



County of Monterey

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Legislation Details (With Board Report)

File #: ZA 20-022 **Name:** PLN190428 - KHALSA DEVELOPMENT
Type: Zoning Administrator **Status:** Agenda Ready
File created: 6/8/2020 **In control:** Monterey County Zoning Administrator
On agenda: 6/25/2020 **Final action:**
Title: PLN190428 and PLN190429- KHALSA DEVELOPMENT
Public hearing to consider the construction of two 1,529 square foot two-story houses with 44 square foot porches and attached 432 square foot two-car garages on two separate adjacent parcels.
Project Location: 11434 Del Monte Ave., Castroville, (Assessor's Parcel Number 030-321-030-000), and 11430 Del Monte Ave., Castroville (Assessor's Parcel Number 030-321-031-000), North County Area Plan, Castroville Community Plan
Proposed CEQA action: Categorically Exempt per Section 15303(a) of the CEQA Guidelines

Sponsors:

Indexes:

Code sections:

Attachments: 1. Staff Report, 2. Exhibit A – Draft Resolution for PLN190428, 3. Exhibit B – Draft Resolution for PLN190429, 4. Exhibit C – Fencing Design, 5. Exhibit D – Vicinity Maps for PLN190428 and PLN190429, 6. Exhibit E – LUAC Minutes, 7. Exhibit F – Letter of Concern and Follow-up email, 8. RESza_20-024_PLN190428_062520, 9. RESza_20-025_PLN190429_062520

Date	Ver.	Action By	Action	Result
6/25/2020	1	Monterey County Zoning Administrator		

PLN190428 and PLN190429- KHALSA DEVELOPMENT

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

RECOMMENDATION:

It is recommended that the Zoning Administrator adopt two separate resolutions to:

- 1) Find that both projects involve the construction of a single-family dwelling in a residential area, which qualifies as a Class 3 Categorical Exemption pursuant to Section 15303(a) of the CEQA Guidelines; and that there are no exceptions pursuant to Section 15300.2 of the CEQA Guidelines; and
 - 2) Approve the Design Approval for the construction of two (2) 1,529 square foot two-story houses with a 44-square foot porches and an attached 432 square foot two-car garages, on two separate adjacent parcels.
- Two separate draft resolutions have been prepared and are attached including findings and evidence for consideration subject to four conditions of approval (**Exhibits A and B**).

PROJECT INFORMATION:

Agent: Jaime Bugarin

Property Owner: Khalsa Construction, LLC

APNs: 030-321-030-000 and 030-321-031-000

Parcel Size: 0.08 acre (3,438 sq. ft.) and 0.096 acre (4,205 sq. ft.)

Zoning: Community Plan (CP) / Medium Density Residential (MDR-C)

Plan Area: Castroville Community Plan

Flagged and Staked: No

SUMMARY:

The subject properties are located on adjacent lots at 11434 and 11430 Del Monte Avenue, north of the corner of Koester Street in Castroville. They are both small, vacant lots. Each proposed project consists of constructing a 1,529 square foot two-story house with a 44-square foot porch and an attached 432 square foot two-car garage. Both lots are part of a previously approved re-subdivision and Planned Unit Development created in March 2000. Staff finds the two projects meet the requirements of all relevant codes in the Monterey County General Plan, Monterey County zoning ordinance (Title 21), and the Castroville Community Plan and no conflicts exist. This Design Approval is being brought to the Zoning Administrator pursuant to the requirements of the Castroville Community Plan.

DISCUSSION:

Background

In March 2000, the Planning Commission recommended Board of Supervisors approval on the re-subdivision of five parcels bounded on the west by Geil Street, the south by Koester Street, and the east side by Del Monte Street, resulting in fourteen individual, single-family lots. PLN190428 and PLN190429 involve construction of single-family dwellings on two of the vacant lots created by the re-subdivision. The Sat Kirtan Singh/Kaur Khalsa Villa de Castro Planned Use Development (PUD), PLN990209, included design proposals for each proposed structure. The proposed plans for PLN190428 and PLN190429 both match the form, mass and scale for single family dwelling plan B, Exhibit G, in the PUD as approved in 2000.

Environmental assessment under CEQA for the re-subdivision and PUD was met with an Initial Study and Negative Declaration (IS/ND). RMA Planning made use of “Preliminary Cultural Resources Reconnaissance of Assessor’s Parcel Number 030-227004, 05, 06, 07 and 08, in Castroville, Monterey County, California,” November 12, 1986 (LIB040418) by R. Paul Hampson and Gary S. Breschini Registered Professional Archaeologists with SOPA, and a Soil/Geotechnical Report prepared by M. Jacobs & Associates Soil and Foundation Engineers January 12, 1987 that were prepared for a 20-unit condominium project, Villa de Castro, that was recorded as a subdivision (PC-7413) but never constructed on the same parcels. The Preliminary Cultural Resources Reconnaissance report concluded that there were no archaeological or cultural constraints that would indicate the site was not suitable for development. The results of the Soil/Geotechnical Report indicated that that near-surface soils have moderate expansive properties, but potential for liquefaction to occur within the limits of the site and to cause damage to the structures was insignificant. The report recommended grading and foundation plans should be reviewed by a Soil Engineer during their preparation. These were produced for PLN190428 and PLN190429, and are discussed below under *Site Suitability*.

Development Standards and Design Review

It could be argued that the projects do not have to be consistent with the regulations of the Castroville Community Plan (CP) in terms of development standards, since the Planned Unit Development they are a part of was permitted in 2000, seven years before the CP was adopted. However, the proposed units are consistent with the CP. The parcels are currently vacant lots which the CP designates Medium Density Residential-Castroville (MDR-C) and as an “infill site.” The CP requires a minimum lot size of 2,500 square feet for small lot single family dwellings (SFD); the subject parcels for PLN190428 and PLN190429 are 3,438 and 4,205 square feet in size, respectively. The allowable lot coverage for small lot SFD is 35%; the proposed project PLN190428 at 11434 Del Monte Avenue has a coverage of 32%; the proposed project for PLN190429 on the slightly larger lot at 11430 Del Monte Avenue has a coverage of 26%. Both projects propose two covered parking spaces, which meets Title 21 parking standards. Their plans include placement and type of lighting that

meets the CP's requirements. The height limit for small lot SFD is 30 feet; the proposed developments are 25 feet and 25 feet, 6 inches in height, respectively. The site plans and elevations are attached as **Exhibit A**, respectively.

Pursuant to the CP, setbacks for small lot SFD are 15 feet front, and 10 feet rear, and sides can be as low as zero, as long as the minimum distance standards between buildings on adjacent properties is maintained. The proposed dwelling for PLN190428, on 11434 Del Monte Avenue, is planned to have 22 feet front, 5 feet side toward the other proposed Khalsa dwelling, and 7 feet, 9 inches side toward the other neighbor, and 10 feet, 4 inch rear setbacks. The proposed project siting would be the minimum distance to the next proposed Khalsa dwelling, and more than the minimum distance to the non-habitable and habitable structures on the other neighbor's property. Therefore, the proposed dwelling meets the setbacks for small lot SFD.

PLN190429, at 11430 Del Monte Avenue, is planned to have 20 feet front, 5 feet sides, and 32 feet rear setbacks. Again, the total of 10 feet between the two proposed new dwellings meets the minimum distance between habitable structures, and the 5 feet to the next neighbor's fence meets the minimum distance between habitable buildings. That neighbor's dwelling was built in 2004 to the Planned Unit Development specifications, as well.

The projects are consistent with the CP Design Guidelines (CP DG) in terms of form, mass and scale, building materials, colors and finishes. The proposed homes incorporate architectural aesthetics in the Monterey style, which is one of the architectural styles recommended by the CP DG. The two homes are proposed to be side-by-side mirror-images of each other when viewed from Del Monte Avenue. The two properties are proposed to share 96 linear feet of wooden fence on their perimeters, of 4 to 6 feet in height. The CP DG guides fences to increase in transparency as they increase in height; the fencing proposed meets that guidance. Examples of the fence design and materials are attached as **Exhibit C**. The form, mass, scale and height are compatible with the homes in the neighborhood. The materials and colors proposed for PLN190428 at 11434 Del Monte Avenue include tan stucco body, off-white fascia and gutter trim, and brown asphalt shingles. The materials and colors proposed for PLN190429 at 11430 Del Monte Avenue include light beige stucco body, light beige fascia and gutter trim, and brown asphalt shingles. These materials and colors are compatible with the surrounding development. The color samples for the projects are attached as **Exhibit A**, respectively.

Site Suitability

Grice Engineering, Inc. prepared two Geotechnical Reports specific to the proposed project sites on November 12, 2019. Both reports recommend loose near-surface soils be taken into account during design and construction of the proposed residence. It concluded that there were no physical or environmental constraints that would indicate the site was not suitable for development. The two reports are included in **Exhibits A**, respectively. The properties have existing public sewer and water through the Castroville Community Services District.

Public Concern

There was a period of public controversy surrounding these projects, in which a concerned member of the public sent a letter (**Exhibit F**). The public concern was that the internal road in the PUD was not yet paved, and that a house in the PUD area has too many occupants and the occupants park illegally. Also, the person had trouble attempting to attend the Castroville Land Use Advisory Committee meeting. RMA-Planning staff explained the day-of cancellation of the public meeting in response to novel coronavirus concerns, and where new online meetings had been posted. RMA-Planning staff coordinated a discussion between this member of the public and the project agent; the concerned party sent an email afterward which communicates that the concerns were allayed. It is also found in **Exhibit F**. The proposed projects are not on the internal road of the PUD, or near the parking problems that were the source of the complaint.

CEQA

The projects include construction of single-family dwellings. Single family dwellings are categorically exempt from California Environmental Quality Act (CEQA) as per Guidelines Section 15303(a). No exceptions pursuant to Section 15300.2 apply. During staff review of the design approval applications, no evidence of significant adverse environmental effects was identified. There is no significant effect on the environment due to unusual circumstances. The site is not included on any list compiled pursuant to Government Code Section 65962.5 to be considered on a hazardous waste site. No known historical resources are found in the geotechnical or archaeological reports which may cause a substantial adverse change in the significance of a historical resource. It is not within a highway officially designated areas as a state scenic highway.

LUAC:

The projects were referred to the Castroville Land Use Advisory Committee (LUAC) for review. The LUAC voted to recommend approval on both Design Approval by a vote of 3 to 0, with two committee members absent. LUAC minutes are enclosed as **Exhibit E**.

Prepared by: Mary C. Israel, Associate Planner, x5183

Reviewed by: Brandon Swanson, RMA Services Manager

Approved by: John M. Dugan, RMA Deputy Director of Land Use and Community
Development

The following attachments are on file with the RMA:

Exhibit A - Draft Resolution for PLN190428 including:

- Site & Elevation Plans,
- Color Samples for Project

Exhibit B - Draft Resolution for PLN190429 including:

- Site & Elevation Plans,
- Color Samples for Project

Exhibit C - Fencing Design

Exhibit D - Vicinity Maps for PLN190428 and PLN190429

Exhibit E - LUAC Minutes

Exhibit F - Letter of Concern and Follow-up email

cc: Front Counter Copy; Mary Israel, Associate Planner, Brandon Swanson, Planning Services Manager; Jaime Bugarin, Agent; Khalsa Construction, LLC, Applicant; Hari and Yoko Khalsa, Owner; Datta Khalsa, Owner; The Open Monterey Project (Molly Erickson); Land Watch (Executive Director); Project Files PLN190428 and PLN190429