



County of Monterey

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

Board Report

File #: PC 21-009, **Version:** 1

PLN190083 - GREEN JASON E & ANN W TRS

Public hearing to consider construction of a new 799 square foot garage, 350 square foot addition to the existing garage for conversion to a gym/guesthouse/art studio resulting in a 1,810 square foot accessory structure, and two in-ground spas. The parcel is within 750 feet of known positive archaeological resources.

Project Location: 3334 17-Mile Drive, Pebble Beach, Del Monte Forest Land Use Plan

Proposed CEQA Action: Mitigated Negative Declaration

RECOMMENDATION:

Staff recommends the Planning Commission:

- a. Adopt a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program;
- b. Approve a Combined Development Permit consisting of the following:
 - 1) Coastal Development Permit and Design Approval to allow construction of a new detached 799 sf garage, and 350 sf addition to the existing garage for conversion to a detached 1,810 sf gym/guesthouse/art studio, and
 - 2) Coastal Development Permit to allow development on a site with positive archaeological resources.

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

PROJECT INFORMATION:

Agent: Scott Baughman c/o Charlie Barnett and Assoc. Architecture

Property Owner: GREEN JASON E & ANN W TRS

APN: 008-423-017-000

Parcel Size: 2.03 acres (88,248 sf)

Zoning: "LDR/1.5-D(CZ)" (Low Density Residential with maximum gross density of 1.5 acres per unit in the Coastal Zone and Design Control Overlay)

Plan Area: Del Monte Forest Land Use Plan

Flagged and Staked: no

SUMMARY:

The subject application for a Combined Development Permit is for a new detached garage and addition to an existing garage and guesthouse and conversion of the garage/guesthouse to an art studio, guesthouse, and gym. The property is 2.03-acres located in Pebble Beach. Existing development includes a 4,097 sq. ft. single-family dwelling and 1,580 sq. ft. detached garage and guesthouse. Entry to the parcel is on 17-Mile Drive at the northern boundary of the property, while the southern boundary is shared with the Pebble Beach Golf Course. The parcel is flanked to the east and west by residential parcels. There are known archaeological resources on or near the site, however, the new garage is adjacent to, and not within, the positive archaeological resources on the site.

DISCUSSION:

A guesthouse and structures accessory to the main dwelling are principally allowed uses on this residentially-

zoned property. The southernmost half of the parcel that shares its boundary with the Pebble Beach Golf Course is identified as visually sensitive in the County GIS database, while the northern boundary is shared with 17-Mile Drive, a private scenic road in the Del Monte Forest. The property is heavily wooded with a mix of Coast live oaks, Monterey pines, and Coast redwoods, and vegetated with ornamental landscaping. The main dwelling fronts the golf course and has no changes proposed as part of this application, while the addition to the existing accessory structure and the new garage are both screened from public view by the main house and forested landscape. The project includes installation of pervious pavers to replace impervious paving which will bring the parcel into compliance with the Del Monte Forest Land Use Plan Policy 77 to minimize development-related pollution in the Pescadero watershed that drains to the Carmel Bay Area of Special Biological Significance (ASBS).

Land use proposals with potential to impact archaeological resources are subject to provisions of California Environmental Quality Act (CEQA) that require environmental review of potentially significant environmental impacts and proposal of mitigations to reduce those potential impacts to less than significant. Staff prepared an Initial Study (IS) to fulfill environmental review for CEQA. The IS identifies potentially significant impacts to archaeological resources and tribal cultural resources. Mitigations have been identified that would reduce these impacts to less than significant. Therefore, environmental review resulted in a Mitigated Negative Declaration (MND).

Initial Study

Two Phase 1 archaeological reports have been submitted for the project, one prepared by Susan Morley (January 2019) and the other prepared by Gail Bellenger of EMC Consultants. Both archaeologists observed midden and shell fragments on portions of the subject parcel. Morley conducted a Phase II archaeological survey (December 2019) that included auger tests adjacent to the location of the proposed detached garage, an area that is potentially at the limits of the existing midden field covering the northeastern portion of the property. Both Morley and Bellenger concluded that the area had been disturbed when the railroad tie landscaping wall and adjoining parking area were constructed in the 1970s.

Consistent with Del Monte Forest Land Use Plan Policy 59, and as recommended in the Morley and Bellenger surveys, standard conditions of approval would be incorporated requiring dedication of a scenic and conservation easement to be recorded over the portion of the site containing resources. The revised Bellenger survey (June 16, 2020) recommends that both a tribal representative and a professional archaeologist be onsite during all soil-disturbing construction and that the sensitive portions of the parcel not to be disturbed, and be fenced with construction fencing.

The applicant has agreed to implement the following Mitigation Measures, which are applied to the project as conditions of approval.

MM No. 1 - Protective Fencing

The owner/applicant/contractor, in consultation with a qualified archaeologist, shall develop a Protective Fencing Plan (PFP), and incorporate the approved PFP with the construction plans for grading and/or building.

MM No. 2 - Qualified Archaeological Monitor

A qualified archaeological monitor (i.e., an archaeologist registered with the Register of Professional Archaeologists [RPA] or a Registered Archaeologist [RA] under the supervision of an RPA) shall be present

during soil disturbance for all grading and excavation.

MM No. 3 - Tribal Monitor

A Tribal Monitor approved by the appropriate tribe traditionally and culturally affiliated with the vicinity of the subject parcel and that has consulted with the County and designated one lead contact person in accordance with AB 52 requirements, or another appropriately NAHC-recognized representative, shall be onsite during project-related grading and excavation to identify findings with tribal cultural significance.

Design

All parcels covered by the Del Monte Forest Land Use Plan are within a Design Control Zoning District pursuant to 20.44.020 of Title 20 requiring architectural compatibility and consistency of neighborhood character. The colors and materials of the garage are consistent with the other structures on the parcel and with the overall character of the neighborhood. Parcels within a Design Control Zoning District are required to stake and flag the project plan to illustrate its proposed mass and form. However, the location of the structures away from public viewing, and staking and flagging occurring without the benefit of either an archaeological or tribal monitor brought staff to the decision not to require story poles. The 350 sf addition is deep into the lot and would not be visible from any public viewing area. While the new garage is proposed closer on the lot to 17-Mile Drive, it would be nearly 200 feet from the driveway entrance, which is covered in dense vegetation screening visibility from any public viewing area. Further, it would be necessary to place the storypoles adjacent to the positive archaeological site on the parcel. Given the intent of CIP Part 5 Policy 20.147.080.C.1 that encourages avoidance of development-related impacts to cultural resources, along with the screened location and minor nature of the proposed garage and addition, staff concluded that staking and flagging would not be necessary to further the purpose of design review, in this particular case.

CSED and HR overlay

Condition Nos. 8 and 13 are applied to the project pursuant to Section 20.147.080.C.3 of the DMF CIP, Part 5 for development on parcels positive for archaeological resources. The applicant shall request a rezoning of the parcel to add a Historical or Archaeological Resources (“HR”) overlay (Condition No. 13), and a conservation easement shall be placed over the area of archeological resources (Condition No. 8).

Impervious Surface

The subject parcel is within the Pescadero Watershed (**Exhibit E**) that drains into the Carmel Bay ASBS. Therefore, the project is subject to Del Monte Forest LUP Policy 77 of Chapter 3 that limits site coverage of impervious surfaces to 9,000 square feet. Total impervious surface will be reduced from an existing 19,937 square feet to 8,858 square feet. This is accomplished by replacing existing asphalt driveway, concrete patios, and impervious gravel base to pervious paving, to bring the site into compliance with Policy 77.

CEQA:

An Initial Study/Mitigated Negative Declaration (**Exhibit D**) was prepared for the project in accordance with Sections 15603(a) and 15070(b) of the CEQA Guidelines due to potential impacts identified for Historical (Archaeological) Resources and Tribal Cultural Resources. The IS/MND concludes that mitigation measures would be necessary to reduce potential impacts to a less than significant level for Historical (Archaeological) Resources and Tribal Cultural Resources. The IS/MND was circulated for public review October 9 to November 9, 2020 and no comments were received by staff.

OTHER AGENCY INVOLVEMENT:

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

Bureau of Environmental Health
HCD-Public Works
HCD-Environmental Services
Pebble Beach Community Services District

Prepared by: Jaime Scott Guthrie, AICP, Associate Planner

Reviewed by: Craig Spencer, Planning Services Manager

Approved by: Erik Lundquist, AICP, Chief of Planning

The following attachments are on file with the HCD:

Exhibit A - Project Data Sheet

Exhibit B - Draft Resolution, including:

- Plans; and
- Conditions of Approval

Exhibit C - Vicinity Map

Exhibit D - IS/MND

Exhibit E - Figure 2b: Map of Del Monte Forest Watersheds

cc:Front Counter Copy; Erik Lundquist, Chief of HCD-Planning, Scott Baughman c/o Charlie Barnett & Assoc., Architect/Agent; Jason and Ann Green, Applicants/Owners; Corey McMills, interested party; Ben McMills, interested party; John Mandurrango, interested party; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Project File PLN190083.