# Exhibit E





Cynthia Spellacy Stocker & Allaire 21 B Mandeville Court Monterey, CA 93940

Owner: Stanley G. Chapman III and Marguerite Chapman

Service Address: 2707 Pradera Road, Carmel, CA 93923

Assessor's Parcel Number: 243-032-020-000

To Whom It May Concern:

This letter serves as notification that the above-referenced property (the "Service Address") is located within the California American Water ("CAW") water service area. CAW will provide water service to the Service Address pursuant to the rules, regulations, and tariffs of the California Public Utilities Commission (CPUC), and in accordance with all applicable federal, state and local laws, regulations, rules, ordinances and restrictions, including those of the Monterey Peninsula Water Management District (MPWMD), and including any order of the California State Water Resources Control Board (SWRCB) that may be issued prior to the date service is initiated.

A party wishing to initiate water service (the "Applicant") must comply with all CAW Tariff Schedules that are on file with the CPUC, as they may be amended from time to time. Among other things, the Tariff Schedules require that the Applicant submit an application to CAW, obtain all required permits (which may include a water permit from MPWMD), and pay all required fees as a condition of initiation of service. CAW's Tariff Schedules are available on its website, <a href="www.calamwater.com">www.calamwater.com</a>. Availability of water service to the Service Address is subject to change before the Applicant has applied for water service and has received all required permits and paid all applicable fees required to initiate such service.

Sincerely,

California American Water

Bv.

Eric Sabolsice General Manager Coastal Division Received by RMA-Planning on May 2, 2018.

California American Water – Monterey 511 Forest Lodge Rd, Suite 100 Pacific Grove, CA 93950 amwater.com

Received by RMA-Planning on May 4, 2018.

P.O. Box 716 Saratoga, California 95071

May 4, 2018

Carmel Meadows Association Architectural Control Committee P.O. Box 223308 Carmel, California 93922

RE: Proposed Project - Chapman Residence - 2707 Pradera Road

### Gentlemen:

I have reviewed the Protective Covenants of the Carmel Meadows Subdivision recorded May 14, 1952. There are specific provisions establishing and defining the procedures and responsibilities of the Camel Meadows Association Architectural Control Committee in Paragraph 10. The Protective Covenants as amended also make very specific requirements for building setbacks, which are more stringent than those of the County of Monterey. I have previously requested that I be advised of the next meeting of the committee so that I may provide comment concerning the above referenced subject project. Thus far I have not heard from the committee. I am very concerned about the timeline, because should the committee chose to not address the project in question, the lack of response to the applicant comprises a de-facto approval of the plans, unless I as an adjoining owner, chose legal recourse.

I had the opportunity to download plans and elevation for the above named project from the county planning website. Diane Guinta and I also met with your chairman Andy Popadiuck. I have several concerns regarding the proposed project as designed:

- 1. <u>Building position</u> The southern extension of the proposed building lies thirteen feet from the lot boundary line that separates our property at 2700 Ribera Rd. from the subject property. We understand that the Carmel Meadows Protective Covenants recorded May 14, 1952 as amended in a recordation dated September 23, 1952, (hereinafter Covenants) specify a building setback of 20 feet from the rear property line for main residential structures. It is our expectation that the CMA Architectural Committee will follow the legal and duly recorded Protective Covenants and thereby request a modification of the design that conforms. Monterey County Planning has confirmed that the common boundary (lot line) between our property and that of the subject definitely constitutes a rear lot line.
- 2. Position of rear lot line fence We understand that a fence is proposed to be located directly upon the rear lot line separating our property from the subject. We also see a reference to the existing tall hedge between our property and that of the subject. At the time the referenced hedge was planted, the planting lay 24 inches inside the property boundary of 2700 Ribera Road. In the intervening forty years, the hedge has grown to its current mature height and width (8 feet) and the trunks have expanded so that their face on the side of the above reference subject property now lie about 1 foot in our side of the common property line.

We are very concerned for the health of our mature hedge, if the plan to build this rear lot line fence is executed. Construction of this fence would require extensive pruning of the subject hedge and possibility jeopardize its survival and certainly impact its effectiveness as a screen between our property and that of the subject. — The fence should be eliminated in the area of the hedge or relocated several feet inside the subject property so as to minimize impact on our planting which benefits both properties as a screening element.

- 3. <u>Building mass and second level social area</u> We share the concerns of our neighbor Diane Guinta with reference to second level entertainment deck, which is certainly a location where considerable noise will be generated. Precautions in the design should be taken to minimize sound transmission to our properties. These would include acoustic analysis and materials. The scale of the building visible on our side, as currently located thirteen feet from the rear property line and at a height of twenty feet, presents a significant impact upon the privacy of our back yard and bedroom spaces. The building should be repositioned or the design changed so that it lies within the 20 foot rear setback specified under the CMA CC&R's. The situation would be very much exacerbated should any damage occur to the aforementioned hedge referenced in paragraph two, above.
- 4. The architectural character of the subject as proposed The design of the subject, while not unattractive in a different setting, is clearly out of place when compared to its immediate surroundings. The extensive glazed elements to the west are out of character, and present a potential reflective glare threat with respect to our property during sunset periods. The height of the structure is very tall compared to its surrounds and is clearly intended to create a building as if it were located on a view lot, when it is in fact on a location that has no ground level view, at the expense of local aesthetics and the private enjoyment of all of the surrounding property owners. It is highly objectionable in this regard.

In consideration of the following, I request that Carmel Meadows Association Architectural Control Committee reject the design in its current form, and request modifications that are in keeping with the Covenants specified in the Carmel Meadows Association CC&Rs, and sensitivity to existing site conditions and neighborhood aesthetics.

Sincerely,

Carl Fisher

2700 Ribera Road

Cc Eric Fisher

Larry Purcell, Carmel Meadows Association

Joe Sidor, Monterey County Planning Department

P.O. Box 716 Saratoga, California 95071

May 5, 2018

Mr. Joseph Sidor, Planning Associate Monterey County Planning Department 1441 Schilling Place, 2<sup>nd</sup> Floor Salinas, California 93901

RE: Monterey County Planning # PLN171046 040918 - 2707 Pradera Rd. - Chapman Residence

Dear Mr. Sidor:

Our family is an adjoining property owner to the above referenced project location, 2707 Pradera Road, Carmel Meadows Subdivision, also known as the Chapman Residence. I wish to provide you comment on the proposed residence and site work. I understand that you can only work within the confines of the planning regulations as adopted by the County of Monterey, and that some elements as stipulated in the Carmel Meadows Protective Covenants recorded May 14, 1952, as amended September 19, 1952 are more restrictive and in conflict. I will limit my discourse to matters you can address:

- 1. Architectural Character and Massing The dwelling as proposed is out of character with the immediate neighborhood. The surrounding homes are all of designs involving pitched roofs and deep eave treatments. The materials of the surrounding properties also employ natural elements. The subject is quite different involving flat roofs, soaring continuous walls, and expansive vertical glazing elements. The forward facing elevation on Pradera belies the height and size of the dwelling, which at its rear with the sloping grade, is grossly out of scale, and in close proximity, towers over the adjoining properties with large expanses of glazing and wall sections. It further incorporates a second level outdoor entertaining space, which threatens the privacy and quite enjoyment of the two property owners to the rear. The front elevation more resembles a commercial building than a residence, and is unsightly when viewed in the context of its surrounds in the immediate Pradera Road neighborhood.
- 2. **Rear Lot Line Fence** The rear lot line fence in the location as proposed will require extensive pruning or even removal of an existing mature dividing and screening hedge planted on our property forty years ago, and we believe, will threaten its survival or at the least diminish its effectiveness as the intended screen between our property and that of the subject. The proposed fence should be eliminated from the plan or relocated within the subject parcel.

This project appears to have been conceived to maximally benefit its owners desire to obtain a view from a non-view parcel at the expense of the adjoining owners who are compliant with the CC&Rs.

Sincerely,

Carl Fisher 2700 Ribera Road, Carmel Meadows

### Diane Guinta and Paul Goldstein 2730 Ribera Rd. Carmel, CA 93923

7 May 2018

Joe Sidor, Planning Associate Monterey County Planning Department Land Use Advisory Committee 1441 Schilling Place, 2<sup>nd</sup> Floor Salinas, CA 93901

Dear Mr. Sidor, Monterey County Planning Commission Members and Land Use Advisory Committee Members:

We are writing to express multiple concerns about the house planned at 2707 Pradera Rd. (referred to herein as "2707 house") in the Carmel Meadows neighborhood. We live at 2730 Ribera Rd., which is downhill and immediately behind the proposed property. We would like you to require the owners of the property, Marguerite and Stan Chapman ("2707 owners"), to reconsider the design proposed in the plans in order to protect our visual privacy and quiet enjoyment of our home, and also to abide by the Carmel Meadows CCRs.

- 1. Privacy: The 2707 proposed house looms over our property. As you can see from the attached photos of the story poles (Figures 1 and 2) taken at eye level from our dining room and one bedroom, this large house looms over our patio and living spaces. The covered, flat roofed, second story, large (>600 sq ft) deck is a mere 20 feet from our property line. It is referred to by the architect as a "public social zone." Sitting at our dining room table, the view is equally oppressive. We note that one of the ways that the 2707 house meets the FAR for the lot is by incorporating a large central open courtyard. The privacy encroachment on our home is caused in part by the dedication of private interior space not calculated in the FAR and by the design itself.
- 2. Noise: The size of the large deck poses issues with respect to noise: its proximity to our home, size and thereby its capacity for hosting a large group of people, potential reflection of noise from multiple hard surfaces and no apparent sound mitigation. We would like the potential noise factor of the public social space to be considered by an adequate assessment of the materials to mitigate any noise amplification to our property and consideration reduction in the deck size to limit noise and privacy impacts on us and the downhill neighbors.
- 3. <u>CCR Violation</u>. 2707 house is proposed to sit within 13 feet of the rear lot line of 2700 Ribera in violation of Carmel Homeowners Association CC&Rs, which require a 20 foot setback from all rear lot lines. This setback violation affects us as well, as the large deck connects the two sides of the house.
- 4. <u>Scale</u>: The scale and design of the house do not fit the immediate neighborhood's modest character. The planned house is significantly larger than the other homes that immediately surround it, and it contains architectural elements which are not consistent with its proposed

location amidst a medium density neighborhood uphill from at least two homes and contiguous with four homes.

- a. <u>Scale</u>: The size of 2707 Pradera is significantly larger than the average area of the 10 most proximal **non-oceanfront** homes as calculated from public records; that average is approximately 2,814 sq. ft versus the 2707 Pradera house's 4,900 sq. feet. The house is also 20% larger than the largest of those homes, which is about 4,025 sq. ft. The impact of the size is further increased by the use of the interior courtyard, not counted in the FAR, pushing the house out towards the neighbbors' homes.
- b. <u>Height</u>: We are concerned that the rear of the 2707 house, as currently planned exceeds the maximum height restrictions set forth by the Carmel Area Land Use Update Index (1991) (italics and bold ours). The maximum height for homes in the Carmel Meadows neighborhood is designated as 18' but the 2707 plans show a height of 21'.

"UPDATE INDEX #4 CARMEL AREA LAND USE PLAN AMEND POLICY 2.2.5.2 APRIL 9, 1991 2. In order to provide for more visually compatible structures, the County's existing height ordinance for the Carmel Point area should be retained to limit the maximum height of new structure along Scenic Road to 24 feet from the natural grade. the height limit in the Carmel Point Area should be limited to a maximum height of 18 feet from the natural average grade. This height limit shall also apply to Carmel Meadows, including the Portola Corporation and Williams properties. To ensure protection of the viewshed, the maximum height of structures located in the Carmel Meadows area, including the Portola Corporation and Williams properties, shall be limited to 18 feet measured from natural average grade."

#### c. <u>Design</u>:

- i. There are no homes in the neighborhood with a 600 sq ft, covered, second-story deck, that overlook homes whose lots are directly behind them. Where there are open decks of similar size and covered decks of smaller size, they are either located on the oceanfront or across a street from a neighboring house and much farther away than 2707 is to either our home at 2730 Ribera Rd or that of our neighbors' at 2700 Ribera. What is acceptable in our neighborhood on the oceanfront becomes problematic when it is close to contiguous neighbors' backyards, bedrooms and dining rooms.
- ii. The rear elevation of the 2707 house features a massive glass expanse very close to its two rear neighbors, of which we are one. The rear elevation is imposing and out of character with the neighborhood.
- iii. The 2707 house has elements in common with at least one house on the Ribera Road oceanfront. Had this proposed house been planned on the Ribera Rd. oceanfront, it would have fit in. However, it is located in the interior of the Carmel Meadows neighborhood, which the architects correctly described as a "modest neighborhood" (Site Architecture section of the plans).

5. Environmental impacts: As one of us (Diane Guinta) informed the 2707 owners when we first met them last year, and as the Ribera Rd neighbors on the uphill side of the street are well aware, there is underground water that requires sump pumps under all of our homes. Some of these pumps run year-round. The former owner of my home referred to this as an underground stream. We encountered upwelling water when we removed a swimming pool in our backyard when we purchased our home in 2014. I am not aware of the source of this water relative to the 2707 house but I believe that the plan to dig several feet into the hill on which the property is located may uncover such a source. We request that appropriate environmental assessment be conducted before the plans are approved.

In our view, the scale and design of the house does not fit with the surrounding neighborhood. The planned house is significantly larger than the other homes that immediately surround it and it contains architectural elements which are not consistent with being located amidst a medium density neighborhood uphill from at least two homes and contiguous with four homes. We have concerns about the proposed design of the home as it affects our privacy and quiet enjoyment of our home. We are concerned about environmental issues impacting us and the neighborhood. We hope that you will take these concerns, and those of our other neighbors, into consideration and ask for appropriate changes to the 2707 house plans.

We would like to be kept informed of all planned meetings on the home at 2707 Pradera Rd. If you send any correspondence to us by US mail, please use our address at 3588 Arbutus Ave., Palo Alto, CA 94303.

Sincerely yours,

/s/

Diane Guinta and Paul Goldstein

Mailing address: 3588 Arbutus Ave., Palo Alto, CA 94303

diane.guinta@gmail.com 650 521-2157

paulhgoldsteinret@gmail.com 650 521-2157 and 650 575-9731 mobiles

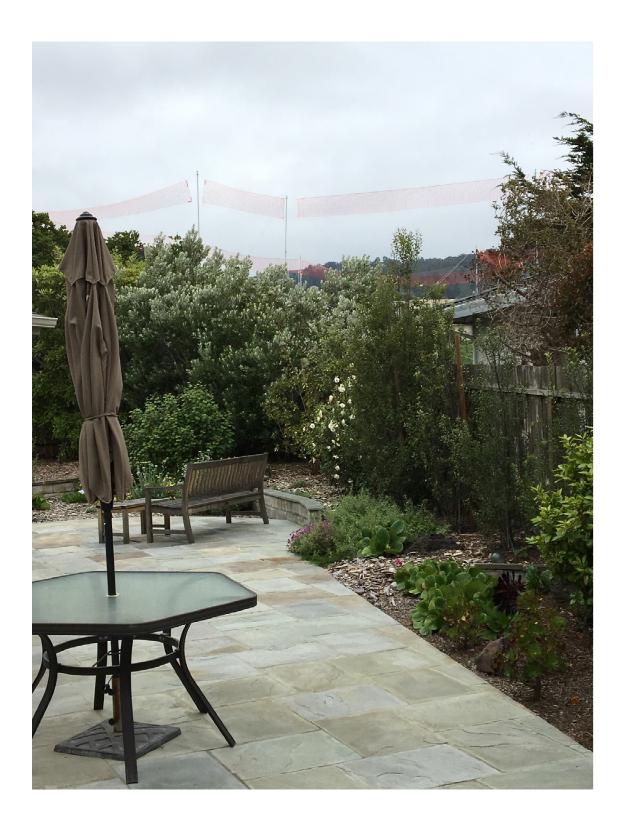


Figure 1: View of 2707 Story Poles from Sliding glass door of our bedroom at 2730 Ribera Rd.



Figure 2: View of 2707 Story Poles from Sliding glass door of our dining room at 2730 Ribera Rd.



May 14, 2018

CMA Architectural Review Committee

**Review Submittal:** 

Owner: Stan Chapman and Marguerite Woung

Address: 2707 Pradera Rd.

Architect: Sagan Piechota Architecture, Cam Helland

Project Review: Vacant Lot Complete Build Single Family Residence

Date Plans submitted: 3-26-18 by email

Review has been completed by the CMA ARC and the project is approved per the architectural drawings dated 3-23-18

We thank the owners and the architect for their assistance with our review process.

Any questions going forward with this property review process should be addressed to:

Monterey County Planning Department
Attention: Joe Sidor - 831-755-5262 - SidorJ@co.monterey.ca.us

Respectfully,

Andy Popadiuk, Chairman CM ARC

CC: Larry Purcell, Chairman CMA

Joe Sidor, Monetrey County Planning Department



Attorneys at Law A PROFESSIONAL CORPORATION

WWW.NHEH.COM E-MAIL CKEMP@NHEH.COM 831-424-1414 EXT. 271 OUR FILE NO. 22065

June 13, 2018

Stephen W. Pearson

Lloyd W. Lowrey, Jr.

Anne K. Secker

Randy Meyenberg

Michael Masuda

Christine G. Kemp

Terrence R. O'Connor

Timothy J. Baldwin

\* Charles Des Roches

\* Leslie E. Finnegan

Ana C. Toledo

\* Robert D. Simpson

Lindsey Berg-James

Nicholas W. Smith

Retired Peter T. Hoss James D. Schwefel, Jr. Jo Marie Ometer

> Harry L. Noland (1904-1991) Paul M. Hamerly (1920-2000)

Myron E. Etienne, Jr. (1924-2016)

\* CERTIFIED SPECIALIST IN PROBATE, ESTATE PLANNING, AND TRUST LAW BY THE CALIFORNIA BOARD OF LEGAL SPECIALIZATION STATE BAR OF CALIFORNIA



### VIA E-MAIL AND BY HAND-DELIVERY

Monterey County Planning c/o Joseph Sidor, Project Planner Monterey County Planning Department 1441 Shilling Place, South 2nd Floor Salinas, CA 93901

> PLN171046 Woung-Chapman Residence Re:

2707 Pradera Road, Carmel 93923

Dear Mr. Sidor:

I am writing on behalf of John and Teresa Salvo in opposition to the Woung-Chapman residence, as proposed, at 2707 Pradera Road in the Carmel Meadows subdivision ("Woung Chapman Project").

Mr. and Mrs. Salvo own the home at 2717 Pradera Road, immediately east of the proposed Woung-Chapman residence.

As proposed, the Woung Chapman project is out of character with the Carmel Meadows neighborhood. The project design should be reduced in size, height, massing, and roof elevations to fit the surrounding neighborhood character, reduce the bunkerlike appearance, and reduce the project's impact to the Salvos' adjacent property.

Located in the Carmel Meadows subdivision, a scenic area near Ribera Beach, the project is within the Coastal Zone and County Design Control District. The purpose of the Design Control District is to regulate the location, size, configuration, materials, and colors to assure protection of neighborhood character and to assure the visual integrity of certain developments without imposing undue restrictions on private property. (MCC §20.44.010).

Attached, as Exhibit 1, are of photos of the style and character of the homes in the surrounding neighborhood (there are many more) which show that the homes in this neighborhood are primarily ranch style, low profile homes.

Monterey County Planning c/o Joseph Sidor June 13, 2018 Page 2

The large massive, flat roof, bunker-like design of the proposed home is out of character with the surrounding neighborhood and has no visual integrity with the surrounding homes.

To address this issue, we ask that the LUAC require, at a minimum, that the following revisions be made to the home design to create a more visually integrated design with the neighborhood and reduce the overall impact of this project. These revisions are also depicted on **Exhibit 2** attached hereto.

- Lower roof elevation by 18", 12" of which can be removed by lowering the interior ceiling plate height from 9 feet to 8 feet without touching the finished floor level of the second story, and in particular, lowering the front section of the house, south of the entry hall, by 18", including the entire garage and master bathroom/master courtyard area, which would lessen the overall mass of the front of the building and provide visual relief with a change in roof line elevation from the front to the back.
- 2. Move the garage to the north approximately 10 feet (or the width of the laundry room), by relocating the laundry area to another location within the structure. This, too, would provide visual relief to the building's front elevation.
- 3. Alternatively require a pitched roof on the structure and lowering the exterior plate heights to 8 feet along the outside perimeter walls on all sides to create a more open, and a less bunker-like, less massive appearance. The flat roof creates additional building mass by pushing the mass all the way to the building edges.
- 4. Reduce the interior courtyard and rotate the east wing to the west to make the project more compact on the site. The interior courtyard provides open space for the owners, but results in the house being pushed to the east with a more massive appearance.
- 5. Another design feature of concern is the bank of living room windows along the north eastern side of the structure and the size of that overhang. These windows and overhang look directly into the Salvo's master bedroom. There is no view from this eastern wall. We ask that the bank of windows along the north eastern wall be removed to eliminate glare, light and provide privacy for both parties, and that the size of the overhang be pulled back to reduce massing in this area.

The applicants indicate they cannot lower their structure because, if they do, they will lose their ocean view, yet they are building a large massive structure with a flat roof that is out of character with the neighborhood and obscures much of the Salvos' existing view of Point Lobos to the south and the ocean to the west.

The street façade and front portion of the proposed house extending from the front, on either side back, is essentially solid wood. There are no view windows in this

Monterey County Planning c/o Joseph Sidor June 13, 2018 Page 3

area, it is primarily sold walls. Moreover the height reduction can be done by lowering the interior plate heights of the garage and front portion of bathroom/master courtyard area south of the entry hall, with little to no reduction in the upper level finished floor elevations. The only item the applicant is losing in this area is 18" of interior high height. They are not losing windows, nor are they losing a view.

While the County does not protect private views, in doing so it should not allow one applicant to claim they want to enhance their private views, at the expense of an existing resident, particularly when the new applicant is working with a vacant parcel and can design their home in a manner that provides them with the view they want, while not taking away a neighbor's existing view.

This is a situation where both parties can obtain what they want without unreasonable interference with the other. Compromise is required.

The Salvos' recommendations provide a compromise that gives the applicant views of the ocean at the north/west rear section of their house where they have focused all of the windows, yet brings the front of the house down to a scale that is more in line with the character of the neighborhood, by creating more articulation and a lower profile along the front façade, and reducing the overall massing and bunker-like appearance of the building.

The project is being designed by noted architects. Attached, as **Exhibit 3**, are photographs of other homes they have designed. These houses all have visual relief and varying roof heights. It is also noted these homes are on large open space lots, where the grandeur of the large scale design is appropriate.

In this case, on this small residential lot, a smaller scale design, with a more varied front design, reduced front height, set back garage, and rotation of the east wing to the west, would be more in keeping with the scale and character of the surrounding neighborhood.

The Salvos request that the applicant be required to:

- lower the overall house elevation by 18", and if not the overall house, at least the front section of the house and garage, south of the entry hall, by 18";
- set the garage back to the north by 10 feet (width of the laundry room);
- rotate the east wing to the west;
- reduce the size of the northeast overhang area; and

Monterey County Planning c/o Joseph Sidor June 13, 2018 Page 4

• eliminate the bank of windows on the east elevation looking directly in to the Salvos' master bedroom.

These revisions will protect the neighborhood character and visual integrity of the Carmel Meadows development, as well as lessen the project's impact on the Salvo's property, without imposing an undue restriction on the Woung Chapman property.

Sincerely,

NOLAND, HAMERLY, ETIENNE & HOSS

A Professional Copporation

Christine G. Kemp

CGK:aac

Enclosures:

Kemp Exhibit 1 – photographs of the surrounding neighborhood character Kemp Exhibit 2 – notes on proposed plans with requested revisions Kemp Exhibit 3 – photographs of other homes designed by the Applicant's

architect

cc: Clients

# Kemp Exhibit 1

Photographs of the Surrounding Neighborhood Character



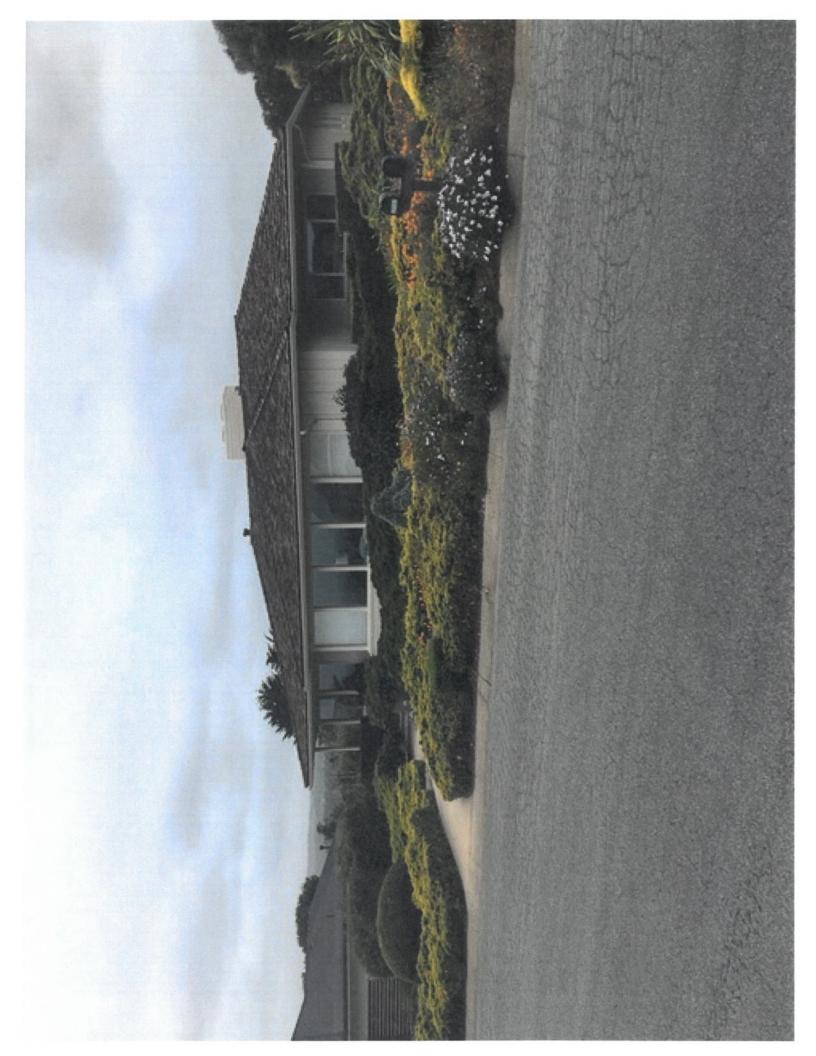












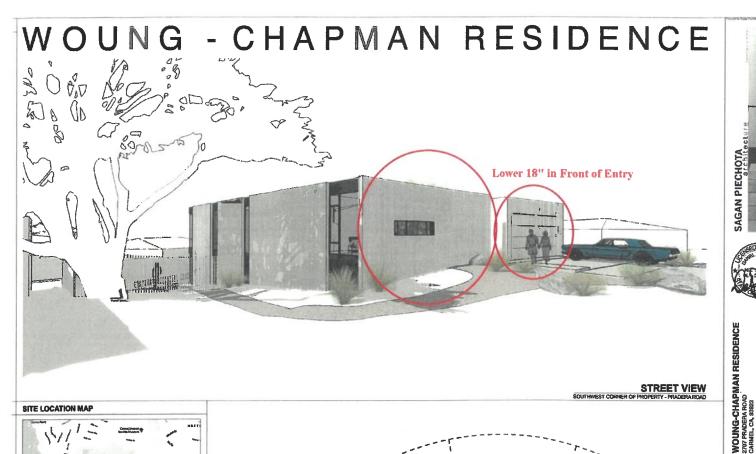






# Kemp Exhibit 2

Notes on Proposed Plans with Requested Revisions







### APPLICABLE BUILDING CODES

#### WILDLAND-URBAN INTERFACE FIRE AREA:

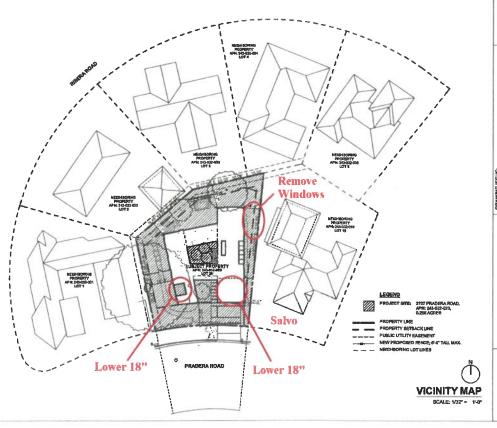
## WORK NOT INCLUDED UNDER THIS PERMIT: (SEPARATE PLAN CHECK & PERMIT REQUIRED)

7774 FRE-SPRINKLER SYSTEM 1E SKINED AND STAMPED BY GREEN BUILDING DIVISION

#### **OPERATION & MAINTENANCE MANUALS:**

THE COPY OF THE OPERATION AND MANTENANCE MANUAL IS TO BE PROVIDED TO THE BUILDING INSPECTOR AND BUILDING OCCUPANT OURING FINAL INSPECTION

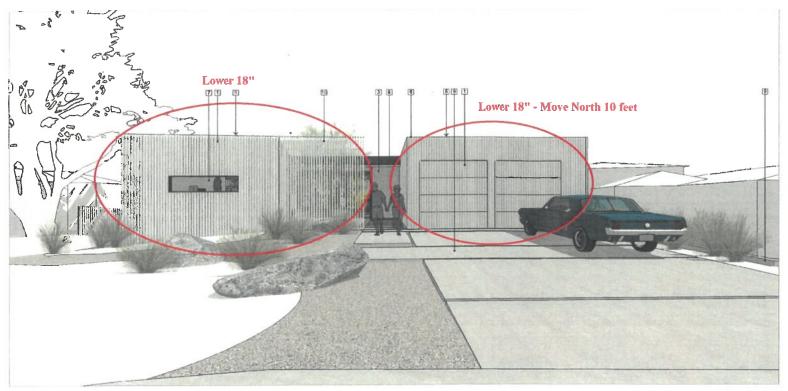
SPECIAL INSPECTIONS & STRUCTURAL OBSERVATIONS REQUIRED HERS VERIFICATION REQUIRED



G0.1

TITLE SHEET

Ph 415.8517600



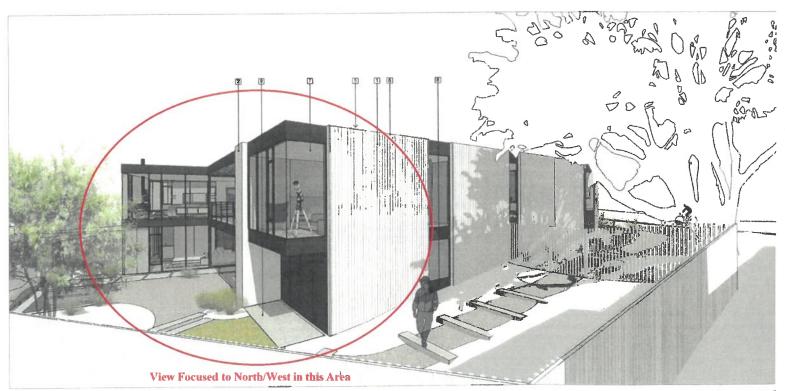
SOUTH FACADE



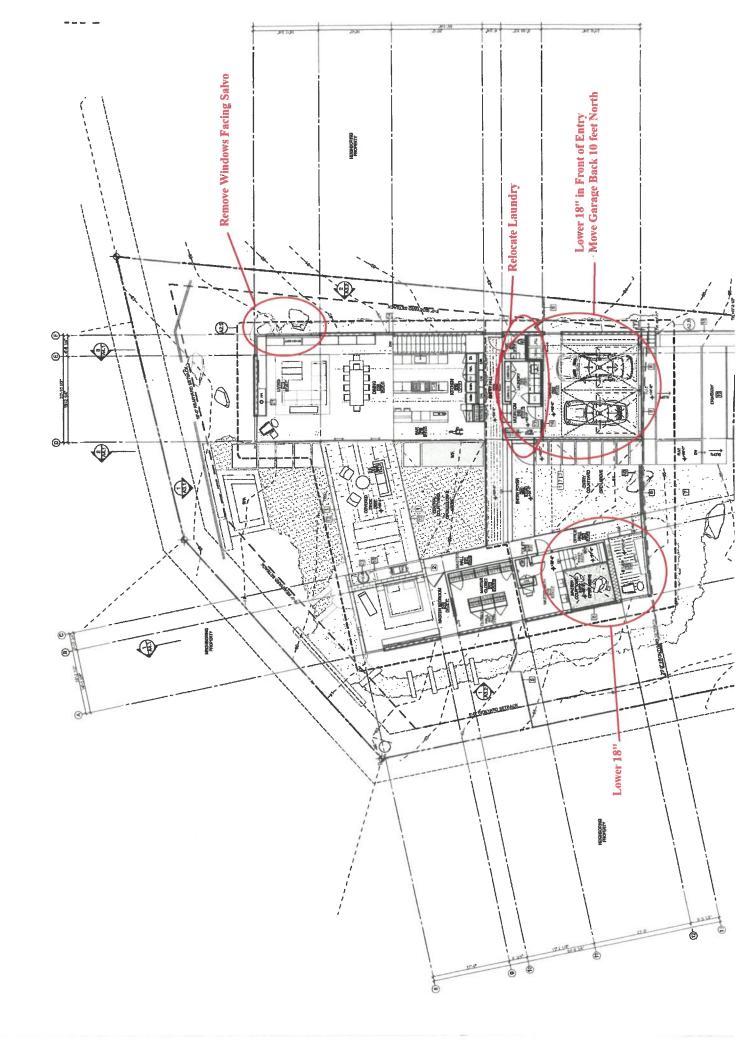
NORTHEAST CORNER VIEW OF LIVING ROOM WING AND EAST FACADE

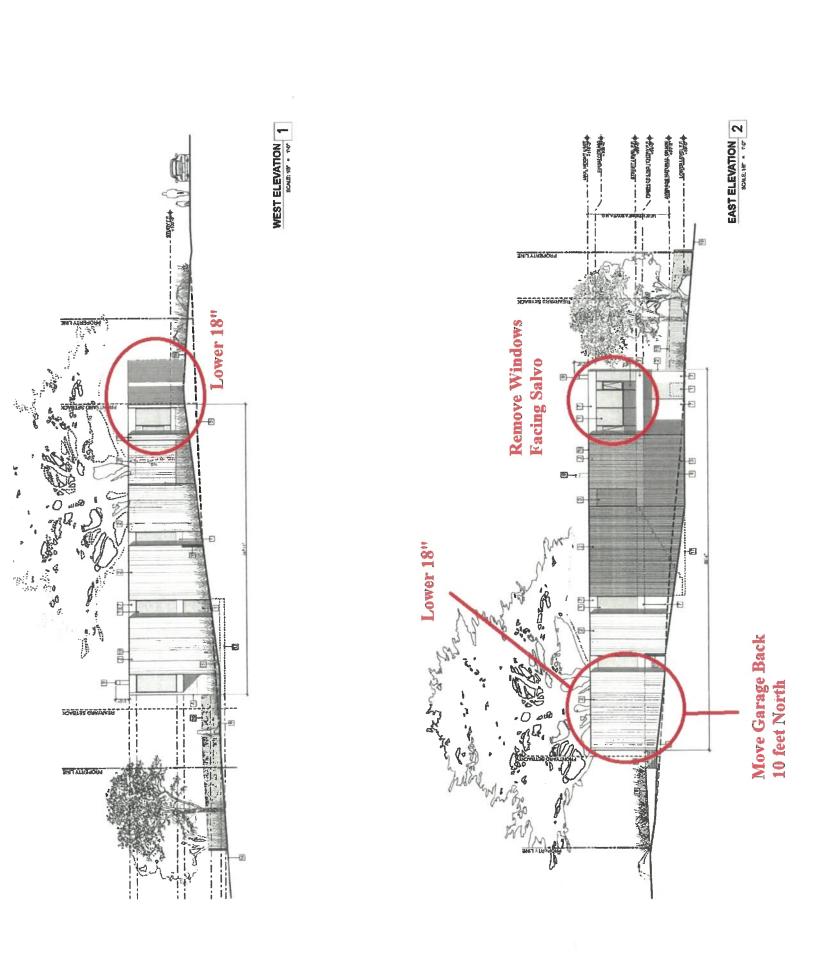


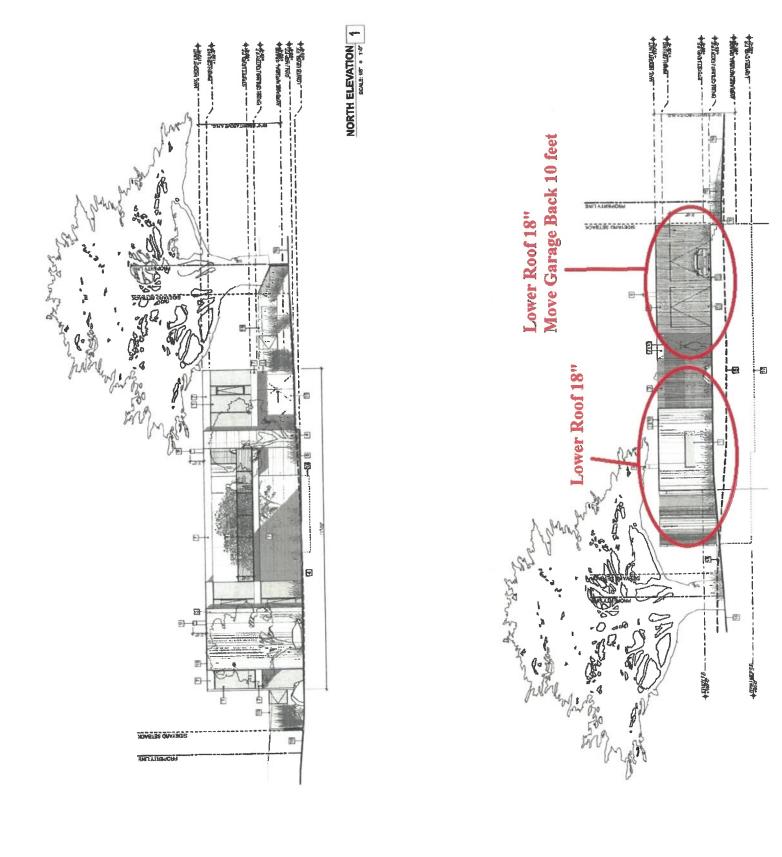
NORTH FACADE VIEW OF INNER COURTYARD AND COVERED DECK FROM REAR YARK



NORTHWEST CORNEL







# Kemp Exhibit 3

Photographs of Other Homes Designed by Applicant's Architect





