



Legislation Details (With Board Report)

File #: PC 17-054 **Name:** PLN160117 - El Why Square
Type: Planning Item **Status:** Agenda Ready
File created: 8/1/2017 **In control:** Monterey County Planning Commission
On agenda: 8/9/2017 **Final action:**
Title: PLN160117 - EL WHY SQUARE LLC
Public hearing to consider the demolition/construction of a new single-family dwelling and restoration of Monterey cypress habitat within 100 feet of ESHA and within 750 feet of a known archaeological resource.
Project Location: 3168 Seventeen Mile Drive, Pebble Beach
Proposed CEQA Action: Adopt a Mitigated Negative Declaration

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Exhibit A - Project Data Sheet, 3. Exhibit B – Discussion, 4. Exhibit C – Draft Resolution, 5. Exhibit D – LUAC Minutes, 6. Exhibit E – Vicinity Map, 7. Exhibit F – Initial Study-Negative Declaration, 8. Exhibit G – Comments on Initial Study-Negative Declaration, 9. Hearing Submittal

Date	Ver.	Action By	Action	Result
8/9/2017	1	Monterey County Planning Commission		

PLN160117 - EL WHY SQUARE LLC

Public hearing to consider the demolition/construction of a new single-family dwelling and restoration of Monterey cypress habitat within 100 feet of ESHA and within 750 feet of a known archaeological resource.

Project Location: 3168 Seventeen Mile Drive, Pebble Beach

Proposed CEQA Action: Adopt a Mitigated Negative Declaration

RECOMMENDATION:

It is recommended that the Planning Commission:

- 1) Adopt the Mitigated Negative Declaration;
- 2) Approve the Combined Development Permit consisting of:
 - a. Coastal Administrative Permit to allow the demolition of an existing 6,871 square foot single family dwelling with a 1,550 square foot attached garage
 - b. Coastal Administrative Permit and Design Approval construction of a 13,130 square foot single family dwelling with a 754 square foot attached garage;
 - c. Coastal Development Permit to allow development within an environmentally sensitive habitat area; and
 - d. Coastal Development Permit to allow development within 750 feet of a known archaeological resource.
- 3) Adopt a Mitigation Monitoring and Reporting Program.

The attached resolution includes findings and evidence for consideration (**Exhibit C**). Staff recommends approval subject to 18 conditions of approval and 11 mitigation measures.

PROJECT INFORMATION:

Agent: Aengus Jeffers

Property Owner: El Why Square LLC

APN: 008-491-021-000

Parcel Size: 2.98 acres

Zoning: "LDR/2-D (CZ)" Low Density Residential, 2 acres per unit, Design Control District in the Coastal Zone.

Plan Area: Del Monte Forest Land Use Plan

Flagged and Staked: Yes

SUMMARY:

The subject property is located at 3168 Seventeen Mile Drive in Pebble Beach along the Carmel Bay shoreline within the Del Monte Forest Land Use Plan area. The 2.98-acre parcel is surrounded by similar residential lots within native Monterey cypress forest (Crocker Grove). Less than ½ mile north is the Cypress Point Golf Course clubhouse. The property is previously developed with an accessory dwelling unit and a shed near Seventeen Mile Drive, and a single-family dwelling and greenhouse in a natural depression on the west side of the property. The accessory dwelling unit and shed will be retained and the single-family dwelling and greenhouse will be demolished. The single-family dwelling was built in the early 1950s and was determined to lack the historical significance and the physical integrity to be considered a historic resource.

The proposed project consists of demolition of a 6,871 square foot one-story single family dwelling with a 1,550 square foot attached garage and construction of a 13,130 square foot two-story single family dwelling with an attached 754 square foot garage within the same building and hardscape footprint as the existing single family dwelling. Construction of the proposed structures will require grading of approximately 300 cubic yards of cut and 1,300 cubic yards of fill. No trees are proposed for removal.

The parcel is located within the mapped indigenous Monterey cypress habitat area with the dominant vegetation on the site being a mature Monterey cypress forest, an extension of the Crocker Grove, with a predominantly non-native plant understory. The forest canopy opens to a coastal bluff that is dominated by non-native plants and invasive plants such as ice plant.

Visually, the project parcel borders Seventeen Mile Drive, a designated scenic roadway. Topographically, the property is at approximately 30+ feet elevation on a gradual west-facing slope. Views of the ocean are obscured by an existing grape-stake fence and the density of the forest. A significant redevelopment project like this presents an opportunity to improve visibility along the coastline. The applicant proposes to replace the existing fence with an open-slatted fence south of the existing accessory dwelling unit to create more open views of the ocean. Based on staking and topography, staff finds that the proposed main house would not be visible from Seventeen Mile Drive. The existing accessory dwelling unit would be visible but no changes are proposed for this structure.

Existing driveway access extends downhill along the south side of the property, around/below the house along the bluff, to a garage located on the north side of the existing home. There is also access and parking for the accessory unit that would not change. The project proposes to use the same driveway for access to the new dwelling, except that the garage will be relocated to the south side of the house. Thus, the portion of driveway extending along the bluff to the north side of the house will be removed thereby substantially contributing towards the project's restoration of coastal bluff habitat and indigenous Monterey cypress habitat. Proposed restoration includes about 57,000 square feet coastal bluff habitat and indigenous Monterey cypress habitat along with at least 8,700 square feet of asphalt driveway and greenhouse that will be converted back to habitat. Overall site coverage reduction is just over 12,000 square feet.

Two recorded cultural resource sites are within 1/8-mile of the project parcel: CA-MNT-1084 and CA-MNT-

1244. However, no recorded sites were reported to exist within the project parcel boundaries. Conditions of approval have been incorporated to ensure protection of cultural/tribal cultural resources.

The proposed development is consistent with the policies of the 1982 General Plan and the Del Monte Forest Land Use Plan (LUP). Currently adopted language of Policy 20 of the Del Monte Forest Land Use Plan states that implementation of the Policy requires site improvements to be located within the “existing hardscaped areas” and outside of the dripline of individual cypress trees. Although existing Policy language provides a “well-defined policy framework” for the protection of cypress habitat, an amendment was proposed with the intent to address development issues, strengthen existing standards, and ensures protection and enhancement of the resource. The amendment also provides clear standards for both developed and undeveloped properties. This results in a Policy that will more clearly align the standards for development with the purpose of the policy by allowing development in previously disturbed areas is in the process of being adopted. The amendment was recently approved by the California Coastal Commission on May 10, 2017. This amendment will next be presented to the Planning Commission for recommendation of final Board acceptance before it is fully implemented.

As proposed, the project includes a minor amount of development outside of the existing footprint, but within existing *disturbed* landscape areas. The intent of the policy, as interpreted by County of Monterey, is to protect native habitat areas and promote restoration while allowing limited development within disturbed areas. Therefore, staff concludes that the proposed project meets the intent of the currently adopted language of Policy 20 and is consistent with the Del Monte Forest Land Use Plan. Staff finds that the design complies with the Policy 20 language approved by the Coastal Commission.

An Initial Study/Draft Mitigated Negative Declaration was prepared and circulated for public review from June 19, 2017 to July 19, 2017. Potential impacts to Biological Resources and Cultural Resources were identified. Mitigation measures proposed are designed to: protect trees and nesting birds during construction, implement construction best management practices, eradicate exotic species and restore habitat, monitor the site during soil-disturbing activities, manage the discovery of tribal cultural resources during construction, and protect archaeological resources through easements. The impacts are mitigated to a less-than-significant level through the implementation of these mitigation measures. A comment letter from the Native American Heritage Commission (**Exhibit G**) was received during the comment period. The comments have been resolved and addressed within the CEQA finding contained in the draft resolution attached as **Exhibit C**.

The proposed project is consistent with the Del Monte Forest Land Use Plan policies and the site development standards required for LDR zoning (MCC, Title 20). Therefore, staff recommends approval of the project.

DISCUSSION:

Detailed discussion is provided in **Exhibit B**.

OTHER AGENCY INVOLVEMENT:

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

- ✓ RMA-Public Works
- ✓ RMA-Environmental Services
- ✓ Water Resources Agency
- ✓ Pebble Beach Community Services District - Fire Department
- ✓ Del Monte Forest Land Use Advisory Committee

The proposed project was reviewed by Del Monte Forest Land Use Advisory Committee on July 21, 2016. The LUAC recommended approval of the project by a vote of 6/0 with no comments (**Exhibit C**).

Prepared by: Anna V. Quenga, Associate Planner ext. 5175

Reviewed by: Brandon Swanson, RMA Planning Services Manager

Approved by: Carl P. Holm, AICP, RMA Director

The following attachments are on file with the RMA:

Exhibit A - Project Data Sheet

Exhibit B - Discussion

Exhibit C - Draft Resolution including:

- Site Plan
- Conditions of Approval

Exhibit D - LUAC Minutes

Exhibit E - Vicinity Map

Exhibit F - Initial Study/Negative Declaration

Exhibit G - Comments on Initial Study/Negative Declaration

cc: Front Counter Copy; Planning Commission; California Coastal Commission; Aengus Jeffers, Agent; El Why Square LLC, Applicant/Owner; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Jacqueline R. Onciano, RMA Chief of Planning; Brandon Swanson, RMA Services Manager; Anna V. Quenga, Associate Planner; Project File PLN160117.