



Legislation Details (With Board Report)

File #: ZA 17-055 **Name:**

Type: Zoning Administrator **Status:** Agenda Ready

File created: 10/26/2017 **In control:** County of Monterey Zoning Administrator

On agenda: 11/9/2017 **Final action:**

Title: PLN170513 - MESSIAH
Continuation of a public hearing from August 31, 2017 to consider changing the color of a house from a previously approved off-white/grey to "Frosty Melon".
Project Location: 26425 Via Petra
Proposed CEQA action: Categorically Exempt per Section 15303(a) of the CEQA Guidelines

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Exhibit A - Project Data Sheet, 3. Exhibit B - Carmel Valley LUAC Minutes from September 18, 2017, 4. Exhibit C - Draft Resolution, 5. Exhibit D - Proposed Color, 6. Exhibit E - Vicinity Map, 7. Resolution

Date	Ver.	Action By	Action	Result
11/9/2017	1	County of Monterey Zoning Administrator		

PLN170513 - MESSIAH

Continuation of a public hearing from August 31, 2017 to consider changing the color of a house from a previously approved off-white/grey to "Frosty Melon".

Project Location: 26425 Via Petra

Proposed CEQA action: Categorically Exempt per Section 15303(a) of the CEQA Guidelines

RECOMMENDATION:

It is recommended that the Zoning Administrator adopt a resolution to:

- a. Find the project Categorically Exempt per Section 15303(a) of the CEQA Guidelines;
- b. Approve a Design Approval to change the color of a house from a previously approved off-white/grey to "Frosty Melon".

The attached draft resolution includes findings and evidence for consideration (Exhibit A). Staff recommends that the Zoning Administrator adopt the resolution approving PLN170513

PROJECT INFORMATION:

Agent: N/A

Property Owner: Samir Messiah and Sawsan Al Nimri

APN: 015-271-016-000

Zoning: LDR 2.5-D-S

Plan Area: Carmel Valley Master Plan

Flagged and Staked: no

Project Planner: Cheryl Ku

SUMMARY/DISCUSSION:

The project is located at 26425 Via Petra Rd in Carmel Valley. The parcel is zoned Low Density Residential/2.5acres with Design and Site Plan overlays (LDR2.5-D-S). Approval of the Design Approval

would allow the subject house to be painted a pale beige color called “Frosty Melon” instead of the previously approved off-white/grey colors.

In August of 2016 a Design Approval (PLN160393) to allow a remodel and addition to an existing home Carmel Valley was administratively approved pursuant to section 21.45.040(C) of the Zoning Ordinance. Section 21.45.040(C) allows the allows the Director of Planning to approve small projects such as minor structural additions or decks within a Design (‘D’) district without the benefit of an administrative permit. The improvements consisted of: a 138 square foot entry, 830 square foot bedroom addition, 1,033 square foot main level deck, and 248 square feet of second floor balconies. A public hearing was requested by a neighboring property owner, so pursuant to Section 21.45.040(C), the project was scheduled for Zoning Administrator hearing and was referred to the Carmel Valley Land Use Advisory Committee (LUAC). The LUAC recommended reducing the size of the additions and adding landscaping; however, after further review staff concluded that the proposed design was consistent with applicable County policies and standards. This original project was approved as proposed by the Zoning Administrator on January 12, 2017.

Consistent with requirements for the “D” district, the approved resolution (Resolution No. 17-001) specified that the colors and materials would match the existing colors and materials of the house prior to the remodel/additions: off-white stucco, white/grey exterior vinyl and wood sidings, and roofing to match the exiting ash grey roofing. In spring of 2017 RMA-Planning received a phone call about the color of the house, which had been partially painted in an orange hue that was inconsistent with the approved resolution. Staff spoke to the applicant and the project architect, who explained that a request to change the proposed color of the home had been submitted prior to the original approval. Staff was unable to verify this and explained that the only approved colors were those specified in the resolution.

To rectify the situation, the applicant submitted a new Design Approval to change the previously approved color to the Behr Paint color called “Carving Party”. The Design Approval was considered by the Zoning Administrator at a public hearing on August 31st, 2017. After staff presentation and public testimony, the Zoning Administrator continued the hearing to a date uncertain and directed staff to return to the Carmel Valley Land Use Advisory Committee for review of an alternative color. This decision was made in light of comments from neighbors and advisory committee members in opposition to the proposed “Carving Party” color.

On September 18, 2017, the Carmel Valley Land Use Advisory Committee reviewed multiple alternative colors proposed by the applicant and determined that the “Frosty Melon” color was consistent with neighborhood character. The LUAC voted 6-0 with one member absent to recommend the “Frosty Melon” color.

Staff recommends the Zoning Administrator approve the “Frosty Melon” color as recommended by the LUAC. The proposed materials will remain the originally approved stucco and wood/vinyl siding.

OTHER AGENCY INVOLVEMENT:

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

Prepared by: Cheryl Ku, Associate Planner, 796-6049
Reviewed by: Brandon Swanson, RMA Services Manager
Approved by: Carl Holm, AICP, RMA Director

The following attachments are on file with the RMA:

Exhibit A - Project Data Sheet
Exhibit B - Carmel Valley LUAC Minutes from September 18, 2017

Exhibit C - Draft Resolution

○ Site Plans

Exhibit D - Proposed Color

Exhibit E - Vicinity Map

cc: Front Counter Copy; Zoning Administrator, Brandon Swanson, RMA Services Manager; Samir Messiah, Applicant/Owner; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); John H. Farrow; Janet Brennan; Project File PLN170531