

Exhibit A

This page intentionally left blank.

Exhibit A

Detailed Project Discussion

Dorman/PLN170052

Project Description

The Dorman project involves a 1,195 square foot addition and remodel to two existing historic cottages located at 1600 Visciano Road in the coastal area of the Del Monte Forest. The addition/remodel would connect the two cottages and add area in the rear of the cottages resulting in a 2,578 square-foot single family dwelling. The applicant is also proposing to adjust the Lot Line between 1600 Visciano Road and 1601 Sonado Road taking 6,024 square feet of land from 1601 Sonado Road and adding it to 1600 Visciano Road.

Due to the location of the project and previous restrictions imposed on development, the following additional Entitlements are required for the project:

1. An Amendment to PLN070428 to remove two conditions of approval applied by the Zoning Administrator in Resolution #070428; and
2. A Coastal Development Permit for development within an archaeologically sensitive area.

In staff's opinion, the project would also require an Local Coastal Plan amendment to change the land use designation and zoning for the property. An LCP amendment is not included in the project description and is not part of this applicant.

The site is currently designated for Low Density Residential use and is zoned Low Density Residential, 1.5 acres per unit, with a Design Control Overlay in the coastal zone. As proposed, the project would exceed the allowable density at the site. The applicant desires an interpretation that would allow the project without meeting the density. Additional discussion on the density is provided below.

Background

The site contains two historic cottages ("the chimney cottages), designed and constructed by Master Builder Hugh Comstock in the early 1920's. In 2007, the Zoning Administrator approved a Combined Development Permit allowing the construction of a new 1,586 square foot single family dwelling and 2,200 square foot 10-car garage on the same site but detached from the chimney cottages. Finding Number 7 in the resolution adopted by the Zoning Administrator describes how the new single family dwelling complied with the historic preservation requirements. This included separation of the new house from the existing chimney cottages and recognition of the main cottage as a non-conforming caretaker unit and the rear cottage as a non-conforming guesthouse. Conditions 8 and 9 of the Zoning Administrator's Resolution required the applicant to record deed restrictions describing the restrictions and criteria applicable to caretaker units and guesthouses including statements that the non-conforming cottages are not to exceed the recognized floor area and that the cottages will maintained as a significant historic structure without changes to the structure, materials, color or related features. Caretaker units,

now referred to as Accessory Dwelling Units, and guesthouses do not count toward density at a site.

Density

Figure 5 of the Del Monte Forest Land Use Plan (LUP) designates the site “low density residential.” The LUP describes the low density residential land use designation as “1 unit/2 acres up to a maximum of 1 unit/acre.” Consistent with the LUP, the zoning for the site is “Low Density Residential, 1.5 acres/unit (LDR/1.5). The Dorman property is approximately 0.8 acres in size and would be approximately 1 acre in size if the requested Lot Line Adjustment were approved. Either way, the site would be limited to 1 unit for the purposes of density. As proposed, it is staff’s interpretation that the project would exceed the allowable density at the site by permitting two single-family residences on a 1 acre site that has a maximum density of 1 dwelling\acre. The applicant desires an alternative interpretation that would allow the proposed project without a Local Coastal Program amendment for destiny reasons. Relevant factors the request for an alternative interpretation include:

1. A proposed reduction in the number of habitable units on the site, thus bringing the site closer to compliance with density limitations;
2. An exception to density standards for historic preservation; and/or
3. Description of the proposed improvements as a unit not subject to density at the site.

As described in the Zoning Administrator’s decision in 2007, the site contains two historic cottages and one relatively new single family dwelling. One cottage is a recognized as a 1,242 square foot, 25 foot tall caretaker unit, and the other cottage is recognized as a 720 square foot guesthouse over a 720 square foot garage. Plans submitted by the applicant show the guesthouse cottage as containing two 720 square foot units; one on the lower floor and one on the second floor, both containing their own kitchen. There is no evidence in the Resource Management Agency records that indicate that the guesthouse contains a kitchen or that there are two units within the “guesthouse” cottage. In fact, two recent Design Approvals (PLN170543 and PLN170773) were approved by the RMA, perhaps inadvertently, that indicate that the newer single family residence on the lot would actually contain two kitchens. Currently, the guesthouse and caretaker unit do not count towards the density for the site.

As proposed, the site would contain two single family dwellings. It is staff’s interpretation that, because the remodel/addition would result in a 2,578 single family residence, it would not qualify as an accessory dwelling unit/caretaker due to the size. Section 20.64.030 of the Coastal Zoning Ordinance (Title 20) limits the maximum floor area of an accessory dwelling unit to 1,200 square feet. The size limit is in keeping with the desire of the State and County to promote affordable housing options. Both the existing structure and proposed structure would exceed the maximum allowable floor area for an accessory dwelling unit. This means that as proposed, the site would contain two single family residences which is in excess of the allowable density under the LUP and zoning designations.

Exceptions provided for historic preservation have already been applied to the site (see Exhibit F, the Zoning Administrator Resolution) and such exceptions would not extend to exceeding the maximum allowable density of a site.

Because the proposal is not consistent with the LUP or the zoning with respect to maximum allowable density at the site, staff is recommending that the Planning Commission deny this application.

Lot Line Adjustment

The proposed Lot Line Adjustment would move 6,024 square feet of land from Assessor's Parcel Number 008-201-003-000, located at 1601 Sonado Road, Pebble Beach to Assessor's Parcel Number 008-201-002-000, located at 1600 Viscaino Road, Pebble Beach. The Lot Line Adjustment is desired by the applicant to increase the size of the parcel at 1600 Viscaino Road thereby increasing the allowable floor area on the property to accommodate the proposed addition without the need for a Variance. Without the Lot Line Adjustment, the proposed addition would not meet the 17.5% floor area ratio maximum for the site. With the Lot Line Adjustment, the proposed addition would meet the floor area ratio maximum for the LDR zoning district and a Variance would not be required.

Staff recommends denial of the Lot Line Adjustment because it is only needed for purposes of accommodating the underlying addition and staff is also recommending denial of the addition.

Historic Review

The Chimney cottages were constructed in the late 1920's by master builder Hugh Comstock. The cottages are listed on the Monterey County register of Historic Resources and although they are in a state of disrepair, they still maintain their historic character and significance. The proposed addition would connect the two cottages with a hallway and add area in the rear of the cottages.

The project was reviewed by the Historic Resources Review Board (HRRB) who voted 4-1 to recommend approval of the project to the Planning Commission. The HRRB was concerned with the feasibility of the project given the density and planning-related constraints but ultimately decided to base a recommendation of approval on the fact that the additions were designed to conform with the Secretary of the Interior's Standards for Rehabilitation and the fact that the proposed project would result in an investment in the now dilapidated historic structures.

Staff has considered the recommendation of the HRRB and agrees with their assessment but not with the recommendation for approval. Alternative solutions or designs to rehabilitation or preservation of the cottages are available that better meet the planning-related goals and policies (including density) of the Land Use Plan and Zoning Ordinance.

Archaeological Resource

A Phase I archaeological investigation was prepared for the project by Archives and Archaeology that found the potential for archaeological resources at the site. The report recommends that the project be allowed to proceed from an archaeological perspective with an

archaeological monitor present on site who would be given the authority to stop earth moving activities if resources are discovered. Typically, staff would require a Phase II investigation in order to evaluate the potential significance of resources present and to try to identify the boundaries of site for the purposes of complying with Del Monte Forest Land Use Plan policies which require identification and avoidance of resources where feasible.

Staff has not requested a Phase II analysis at this time due to the fact that the project is recommended for denial due to inconsistency with the LUP with regard to density. If the project is permitted to move forward, staff would require a Phase II investigation and would also need to evaluate potential impacts to cultural resources under the California Environmental Quality Act requirements. Denial of the project would result in no impacts to archaeological resources.

Amendment to previous approval by the Zoning Administrator

Resolution Number 070428 was adopted by the Zoning Administrator on April 24, 2008 which allowed:

- 1) Construction of a 1,586 square foot single-family house and an attached 2,220 square foot 10-car garage with a gravel driveway;
- 2) A Permit to convert an existing historic 2-story house to a caretaker's unit with exceptions for height (25 feet) and floor area (1,242 square feet); and
- 3) A Permit to allow an existing historic guesthouse above a garage with an exception to floor area (720 square feet).

The findings and evidence in the resolution describe the benefits of preservation of the historic cottages by permitting a new detached single family dwelling and preserving the cottages as a caretaker unitⁱ and guesthouse at the site. Conditions of approval were applied to the project that required the owner to execute deed restrictions describing the requirement for preservation of the historic cottages as a caretaker unit (Condition 8) and guesthouse (Condition 9). The proposed project is not consistent with the recorded deed restrictions and would change the use, size, and exterior features of the historic structures.

If the project were to proceed, the previous conditions would need to be amended and the deed restrictions deleted from the property title. Staff is recommending denial of the amendment to remove conditions 8 and 9 of resolution 070428 because the amendment is only necessary to allow the underlying addition and staff is recommending denial of the underlying addition.

California Environmental Quality Act (CEQA)

Staff is recommending that the project be denied. Section 15270 of the CEQA guidelines Statutorily exempt projects that are disapproved from CEQA. If the project is allowed to move forward, staff would need to evaluate the project pursuant to the requirements of CEQA.

Conclusion

The project is not appropriately designed for the site and is not consistent with the Del Monte Forest Land Use Plan or the Coastal Implementation Plan, Part 1 (Title 20, Coastal Zoning Ordinance). The project would not comply with density limits applicable to the site and neighborhood, requires a Lot Line Adjustment to accommodate additional floor area proposed, is not in keeping with the Zoning Administrators approval, and may result in impacts to cultural resources. Therefore, staff is recommending that the Planning Commission deny the project as proposed.

¹ Caretaker units are now referred to as “Accessory Dwelling Units” in Monterey County code

This page intentionally left blank