



Legislation Details (With Board Report)

**File #:** PC 17-100      **Name:** PLN160144 - Virnig  
**Type:** Planning Item      **Status:** Agenda Ready  
**File created:** 12/4/2017      **In control:** County of Monterey Planning Commission  
**On agenda:** 12/13/2017      **Final action:**  
**Title:** PLN160144 - VIRNIG SHARENE HAMROCK TR & VIRNIG KENNETH JOHN II  
Public hearing to consider the remodel of an existing 2-story single family dwelling and attached garage resulting in a net increase of approximately 2,535 square feet, and dune habitat restoration. Development would occur within 750 feet of a known archaeological resource and within 100 feet of environmentally sensitive habitat (ESHA).  
Project Location: 1154 The Dunes, Pebble Beach, Del Monte Forest Land Use Plan  
Proposed CEQA Action: Categorically Exempt per Sections 15301(e)(1) and 15333 of the Guidelines

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Staff Report, 2. Exhibit A - Project Data Sheet, 3. Exhibit B - Draft Resolution, 4. Exhibit C - Vicinity Map, 5. Exhibit D - Reports, 6. Exhibit E - Minutes - Del Monte Forest LUAC, 4 August 2016, 7. Exhibit F - Comments - California Coastal Commission, 12 August 2016, 8. Exhibit G - Del Monte Conservancy Map - Accepted Easements & Ownership in Fee Title, 9. Exhibit H - Map - Figure 2b Del Monte Forest Watersheds

Date	Ver.	Action By	Action	Result
12/13/2017	1	County of Monterey Planning Commission		

**PLN160144 - VIRNIG SHARENE HAMROCK TR & VIRNIG KENNETH JOHN II**

Public hearing to consider the remodel of an existing 2-story single family dwelling and attached garage resulting in a net increase of approximately 2,535 square feet, and dune habitat restoration. Development would occur within 750 feet of a known archaeological resource and within 100 feet of environmentally sensitive habitat (ESHA).

**Project Location:** 1154 The Dunes, Pebble Beach, Del Monte Forest Land Use Plan

**Proposed CEQA Action:** Categorically Exempt per Sections 15301(e)(1) and 15333 of the Guidelines

**RECOMMENDATION:**

Staff recommends the Planning Commission adopt a Resolution to:

- a. Find the project is an addition to an existing structure that will not result in the increase of more than 50% of existing floor area before the remodel which qualifies as a Class 1 Categorical Exemption pursuant to Section 15301(e)(1) of the CEQA guidelines, and there are no exceptions pursuant to Section 15300.2 of the CEQA guidelines;
- b. Find the project is a small habitat restoration project of less than five acres which qualifies as a Class 33 Categorical Exemption pursuant to Section 15333 of the CEQA guidelines, and there are no exceptions pursuant to Section 15300.2 of the CEQA guidelines; and
- c. Approve Combined Development Permit consisting of:
  - 1) Coastal Administrative Permit and Design Approval to:
    - i. Demolish 240 square feet and 1,334 linear feet of walls of an existing 5,866 square foot single family residence
    - ii. Add 1,604 square feet of living area

- iii. Demolish existing garage and hallway of 960 square feet total
- iv. Add 1,005 square feet to existing 845 square foot garage
- v. Add 3,715 square feet of storage and patios
- vi. Add 196 linear feet to existing retaining walls and planter
- vii. Replace 6,438 square foot existing asphalt driveway with pervious pavers
- viii. Grade approximately 810 cubic yards of cut and 440 cubic yards of fill with approximately 370 cubic yards of off haul
- ix. Restore 4,858 square feet of dune habitat
- x. Rehabilitate 13,178 square feet of fill slope with non-invasive native plant species which results in a 7,470 square foot single family residence and 1,850 square foot attached garage.

- 2) Coastal Development Permit to allow development within 750 feet of a known archaeological resource; and
- 3) Coastal Development Permit to allow development within 100 feet of ESHA;
- d. Approve Restoration Plan to:
  - 1) Restore 4,380 square feet of iceplant to coastal sand dune habitat
  - 2) Rehabilitate 13,178 square feet of fill slope with non-invasive native vegetation
  - 3) Dedicate 26,346 square foot conservation easement to Del Monte Forest Conservancy
  - 4) Restore 478 square feet of area across the property line into Spyglass Hill Golf Course to coastal sand dune habitat.

The attached draft resolution includes findings and evidence for consideration. **(Exhibit B)**  
Staff recommends approval subject to 19 conditions.

**PROJECT INFORMATION:**

**Agent:** Luyen Vu, c/o Eric Miller Architects  
**Property Owner:** Sharene Hamrock  
**APN:** 008-012-013-000  
**Parcel Size:** 1.26 acres  
**Zoning:** “LDR/1.5-D(CZ)” (Low Density Residential in the Coastal Zone with a design control overlay, max. gross density of 1.5 acres/unit)  
**Plan Area:** Del Monte Forest Land Use Plan  
**Flagged and Staked:** yes

**SUMMARY**

Staff recommends approval of the proposed project to remodel the existing 2-story single family dwelling and attached garage and to restore coastal dune habitat on the property. Proposed restoration of disturbed dune habitat would improve connectivity of dispersed patches of dune sands along the northwest area of the parcel. Additional potential future opportunity for restoration exists along the southern portion of the subject parcel to reduce fragmentation of Pebble Beach dune habitat and improve connectivity for wildlife inhabitants of the dunes. The remodel includes demolition of the existing single story garage on the north side to be replaced with a two story wing of the structure that integrates with the rest of the house design. Implementation of the project would include several new decks and patios, and 38% reduction of impervious surface.

**DISCUSSION:**

**Setting**

The proposed project is located on a 1.26 acre parcel off 17-Mile Drive in Pebble Beach south of the Indian

Village neighborhood and less than 300 feet east of the beach. Vehicle access to the parcel is via Silver Trail, a private road that is the access easement to the subject property, from 17 Mile Drive. This will remain as access to the residence on the subject parcel and the existing driveway will be improved with pervious pavers that accommodate the weight of a fire truck. The name of the residence on the subject property is “Spy & Sea,” located in the existing development known as “Fanshell”. Neighbors include the “Gingerbread House” to the north, Spyglass Hill Golf Course to the east, and five residential properties to the south and west.

The parcel is unique in that the easternmost portion of the subject property is a granitic outcrop situated approximately 20 feet above mean sea level while the westernmost portion slopes westward 35% down to 15%, terminating at a swath of native dune habit. Existing development on the parcel, including the 5,700 square foot 2-story residence and 845 square foot attached garage, are on the upper granite bedrock. The driveway lays between the west facing front of the house and a 13,178 square foot swath of fill-slope planted with a mixture of native and non-native woody and herbaceous species. A 4,380 square foot patch of invasive iceplant is located on the northern boundary of the property, along the entry driveway, in between the fill slope and the native dune sands.

### Project Overview

The proposed project is the partial demolition and remodel of an existing Single Family Dwelling and adjacent habitat restoration. The construction portion of the project consists of the partial demolition and remodel of the existing 5,700 square foot two-story single family residence including 600 square foot upper floor addition and 1,000 square foot lower floor addition; 1,000 square foot addition to the garage, a storage room, upper and lower floor patios and decks; addition to the existing retaining walls and planter, replacement of asphalt driveway with pervious pavers, and approximately 800 cubic yards of cut and 440 cubic yards of fill. The habitat restoration portion of the project includes removal of the iceplant patch and the restoration, thereof, to coastal dune habitat, increasing the total dune habitat on the subject property from 8,788 to 13,168 square feet on the western half of the parcel.

Another component of the restoration is revegetation of the fill-slope with non-invasive native plant species that are both to serve as a buffer between the residential use and the native coastal dune habitat, and are expected not to encroach on adjacent dune species. The completed restoration area, along with the fill-slope and native dune habitat areas, will comprise 26,346 square feet, approximately 48% of the subject parcel area. The applicant has offered to place this area in a Conservation and Scenic Easement to the Del Monte Forest Conservancy. Additional restoration will be implemented behind the house in the area of encroachment across the property line into Spyglass Hill Golf Course dune habitat. Approximately 480 square feet of this dune habitat restoration will not be included in the dedication to Del Monte Forest Conservancy.

The southern edge of the proposed conservation and scenic easement would be contiguous with a previously conveyed easement of coastal dune habitat on neighboring property dedicated to the Del Monte Forest Conservancy. See Exhibit G which shows properties of the Del Monte Forest Conservancy that are accepted easements (orange) and those areas owned in Fee Title (green) with the subject parcel in red. The western edge of the proposed easement is contiguous with an area of coastal dune habitat on a neighboring residential parcel that is developed with a single family dwelling that underwent a remodel, including approximately 1,900 square feet of additions in 2016. There is no record of an easement dedication for that property. However, the native dune habitat is intact and shares an indistinct boundary with the native dune habitat on the subject property.

Total impervious surface will be reduced from an existing 13,260 square feet to 8,230 square feet. This is accomplished by a change from 6,438 square foot asphalt driveway to pervious paving. The subject parcel is

not within the Pescadero Watershed nor does it drain into the Carmel Bay Area of Special Biological Significance (ASBS) or those of Seal Rock Creek and Sawmill Gulch (See Exhibit H). Therefore, the project is not subject to Del Monte Forest LUP Policy 77 of Chapter 3 that limits site coverage of impervious surfaces to 9,000 square feet. Nevertheless, the project will result in impervious area site coverage of approximately 8,230 square feet. The existing single story garage, currently attached to the main house by a hallway, is the site for the new two story wing of the house proposed to share structural walls. The soils report submitted by LandSet in July 2016 (File No. LIB160254) recommends over-excavation of the upper 3.0 feet below the proposed foundation elements which requires deep cutting into the soil. None of this development is proposed in the habitat areas identified by the Biotic Report (File No. LIB170394).

### Project Issues/Solutions

Initial comments from the California Coastal Commission (CCC) in August 2016 raised concerns about the project proposed at the time. Concerns began with a wide lens from the fact that development exists within the 100 foot buffer of ESHA and that the residential development was extending into degraded and potential ESHA. Specific concerns raised by the CCC included the applicant request for expansion of the driveway paving outside the current driveway boundaries, and for allowance of existing landscape features, a shed, and two propane tanks within the 100 foot buffer.

County staff worked with the applicant to revise the initial proposal that had included an increase in asphalt driveway paving. The Pebble Beach Community Services District, responsible for fire protection at the location of the subject property, endorsed the driveway paving expansion in a letter to the property owner dated 28 June 2017. However, the current project proposal no longer increases the area of driveway paving and is changed from asphalt to pervious paving capable of handling the weight of a fire truck.

Because the entire 1.26 acre parcel is within ESHA, a 100-foot setback from ESHA is completely infeasible in any crosswise direction (between 180 and 300 feet). Therefore, examination of this project is done in consideration of what is a reasonable amount of development within ESHA. Building site coverage of 8,230 square feet will stay within the allowable 15% (8,232.75 square feet) for LDR zoning pursuant to Section 20.14.040.E of Title 20. The existing shed that was constructed within setbacks will be demolished, and not rebuilt. A breakdown of complete proposed site coverage is as follows:

- 7,100 square feet, impervious surface - building
- 1,130 square feet, impervious surface - patios, retaining walls, deck, exterior stairs, & walkways
- 6,438 square feet, pervious surface - driveway

Staff recommends approval of the applicant's request to leave the landscape features and the propane tanks in their current locations. While these existing items remain within the 100 foot ESHA buffer, their removal would not improve performance standards meeting the intent to isolate non-resource dependent use and development from identified locations of ESHA, pursuant to Section 20.147.040.C.3(a) of the CIP for the DMF LUP Area. In addition, location of these amenities conforms to Monterey County Code Sections 20.06.1020 & 20.06.1200 of Title 20. The proposed addition occurs entirely within the previously disturbed planter area between the existing garage and driveway edge and does not exceed Title 20 setback regulations for LDR zoning.

*Biological:* A Biotic Report & Conservation Plan (File No. LIB170394), prepared by Jeff Froke in November 2017, demarcates areas of native coastal dune habitat, invasive iceplant-dominated habitat to be restored to dune habitat, and landscaped slope-fill that is the separation between ESHA and the residential use. The report identified the likely possibility that the Northern California Legless Lizard occupies the native dune habitat on and adjacent to the subject property. However, the report specifies that a search to confirm the animal's presence is not appropriate because the proposed development completely avoids habitat disturbance.

Archaeological: The subject parcel is within 750 feet of a known archaeological resource. Therefore, the County required an archaeological report which was prepared for this project by Gary S. Breschini in May 2016 (File No. LIB160252). The report conclusion was negative for archaeological resources impacted by the proposed project.

### Design Review

Design considerations included size, configuration, materials and colors of the remodel, addition, and site improvements. Materials and colors include glass windows that capitalize on the encompassing views to the ocean and to the Del Monte Forest; copper roofing that will oxidize to a patina integrating with the surrounding environment; limestone exterior walls, copper gutters, downspouts, and garden lights; and pervious pavers in earthtones. The configuration will remain the same as existing with the structure meeting the zoning requirements for height and setbacks. The roof height from average natural grade is 27.5 feet at its highest which is within the 30 foot maximum LDR zoning regulation. Members of the Del Monte Forest LUAC commented that the proposed addition makes the house too large for the existing lot size. The addition is being implemented at the location of the existing attached garage that was previously disjointed from the massing and configuration of the rest of the home. Although the structure does become larger at that portion of the house, it is because the garage is being integrated with the design of the rest of home.

### CEQA

- A) Pursuant to Section 15301(e)(1) of the CEQA guidelines, an addition to an existing structure that will not result in the increase of more than 50% (3,355.50 square feet) of total floor area before the remodel (6,711 square feet) qualifies as a Class 1 Categorical Exemption provided there are no exceptions pursuant to Section 15300.2 of the CEQA guidelines. Addition of approximately 2,694 square feet of floor area is proposed.
- B) Pursuant to Section 15333 of the CEQA guidelines, a small habitat restoration project of less than five acres qualifies as a Class 33 Categorical Exemption provided no significant adverse impact would result on endangered, rare or threatened species or their habitat pursuant to section 15065; no hazardous materials exist at or around the project site that may be disturbed or removed; and no adverse impacts will result that are significant when viewed cumulatively with past, current, or probable future projects. The project proposal is to restore 4,380 square feet of ruderal dune habitat adjacent to 8,788 square feet of existing native coastal dune habitat and 480 square feet at the eastern property line shared with Spyglass Hill Golf Course. A total 13,178 square feet comprising the fill slope is proposed for rehabilitation with non-invasive native woody and herbaceous plant species. A total 26,346 square feet, approximately 48% of the 1.26 acre parcel, is proposed as a Conservation and Scenic Easement dedication to the Del Monte Forest Conservancy.

### 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
- Pebble Beach Community Services District
- Del Monte Forest Land Use Advisory Committee

LUAC: The Del Monte Forest Land Use Advisory Committee (LUAC) recommended approval of the project in a 7 ayes - 0 noes decision. The meeting took place on 4 August 2016. There were two comments from the

LUAC: 1) prefer pervious paving to asphalt driveway; and 2) proposed addition makes house too large for existing lot size. The applicant will demolish the existing asphalt paving and replace with pervious paving. Staff finds the proposed addition integrates with the house to convey design consistency and does not go outside the existing footprint, nor does it exceeding the existing roofline height.

Prepared by: Jaime Scott Guthrie, Associate Planner, ext. 6414

Reviewed by: Brandon Swanson, Planning Services Manager

Approved by: John M. Dugan, AICP, RMA Deputy Director

Carl P. Holm, AICP, RMA Director

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 - Reports, including:

- Soils Report, LandSet (LIB160254)
- Biological Report, Ballerini (LIB170069)

Exhibit E - Minutes - Del Monte Forest LUAC, 4 August 2016

Exhibit F - Comments - California Coastal Commission, 12 August 2016

Exhibit G - Map - Del Monte Conservancy Properties: Accepted Easements & Ownership in Fee Title

Exhibit H - Map - Figure 2b: Del Monte Forest Watersheds

cc: Front Counter Copy; Jacqueline R. Onciano, RMA Chief of Planning; Luyen Vu c/o Eric Miller Architects, Agent; M R Wolfe & Associates (John Farrow); The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); California Coastal Commission; Project File PLN160144.