applicability.
20.44.030	Application for Design Approval.
20.44.040	Appropriate Authority.
20.44.050	Public Notice.
20.44.060	Action by the Appropriate Authority.
20.44.070	Appeals.
20.44.080	Effect.
20.44.090	Fees.

20.44.010 PURPOSE.

The purpose of this Chapter is to provide a district for the regulation of the location, size, configuration, materials, and colors of structures and fences in those areas of the County of Monterey where the design review of structures is appropriate to assure protection of the public viewshed, neighborhood character, and to assure the visual integrity of certain developments without imposing undue restrictions on private property.

PEBBLE BEACH COMPANY LETTER TO HCD

JANUARY 24, 2023



January 24, 2023

Monterey County RMA - Planning
Attn: Mary Israel, Senior Planner
1441 Schilling Place, 2nd Floor
Salinas, CA 93901

PEBBLE BEACH
COMPANY

Re: 1170 Signal Hill Drive, Pebble Beach (the "Project")

Dear Ms. Israel:

In addition to review and approval by Monterey County, the Project also needs to undergo review and approval by the Pebble Beach Architectural Review Board ("ARB") pursuant to the CC&Rs in all Del Monte Forest deeds. While the Project has not yet been submitted to the ARB for review, we want to comment on certain aspects of the Project, as portrayed in recent media coverage, that may raise concerns with the ARB in the future, and perhaps can be addressed during the County approval process in order to prevent delay during future ARB review.

I understand that the project, as proposed, would nearly triple the size of the existing structure, from just over 4,000 square feet to nearly 12,000 square feet. In some areas of Del Monte Forest, a large new home like this one might fit in, but, in the Signal Hill area, the homes are much more modest in size, so as not to overwhelm the incredible natural setting of the dune-like neighborhood. The size of the proposed home will likely raise concerns with the ARB with respect to the Project's negative impact on both the character of the residential neighborhood and the native dune backdrop.

Additionally, the Project as proposed would almost double the height of the existing low-profile structure, from 16' to 30'. Although homes in this area are technically subject to a 30' height limitation, Pebble Beach Company has an interest in protecting the natural beauty of this section of the world famous 17-Mile Drive on behalf of the hundreds of thousands of visitors who flock to Monterey County annually to admire the coastline and adjacent dunes. A structure looming over the dunes as viewed from the coastal 17-Mile Drive will likely be considered detrimental to the public viewshed, both by the ARB as well as the California Coastal Commission. I believe even the 25' maximum height recommended by staff would make the structure taller than any of the neighboring properties.

Finally, as mentioned above, the incomparable beauty of the 17 Mile Drive coastline is attributable in part to the adjacent native dunes and the coastal species that thrive there. Projects that have the potential to impact environmentally sensitive habitat areas are always subject to enhanced scrutiny by the ARB.

We appreciate your consideration of these potential concerns as you review the project at 1170 Signal Hill Drive.

Sincerely,

David Heuck
Executive Vice President and Chief Administrative Officer

LEGAL AFFAIRS

Post Office Box 1787, Pebble Beach, California 93953 831.647.7500 telefax 831.625.8411 faxmail

Pebble Beach Company letter to RMA (HCD) dated January 23, 2023

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DEVELOPMENT OUT OF SCALE WITH THE NEIGHBORHOOD

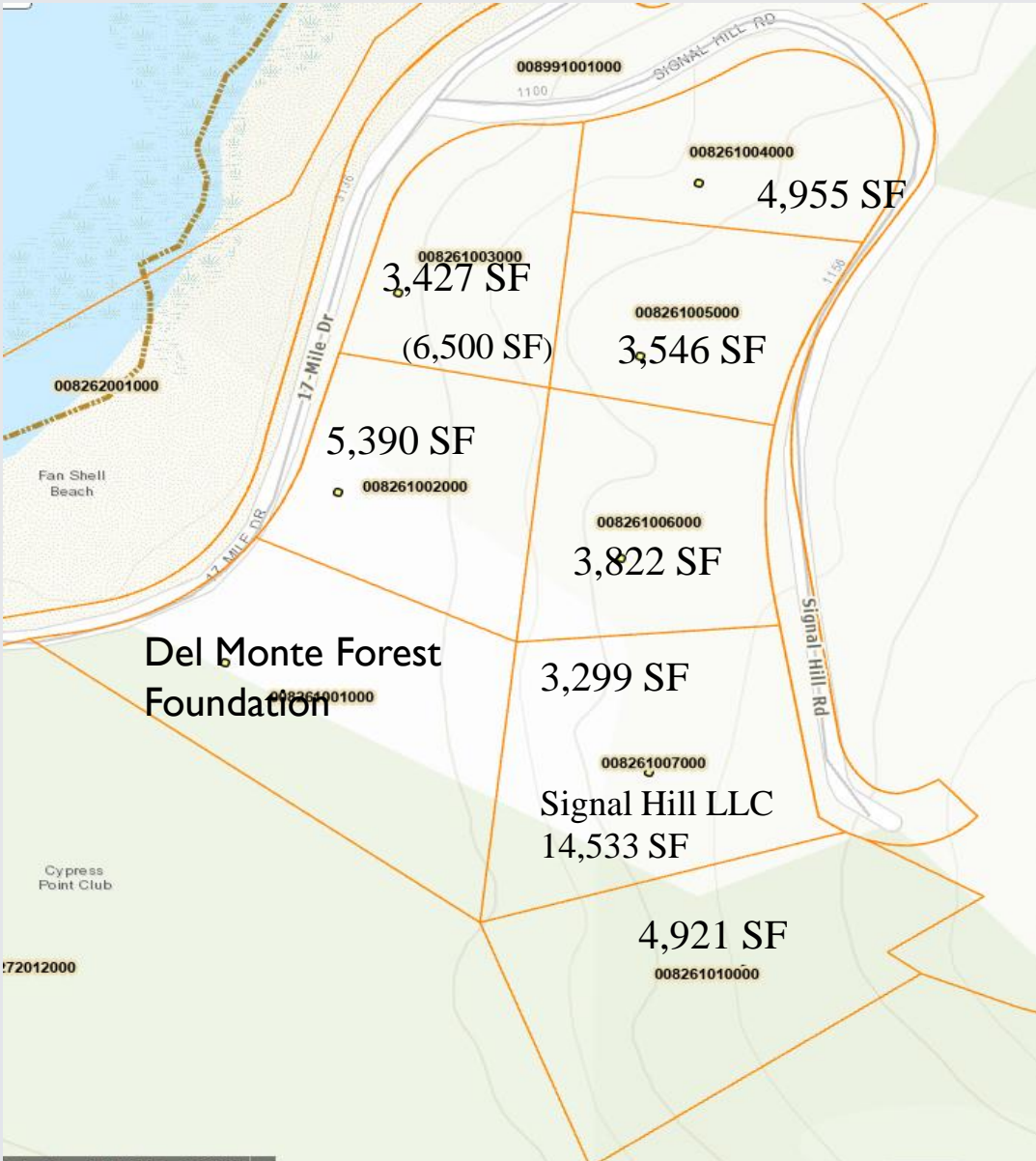
Current View from 17 Mile Drive



Proposed Home



NEIGHBORHOOD HOUSE SIZE (SOURCE MONTEREY COUNTY ASSESSOR)



Average: 4,194 SF
(4,636 SF)

Proposed 11,933 SF
plus 2,600 SF
covered terraces.



ALTERNATIVES FROM TABLE 5-1 OF THE COUNTY'S FEIR

- Feasible: “*capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, legal, social, and technological factors.*” (Section 15364).”
- FEIR Alternatives which preserve the Connell House:
 - Alternative 1: Preservation : **Feasible** and **Environmentally Superior Alternative**.
 - Alternative 2: Preservation and Adaptive Reuse : **Feasible**, but potentially inconsistent... (*but certain adaptive uses might be consistent.*)
 - Alternative 4: Project Integration : Preserves the Connell House... meet most of the Applicant’s identified project objectives... would be **feasible**...
 - Alternative 6: Reduced Project: “Reduce the size of the proposed single-family residence to fit within the existing developed footprint... reduce building heights to avoid any extension above the ridgeline... **feasible** and would **meet most of the project objectives** by providing single-family residential use at the project site of a **size compatible with the surrounding community**...”
 - Alternative 7, Neutra-Inspired Redesign: Would “include completely demolishing the Connell House, but would redesign the proposed single-family residence to echo Richard Neutra’s design for the new development... This alternative is **feasible and would meet most of the project objectives**... this alternative would require demolition of the Connell House and would not avoid or substantially lessen the significant unavoidable impact to the historic structure...”.

PROPOSED STATEMENT OF OVERRIDING CONSIDERATIONS

- “The Project would result in a custom-built estate home...” (PC Finding 9 (i))
- “The Project will create **economic benefits** to the County and the economy through the **creation of jobs for construction** (temporary), and the **creation of new property tax revenue** through higher property valuation.” (PC Finding 9 (iv))
- “The applicant has repeatedly expressed to staff that they **do not wish to live in the Neutra designed house.**” (PC Finding 9 (v))

STAFF'S PREVIOUS RECOMMENDATIONS

- “the “Preservation” alternative in the EIR appears to be the environmentally superior alternative, the property owner has clearly expressed that they will not actually implement this alternative.” (January 25th Staff Report to the Planning Commission, Page 3).
- “From a legal perspective, denial of the proposed rebuild, and approval of a project alternative that does not include demolition of the existing structure, will also likely lead to lawsuits from the property owner” (January 5th Staff report to the HRRB, Page 4).