# Exhibit C



### DRAFT RESOLUTION

### Before the Planning Commission in and for the County of Monterey, State of California

In the matter of the application of:

# CARL D AND MARY JANE PANATTONI TRS (PLN150500) RESOLUTION NO. ----

Resolution by the Monterey County Hearing Body:

- Certifying that the Planning Commission has considered an addendum together with the Mitigated Negative Declaration pursuant to CEQA Guidelines Section 15164; and
- 1. Approve a Combined Development Permit to allow:
  - a Coastal Development Permit for a Lot Line Adjustment to merge three legal parcels into two parcels;
  - Coastal Administrative Permit and Design Approval to allow the demolition of an existing single family dwelling and construct a new single family dwelling with attached garage;
  - c Coastal Administrative Permit and Design Approval to construct a new single family dwelling with an attached garage;

based on the findings and evidence and subject to 25 conditions of approval.

[PLN150500, Carl D and Mary Jane Panattoni TRS 1476 and 1482 Cypress Drive, Pebble Beach (Assessor's Parcel Numbers 008-455-007-000, 008-455-008-000 and 008-411-017-000), Del Monte Forest Land Use Plan, Coastal Zone]

The Panattoni application (PLN150500) came on for public hearing before the Monterey County Planning Commission on June 29, 2016. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Planning Commission finds and decides as follows:

### **FINDINGS**

1. **FINDING: CONSISTENCY** – The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate

for development.

**EVIDENCE:** a) During the course of review of this application, the project has been

reviewed for consistency with the text, policies, and regulations in:

- the 1982 Monterey County General Plan;

- Monterey County Zoning Ordinance (Title 20), and
- Del Monte Forest Land Use Plan (LUP).
- Monterey County Coastal Implementation Plan (CIP), Part 5 No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
- b) The properties are located at 1476 and 1482 Cypress Drive, Pebble Beach (Assessor's Parcel Numbers 008-455-007-000, 008-455-008-000 and 008-411-017-000), Del Monte Forest Land Use Plan, Coastal Zone. The parcels are zoned "LDR/1.5-D (CZ)" Low Density Residential, 1.5 acres per unit, Design Control District in the Coastal Zone, which allows for residential development. Therefore, the project is an allowed land use for this site.
- c) <u>Design Control</u> Design Control, or "D" zoning as provided at Chapter 20.44 of the Monterey County Ordinance (Title 20) requires design review of structures in order to assure the protection of public viewshed, neighborhood character, and the visual integrity of certain developments without imposing undue restrictions on private property Both houses will be similar to each other and will consist of a modern architectural style with flat built up roofs (black tar and gravel), painted textured plaster siding (tan neutral color), anodized aluminum windows (silver), zinc garage doors and glass guardrails. The proposed colors and materials would be consistent with the neighborhood character.
- d) Simple and Direct Access. The Del Monte Forest Land Use Plan requires new residential driveways and other vehicular surfaces to be the minimum length and width necessary to provide simple, direct access, and surfaces shall be designed to minimize runoff (including through use of permeable materials, filtration strips, and use of engineered collection /treatment units. (Policy 1 LUP & 21.147.030A.1.a CIP)

This long looping driveway is not consistent with simple and direct access. In order to compensate for this and in combination with exceeding the Pescadero Watershed Impervious Surface Coverage requirements, the applicant is proposing to limit the size of the house on the upper parcel. The purpose of the simple and direct access is to minimize site disturbance. In exchange for the disturbance of a larger driveway the size of the house would be reduced. Staff finds this an acceptable solution to meeting the intent of the policy.

e) Scenic and Visual Resources: The LCP protects the scenic and visual resources of the Del Monte Forest, including specific policies related to the 17-Mile Drive corridor (LUP Policies 53 and 56 and Section 20.147.070 CIP). Design and siting of structures in public views of scenic areas should not detract from scenic values of the forest. New development, including such structures as fences constructed between 17 Mile Drive and the sea, shall be designed and sited to minimize obstructions of and degradation to views from the road to the sea.

Height limits, use of see-through materials for fences, and limitations on landscape materials that would block views, are methods that should be used to reduce obstruction.

The site is being brought into conformance with the policies of the LUP to provide visibility through the fencing in the front. A condition of approval has been added to require the fence to be removed and replaced with a fence of wall that provides for open vistas into the forest on the site and toward the ocean. A minimum of 50 percent of the frontage needs to have fence materials that allow visibility through to the forest and ocean. These open areas must be at locations to provide visibility of the ocean where available. The building extends essentially from side setback to side setback. The structure on the lower parcel is being reduced in size to conform to zoning requirements. The reductions will require that they will facilitate blue water views across the property from 17 mile drive. This will include removal of walls and fences proposed around the motorcourt.

- f) The proposed project does not include any development on slopes exceeding 30%, there is no Environmentally Sensitive Habitat Areas (ESHA) located on the site and the parcel is not located within a viewshed. An archaeological report, prepared by Archaeological Consulting, concluded that the project area does not contain surface or subsurface evidence of potentially significant cultural resources, therefore, a standard condition for negative reports has been added as a condition of approval (Condition #3).
- g) <u>No Violations</u> The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's zoning ordinance. No violations exist on the property.
- h) Health and Safety The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County. Necessary public facilities will be provided. Water and sewer service will be provided by California American Water and Pebble Beach Community Services District.
- i) The project planner conducted a site inspection on July 22, 2015 and May 24, 2016 to verify that the project on the subject parcel conforms to the plans listed above.
- j) On March 3, 2016, the Del Monte Forest Land use Advisory Committee recommended approval (5-0 vote) with no changes to the proposed project. They had no issues and were pleased with the proposal.
- k) The application, project plans, and related support materials submitted by the project applicant to Monterey County RMA-Planning for the

proposed development found in Project File PLN150500.

2. **FINDING: SITE SUITABILITY** – The site is physically suitable for the use proposed.

EVIDENCE: a) The project has been reviewed for site suitability by the following departments and agencies: RMA- Planning, Pebble Beach Community Services District, RMA-Public Works, RMA-Environmental Services, Environmental Health Bureau, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.

- b) Staff identified potential impacts to archaeological resources and geotechnical hazards. The following reports have been prepared:
  - "Geotechnical Investigation Updates" (LIB160064 & LIB160065) prepared by Haro, Kasunich and Associates, Watsonville, CA January 27, 2016;
  - "Tree Impact Analysis" (LIB160062) prepared by Maureen Hamb, Santa Cruz, CA, February 9, 2015;
  - "Archaeological Findings Update" (LIB160063) prepared by Archaeological Consulting, Salinas, CA, November 24, 2015.

The above-mentioned technical reports by outside consultants indicated that there are no physical or environmental constraints that would indicate that the site is not suitable for the use proposed. County staff has independently reviewed these reports and concurs with their conclusions.

- Previous Tree Removal: In 2009 (PLN090366) a Waiver of a Coastal Development Permit was granted to allow the removal of 29 Monterey Pine trees for future development of both the Lower Parcel and Upper Parcel. Pursuant to 20.147.050.C.6, of the Del Monte Forest Coastal Implementation Plan, where removal of native trees is allowed for development, such removal shall be mitigated through replanting or forest preservation either on or off site, whichever is better overall for forest resources. A Forest Management Plan prepared by Maureen Hamb, Certified Arborist, recommended tree replacement on-site. She has inspected and has been monitoring the replacement trees since 2009. She determined that replanting of Monterey Cypress was appropriate for the project site due to the decline and death of the Monterey pine seedlings. As of today's date, eight coast live oaks and 100-130 Monterey Cypress have been planted. Therefore, there are no unresolved conditions of approval for tree removal. This project does not propose any additional tree removal. A Condition of Approval will require that existing trees will be protected during construction.
- d) <u>Archaeological Resources:</u> An updated archaeological report prepared by Archaeological Consulting determined that since monitoring was done on the previous project for Parcel 008-455-007, and nothing was found during construction, there is no need for archaeological

monitoring for the proposed project. No evidence of archaeological resources was found on Parcel 008-455-008. The updated archaeological report does not recommend archaeological monitoring for the proposed project.

### 3. **FINDING:**

**CEQA (Addendum): -** An Addendum to a previously certified Mitigated Negative Declaration (MND) was prepared pursuant to Code of Regulations, Title 14, Section 15164 to reflect changes or additions in the project that do not cause substantial changes or new information that would require major revisions to the adopted MND.

**EVIDENCE:** 

- A Mitigated Negative Declaration (MND) was prepared for PLN070607 and was circulated between October 9, and November 9, 2008. Pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15162, when an MND has been certified, no subsequent MND shall be prepared for the project unless the agency determines that substantial changes are proposed which require major revisions or substantial changes occur with respect to the circumstances under which the project is undertaken due to new significant environmental effects. In this case, no new information has been presented to warrant further environmental review. The proposed structures are
- b) An Addendum to the Mitigated Negative Declaration (MND) was prepared pursuant to Code of Regulations, Title 14, Section 15164 (CEQA Guidelines). The MND adopted for the previous project identified potential impacts to aesthetics, air quality, biological resources, cultural resources, geology/soils, hazards/hazardous materials, hydrology/water quality and land use/planning. The proposed project will have the same or fewer impacts than the previous project.
- c) The project includes a lot line adjustment to merge three parcels into two parcels, the demolition of a 5,370 square foot one-story single family dwelling; the construction of a 12,092 square foot two-story single family dwelling with attached 563 square foot garage within the same general footprint as the existing home on the Lower Parcel; and the construction of a 2,204 square foot single family dwelling with attached 781 square foot garage on the Upper Parcel.
- d) The proposed project is in the same general footprint as the previous project. The previous project included a mitigation measure for the loss of a landmark oak tree. The Certified Arborist has been inspecting and monitoring replacement trees since 2009. She confirmed that eight coast live oaks and 100 to 130 Monterey Cypress have been planted on site; and therefore, no conditions of approval are required for tree replacement. The proposed project requires no tree removal. The previous project identified a known archaeological site that extends onto APNs 008-455-007-000 and 008-411-017-000. No archaeological resources have been identified on APN 008-455-008-000. The updated archaeological report does not recommend archaeological monitoring

for the proposed project. The previous project identified potential impacts from asbestos and lead-based paint. The proposed project will have no impacts on the environment with regard to asbestos or lead-based paint. Both proposed residences are over 100 feet from the edge of the coastal bluff. The proposed project includes a drainage interceptor to collect and percolate surface run-off and prevent it from entering Carmel Bay. The proposed single family dwelling on APN - 008 will have no impacts to the resources identified in the previous Mitigated Negative Declaration.

- e) Mitigation Measures #2 (tree and root protection), #3 (nesting birds), and #4 (native landscaping) will continue to apply to the proposed project. Mitigation Measures #1 (tree replacement), #5 (archaeological monitor), #6 (asbestos abatement), and #7 (lead paint disposal) are no longer applicable to the proposed project.
- f) No adverse environmental effects were identified other than what was analyzed in the MND during staff review of the development application during a site visit on July 22, 2015 and may 24, 2016.

### 4. **FINDING:**

**LOT LINE ADJUSTMENT** – Section 66412 of the California Government Code (Subdivision Map Act) Title 19 (Subdivision Ordinance) of the Monterey County Code states that lot line adjustments may be granted based upon the following findings:

- 1. The lot line adjustment is between four (or fewer) existing adjoining parcels;
- 2. A greater number of parcels than originally existed will not be created as a result of the lot line adjustment;
- 3. The parcels resulting from the lot line adjustment conform to the County's general plan, any applicable specific plan, any applicable coastal plan, and zoning and building ordinances.

### **EVIDENCE:**

- a) The subject property is located at 1476 Cypress Drive, Pebble Beach (Assessor's Parcel Numbers 008-455-007-000 and 008-411-017-000). The parcel is zoned "LDR/1.5-D (CZ)" Low Density Residential, 1.5 acres per unit, Design Control District in the Coastal Zone.
- b) The Lot Line Adjustment will not create a greater number of parcels than originally existed. Three contiguous separate legal parcels of record will be adjusted into two separate legal parcels of record will result from the adjustment. No new parcels will be created.
- c) The proposed lot line adjustment is not consistent as proposed with the Monterey County Zoning Ordinance (Title 20). Minimum building site shall be 1 acre. Two of the three parcels currently conform to the minimum lot size of one acre and the proposal would create one conforming parcel and one non-conforming parcel. The Lot Line Adjustment has been conditioned to require both newly created parcels to conform to the minimum one acre minimum lot size.
- d) As an exclusion to the Subdivision Map Act, no map is recorded for a Lot Line Adjustment. In order to appropriately document the boundary

- changes, a Certificate of Compliance for the new lot is required per a standard condition of approval (See Condition #21).
- e) The project planner conducted a site inspection on July 22, 2015 and May 24, 2016 to verify that the project would not conflict with zoning or building ordinances.
- f) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN150500.

### 5. **FINDING:**

### SITE COVERAGE (DEL MONTE FOREST WATERSHEDS) –

The project limits structural and impervious surface coverage in order to reduce runoff within the Pescadero, Seal Rock Creek, and Sawmill Gulch Watersheds and some smaller unnamed watersheds that drain into the Carmel Bay Area of Special Biological Significance (ASBS).

**EVIDENCE:** a)

- The Del Monte Forest Coastal Implementation Plan –Part 5 limits development of parcels within the Pescadero Watershed to a maximum site coverage of 9,000 square feet. Pursuant to Section 20.147.030.A.1.b of the Del Monte Forest Coastal Implementation Plan Part 5, Impervious surface (structural and site improvements) coverage is limited to a maximum of 9,000 square feet. The proposed development on the "Lower Parcel" proposes 7,533 square feet of structural coverage and 3,420 square feet of impervious surface area for a total of 10,953 square feet (1,953 square feet over the allowable 9,000 square feet). For the Upper Parcel, proposed lot coverage is 2,985 square feet and impervious surface coverage is 2,046 square feet for a total of 5,031 square.
- b) The applicants are proposing a deed restriction limiting the total building and impervious coverage on both the upper and lower parcels to a maximum of 16,000 square feet (which is 2,000 square feet or 12.5% less than the 18,000 square feet combined Pescadero Watershed maximum). This reduces an overall impact to the Pescadero Watershed.
- d) The application, plans and supporting materials submitted by the project applicant to Monterey County RMA-Planning for the proposed development are found in Project File PLN150500.

### 6. **FINDING:**

**PUBLIC ACCESS** – The project is in conformance with the public access and recreation policies of the Coastal Act (specifically Chapter 3 of the Coastal Act of 1976, commencing with Section 30200 of the Public Resources Code) and Local Coastal Program, and does not interfere with any form of historic public use or trust rights.

**EVIDENCE:** a)

- No access is required as part of the project as no substantial adverse impact on access, either individually or cumulatively, as described in Section 20.70.050.B.4.c of the Monterey County Coastal Implementation Plan can be demonstrated.
- b) The subject property is not described as an area where the Local Coastal Program requires public access (Figure 16 in the Del Monte Forest Land Use Plan).

- c) No evidence or documentation has been submitted or found showing the existence of historic public use or trust rights over this property.
- d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN150500.
- 7. **FINDING:** APPEALABILITY The decision on this project may be appealed to the Board of Supervisors and the California Coastal Commission.
  - **EVIDENCE:** a) Section 20.86.030 of the Monterey County Zoning Ordinance states that the proposed project is appealable to the Board of Supervisors
    - b) Section 20.86.080.A.3 of the Monterey County Zoning Ordinance states that the proposed project is subject to appeal by/to the Coastal Commission because the project is located between the first public road and the ocean.

### **DECISION**

**NOW, THEREFORE**, based on the above findings and evidence, the Planning Commission does hereby:

- 1. Certify that the Planning Commission has considered an addendum together with the Mitigated Negative Declaration pursuant to CEQA Guidelines Section 15164; and
- 2. Approve a Combined Development Permit to allow:
  - a Coastal Development Permit for a Lot Line Adjustment to merge three legal parcels into two parcels;
  - b Coastal Administrative Permit and Design Approval to allow the demolition of an existing single family dwelling and construct a new single family dwelling with attached garage;
  - c Coastal Administrative Permit and Design Approval to construct a new single family dwelling with an attached garage;

based on the findings and evidence in substantial conformance to the attached plans and subject to 25 conditions of approval.

PASSED AND ADOPTED this 29th day of, by the following vote:	June, 2016 upon motion of, seconded by
AYES:	
NOES:	
ABSENT:	
ABSTAIN:	
	Carl P. Holm, Planning Commission Secretary
COPY OF THIS DECISION MAILED TO APPL	ICANT ON
THIS APPLICATION IS APPEALABLE TO TH	E BOARD OF SUPERVISORS.

IF ANYONE WISHES TO APPEAL	THIS DECISION, AN APPEAL	L FORM MUST BE COMPLETED
AND SUBMITTED TO THE CLER	K TO THE BOARD ALONG W	TTH THE APPROPRIATE FILING
FEE ON OR BEFORE		

THIS PROJECT IS LOCATED IN THE COASTAL ZONE AND IS APPEALABLE TO THE COASTAL COMMISSION. UPON RECEIPT OF NOTIFICATION OF THE FINAL LOCAL ACTION NOTICE (FLAN) STATING THE DECISION BY THE FINAL DECISION MAKING BODY, THE COMMISSION ESTABLISHES A 10 WORKING DAY APPEAL PERIOD. AN APPEAL FORM MUST BE FILED WITH THE COASTAL COMMISSION. FOR FURTHER INFORMATION, CONTACT THE COASTAL COMMISSION AT (831) 427-4863 OR AT 725 FRONT STREET, SUITE 300, SANTA CRUZ, CA.

This decision, if this is the final administrative decision, is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

### **NOTES**

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from Monterey County RMA-Planning and RMA-Building Services Department office in Salinas.

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

Form Rev. 5-14-2014

### **Monterey County RMA Planning**

# DRAFT Conditions of Approval/Implementation Plan/Mitigation Monitoring and Reporting Plan

PLN150500

### 1. PD001 - SPECIFIC USES ONLY

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure: This Combined Development Permit allows: 1) a Coastal Development Permit for a Lot Line Adjustment to merge three parcels into two 2) a Coastal Administrative Permit and Design Approval to allow the demolition of an existing single family dwelling; and allow the construction of a single family dwelling with attached garage one newly configured parcel, 3) a Coastal Administrative Permit and design approval to allow a single family dwelling with an attached garage on the upper parcel. property is located at 1476 and 1482 Cypress Drive, Pebble Beach (Assessor's Parcel 008-455-008-000 and Numbers 008-455-007-000. 008-411-017-000), Monte Forest Land Use Plan, Coastal Zone. This permit was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of RMA - Planning. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit allowed unless additional permits are approved the by To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

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### 2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: RMA

RMA-Planning

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:

"A Combined Development Permit (Resolution Number \*\*\*) was approved by the Planning Commission for Assessor's Parcel Numbers 008-455-007-000, 008-411-017-000 and 008-455-008-000 on May 25, 2016. The permit was granted subject to 25 conditions of approval which run with the land. A copy of the permit is on file with Monterey County RMA - Planning."

Proof of recordation of this notice shall be furnished to the Director of RMA - Planning prior to issuance of grading and building permits, Certificates of Compliance, or commencement of use, whichever occurs first and as applicable. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits, certificates of compliance, or commencement of use, whichever occurs first and as applicable, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning.

### 3. PD003(A) - CULTURAL RESOURCES NEGATIVE ARCHAEOLOGICAL REPORT

Responsible Department:

RMA-Planning

Condition/Mitigation Monitoring Measure:

during the course of construction, cultural, archaeological, historical paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. Monterey County RMA - Planning and a archaeologist registered with the qualified archaeologist (i.e., an Professional Archaeologists) shall be immediately contacted bγ the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for recovery.

(RMA - Planning)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to this condition on an on-going basis.

Prior to the issuance of grading or building permits and/or prior to the recordation of the final/parcel map, whichever occurs first, the Owner/Applicant shall include requirements of this condition as a note on all grading and building plans. The note shall state "Stop work within 50 meters (165 feet) of uncovered resource and contact Monterey County RMA - Planning and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered."

When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.

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### 4. PD004 - INDEMNIFICATION AGREEMENT

Responsible Department:

RMA-Planning

Condition/Mitigation Monitoring Measure:

The property owner agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his/her/its obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of property, filing of the final map, recordation of the certificates of compliance whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the County harmless. (RMA - Planning)

Compliance or Monitoring Action to be Performed: Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, or recordation of Certificates of Compliance, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the Director of RMA-Planning for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to RMA-Planning .

### 5. PD006(A) - CONDITION COMPLIANCE FEE

Responsible Department:

RMA-Planning

Condition/Mitigation
Monitoring Measure:

The Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors, for the staff time required to satisfy conditions of approval. The fee in effect at the time of payment shall be paid prior to clearing any conditions of approval.

Compliance or Monitoring Action to be Performed:

Prior to clearance of conditions, the Owner/Applicant shall pay the Condition Compliance fee, as set forth in the fee schedule adopted by the Board of Supervisors.

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### 6. PD014(A) - LIGHTING - EXTERIOR LIGHTING PLAN

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure:

All exterior lighting shall be unobtrusive, down-lit, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The lighting source shall be shielded and recessed into the fixture. The applicant shall submit three (3) copies of an exterior lighting plan which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The lighting shall comply with the requirements of the California Energy Code set forth in California Code of Regulations Title 24 Part 6. The exterior lighting plan shall be subject to approval by the Director of RMA - Planning, prior to the issuance of building permits.

(RMA - Planning)

Compliance or Monitoring Action to be Performed: Prior to the issuance of building permits, the Owner/Applicant shall submit three copies of the lighting plans to RMA - Planning for review and approval. Approved lighting plans shall be incorporated into final building plans.

Prior to final/occupancy, the Owner/Applicant/Contractor shall submit written and photographic evidence demonstrating that the lighting has been installed according to the approved plan.

On an on-going basis, the Owner/Applicant shall ensure that the lighting is installed and maintained in accordance with the approved plan.

### 7. CALIFORNIA CONSTRUCTION GENERAL PERMIT

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: The applicant shall submit a Waste Discharger Identification (WDID) number certifying the project is covered under the California Construction General Permit. (RMA-Environmental Services)

Compliance or Monitoring Action to be Performed: Prior to issuance of any grading or building permits, the applicant shall submit a WDID number certifying the project is covered under the California Construction General Permit.

### 8. EROSION CONTROL PLAN

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure: The applicant shall submit an erosion control plan in conformance with the requirements of Monterey County Code Chapter 16.12. The erosion control plan may be combined with the grading plan or stormwater control plan provided it is clearly identified. The erosion control plan shall include a construction entrance, concrete washout, stockpile area(s), material storage area(s), portable sanitation facilities and waste collection area(s), as applicable. (RMA-Environmental Services)

Compliance or Monitoring Action to be Performed:

Prior to issuance of any grading or building permits, the applicant shall submit an erosion control plan to RMA-Environmental Services for review and approval.

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### 9. GEOTECHNICAL CERTIFICATION

Responsible Department: Environmental Services

Condition/Mitigation The applicant shall provide certification from a licensed practitioner that all Monitoring Measure: development has been constructed in accordance with the recommendations in the

project Geotechnical Investigation. (RMA- Environmental Services)

Compliance or Monitoring Action to be Performed:

Prior to final inspection, the owner/applicant shall provide RMA-Environmental Services a letter from a licensed practitioner.

### 10. GRADING PLAN

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure:

The applicant shall submit a grading plan incorporating the recommendations in the project Geotechnical Investigation prepared by Haro, Kasunich and Associates, Inc. The grading plan shall identify the extent of all areas requiring shoring during construction, and the shoring details shall be included on the grading plan. The geotechnical inspection schedule shall also be included on the plan, and the applicant shall provide certification from the licensed practitioner that the grading plan incorporates their geotechnical recommendations. (RMA-Environmental Services)

Compliance or Monitoring Action to be Performed: Prior to issuance of any grading or building permits, the applicant shall submit a grading plan to RMA-Environmental Services for review and approval.

Prior to issuance of any grading or building permits, the applicant shall submit certification from a licensed practitioner that they have reviewed the grading plan for conformance with the geotechnical recommendations.

### 11. INSPECTION-DURING ACTIVE CONSTRUCTION

Responsible Department: Environmental Services

Condition/Mitigation Monitoring Measure:

The applicant shall schedule an inspection with RMA-Environmental Services to inspect drainage device installation, review the maintenance and effectiveness of BMPs installed, and to verify that pollutants of concern are not discharged from the site. At the time of the inspection, the applicant shall provide certification that all necessary geotechnical inspections have been completed to that point. This inspection requirement shall be noted on the Erosion Control Plan. (RMA – Environmental Services)

Compliance or Monitoring Action to be Performed: During construction, the applicant shall schedule an inspection with RMA-Environmental Services.

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### 12. INSPECTION-FOLLOWING ACTIVE CONSTRUCTION

Responsible Department: Environmental Services

Condition/Mitigation The applicant shall schedule an inspection with RMA-Environmental Services to Monitoring Measure: ensure all disturbed areas have been stabilized and all temporary erosion and

sediment control measures that are no longer needed have been removed. This inspection requirement shall be noted on the Erosion Control Plan. (RMA –

**Environmental Services**)

Compliance or Monitoring Action to be Performed: Prior to final inspection, the owner/applicant shall schedule an inspection with RMA-Environmental Services.

### 13. INSPECTION-PRIOR TO LAND DISTURBANCE

Responsible Department: Environmental Services

Condition/Mitigation The ap

The applicant shall schedule an inspection with RMA-Environmental Services to ensure all necessary sediment controls are in place and the project is compliant with Monterey County regulations. This inspection requirement shall be noted on the

Erosion Control Plan. (RMA – Environmental Services)

Compliance or Monitoring Action to be Performed: Prior to commencement of any land disturbance, the owner/applicant shall schedule an inspection with RMA-Environmental Services.

### 14. PW0043 - REGIONAL DEVELOPMENT IMPACT FEE

Responsible Department: RMA-Public Works

Condition/Mitigation Pric

Prior to issuance of building permits, applicant shall pay the Regional Development

Impact Fee

(RDIF) pursuant to Monterey Code Chapter 12.90. The fee amount shall be

determined based on the

parameters adopted in the current fee schedule.

Compliance or Monitoring Action to be Performed: Prior to issuance of Building Permits Owner/Applicant shall pay Monterey County Building Services Department the traffic mitigation fee. Owner/Applicant shall submit

proof of payment to the DPW.

### 15. PW0045 - COUNTYWIDE TRAFFIC FEE

Responsible Department: RMA-Public Works

Condition/Mitigation Prior to issuance of building permits, the Owner/Applicant shall pay the Countywide Monitoring Measure:

Traffic Fee or the ad hoc fee pursuant to General Plan policy C-1.8. The fee amount

shall be determined based on the parameters in the current fee schedule.

Compliance or Monitoring Action to be Performed:

Prior to issuance of Building Permits, the Owner/Applicant shall pay Monterey County Building Services Department the traffic mitigation fee. The Owner/Applicant shall

submit proof of payment to the DPW.

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### 16. WR003 - DRAINAGE PLAN - RETENTION

Responsible Department: Water Resources Agency

Condition/Mitigation Monitoring Measure:

The applicant shall provide a drainage plan, prepared by a registered civil engineer or licensed architect, to demonstrate compliance with the stormwater policies of the Del Monte Forest Land Use Plan. The plan shall provide on-site retention to prevent off-site discharge from storms less than or equal to the 85th percentile 24-hour rainfall event. If on-site retention is not feasible, then on-site detention with water quality treatment shall be provided. Drainage improvements shall be constructed in accordance with plans approved by the Water Resources Agency. (Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to issuance of any construction permit, the owner/applicant shall submit a drainage plan with the construction permit application.

The Building Services Department will route a plan set to the Water Resources Agency for review and approval.

### 17. WR049 - WATER AVAILABILITY CERTIFICATION

Responsible Department: Water Resources Agency

Condition/Mitigation
Monitoring Measure:

The applicant shall provide the Monterey County Water Resources Agency proof of water availability in the form of a complete Monterey Peninsula Water Management District Water Release Form. (Water Resources Agency)

Compliance or Monitoring Action to be Performed: Prior to issuance of any construction permit, the owner/applicant shall submit a Water Release Form to the Water Resources Agency for review and approval.

A copy of the Water Release Form can be obtained at the Monterey Peninsula Water Management District, the Water Resources Agency, or online at: www.mcwra.co.monterey.ca.us.

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### 18. MITIGATION MEASURE #2 TREE AND ROOT PROTECTION (NON STANDARD)

### Responsible Department: RMA-Planning

### Condition/Mitigation **Monitoring Measure:**

TREE AND ROOT PROTECTION: Indirect impacts to on-site trees shall be avoided the maximum extent feasible through avoidance of the critical root zone. this shall be accomplished through the following means:

- a. Protective fencing shall be installed.
- b. Grade changes shall be analyzed once the grading and drainage plans are finalized and the building location is staked. If minor grade changes (1 to 18 inches) or sloping is necessary within 10 feet of a retained tree it can be done manually during the landscape phase of the project. Grade changes over two feet may require the use of a small wall.
- c. No soil excavation shall be carried out except where necessary to install A pre-construction root exploration of all potentially excavated areas foundations. shall be carried out and no roots larger than one inch shall be damaged. Where roots larger than one inch are found, pier and above-grade beam foundations shall be used to achieve this objective.
- d. Trenching for underground services shall be located outside the root zone.
- e. Irrigation trenches shall be located outside the critical root zone. If necessary, supply lines can be located above above grade and covered by mulch. Emitters in these area are restricted to drip-type only.
- f. Soil compaction cause by workers and equipment shall be reduced installation of a mulch layer (wood chips).
- g. Monitoring of the initial site clearing and demolition shall be performed at least twice weekly to ensure compliance wiht the tree protection measures.
- h. Contractors and sub contractors shall be supplied with a copy of the TREE PRESERVATION SPECIFICATIONS in contained the Tree Resource Evaluation before entering the construction site. (RMA Planning)

### Compliance or Monitoring Action to be Performed:

MONITORING ACTION #2: Prior to the start of construction, arborist/botanist shall be retained to identify trees which would be potentially impacted by construction. The arborist/botanist shall ensure that protective fencing is installed, and shall monitor construction during earth disturbing activites within the critical root zone of the oak trees near by to ensure compliance with the above listed measures. The applicant shall submit a report the Resource Management Agency - Planning Department, from a qualified arborist, describing how the measures were implemented and describing impacts, if any to retained trees from construction activities. subsequent Coastal Development Permit may be required if impacts resulting in tree mortality are incurred from construction activities.

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### 19. MITIGATION MEASURE #3 - PRECONSTRUCTION SURVEY FOR NESTING BIRDS (NON- STANDARD)

Responsible Department: RMA-Planning

Condition/Mitigation **Monitoring Measure:** 

PRE-CONSTRUCTION SURVEY FOR NESTING BIRDS. The following mitigation is required in order minimize potentially adverse impacts to native resident special status nesting avian species:

- A pre-construction survey for special status nesting avian species (and other species protected under the Migratory Bird Act) shall be conduction by a qualified biologist at least two weeks prior to tree removal or initiation of construction activities that occur during the nesting/breeding season of native bird species (March 1 through August
- If nesting birds are not found, nor further action would be necessary.
- If a nesting bird or an active nest is found, construction within 200 feet of the nest site, or an appropriate construction buffer established in consultation with the CDFG, should be postponed until after the bird has fledged (or the nest appears to be inactive).

Compliance or Monitoring Action to be Performed:

MONITORING ACTION #3: At least two weeks prior to tree removal of initiation of construction activities that occur during the nesting/breeding season of native bird species (March 1 through August 15), a qualified biologist shall be retained to conduct nesting bird surveys and establish adequate protection fencing limits if necessary. Proof and results of the survey shall be submitted to the RMA - Planning Department for review and approval.

### 20. MITIGATION MEASURE #4: NATIVE LANDSCAPING (NON-STANDARD)

**Responsible Department:** 

RMA-Planning

Condition/Mitigation Monitoring Measure:

NATIVE LANDSCAPING: A Landscape Plan shall be prepared for the proposed project which eliminates large expanses of watered lawn includes native coastal bluff vegetation along the ocean frontage. The Landscape Plan shall also include the proposed tree replacement planting locations and removal of the following invasive species currently located on the property: blackwood acacias (Acacia melanoxylon), yellow wattle acacias (Acacia longifolia), ice plant (Carpobrotus edulis), and kikuyu grass (Pennisetum clandestinum). (RMA - Planning)

Compliance or Monitoring Action to be Performed:

MONITORING ACTION #4: The site shall be landscaped. Prior to the issuance of building permits, three (3) copies of a landscaping plan shall be submitted to the Director of the RMA- Planning Department. The landscaping plan shall be in sufficient detail to identify the locations, species, and size of the proposed landscaping materials and shall include an irrigation plan. the plan shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. Before, occupancy, landscaping shall be either installed or a certificate of deposit or other form of surety made payable to Monterey County for that cost estimate shall be submitted to the Monterey County RMA - Planning Department. All landscaped areas and fences shall be continuously maintained by the applicant; all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition.

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### 21. PD045 - COC (LOT LINE ADJUSTMENTS)

Responsible Department: RMA-Planning

Condition/Mitigation The applicant shall request unconditional Certificates of Compliance for the newly **Monitoring Measure:** 

configured parcels. (RMA - Planning)

Compliance or Monitoring Action to be Performed:

Prior to the expiration of the entitlement, the Owner/Applicant/Surveyor shall prepare legal descriptions for each newly configured parcel and submit them to RMA-Planning for review and approval. The legal descriptions shall be entitled "Exhibit A." The legal description shall comply with the Monterey County Recorder's guidelines as to form The Applicant shall submit the legal descriptions with a check, payable to the Monterey County Recorder, for the appropriate fees to record the Certificates of Compliance.

Prior to the expiration of the entitlement and after the Certificates are recorded, the Owner/Applicant shall file a request and pay the fees for separate assessments or combination assessments (for lot mergers) with the Assessor's Office.

### 22. PDSP - 4 SCENIC RESOURCE

Responsible Department: RMA-Planning

> Condition/Mitigation **Monitoring Measure:**

The fence and gates along the front property line shall be modified to be open for a minimum of 50 percent of the dimension. The openings shall focus on providing views of the ocean and the forest to the maximum extent possible. Other fences or walls on the site shall be modified to preserve and enhance views of the forest and ocean from 17 Mile Drive.

Compliance or Monitoring Action to be Performed:

Prior to Issuance of any construction permits, the plans shall be drawn to reflect these changes.

### 23. PDSP-2 MINIMUM PARCEL SIZE

RMA-Planning **Responsible Department:** 

> Condition/Mitigation The adjusted lots configured by the Lot Line Adjustment shall conform to minimum lot **Monitoring Measure:** sized for the LDR district of one acre in area.

Compliance or

Prior to issuance of a Certificate of Compliance or recordation of deeds the Monitoring configuration of the lots shall be modified to reflect the one acre minimum lot size. Action to be Performed:

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### 24. PDSP-3 CONFORMANCE WITH ZONING REGULATIONS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure:

The house on the flag shaped parcel shall be reduced in size to be consistent with the reduced parcel size required by condition 22. The house shall conform to the LDR district Floor Area Ratio and building coverage requirements in addition to setbacks. The reduction shall be done in such a way as to enhance views to blue water from 17 Mile Drive subject to review and approval of the Resource Management Agency -- Planning.

Compliance or Monitoring Action to be Performed: Prior to issuance of any construction permit the structure shall be modified to comply with this condition.

### 25. PDSP-5 DEED RESTRICTIONS

Responsible Department: RMA-Planning

Condition/Mitigation Monitoring Measure:

Deed restrictions shall be recorded for the following:

• Limiting the total impervious surfaces and site coverage on both Upper and flag shaped Parcels to a total of

16,000 square feet combined.

- Limiting the expansion of future floor area on the Upper Parcel to a total of 5,031 square feet of floor area.
- Prohibiting second floor development on the Upper Parcel in order to avoid visibility of the Upper Parcel from

Cypress Drive.

Compliance or Monitoring Action to be Performed: The Deed Restriction(s) shall be recorded prior to issuance of any construction permits.

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# 1476 CYPRESS DRIVE



1482 CYPRESS DRIVE

# **VICINITY MAP**

# **SHEET INDEX**

C 200 Drainage Plan

C400 Erosion Control and Sediment

L 1.0 Proposed Landscape Plan

A2.0 Proposed Main level Floor Plan 1476

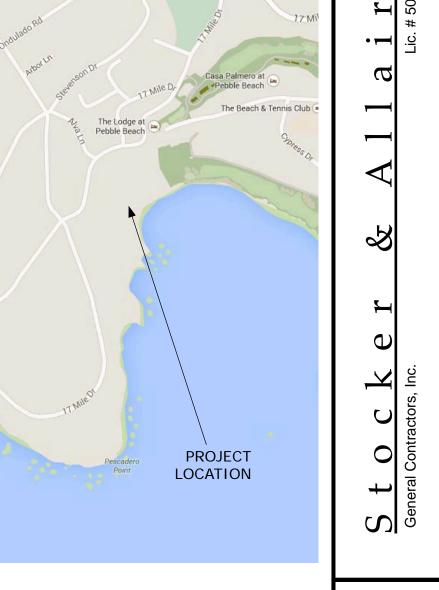
A4.0 Proposed Elevations 1476

A5.0 Proposed Floor Plan 1482

A6.0 Proposed Roof Plan 1482

A7.0 Proposed Elevations 1482 with Materials Samples

SUR Tentative Lot Merger Map



Construction Management

C100 Grading Plan

C300 Civil Notes

Control Plan

A2.1 Proposed Upper Level Floor 1476

A3.0 Proposed Roof Plan 1476

with Materials Samples

**AO.O** 

# 1476 CYPRESS DRIVE

### PROJECT DATA

PROPERTY OWNER:	Carl Panattoni PH: (831) 375-1890	MAX BUILDING HEIGHT:	30 FT. Allowed 24.5 FT. Proposed		BUILDING COVERAGE ALLOWED:		72,316 SF x 15 % 10,847 SF	
PROJECT ADDRESS:	1476 Cypress Drive Pebble Beach, CA 93953	TREE REMOVAL:	NONE		BUILDING		7,533 SF	
APPLICANT:	CYNTHIA SPELLACY STOCKER & ALLAIRE, INC. 21B MANDEVILLE CT.	GRADING:	SITE cut = 13: SITE fill = 20	20 CY	COVERAGE PROPOSED		or 10.4%	
	MONTEREY, CA. 93940 PH: (831) 375-1890	LOT SIZE EXISTING:	7,195 SQ. FT. for 00	8-455-007 8-411-017 /e M.S.L)	BUILDING ALLOWED:		72,316 SF x 17,5 % 12,655 SF	
A.P.#:	008-455-007 008-411-017		58,540 SQ. FT. total		BUILDING PROPOSED		12,655 SF or 17.5%	
ZONING:	LDR/1.5-D(CZ)	LOT SIZE PROPOSED:	72,316 SQ. FT. for 00	8-455-007	FROPOSED		01 17.07B	
PROJECT CODE COMPLIANCE:	2013 CBC, CRC, CPC, CEC, CMC, CFC, CALIFORNIA ENERGY CODE, & GREEN BUILDING CODE				IMPERVIOUS SITE COVERAGE		URAL SITE COVER.	= 4,970 SF
OCCUPANCY GROUP:	R-3	FLOOR AREA EXISTING:	(E) MAIN RESIDENCE MAIN LEVEL UPPER LEVEL	= 4,570 SF = 400 SF	EXISTING:	TOTAL		= 7234 SF = 12,204 SF
CONSTRUCTION TYPE:	V		GARAGE	= 400 SF				- 12,204 3F
TOPOGRAPHY:	Flat Bluff		TOTAL	= 5,370 SF				
	Gentle slope less than 30%	FLOOR AREA	MAIN RESIDENCE MAIN LÉVEL	= 6,942 SF	SITE			= 7,533 SF
SEWER:	PB Community Services	PROPOSED:	UPPER LEVEL GARAGE	= 5,122 SF = 591 SF	COVERAGE PROPOSED:	IMPERVI	OUS SITE COVERA	GE ≈ 3,420 SF

TOTAL

MAX BUILDING 30 FT.

= 12,655 SF

### **DESCRIPTION**

DEMOLITION OF EXISTING 4,970 sf SINGLE FAMILY RESIDENCE RESIDENCE WITH ATTACHED GARAGE WHICH INCLUDES:

CONSTRUCTION OF NEW 12,064 SF SINGLE FAMILY RESIDENCE RESIDENCE WITH ATTACHED 591 SF GARAGE

# 1482 CYPRESS DRIVE

= 10,953 SF

TOTAL

BUILDING SITE 31 598 SE

### **PROJECT DATA**

PROPERTY

SEWER:

WATER:

WATER:

Cal Am Water

Carl Panattoni

PB Community Services

OWNER:	PH: (831) 375-1890	HEIGHT ALLOWED:	0011.		COVERAGE ALLOWED:	x 15 % 4,739.7 SF		
PROJECT ADDRESS:	1482 Cypress Drive Pebble Beach, CA 93953	MAX BUILDING HEIGHT	14.25' FT.		BUILDING S	ITE 2,980 SF		
APPLICANT:	CYNTHIA SPELLACY STOCKER & ALLAIRE, INC. 21B MANDEVILLE CT.	PROPOSED:			COVERAGE PROPOSED:	or 9.4 %		
	MONTEREY, CA. 93940 PH: (831) 375-1890	TREE REMOVAL:	NONE		BUILDING F	AR 31,598 SF		
A.P.#:	008-455-008	GRADING:	incl in above site		ALLOWED:	x 17.5 %		
ZONING:	LDR/1.5-D(CZ)					5,529 SF		
PROJECT CODE COMPLIANCE:	2013 CBC, CRC, CPC, CEC, CMC, CFC, CALIFORNIA ENERGY CODE, & GREEN BUILDING CODE	LOT SIZE EXISTING:	45,374 SQ. FT.		BUILDING F PROPOSED:	AR 2,985 SF or 9.4%		
OCCUPANCY GROUP:	R-3	LOT SIZE PROPOSED:	31,598 SQ. FT.		SITE	STRUCTURAL SITE COV	ERAGE	
CONSTRUCTION TYPE:	v				COVERAGE PROPOSED:	IMPERVIOUS SITE COVE	RAGE	35 SF 46 SF
TOPOGRAPHY:	Flat Bluff Gentle slope less than 30%	FLOOR AREA PROPOSED:	MAIN RESIDENCE MAIN LEVEL GARAGE	= 2,204 SF = 781 SF		TOTAL	= 5,0	31 SF

= 2,985 SF

### DESCRIPTION

CONSTRUCTION OF NEW 2,204 SF SINGLE FAMILY RESIDENCE RESIDENCE WITH ATTACHED 781 SF GARAGE

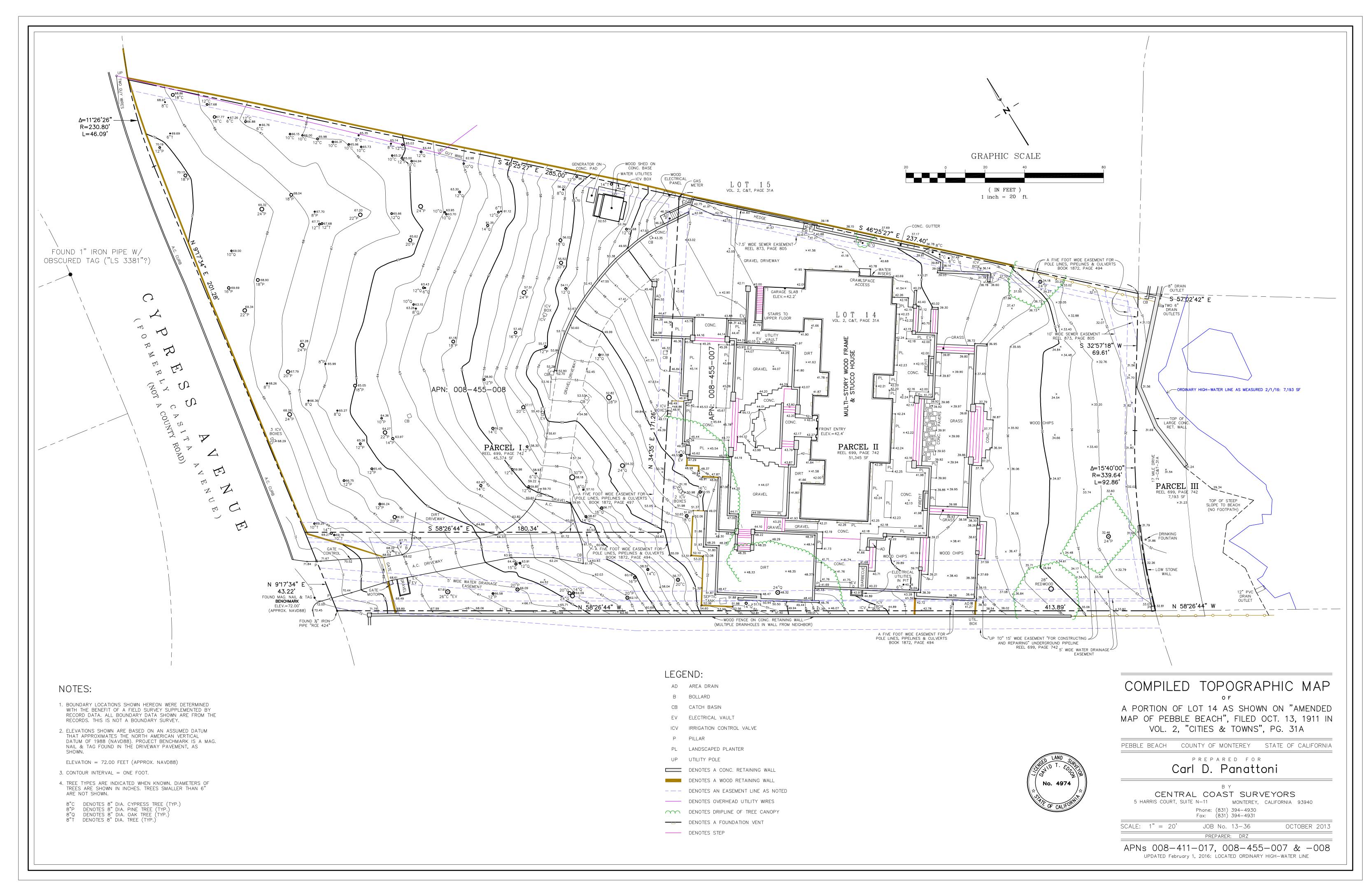
PANATTONI RESIDENCES

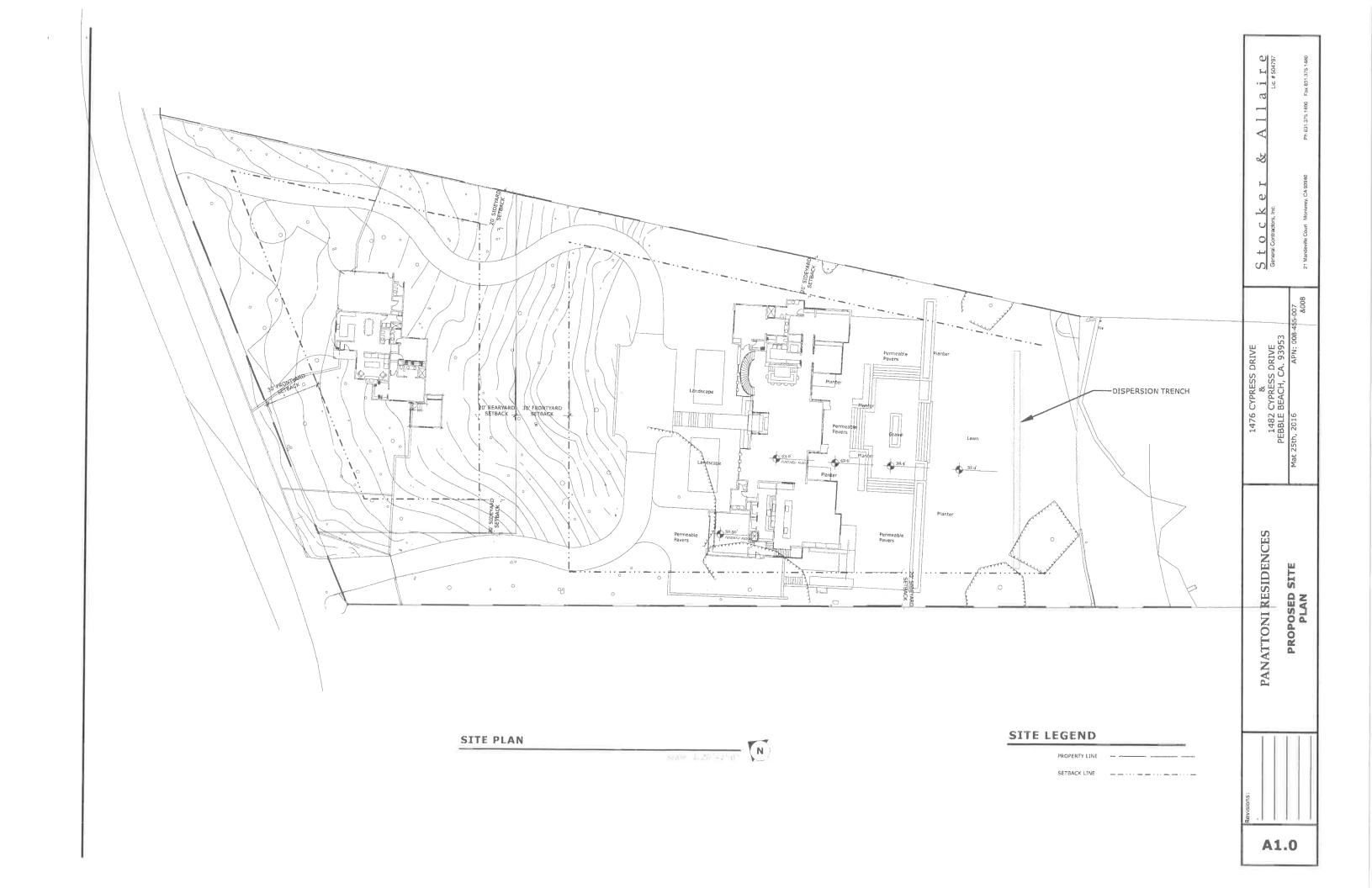
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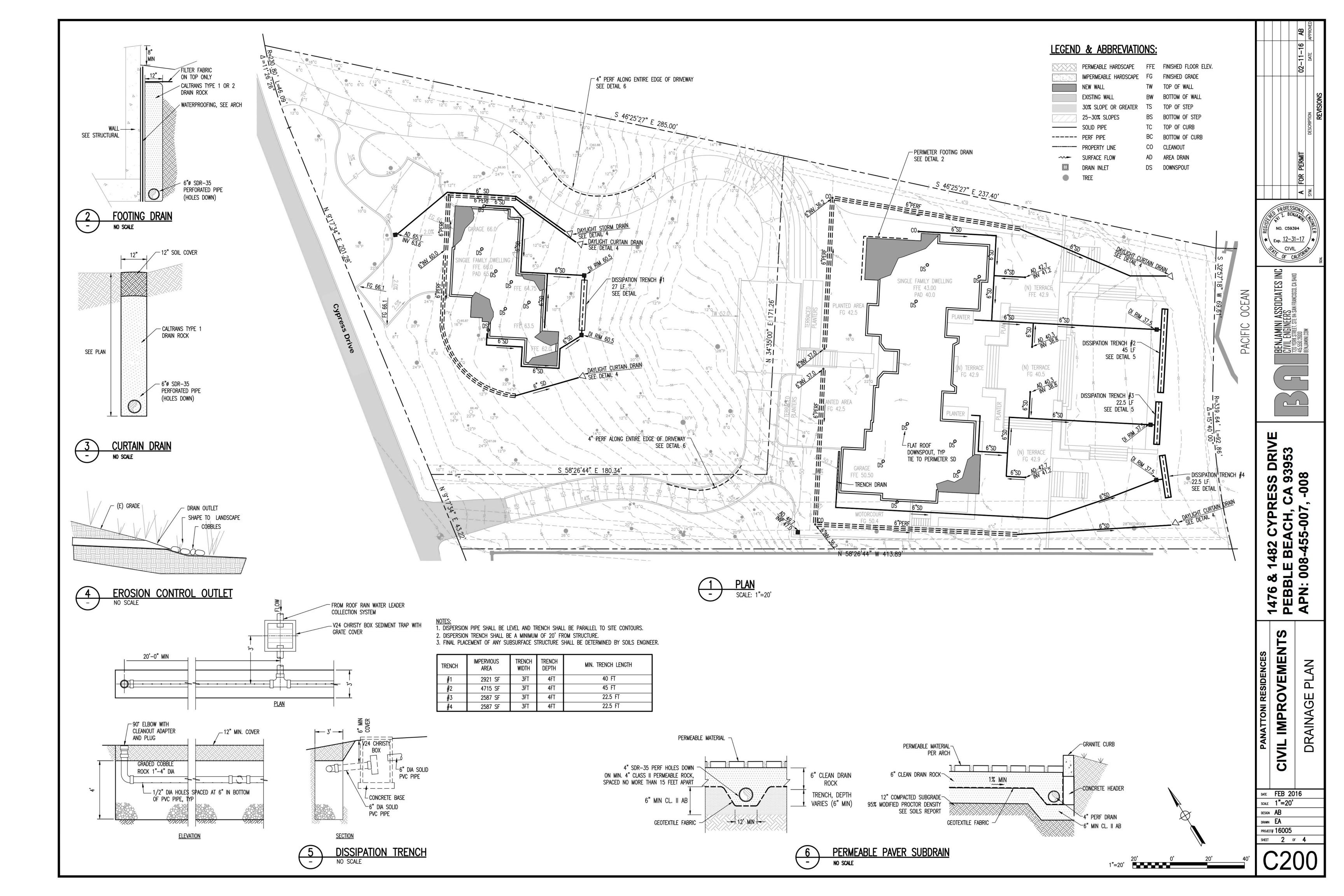
1476 CYPRESS DRIVE

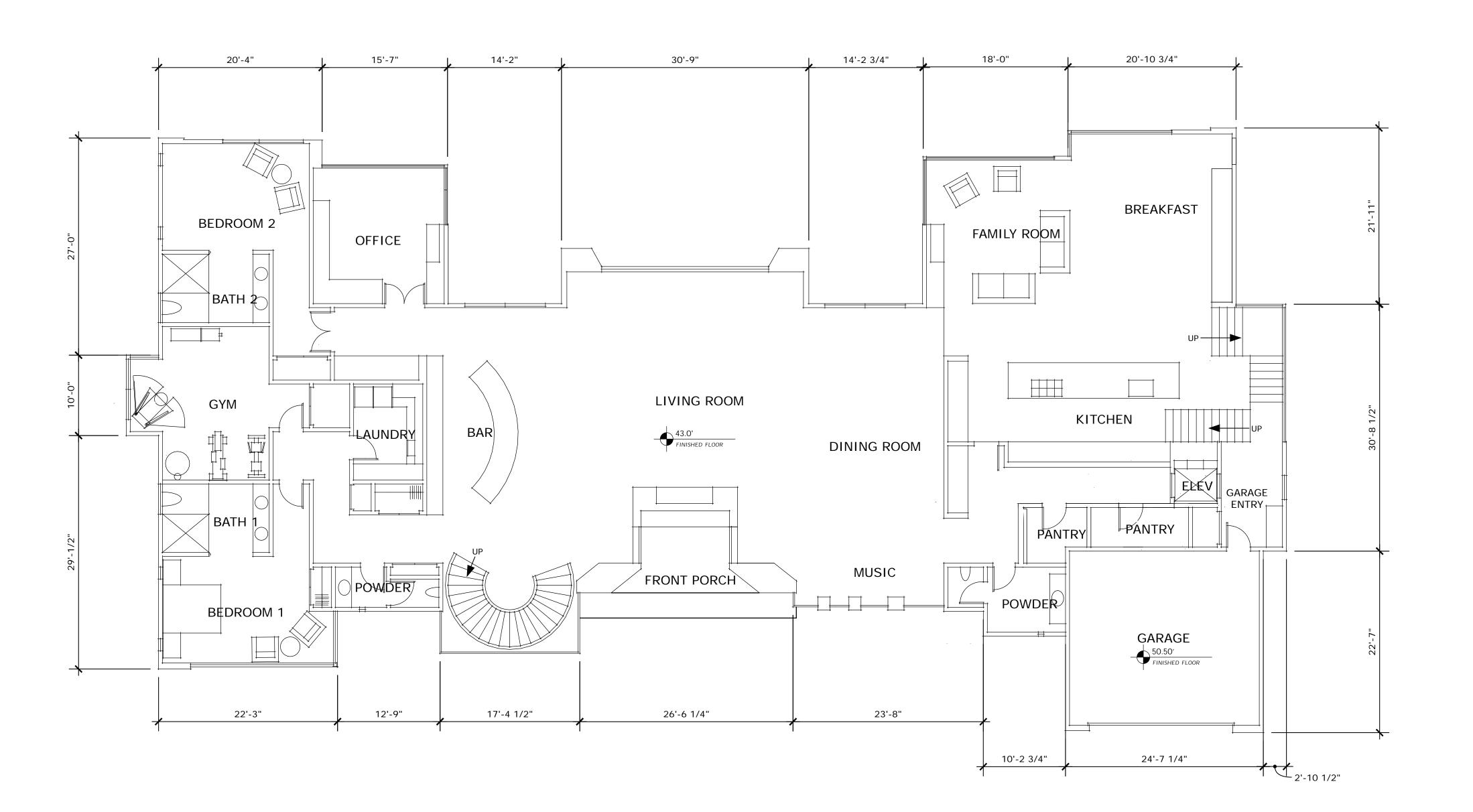
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1482 CYPRESS DRIVE
PEBBLE BEACH, CA. 93953

A0.1







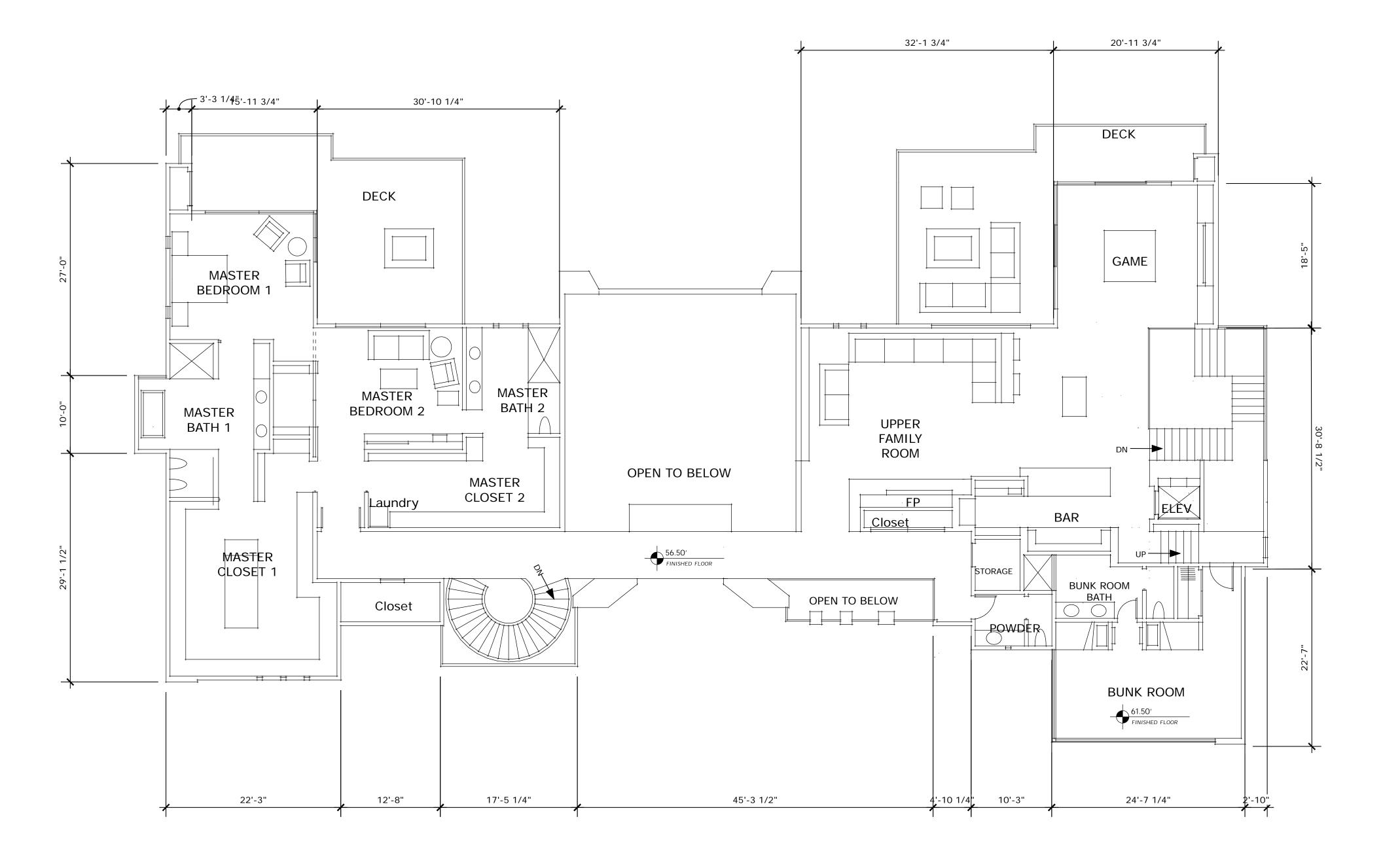


# PROPOSED MAIN LEVEL FLOOR PLAN

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PANATTONI RESIDENCE PROPOSED LEVEL FLOOR

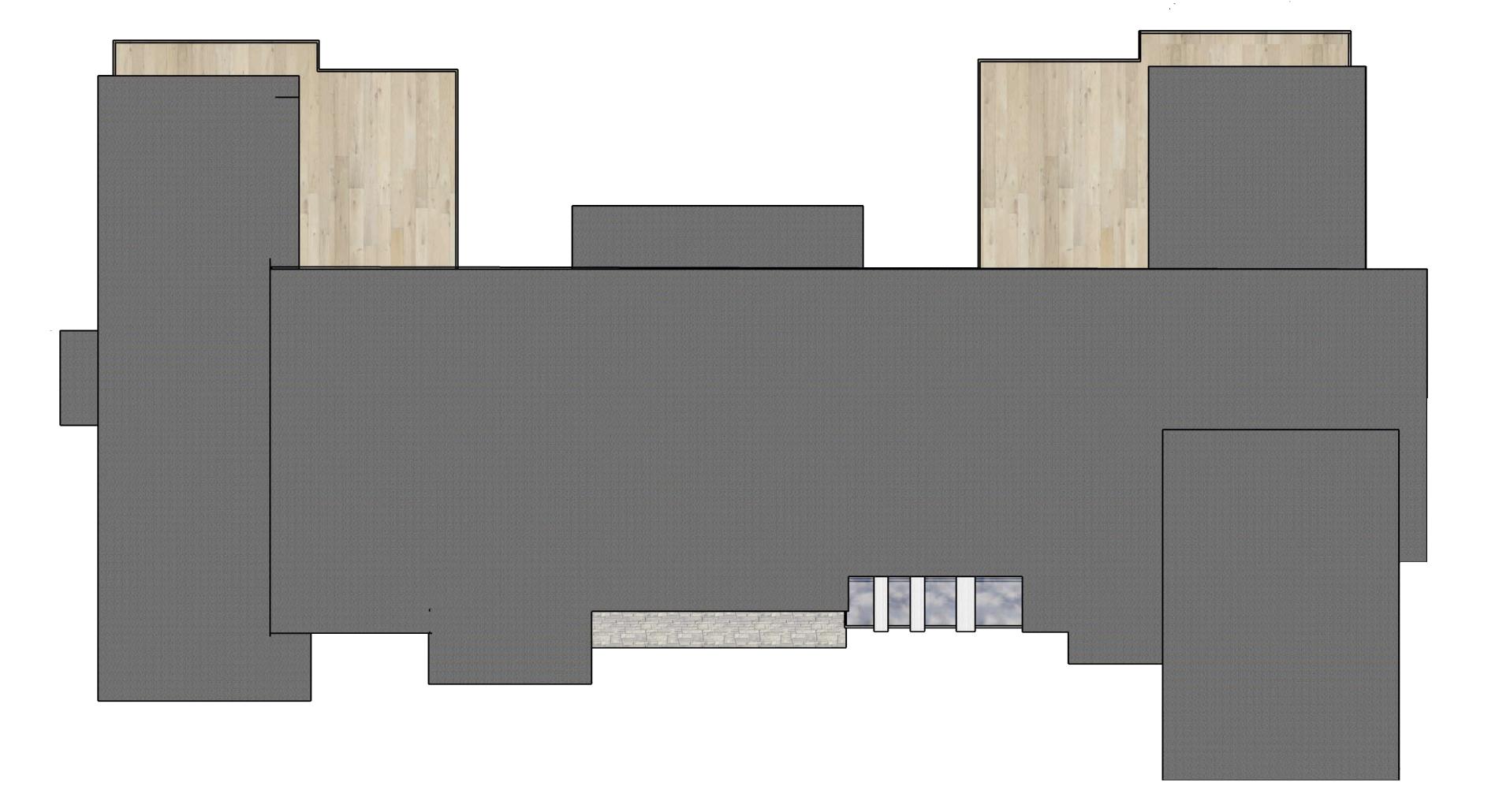
**A2.0** 



# PROPOSED UPPER LEVEL FLOOR PLAN

scale: 1/8"=1'-0"

	ESIDENCE Pebble Beach, CA. 93953  Stock er & Allaire  General Contractors, Inc.  Seneral Contractors, Inc.	OSED.  FLOOR PLAN  February 10th, 2016  APN: 008-455-007
	Panattoni RESIDENCE	PROPOSED UPPER LEVEL FLOOR PLAN
Revisions:	A2	

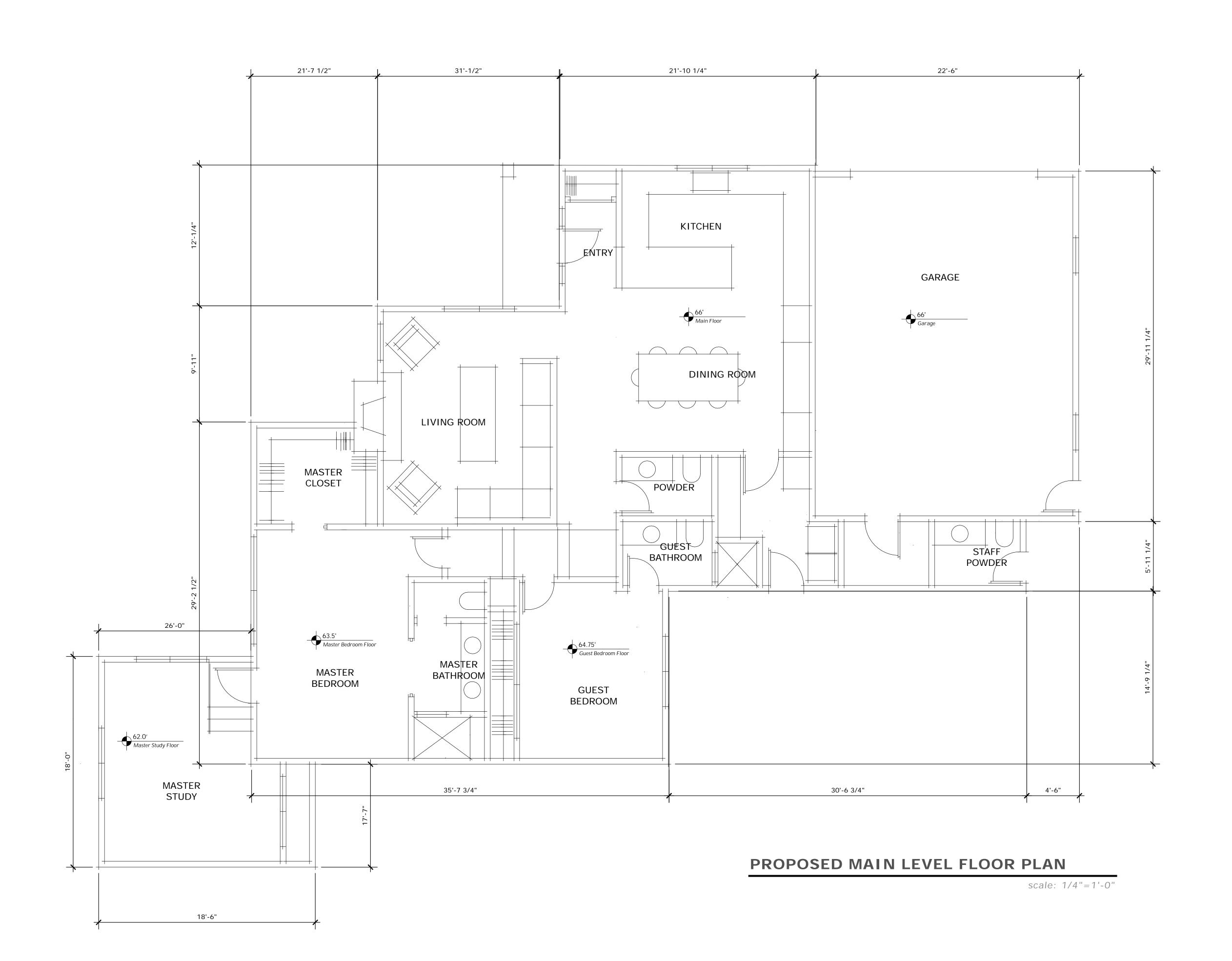


PROPOSED ROOF PLAN

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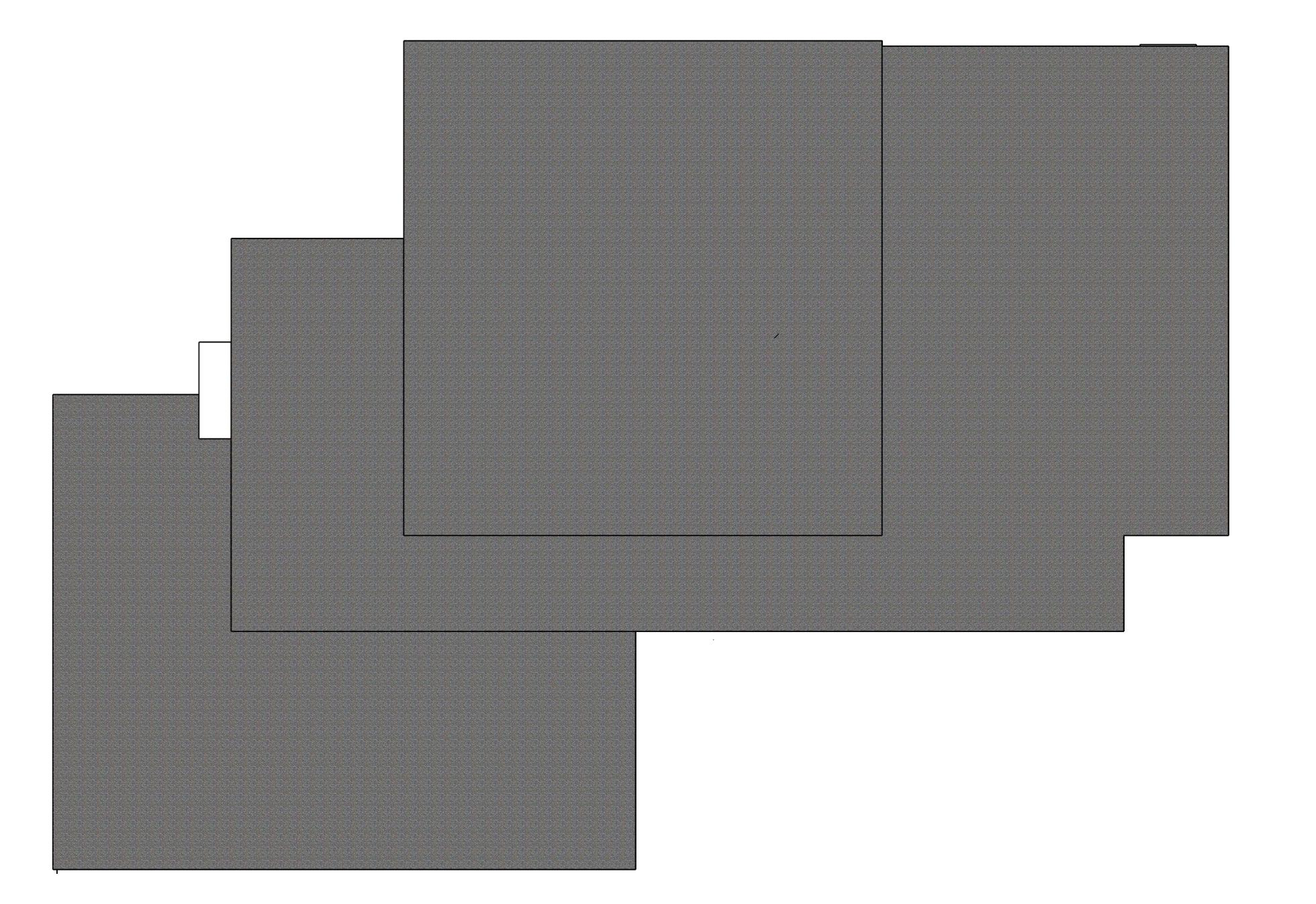
**A3.0** 





1482 Cypress Drive Pebble Beach, CA. 93953 PROPOSED LEVEL FLOOR PLAN

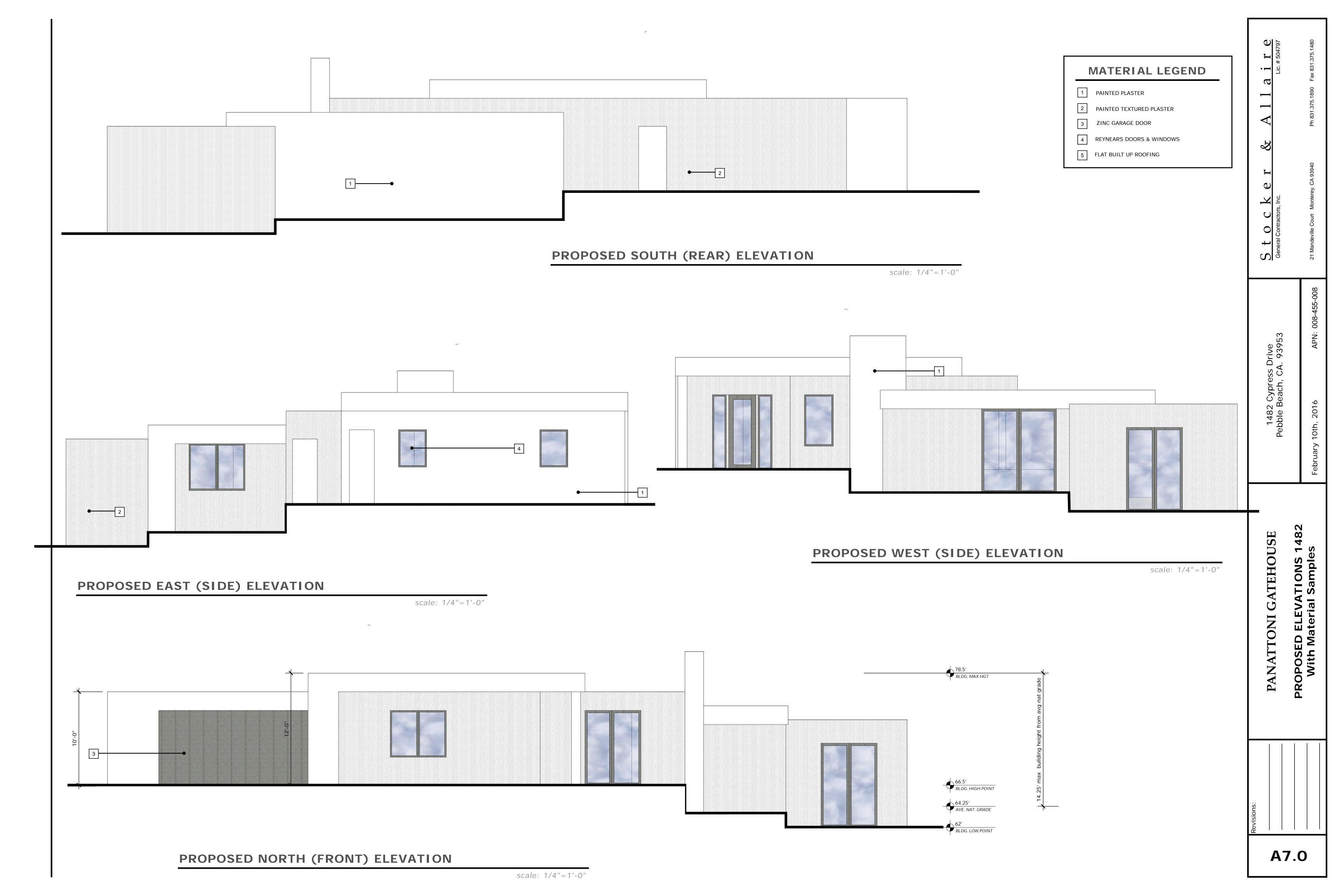
**A5.0** 

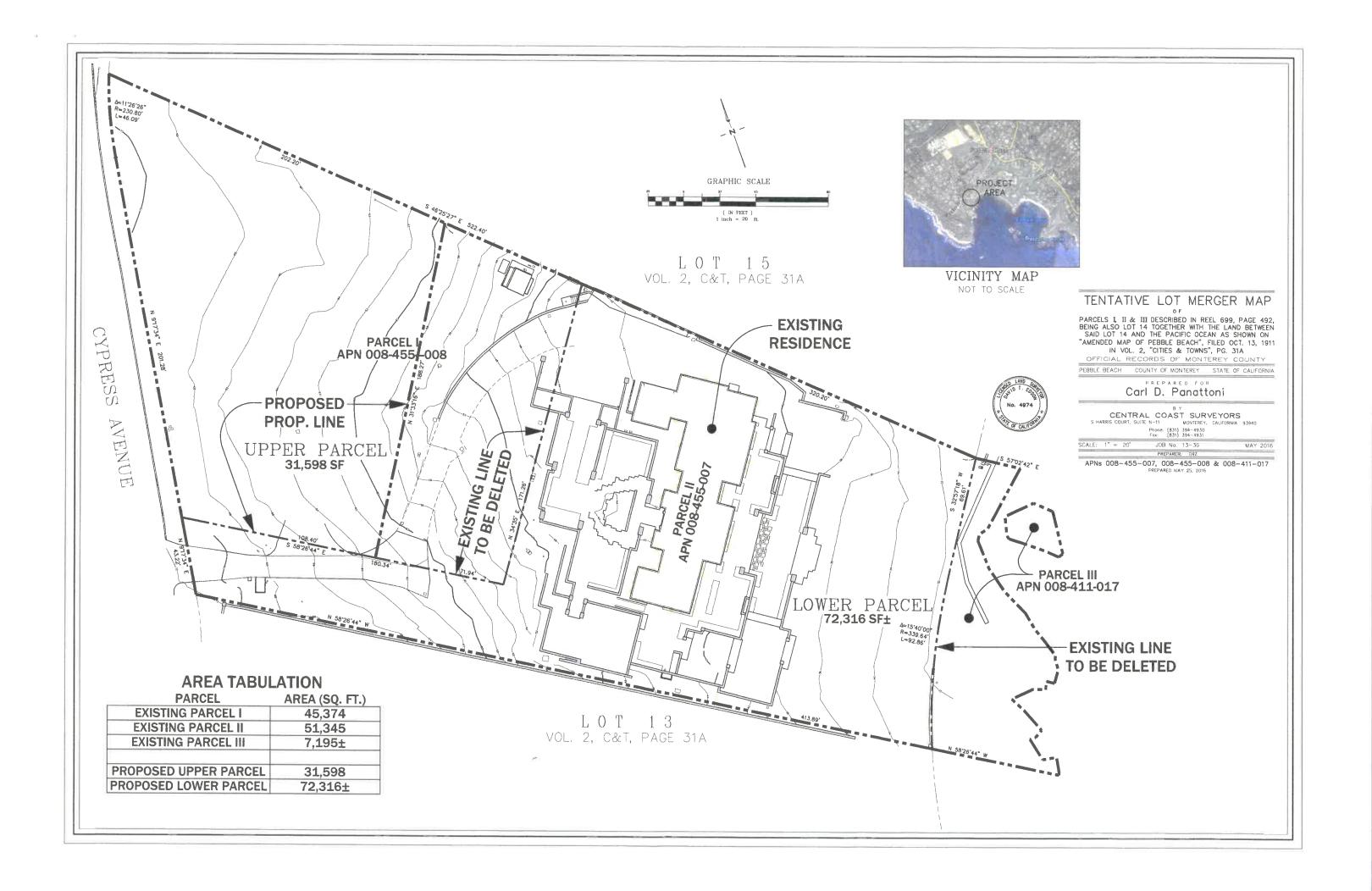


PROPOSED ROOF PLAN

scale: 1/4"=1'-0"

	1482 Cypress Drive Pebble Beach, CA. 93953  Stock Rer & Allaire General Contractors, Inc.  General Contractors, Inc.		February 10th, 2016 APN: 008-455-008 21 Mandeville Court Monterey, CA 93940 Ph 831.375.1890 Fax 831.375.1480
	PANATTONI GATEHOUSE	DRODOSED	ROOF PLAN 1482
Revisions:			





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