



# Monterey County Planning Commission

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## Agenda Item No. 4

Legistar File Number: PC 17-072

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Version: 1

Current Status: Agenda Ready

Matter Type: Planning Item

### **PLN160647 - RAJAGOPALAN VIDYA & SRIBALAN SANTHANAM TRS**

Public hearing to consider the construction of a new single family dwelling and conversion of a test well to a production well within 750 feet of a known archaeological site and within 100 feet of environmentally sensitive habitat (ESHA).

**Project Location:** 31613 Highway 1, Carmel, Big Sur Coast Land Use Plan

**Proposed CEQA Action:** Adopt Mitigated Negative Declaration

### RECOMMENDATION:

Staff recommends the Planning Commission adopt a Resolution to:

- a. Adopt Mitigated Negative Declaration; and
- b. Approve Combined Development Permit consisting of:
  - 1) Coastal Administrative Permit to allow conversion of a test well to a production well;
  - 2) Coastal Administrative Permit and Design Approval to allow construction of an approximately 4,400 square foot single family dwelling with an attached 500 square foot two-car garage, 330 square foot billiard building/storage room, 1,700 square foot courtyard, 660 square foot deck, and 7,600 cubic yards of cut and fill to be balanced on site;
  - 3) Coastal Development Permit for development within 750 feet of a known archaeological site; and
  - 4) Coastal Development Permit to allow development within 100 feet of ESHA.
- c. Adopt a Mitigation Monitoring and Reporting Program

A draft resolution includes findings and evidence for consideration (**Exhibit C**)

Staff recommends approval subject to 12 conditions and 8 Mitigation Measures.

### PROJECT INFORMATION:

**Agent:** Studio Schicketanz

**Property Owner:** Vidya Rajagopalan and Santhanam Sribalan

**APN:** 243-221-019-000

**Parcel Size:** 25.53 acres

**Zoning:** "WSC/40-D(CZ)" (Watershed and Scenic Conservation Residential in the Coastal Zone with a design control overlay, max. gross density 40 acres/unit)

**Plan Area:** Big Sur Coast Land Use Plan

**Flagged and Staked:** yes

### SUMMARY/DISCUSSION:

RMA-Planning received an application for construction of a single family dwelling with an attached garage that will implement a green roof and solar panels, underground storage for

water and propane tanks, and utilities; a courtyard, billiard room, deck, and in-ground pool and hot tub.

The proposed project is located on a 25.53 acre parcel within the Victorine Ranch area of Big Sur. The parcel is populated with a habitat mosaic of Northern Coastal Scrub, Central Maritime Chaparral, and Coastal Prairie Grassland, along with some portions with thickets of Arroyo willow and sparsely scattered Monterey pines. The southernmost boundary of the property is adjacent to Garrapata State Park. There is a single access to the site from a gated private road off Highway 1.

The aforementioned habitats found on and adjacent to the parcel are considered environmentally sensitive habitats (ESHA). Land use proposals within ESHA are subject to provisions of CEQA that require environmental review of projects for identification of potentially significant environmental impacts and proposal of mitigations to reduce those potential impacts to less than significant. The Initial Study (IS) for the proposed project identified potentially significant impacts for biological resources and tribal cultural resources. Mitigations were identified that would reduce these impacts to less than significant. Therefore, environmental review resulted in a Mitigated Negative Declaration (MND).

The resulting design of the project is primarily a result of the following considerations: visibility to Highway 1 and least impacts to biological resources. Various populations of ESHA dominate the entire parcel. However, development is proposed to take place within Coastal Prairie Grassland habitat which covers approximately nine acres. The biology report (LIB170015) makes the assessment that the highest degree of biodiversity in the grassland is not within the area of development. Construction is proposed where former grazing activities have degraded the Coastal Prairie grassland habitat.

The parcel is within the critical viewshed of Highway 1. However, the home is built to integrate with the base of a hill on the easternmost boundary of the property so that none of the structure would be visible from scenic Highway 1. Staff observed that staking and flagging of the project were not visible from Highway 1 during a site visit in January.

In addition to assessing the proposed project for protection of the public viewshed, design factors were also considered for consistency with the neighborhood character and to assure visual integrity. None of the development roof line is more than two feet above average natural grade giving a low-lying profile on the hillside that integrates with the rural Coastal Prairie grassland character of the surrounding environment. The wood-formed concrete walls, earthtones, natural textures, and green roofs planted with existing Coastal Prairie grassland species provide visual integrity. Staff finds that colors and materials proposed are appropriate for assurance that design is consistent with the neighborhood character.

Building into the base of the hill requires approximately 7,624 cubic yards of excavation. In order to prevent the hauling of this much earth offsite, the excavated material is proposed to be distributed on areas of degraded grassland adjacent to the project development for the purpose of habitat rehabilitation. Approximately 1.8 acres is proposed for rehabilitation; and the proposed project would impact 0.33 acre for the structures, and 0.17 acre for driveway development. This is approximately 3.5 times more mitigation area than the area of

development. Mitigations are proposed to prevent significant impacts of other communities of ESHA that exist on the parcel pursuant to Big Sur Coast LUP Policy 3.3.2.7 that requires land uses adjacent to ESHA incorporate all site planning and design features necessary for the long-term maintenance of those habitats.

Mitigations in the Initial Study for biological resources are categorized as follows: General Best Management Practices (BMPs), Preservation and Protection of Smith's Blue Butterfly Habitat and Monterey Pines, Preservation and Protection of Central Maritime Chaparral and Coastal Bluff Scrub, Restoration and Protection of Coastal Prairie Grassland, and Exotic Species Control Plan. Mitigation Measures (MMs) were developed in the IS from analysis in the biology report (LIB170015). The linchpin of successful implementation of the mitigations will be application of MMA 4.A.1 which requires an expert biologist be retained throughout the project and for monitoring and reporting at least five years after final inspection.

An archaeological report (LIB170016) returned negative for historical resources. However, potentially significant impacts to tribal cultural resources were identified in the IS. The parcel is within a high archaeologically sensitive area of Native American lands and the proposed project introduces residential land use on the property. Further, Ohlone/Costanoan-Esselen Nation (OCEN) requests that an OCEN-approved Native American monitor be present on site during construction. The OCEN represents the native tribal descendants of the area where the subject parcel is located. Therefore, the MM 17.D requests the presence of an OCEN-approved Native American monitor onsite during all project-related ground disturbance available to identify findings with tribal cultural significance.

The property has ability to connect to the Victorine Ranch Mutual Water System. However, construction of a test well was implemented for the purpose of providing water storage and fire suppression. The parcel is located in a State Responsibility Area (SRA) assessed Very High risk for fire danger. Additionally, the water basin from which water is drawn for both water provisions is not in danger of overdraft pursuant to the Statewide Groundwater Basin Prioritization Summary. In the event the test well is in fractured rock, Condition No. 20 requires recordation of a deed restriction.

As of 15 August 2017, Staff received no public comment on the Initial Study. Public review period ends 18 August 2017.

CEQA:

Pursuant to §15070(b) of CEQA Guidelines, a mitigated negative declaration may be prepared for a project when the Initial Study identifies potential environmental impacts. Staff identified potentially significant impacts to biological resources and tribal cultural resources, along with MMs. Staff finds that implementation of MMs would reduce impacts on these resources to less than significant.

OTHER AGENCY INVOLVEMENT:

The following agencies have reviewed the project, have comments, and/or have recommended conditions:

Bureau of Environmental Health  
RMA-Public Works

Water Resources Agency  
RMA-Environmental Services  
Carmel Highlands Fire Protection District  
Big Sur Coast Land Use Advisory Committee

LUAC: The Big Sur Coast Land Use Advisory Committee (LUAC) recommended approval of the project in 4 - 0 decision. The meeting took place on 31 January 2017. There were no comments or concerns presented during the meeting.

Prepared by: Jaime Scott Guthrie, Associate Planner, ext. 6414  
Reviewed by: Brandon Swanson, RMA Planning Manager  
Approved by: Carl P. Holm, AICP, Director of RMA

The following attachments are on file with the RMA:

- Exhibit A - Project Data Sheet
- Exhibit B - Draft Resolution, including:
  - Conditions of Approval
  - Site Plans, Elevations
- Exhibit C - Vicinity Map
- Exhibit D - Initial Study/Mitigated Negative Declaration
  - Errata Sheet for Initial Study
- Exhibit E - Reports, including:
  - Geotechnical Report, Grice (LIB170007)
  - Soils Report, Grice (LIB170008)
  - Biological Report, Nedeff (LIB170015)
  - Biological Report, Ballerini (LIB170285)
- Exhibit F - Minutes - Big Sur Coast LUAC, 31 January 2017

cc: Front Counter Copy; Jacqueline R. Onciano, RMA Chief of Planning, Vidya Rajagopalan, Applicant; Studio Schicketanz, Agent; M R Wolfe & Associates (John Farrow); The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Project File PLN160647.