



CITY OF CARMEL-BY-THE-SEA CITY COUNCIL AGENDA

Contact: 831.620.2000 www.ci.carmel.ca.us

Mayor Dale Byrne
Councilmembers Jeff Baron, Hans Buder, Bob
Delves, and Alissandra Dramov

All meetings are held in the City Council Chambers
East Side of Monte Verde Street
Between Ocean and 7th Avenues

Special Meeting Monday, August 4, 2025 3:00 PM

**TOUR - 2:00 PM
MEETING - 3:00 PM**

HYBRID MEETING ATTENDANCE OPTIONS

This meeting will be held in person and via teleconference ("hybrid"). The public is welcome to attend the meeting in person or remotely via Zoom, however, the meeting will proceed as normal even if there are technical difficulties accessing Zoom. The City will do its best to resolve any technical issues as quickly as possible. To view or listen to the meeting from home, you may also watch the live stream on the City's YouTube page at: <https://www.youtube.com/@CityofCarmelbytheSea/streams>. To participate in the meeting via Zoom, copy and paste the link below into your browser.

<https://ci-carmel-ca-us.zoom.us/j/81991221369>

Webinar ID: 819 9122 1369

Passcode: 055985

Dial in: (253) 215-8782

HOW TO OFFER PUBLIC COMMENT

The public may give public comment at this meeting in person, or use the Zoom teleconference module, provided that there is access to Zoom during the meeting. Zoom comments will be taken after the in-person comments. The public can also email comments to cityclerk@ci.carmel.ca.us. Comments must be received at least 2 hours before the meeting in order to be provided to the legislative body. Comments received after that time and up to the beginning of the meeting will be made part of the record.

PUBLIC COMMENT GUIDELINES FOR SPECIAL MEETINGS

During Special City Council Meetings, public comments are permitted on items listed on the agenda. After each item on the agenda is introduced, the Mayor will invite public comment on that item. Each speaker has 3 minutes to speak unless otherwise adjusted by the Mayor. While stating your name is optional, it helps to identify speakers in the meeting minutes.

Remote or in-person participants who do not comply with the requirements of the Brown Act will be muted.

TOUR OF INSPECTION - 2:00 PM

Prior to calling the meeting to order, the City Council will conduct an on-site tour of inspection of the properties listed on the agenda (below) and the public is invited to attend the tour. After the tour is complete, the Council will begin the meeting in the City Council Chambers no earlier than the time noted on the agenda.

1. Dolores Street 2 southeast of 7th Avenue, Carmel (Esperanza Carmel Commercial - JB Pastor Building)

CALL TO ORDER AND ROLL CALL - 3:00 PM

CONSENT AGENDA (Estimated time - 5 min)

Items on the consent agenda are routine in nature and do not require discussion or independent action. Members of the Council or the public may ask that any items be considered individually for Council discussion and/or for public comment. Unless that is done, one motion may be used to adopt all recommended actions.

- 1) June 30, 2025, Special Meeting Minutes, and July 1, 2025, Regular Meeting Minutes
- 2) June 2025 Monthly Reports
- 3) June 2025 Check Register Summary
- 4) Resolution 2025-064 authorizing the purchase of a Caterpillar 255 Compact Track Loader from Quinn Company under Sourcewell Member Contract #020223 for \$119,485.08
- 5) Resolution 2025-065 Approving Revisions to City Policy C89-02: City Council Meetings, Orders of Council, Agenda Packets, Minutes of Meeting and Agenda Distribution
- 6) Resolution 2025-066 Approving the consumption of alcohol on public property and the erection of tents for the Carmel Woman's Club Centennial Celebration on Saturday, September 20, 2025
- 7) Resolution 2025-067 Authorizing the City Administrator to Execute Amendment No. 4 to a Professional Services Agreement with Traffic Patterns, LLC, extending the term through June 30, 2028, for recruitment

services, and authorizing a not-to-exceed amount of \$45,000 for the 3-year term extension

PUBLIC HEARINGS

- 8) APP 25115 (Esperanza Carmel Commercial - JB Pastor Building):** Consideration of an Appeal (APP 25115, Esperanza Carmel Commercial - JB Pastor Building) filed by Krista Ostoich on behalf of Mike Brown, Mike Cate, Don Goodhue, Steve Hillyard, Vinz Koller, Courtney Kramer, Cindy Lloyd, Ian Martin, Rich Pepe, Kristi Reimer, and Julie Wendt of the Planning Commission's approval (Resolution No. 2025-020-PC) of Design Review, DR 23-140 (Esperanza Carmel Commercial - JB Pastor Building), Use Permit, UP 21-113 (Esperanza Carmel Commercial - JB Pastor Building), Lot Merger, LM 20-394 (Esperanza Carmel Commercial - JB Pastor Building), and associated environmental determination for the JB Pastor Building located at Dolores Street 2 southeast of 7th Avenue in the Service Commercial (SC) District at Lots 6, 8, and 10 of Block 91. APNs: 010-145-023-000, 010-145-024-000, and 010-145-012-000 (Estimated time - 3 hours)

RECESS

The City Council will take a 30-minute recess at around 6:30 p.m.

ADJOURNMENT

CORRESPONDENCE

This agenda was posted at City Hall, Monte Verde Street between Ocean Avenue and 7th Avenue, Harrison Memorial Library, located on the NE corner of Ocean Avenue and Lincoln Street, the Carmel-by-the-Sea Post Office, 5th Avenue between Dolores Street and San Carlos Street, and the City's webpage (<http://www.ci.carmel.ca.us>) in accordance with applicable legal requirements.

SUPPLEMENTAL MATERIAL RECEIVED AFTER THE POSTING OF THE AGENDA

Any supplemental writings or documents distributed to a majority of the City Council regarding any item on this agenda received after the posting of the agenda will be available for public review at City Hall, located on Monte Verde Street between Ocean and Seventh Avenues during regular business hours.

SPECIAL NOTICES TO PUBLIC

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk's Office at 831-620-2000 at least

48 hours prior to the meeting to ensure that reasonable arrangements can be made to provide accessibility to the meeting (28CFR 35.102-35.104 ADA Title II).



CITY OF CARMEL-BY-THE-SEA
City Council
Staff Report

August 4, 2025
CONSENT AGENDA (Estimated time - 5 min)

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Nova Romero, City Clerk

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: June 30, 2025, Special Meeting Minutes, and July 1, 2025, Regular Meeting Minutes

RECOMMENDATION:

Approve Draft Minutes.

BACKGROUND / SUMMARY:

The City Council routinely approves minutes of its meetings.

FISCAL IMPACT:

None for this action.

PRIOR CITY COUNCIL ACTION:

None for this action.

ATTACHMENTS:

1. City Council Special Meeting Minutes - June 30, 2025
2. City Council Regular Meeting Minutes - July 1, 2025

**CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL**

SPECIAL MEETING MINUTES

Monday, June 30, 2025

CALL TO ORDER AND ROLL CALL

Mayor Pro Tem Delves called the meeting to order at 3:03 p.m.

Roll call: Councilmembers Jeff Baron, Hans Buder, Alissandra Dramov, and Mayor Pro Tem Delve were present. Mayor Byrne arrived at the dais at 3:10 p.m.

ANNOUNCEMENTS

Mayor Pro Tem Delves read the public comment guidelines for Special Meetings.

PUBLIC HEARINGS

Item 1 - APP 25115 (Esperanza Carmel Commercial - JB Pastor Building): Consideration of an Appeal (APP 25115, Esperanza Carmel Commercial - JB Pastor Building) filed by Krista Ostoich on behalf of Mike Brown, Mike Cate, Don Goodhue, Steve Hillyard, Vinz Koller, Courtney Kramer, Cindy Lloyd, Ian Martin, Rich Pepe, Kristi Reimer, and Julie Wendt of the Planning Commission's approval (Resolution No. 2025-020-PC) of Design Review, DR 23-140 (Esperanza Carmel Commercial - JB Pastor Building), Use Permit, UP 21-113 (Esperanza Carmel Commercial - JB Pastor Building), Lot Merger, LM 20-394 (Esperanza Carmel Commercial - JB Pastor Building), and associated environmental determination for the JB Pastor Building located at Dolores Street 2 southeast of 7th Avenue in the Service Commercial (SC) District at Lots 6, 8, and 10 of Block 91. APNs: 010-145-023-000, 010-145-024-000, and 010-145-012-000 - ***Recommended for continuance to August 4, 2025***

Mayor Pro Tem Delves announced that this item is being recommended for continuance to August 4th so all appellants could attend. He opened public comment on the continuation of the hearing, limited to the continuation, not its substance, as the substantive matter would be addressed a future meeting.

Public Comment:
Julia Christopher

Councilmember Dramov motioned to continue the appeal hearing (APP 25115 - Esperanza Carmel Commercial - JB Pastor Building) to a Special City Council meeting on August 4, 2025, seconded by Councilmember Baron, and approved 5-0-0-0 by the following roll call vote:

AYES: Councilmembers Baron, Buder, Delves, and Dramov

NOES: None

ABSENT: Mayor Byrne

ABSTAIN: None

CONSENT AGENDA

Mayor Byrne arrived at the dais at 3:10 p.m.

Councilmember Dramov requested that item #6 be pulled for discussion. City Administrator Rerig acknowledged receipt of a written comment from Nancy Twomey concerning consent item #4. Mayor Byrne stated for the record that he is not on the board of directors for Carmel Cares, regarding item #7.

Mayor Pro Tem Delves motioned to approve consent agenda items #1-5, and #7-10, seconded by Councilmember Baron, and approved 5-0-0-0 by the following roll call vote:

AYES: Councilmember Baron, Buder, Delves, Dramov, and Mayor Byrne

NOES: None

ABSENT: None

ABSTAIN: None

Item 1 - June 2, 2025, Special Meeting Minutes, and June 3, 2025, Regular Meeting Minutes - ***Approved 5-0-0-0***

Item 2 - May 2025 Monthly Reports - ***Approved 5-0-0-0***

Item 3 - May 2025 Check Register Summary - ***Approved 5-0-0-0***

Item 4 - Second Reading and Adoption of Ordinance No. 2025-002 amending Carmel Municipal Code Section 15.08.010 and Section 15.10.020 to adopt the 2025 Fire Hazard Severity Zone Map for the City as identified by the California State Fire Marshall in Accordance with Government Code Section 51178 - ***Approved 5-0-0-0***

Item 5 - Resolution 2025-055 designating Mayor Dale Byrne as the voting delegate and Mayor Pro Tem Bob Delves as the alternative voting delegate at the 2025 Annual League of California Cities Conference - ***Approved 5-0-0-0***

Item 7 - Resolution 2025-057 Accepting donations from Carmel Cares, an Official City Support Group, received March 2024 through June 2025 - ***Approved 5-0-0-0***

Item 8 - Resolution 2025-058 authorizing the City Administrator to execute an agreement for the purchase of two new police vehicles as identified in the FY 2025/26 Budget, Vehicle and Equipment Replacement Fund - ***Approved 5-0-0-0***

Item 9 - Resolution 2025-059 Amending City Council appointments to the Monterey Regional Tax Authority (MRTA) Board of Directors - **Approved 5-0-0-0**

Item 10 - Resolution 2025-060 Authorizing the City Administrator to execute Change Order No. 6 for the On-Call Tree Services Contracts, in the combined amount of \$0 for the remainder of Fiscal Year 2024-2025 - **Approved 5-0-0-0**

ITEMS PULLED FROM CONSENT AGENDA

Item 6 - Resolution 2025-056 Approving Revisions to City Policy C89-02: City Council Meetings, Orders of Council, Agenda Packets, Minutes of Meeting and Agenda Distribution

Councilmember Dramov requested more accurate estimated times for agenda items and placing high-interest items at the beginning of the meeting. Councilmember Buder preferred the phrasing "finalize the draft agenda" instead of "shall be approved by the Mayor or the Mayor's designee." City Attorney Pierik clarified that the policy allows the Mayor to select a designee, such as the Mayor Pro Tem, to set the agenda in their absence even if it's not formalized in the policy. Mayor Byrne said he would like something added to the policy stating that the Mayor or Mayor's designee will review the final draft of the agenda before it is published. Councilmember Buder emphasized the need for clarity in the policy regarding the roles of the Mayor and Mayor Pro Tem, or other designees, during agenda preparation and finalization.

Councilmember Baron suggested continuing the item to the next meeting for approval with discussed amendments and circulated to Council for review.

Public Comment:

None

Motion by Mayor Pro Tem Delves to continue this item to a future meeting date for further refinement and approval, seconded by Councilmember Buder, and approved 5-0-0-0 by the following roll call vote:

AYES: Councilmembers Baron, Buder, Delves, Dramov, and Mayor Byrne

NOES: None

ABSENT: None

ABSTAIN: None

CLOSED SESSION

City Attorney Pierik read the closed session titles.

A. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8:

Property: Scenic Road, South of Martin Way, Carmel (APN: 009-423-003-000)
Agency negotiators: City Administrator, City Attorney
Negotiating parties: Central Coast Properties (Lance Monosoff, Broker)
Under negotiation: Price and terms of payment

B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54956.8:

Property: Rio Park, East of Dolores Street and Lasuen Drive, Carmel-by-the-Sea (APN: 009-521-002-000)
Agency negotiators: City Administrator, City Attorney
Negotiating parties: Carmel Area Wastewater District (CAWD)
Under negotiation: Price and terms of lease

C. CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6

Agency Designated Representatives: City Administrator Chip Rerig, Assistant City Administrator Brandon Swanson, City Attorney Brian Pierik, Zachery Lopes Attorney at Burke Williams & Soresen, Senior HR Analyst Marisa Bermudez, Police Chief Paul Tomasi,
Employee Organization: Police Officers Association (POA)

Public Comment on Closed Session items:
Greg D'Ambrosio

ADJOURNMENT

Council moved to Closed Session at 3:31 p.m.

APPROVED:

ATTEST:

Dale Byrne, Mayor

Nova Romero, MMC, City Clerk

**CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL**

REGULAR MEETING MINUTES

Tuesday, July 1, 2025

CALL TO ORDER AND ROLL CALL

Mayor Byrne called the meeting to order at 4:31 p.m.

Roll call: Councilmembers Jeff Baron, Hans Buder, Alissandra Dramov, Mayor Pro Tem Delves, and Mayor Dale Byrne were present.

PLEDGE OF ALLEGIANCE

Mayor Byrne led the pledge of allegiance.

EXTRAORDINARY BUSINESS

- A. **Non-Profit Spotlight - MEarth** - Katie Reneker, MEarth Executive Director, gave an overview of the non-profit's mission to educate and inspire through environmental stewardship. She summarized MEarth's on-site programs for the community, upcoming plans, and events.
- B. **Pure Water Monterey Update from Monterey Peninsula Water District (MPWD)** - MPWMD General Manager, Dave Stoldt, provided an update on the 2024-2025 water allocation and permit process for Carmel-by-the-Sea. He detailed the available water supply for allocation and discussed future water demands, referencing the Association of Monterey Bay Area Governments (AMBAG) regional growth forecast.

PUBLIC APPEARANCES

Andi Carr
Ken White
Nancy Twomey
Amy Herzog
Tasha Witt
Beth Bowman
Christy Hollenbeck
Will Rei

ANNOUNCEMENTS

A. City Administrator Announcements – City Administrator Rerig announced yard waste is prohibited in public trash cans, and if residents need extra trash picked up, they should contact

GreenWaste to make arrangements. Mr. Rerig also noted the City is working on updating the Mills Act policy, in response to Will Rei's comment. He thanked Cleve Waters for having the handrails in front of City Hall refinished. He also announced that Jimmy Pingree from the Public Works Department is retiring at the end of this month after 35 years, which is the longest serving employee of the City.

Assistant City Administrator Brandon Swanson announced that the audio-video upgrades to the Council Chambers have been completed and summarized the new capabilities and enhancements to public meetings.

B. City Attorney Announcements – City Attorney Pierik announced that at Closed Session last night Council discussed the purchase of a non-buildable property located on Scenic Road near Martin Way, and he reported that the City will not be purchasing the property.

C. Councilmember Announcements

Councilmember Buder announced that the Carmel Youth Center is looking for youth volunteers for the Concourse event. He also reported that a Wildfire Preparedness Ad Hoc committee meeting which will be noticed as a Special City Council Meeting, will be held soon, and the public is encouraged to attend. He extended gratitude to the Carmel Police Department for their swift action in apprehending burglars who broke into his and his neighbors' cars, and reported that the suspects were tracked to Santa Cruz, and stolen property was recovered within six hours.

Councilmember Dramov announced a free 4th of July concert at Devendorf Park and invited everyone to attend.

Mayor Byrne noted the beginning of the new fiscal year and commended the Council for their excellent work in adopting the budget. He expressed anticipation for the accomplishments that will result from the approved projects in the coming year. He also announced his upcoming monthly appearances on KMBY radio and that Carmel Cares will hold its annual volunteer celebration at the Forest Theater later this month.

ORDERS OF BUSINESS

Item 1 - Resolution 2025-062 ratifying an appointment to the Harrison Memorial Library Board of Trustees

Mayor Byrne announced that there are currently two vacant seats on the HML Board of Trustees, and he recommends that Billy Farina be appointed to fill a full 3-year term. He also noted that within the past 2 weeks, Trustee Susan Murphy resigned from the board, leaving an unscheduled vacancy on the Board. He said that the City is accepting applications, and Council will vote on an appointment to fill the remainder of Ms. Murphy's term at the August City Council meeting.

Public Comment:
Ken White
Bobby Richards

Motion by Delves to appoint Billy Farina, seconded by Mayor Byrne.

Councilmember Buder made a substitute motion to postpone the appointment to the HML Board vacancy until the August meeting, at which time both appointments would be made. The motion was seconded by Councilmember Dramov.

The Council's discussion resumed with Mayor Byrne and Mayor Pro Tem Delves reiterating their opposition to postponing Billy Farina's board appointment. They highlighted his qualifications among all interviewed candidates and Mayor Byrne expressed his disappointment with the lack of Council support for their recommendation. Councilmembers Dramov and Buder argued for John Krisher's reappointment, emphasizing his invaluable dedication, experience, and passion for the Library, which they believed warranted recognition.

Motion by Councilmember Buder to postpone the appointment of the HML Board of Trustees until August, and make appointments to fill the two vacant seats at the same time, seconded by Councilmember Dramov, and approved 5-0-0-0 by the following roll call vote:
AYES: Councilmembers Baron, Buder, Delves, Dramov, and Mayor Byrne
NOES: None
ABSENT: None
ABSTAIN: None

Item 2 - Resolution 2025-063 Professional Services Agreement with Moore Ruble Yudell Architects for the Centennial Restoration of the Harrison Memorial Library

City Attorney Pierik presented on the selection of Moore Rubel Yudell (MRY) as the architectural firm for the Harrison Memorial Library (HML) restoration project. He recommended that if a motion is made to approve the agreement, it should be subject to receiving an updated project schedule as Exhibit D from the architect because the current one is outdated.

MRY Architect Buzz Yudell addressed Council's concerns regarding the ambitious 12-week public outreach timeline, acknowledging its aggressiveness but asserting its feasibility. He then presented MRY's experience and project approach. Library Director Ashlee Wright emphasized the crucial role of library patrons and staff, advocating for their inclusion in the project.

Public Comment:
Brian Call
Buzz Yudell
Marci Meaux
Alexandra Fallon

Cindy Lloyd
Robin Eschelman

The Council expressed its approval for the project and the choice of MRY Architects and thanked the Carmel Library Foundation for its substantial contribution and the attorneys for their meticulous work on the agreement.

Motion by Mayor Pro Tem Delves to adopt Resolution 2025-063, authorizing an agreement with Moore Ruble Yudell Architects for the Centennial Restoration of the Harrison Memorial Library, subject to the submission to the City of an updated project schedule (Exhibit D), seconded by Councilmember Buder and approved 5-0-0-0 by the following roll call vote:

AYES: Councilmember Baron, Buder, Delves, Dramov, and Mayor Byrne

NOES: None

ABSENT: None

ABSTAIN: None

RECESS

Council took a recess at 6:25 p.m. and resumed the meeting at 6:51 p.m.

Item 3 - Receive a presentation by California American Water Company to introduce the Dolores Street Commercial Water Main Replacement Project and authorize issuance of an Encroachment Permit with Special Conditions of Approval

David Buzzini, California American Water (Cal Am) representative, presented on the Dolores Street commercial water main replacement project, requesting an encroachment permit for Cal Am to replace old water main infrastructure from Dolores Street between 8th and Ocean Avenues. He summarized the preliminary construction schedule, community outreach on potential customer impacts, as well as traffic, safety, and noise mitigation measures. City Project Manager Javier Hernandez noted that complex encroachment permits such as this one are typically approved by City Council.

Public comment: None

Motion by Councilmember Buder to approve the issuance of an encroachment permit with special conditions to California American Water Co for the Dolores Street commercial water main replacement project, seconded by Councilmember Dramov, and approved 5-0-0-0 by the following roll call vote:

AYES: Councilmember Baron, Buder, Delves, Dramov, and Mayor Byrne

NOES: None

ABSENT: None

ABSTAIN: None

Item 4 - Resolution 2025-061 Authorizing the City Administrator to execute Amendment No. 1 to the Janitorial Services Agreement with Pureserve for a total not-to-exceed amount of \$140,000 for the term of July 1, 2025 to December 31, 2025

Public Works Director Ken Wysocki gave a brief summary of the item, which is to extend the existing janitorial service agreement for 6 months to allow time to request proposals and select the best vendor for ongoing janitorial services.

Public Comment: None

Motion by Mayor Pro Tem Delves to adopt Resolution 2025-061 extending the agreement with Pureserve for janitorial services for a not-to-exceed amount of \$140,000 through December 31, 2025, seconded by Councilmember Baron and approved 5-0-0-0 by the following roll call vote:

AYES: Councilmember Baron, Buder, Delves, Dramov, and Mayor Byrne

NOES: None

ABSENT: None

ABSTAIN: None

Item 5 - Receive a report and provide policy direction regarding the installation of additional stop signs at intersections within the commercial district

Police Chief Tomasi presented the Traffic Safety Commission's (TSC) recommendation to add a total of 16 stop signs at several intersections in the commercial district, based on a traffic engineering study, analysis of traffic collision data, and a field survey of traffic flow patterns. He said that the addition of stop signs and the consistency of creating 4 way stops across these intersections in the commercial district will create a safer environment for pedestrians and lessen confusion for motorists.

Public Comment:

Parker Logan

Nancy Twomey

Donna Jett

Karen Ferlito

Mayor Pro Tem Delves and Councilmember Buder supported the addition of stop signs, believing they would enhance safety and reduce driver confusion. Councilmember Baron disagreed, arguing that 4-way stops contribute to congestion. He aligned with a speaker who felt an additional stop sign near the post office was unnecessary and suggested clearer signage as a better alternative. Councilmember Dramov favored proceeding with the proposed changes and requested that the police chief provide a follow-up in a few months to assess the effectiveness of the new stop signs. Mayor Byrne concurred with Councilmember Dramov's approach, advocating

for implementation while monitoring the situation, and if the stop signs prove ineffective, the Council could then consider their removal.

Council gave consensus direction to proceed with the Traffic Safety Committee's recommendation and return at the next meeting with a Resolution for approval to add the recommended stop signs.

Item 6 - Receive a report on the research done over the last month to explore a potential pilot program for downtown valet parking and provide direction to staff on whether to proceed with Request for Proposals (RFP) to begin the pilot program. Council will also be asked to consider whether or not to explore adjusting the City's approach to compliance with AB 413 (Daylighting Law)

Assistant City Administrator Brandon Swanson presented a valet parking pilot program and potential changes to comply with the AB 13 Daylighting Bill.

Valet Pilot Program Concept

- Staged at the top of Ocean Avenue near the plaza bus parking
- Parking vehicles around downtown public and private lots
- Dynamic use of underutilized parking lots
- Operated by a professional valet service
- Keeps cars from circling the downtown searching for parking
- Liability concerns mitigated with proper vendor insurance requirements, which will be part of the request for proposals.

He reported that a Zoning analysis completed by the Planning Department concluded that a valet parking program is consistent with Zoning and the General Plan. He also presented survey results of other cities with similar programs, discussion opportunities for employee parking, shuttle programs, and an intelligent parking tracker.

He added alternative approaches to complying with the AB 413 Daylighting bill, including:

- Reducing the downtown speed limit
- Installing additional stop signs
- Clearing sight lines at corners
- Adjusting oversized parking spaces

Councilmember Dramov asked if more parking enforcement would help with these parking issues. Chief Tomasi confirmed that it would and noted that the number of parking enforcement officers has changed from 5 to 2, and the method has changed from chalking tires to using license plate reader technology for enforcement.

Public comment:

Andi Carr

Linda Calfore

Nancy Twomey

Karen Ferlito

Mayor Byrne acknowledged the comment letters received from residents who live near Forest Theater have concerns about using Forest Theater parking lot for valet parking.

Councilmember Baron questioned valet fee setting and expressed doubts about a pre-October valet pilot program, disliking using free Sunset Center parking or Forest Theater parking due to neighborhood impact and safety. He preferred employees parking in residential areas over tourists if necessary. Councilmember Buder applauded the research and effort put into exploring a valet program but doubted its suitability with the city's character and aesthetic. He favored off-site employee parking with shuttles and stricter enforcement.

Mayor Pro Tem Delves supported a valet pilot program, believing it could reduce traffic by offering an alternative. Councilmember Dramov shared concerns with Baron and Buder, fearing increased congestion from valet parking, worsened employee parking by monetizing Sunset Center, and rushing changes to AB 413 parking changes without police and streets superintendent input. She also worried that focusing on valet parking would delay other city priorities. Councilmember Baron remained open to exploring valet parking for future seasons but was against rushing it this year.

Mayor Byrne concluded there wasn't enough Council support pursuing a valet parking pilot, and opined that if off-site shuttle parking were feasible, it would already be in place. He committed to exploring other long-term solutions, noting Forest Theater parking issues already exist regardless of whether valet parking is implemented.

Council gave consensus direction to halt the valet parking pilot program and instructed staff to continue looking into broader parking solutions for employees.

Item 7 - Receive an Ad Hoc Report on the spacing requirements and needs list previously provided by Staff and Indigo and provide direction on the Police and Public Works Building Project

Police Chief Tomasi provided an update on the Police and Public Works needs analysis, including new spacing requirements. He said that initial conclusion is that there is a way to create a modern police station utilizing the existing space differently but noted that professional opinion would be requested to verify the needs would still be met. He reported that a major adjustment to the needs list was the elimination of the shooting range. He also noted that creating dedicated parking spaces for police and employee vehicles would help free up more street parking.

Public Works Director Wysocki summarized that the public works departments need spacing reduction. Chief Tomasi reiterated that there are other concerns that remain, which include ADA accessibility, roof leaks, earthquake retrofitting, fire alarm, HVAC, plumbing, and electrical issues.

Public Comment:
Nancy Twomey

Parker Logan
Andi Carr

Councilmember Dramov praised the ad hoc committee and staff for advancing a project that aligns with Carmel's character. She expressed opposition to continuing the contract with Indigo. Councilmember Baron noted that while \$20 million may still be insufficient to cover the project, the revised plans significantly reduced costs from the original \$40 million estimate. He supported rehiring Indigo for a smaller-scale project, citing their experience with police facilities. Councilmember Buder expressed difficulty choosing between renovation and rebuilding without further professional input, but said that if the cost difference is minimal, he prefers a full tear-down and rebuild to allow more flexibility and long-term value.

Mayor Pro Tem Delves thanked the ad hoc committee and staff for scaling the project appropriately without sacrificing core needs. He supported a full rebuild, even if slightly more costly, to allow future adaptability. He also opposed continuing with Indigo, not due to their capabilities, but because the overall process led to an unsatisfactory outcome, and Carmel doesn't require an architect with specialized police facility experience, as the city's needs are modest. He recommended a comprehensive review of all city buildings to identify existing spaces, such as Vista Lobos, that could be repurposed for administrative use.

Mayor Byrne shared that a local architect, who provided 3D renderings at no charge, advised against remodeling the current station, suggesting a new build would be more cost-effective and better suited to the city's needs. He suggested issuing a new RFP for architectural services to explore alternative designs. He agreed with Councilmember Dramov and Mayor Pro Tem Delves in not continuing to use Indigo after seeing what a local architect could do. He also proposed pursuing a public-private partnership with a developer to construct a new station, with the goal of city ownership within 20 years, leveraging Carmel's valuable land assets.

City Administrator Rerig suggested that the Police Building ad hoc work with staff to develop a new RFP and conclude the city's contract with Indigo. He said a draft RFP would be presented to Council for review and input before it is released.

Council gave direction to:

- Create a new RFP for a scaled-down police station based on the updated needs list.
- Bring the draft RFP back to Council for input before finalizing.

PUBLIC HEARINGS

Item 8 - First reading and introduction of Ordinance No. 2025-003 Adding Section 2.52.686 – (Paid Parental Leave) to the Carmel-by-the-Sea Municipal Code

Assistant City Administrator said there the Ordinance presented tonight includes the recommended changes brought forward by Council at last month's meeting.

Public comment: None.

City Attorney Pierik read the title of the ordinance.

Motion by Mayor Pro Tem Delves to introduce Resolution 2025-003 and schedule a second reading and adoption, seconded by Councilmember Buder, and approved 5-0-0-0 by the following roll call vote:

AYES: Councilmembers Baron, Buder, Delves, Dramov, and Mayor Byrne

NOES: None

ABSENT: None

ABSTAIN: None

FUTURE AGENDA ITEMS

Councilmember Baron requested to have the Design Guidelines brought to Council at the October meeting and Mayor Byrne voiced his support. Councilmember Dramov requested a future workshop on water allocation, suggesting it could be a joint meeting with the Planning Commission or combined with the Housing element discussion. Councilmember Baron concurred with this suggestion.

ADJOURNMENT

Council adjourned the meeting at 9:47 p.m.

APPROVED:

ATTEST:

Dale Byrne, Mayor

Nova Romero, MMC, City Clerk



CITY OF CARMEL-BY-THE-SEA
City Council
Staff Report

August 4, 2025
CONSENT AGENDA (Estimated time - 5 min)

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Nova Romero, City Clerk

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: June 2025 Monthly Reports

RECOMMENDATION:

Review and receive monthly reports.

BACKGROUND / SUMMARY:

This is a monthly series of reports:

- City Administrator Contract Log
- Community Planning and Building Department Reports
- Police, Fire, and Ambulance Reports
- Public Records Act Requests
- Public Works Department Reports

FISCAL IMPACT:

None for this action.

PRIOR CITY COUNCIL ACTION:

None for this action.

ATTACHMENTS:

1. City Administrator Contract Log - June 2025
2. Community Planning and Building Department Reports - June 2025

3. Police, Fire, and Ambulance Reports - June 2025
4. Public Records Act Requests - June 2025
5. Public Works Department Reports - June 2025

City Administrator Contract Log
FY 2024-25
JUNE 2025

Date entered Into	Contractor	Contract Amount	Purpose
6/3/2025	WALD, RUHNKE & DOST ARCHITECHS	\$19,500.00	Professional services Fire Dept Engine Bay Expansion
6/20/2025	Precision Concrete Cutting	\$12,420.00	Software to manage and track sidewalk repairs and inspections
6/26/2025	Complete Paperless Solutions (CPS)	\$10,000.00	Laserfiche vital records data migration project



CITY OF CARMEL-BY-THE-SEA Monthly Report

Community Planning and Building Department

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Shelby Gorman, Administrative Coordinator
SUBMITTED ON:	July 1, 2025
APPROVED BY:	Anna Ginette, Director of Community Planning and Building

JUNE 2025 – DEPARTMENT ACTIVITY REPORT

I. PLANNING PERMIT APPLICATIONS:

In June 2025, **41** planning permit applications were received.

II. BUSINESS LICENSE APPLICATIONS:

In June 2025, **6** business license applications were received.

III. BUILDING PERMIT APPLICATIONS:

In June 2025, **41** building permit applications were received.

IV. CODE COMPLIANCE CASES:

In June 2025, **14** new code compliance cases were created.

V. TRANSIENT RENTAL COMPLIANCE CASES:

In June 2025, **1** new transient rental compliance case was created.

VI. ENCROACHMENT PERMIT APPLICATIONS:

In June 2025, **19** encroachment permit applications were received.

VII. TREE PERMIT APPLICATIONS:

In June 2025, **24** tree permit applications were received.

VIII. YEAR-TO-DATE TRENDS

Table 1 includes the following June 2025 totals:

- Planning Permit Applications
- Business License Applications
- Building Permit Applications
- Code Compliance Cases
- Transient Rental Cases
- Encroachment Permit Applications
- Tree Permit Applications

June 2025 totals are provided alongside June 2024 totals for comparison. Compared to the same time period in the year 2024, Table 1 denotes percentage changes in the year 2025.

Table 1
Permit Application Totals and YTD Percentage Changes

	PLANNING	BUSINESS LICENSES	BUILDING	CODE COMPLIANCE	TRANSIENT RENTAL COMPLIANCE	ENCROACH- MENTS	TREE REMOVAL & PRUNING
2024 YTD Totals	196	31	311	82	12	129	175
2025 YTD Totals	200	27	290	92	8	115	183
YTD % Difference	+2.04%	- 12.90%	-6.75%	+12.20%	-33.33%	-10.85%	+4.57%



Planning Permit Report

06/01/2025 - 06/30/2025

Permit #	Permit Type	Permit Identifier	Track	Project Description	Address/Location	Date Received	Date Approved	Status
25201	Sign	SI 25201 (The Partners)		Install one double hanging blade sign	NW Corner of Ocean & Mission	6/30/2025		In Review
25200	Sign	SI 25200 (Austern Cohen Gallery)		Application for new business sign.	Lincoln 2 SW of Ocean #8	6/25/2025		In Review
25199	Design Review	DR 25199 (Pizza Heaven)	One	umbrellas and heaters for patio	NW Corner of Mission & 8th	6/20/2025		In Review
25198	Sign	SI 25198 (Pizza Heaven)		After-the-fact sign approval for Pizza Heaven restaurant. Remove the sign on the south wall and keep the mounted sign on 8th. 8ft x 9in	NW Corner of Mission & 8th	6/20/2025		In Review
25197	Design Study	DS 25197 (Graney)	One	REPLACE ALL EXISTING WINDOWS & (1) EXTERIOR DOOR WITH LIKE FOR LIKE UNITS DUE TO THEIR CURRENT POOR CONDITION. REPLACE EXISTING EXTERIOR SHAKE SIDING WITH LIKE FOR LIKE MATERIAL PER BUILDING DEPARTMENT REQUIREMENT. REPLACE EXISTING ROOFING WITH LIKE FOR LIKE MATERIAL. PERMIT HISTORY - DS 24343 & ACTIVE - BP 250173	NE Corner of Camino Real & 12th	6/30/2025		In Review
25196	Design Study	DS 25196 (Rainey)	One	APPLICATION FOR APPROVAL OF A 7FT HIGH FENCE BEHIND THE FRONT YARD SETBACK	Lincoln 5 SW of 10th	6/27/2025		In Review
25195	Planning Permit Revision	DS 25195 (Brown)	One	Minor revisions to previously approved plans (DS 23-092), see list of revisions attached	SW Corner of Guadalupe and 4th			In Review

25194	Banners	BA 25194 (Astons on the Avenue)		Installation of 2 double-sided banner poles for 6 days from August 7, 2025 - August 14, 2025 for Meuse Gallery's Astons on the Avenue	Ocean from Junipero to Monte Verde	6/18/2025	6/18/2025	Approved
25193	Historic Evaluation	HE 25193 (Pendleton)		T/off existing comp shingles and cap sheet roof and install new underlayment on entire roof. Install new comp shingles, Certainteed landmark TL (3 squares) and CertainTeed Flintlastic new cap sheet (11 squares) Shingles to be Country Grey and cap sheet Moire Black. Updated flat roof color- Weathered Wood	Carpenter 2 NE of 2nd			In Review
25192	Use Permit	UP 25191 (Svendsgaard Inn)		Hotel serving food and drink to guests without extensive kitchen preparation required	San Carlos and 4th			In Review
25191	Design Study	DS 25191 (Gallacher)		50% deck replacement, window replacement, sectional stuck repair, patio door replacement	Monte Verde 5 SW of 5th			Incomplete Submission
25190	Design Study	DS 25190 (Zee-Schenk)	One	Replace Windows and replace Wood Exterior with Stucco	SE corner of 5th & Guadalupe	6/30/2025		In Review
25189	Sign	SI 25189 (Ikonik Realty)		Install one double hanging blade sign	NW Corner of Ocean & Mission	6/30/2025		In Review

25188	Use Permit	UP 25188 (Esperanza Carmel Commercial, LLC)		Building A: Convert the existing restaurant into ground-floor retail spaces and a new one-story apartment. Add an interior staircase within a shared hallway to provide access to the second-floor apartment. Modify the second-floor unit and upgrade the existing roof deck. Building B: Convert a portion of the existing gallery space into a public, ADA-accessible restroom. Building C: Convert two existing office/apartment units into two two-bedroom, two-story apartment units. Reconstruct the associated balconies.	Lincoln St 3 SW of Ocean Ave	6/16/2025		In Review
25187	Design Study	DS 25187 (Casanova Hag LLC)	Streamlined	Removal of and location changes to windows at upper level. Additional exterior door at Bath 2. Wood batten over board siding match existing at upper level.	Casanova 4SE 7th	6/12/2025		In Review
25186	Sign	SI 25186 (Lenox Hill Design)		A 18 in x 24 in sign that will hang outside of the building being held up from the side wall for Lenox Hill Design. Top of existing bracket measures 9 feet from grade	Lincoln 3 NE of 7th	6/12/2025		In Review
25185	Landscape Plan Check/Inspection	LD 25185 (Lutz)		Full landscape installation & new (permeable) driveway. Per plan, please see attached	Santa Fe 4 NW of 6th	6/18/2025		In Review

25184	Design Review	DR 25184 (Great Valley Holdings LLC)	Two	This application proposes a change of use for two commercial office buildings: the front building will become a deli and retail shop ("Mama's Boy") with no on-site cooking; the rear building will be converted into a full-service restaurant ("Mammone") focused on lunch and dinner. Both concepts are complementary, with food prep centralized in the rear building.	Dolores 2 NE of 5th	6/20/2025		In Review
25183	Sign	SI 25183 (BONDED X Hamilton Hats) PENDING BL		Signage drawings submitted as attachments for review	San Carlos 2 NE of 7th			In Review

25182	Planning Permit Revision	DS 25182 (Jung)	One	Revision to DS 23-300 (Jung): Relocate the (1) Upper Canopy Tree from the NW to the NE corner of the property (which has been Preliminarily Approved by Justin Ono, City Forester); Change the Tree Species of the (1) Relocated Upper Canopy Tree to the NE corner of property to be (1) Platanus racemosa "California Sycamore" --which is on the City's Recommended Upper Canopy Tree List, 15 Gallon minimum; Minor revisions to Planting Plan; Removal of Permeable Stepping Stones at North side yard and between Door Stoop landings between Dining Room and Garage French Doors; Removal of Impermeable Low Walls flanking steps at North and South property lines; Removal of Trash Enclosure Barrier at North Property line; Enlarge Permeable Stoops at North Courtyard to comply with exit	3 SW 13th on Camino Real	6/16/2025		In Review
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25181	Design Review	DR 25181 (Carmel Mission Basilica)	One	BARRIER REMOVAL PROJECT, INCLUDING: - CONSTRUCT A NEW CONCRETE RAMP WITH STEEL HANDRAILS, TO REPLACE THE EXISTING NON-HISTORIC STAIR - RELOCATE EXISTING DOOR WITHIN EXISTING OPENING, CLOSER TO THE EXTERIOR FACE OF THE WALL TO PROVIDE ACCESSIBILITY CLEARANCES - RECONFIGURE THE EXISTING DOOR HARDWARE TO MEET CURRENT ACCESSIBILITY REQUIREMENTS FOR TYPE AND MOUNTING HEIGHT	3080 Rio Road	6/19/2025		In Review
25180	Design Study	DS 25180 (Frisoli)	One	Change design of existing stairs at the southwest corner of house & ADU	NW Corner of Camino Real & 7th	6/12/2025		In Review
25179	Planning Permit Revision	DR 25179 (Schneider)		Revision to DS 25108: Change in Window Sizes, Window Types, Window Materials and Wood Shingle Cladding Size	SW Corner Mission & 12th, Carmel			Closed

25178	Use Permit	UP 25178 (Great Valley Holdings LLC)		This application proposes a change of use for two commercial office buildings: the front building will become a deli and retail shop ("Mama's Boy") with no on-site cooking; the rear building will be converted into a full-service restaurant ("Mammone") focused on lunch and dinner. Both concepts are complementary, with food prep centralized in the rear building.	Dolores 2 NE of 5th	6/11/2025		In Review
25177	Design Study	DS 25177 (Palmer)	Two	Single story remodel to existing 692 sq ft existing home. Remodel to include second bedroom, second bathroom, extension of kitchen, den and attached garage. Existing square footage to be enlarged to 1268 sq ft plus a 252 sq ft garage	Carpenter 3 NE of 6th	6/16/2025		In Review
25176	Historic Evaluation	HE 25176 (Glines)		Tear off existing cedar wood Shingles and Install New Presidential TL Singles	Santa Lucia 2 NW of Rio Rd	6/6/2025		Closed
25175	Design Study	DS 25175 (Alexander)	One	OUTDOOR FIREPLACE, NEW STONE VENEER, & PLANTER BOX	GUADALUPE 2 SE OF 3RD	6/10/2025		In Review

25174	Planning Permit Revision	DS 25174 (Schneider)	One	Revision to DS 24074 - 1. Ex. wood single pane windows to be replaced with new metal clad wood double pane windows, exterior doors to be metal clad; 2. New 6" Exposed Face Wood Shingles with painted finish throughout project; 3. Changes to Window Sizes and Operation Configurations	SW Corner of Mission Street and 12th Avenue			In Review
25173	Preliminary Site Assessment	PSA 25173 (Munoz)		Remodel	4THE AVE 3 NE MONTE VERDE	6/13/2025		In Review
25172	Design Study	DS 25172 (Munoz)	Two	Remodel	4TH AVE 3 NE MONTE VERDE			Incomplete Submission
25171	Historic Evaluation	HE 25171 (Dowler)		Replacement of existing exterior windows and doors with Alum. frame windows and doors in existing openings. Paint all exterior cement plaster walls and adjacent landscape plaster walls. No structural work is proposed. Interior work is limited to patching of wall finishes as required for window replacement. No site work is proposed.	San Antonio 3 NE of 4th	6/6/2025		In Review
25170	Historic Evaluation	HE 25170 (Lazarakis)		Interior remodel of existing kitchen (112 SF); removal of 1 window; new kitchen window - to replace (e) kitchen window - same size	Crespi 2 NW of Flanders Way	6/6/2025	6/20/2025	Approved

25169	Design Study	DS 25169 (Dowler)	One	Replacement of existing exterior windows and doors with Alum. frame windows and doors in existing openings. Paint all exterior cement plaster walls and adjacent landscape plaster walls. No structural work is proposed. Interior work is limited to patching of wall finishes as required for window replacement. No site work is proposed.	N. San Antonio 3 NE of 4th			In Review
25168	Emergency Coastal Permit			Rebuild the 10th Avenue beach staircase. The design will be like for like. Materials and colors consist of old-growth redwood; large format marine grade pressure treated structural posts, main runners, posts and underpinnings; and stainless steel hardware (bolts, screws, fasteners and brackets).	10th Avenue beach staircase	6/4/2025		In Review
25167				(Made in error - number to be reused)				

25166	Time Extension	TE 25166 (Micek)		This approval of a 12-month time extension for Design Study approval DS 23-363 (Micek) authorizing a 28-square-foot expansion of the existing front deck and realignment of the front walkway for an existing single-family residence located at Camino Real 9 northeast of 4th Avenue in the Single-Family Residential (R-1) District as depicted in the plans prepared by IDG, Inc. stamped approved and on file in the Community Planning & Building Department unless modified by the conditions of approval.	Camino Real 9 NE of 4th	6/10/2025	6/17/2025	Approved
25165	Design Study	DS 25165 (Lazarakis)	One	Interior Kitchen remodel - minor window work	Crespi Ave 2 NW of Flanders			Incomplete Submission
25164	Design Study	DS 25164 (Lundblad)	One	Replacement of driveway to stamped concrete and 4 stairs	Santa Fe 2SE of 1st	6/10/2025		In Review
25163	Sign	SI 25163 (Sea Shack Candy Co)		Sign Permit for retail store Sea Shack Candy Co. Existing bracket elevation: 95 inches	San Carlos between Ocean & 7th (Carmel Square), Unit 2	6/10/2025	6/18/2025	Approved
25162	Design Study	DS 25162 (5855 Junipero LLC)	Two	MAIN FLOOR ADDITION (148 SF), NEW 1-CAR GARAGE (264 SF), NEW COVERED ENTRY (57 SF), NEW EXTERIOR DOORS & WINDOWS, NEW PAVER DRIVEWAY (90 SF), NEW PAVER WALKWAY (334 SF), REPLACE EXISTING FLAT ROOF WITH NEW SLOPING ROOF	5855 Junipero Ave	6/30/2025		In Review

25161	Design Study	DS 25161 (Ramos)	One	Project includes site work including limited grading, flat work, driveway, retaining walls, fireplace, built in seat, wood trellis and entry gate and property line fencing. Work also includes planting, irrigation and site lighting. These plans intend to modify the originally approved and permitted site work under DS 22-396 and BP 23-414	NE Corner of 12th and San Antonio			In Review
25160	Historic Evaluation	HE 25160 (Virnig)		Historic Evaluation	Palou 8 NW of Casanova	6/10/2025		In Review

Total Records: 42

7/1/2025



Business License Report

06/01/2025 - 06/30/2025

Entity #	Application Type	Business Name	Business Description	Location	Date Received	Date Approved	Status
25027	New Business	Michael Wallace Hair	Beauty Salon	San Carlos 2 SW 5th	6/30/2025		In Review
25026	New Business	Kirk Miller Art Studio	Paint portraits & landscapes/ artist	1st Ave 2 NE of Carpenter	6/20/2025		In Review
25025	New Business	Gelato by the Sea	Gelato Shop	San Carlos 2 NE of 7th			In Review
25024	New Business	BONDED X Hamilton Hats	Retail of jewelry, hats, and candles	San Carlos 2 NE of 7th	6/10/2025		In Review
25023	New Business	KYmacaluso LLC	Limousine	Dolores 3 SE of 4th	6/3/2025	6/3/2025	Approved
25022	New Business	Sea Shack Candy Co	retail candy & gift sales	San Carlos between Ocean & 7th	6/3/2025	6/18/2025	Approved

Total Records: 6

7/1/2025



Building Permit Report

06/01/2025 - 06/30/2025

Permit #	Date Submitted	Date Approved	Project Description	Valuation	Permit Type	Property Location
250290	6/30/2025	6/30/2025	Relocate electrical service from the NW corner of residence to SE corner of garage. Upgrade service from 90amp to 200amp.	5,000	Electrical	SW Corner of San Carlos & Vista
250289			Kitchen and Bathroom Cabinetry and Fixture Update	100,000	Exempt Work	Santa De 6 SE 8th Ave
250288	6/30/2025		Kitchen and bathroom renovation including replacement of sinks, showers, and toilets. Replace existing water heater with new tankless water heater. New GFCI's in kitchen and bathroom, new electrical floor heater in bathroom. Demolish interior non-load bearing walls between the kitchen, laundry room, and garage. Relocate interior door between kitchen and garage.	49,500	Building	Santa Fe 6 SE of 8th
250287	6/27/2025		Convert existing 260sf garage into a new 260sf ADU. Replace 21sf asphalt with new concrete landing. Replace existing windows with new siding windows in the same location. Replace existing garage door with new 5' french doors. Install new electrical subpanel	122,000	Building	Lopez 5 SE of 2nd
250286	6/26/2025		Replace railings on all of balconies for CA SB 721 compliance. Replace header at car pass through.	2,000	Building	SW Corner of Lincoln & 7th

250285	6/25/2025	6/27/2025	Demo existing rear property fence and install new 6' tall fence on property line per survey.	0	Exempt Work	Torres 2 NW of 10th
250284	6/25/2025		Interior remodel of existing kitchen	48,000	Building	Casanova 7 SE of 13th
250283	6/24/2025		Bathroom remodel including tub removal and replacement with shower, updating electrical, replacing vanity, tile and flooring. Kitchen remodel to replace cabinetry, countertops.	45,000	Building	Monte Verde 4 SW of Ocean
250282	6/24/2025		Prep and repaint house and garage, Benjamin Moore 2125-30 "Gray Shower". Doors and windows to be painted white to match exterior trim except front door, to be 2125-10 "Black Panther". Window boxes to be white to match existing trim.	0	Exempt Work	Casanova 3 SW of 12th
250281	6/23/2025	6/26/2025	PROVIDE ELECTRICAL AND PLUMBING UPGRADES IN KITCHEN AND RELOCATE LAUNDRY.	25,000	Electrical	SW Corner of San Carlos and Vista
250280	6/20/2025		Remove all knob & tube wiring and replace with new romex wiring. Add exhaust fans and recessed lighting in bedrooms.	28,000	Electrical	Lincoln 3 NW of 11th
250279	6/20/2025	6/20/2025	Main service panel relocation and upgrade. Remove old 100amp from closet and install new 200amp on exterior wall.	2,000	Electrical	Lincoln 3 NW of 11th

250278	6/20/2025		Renovation of Existing ADU space. Convert existing storage room into new bedroom off of existing lower level ADU. Add new pocket door to connect new bedroom to ADU kitchen and bathroom. Addition of HVAC as required for new bedroom space.	40,000	Building	2nd 2 NW of Lincoln
250277	6/20/2025	6/20/2025	Remove and replace Bryant 926TC36060 Forced Air Furnace Like for Like	8,400	Mechanical	Santa Fe 4 SW of 2nd
250276	6/19/2025	6/19/2025	Remove and replace 40 gallon natural gas water heater.	2,200	Plumbing	Guadalupe 6 SE of 7th
250275	6/19/2025	6/19/2025	Remove and Replace 70K BTU furnace	6,666	Mechanical	Guadalupe 6 SE of 7th
250274	6/19/2025		Replace existing deteriorated interior foundation and bearing wall in basement of existing building. The existing foundation, which retains 2' of soil, will be removed and replaced with a new concrete foundation. The existing wood stud bearing wall will be removed and replaced with a similar wall. Shore existing floor and roof framing during construction.	40,000	Building	San Carlos 2 SW of 4th
250273	6/18/2025	6/19/2025	Remove existing cedar shake roof and replace with new Presidential TL composition shingle roof in color "Autumn Blend".	49,840	Roofing	N Carmelo 3 SE of 2nd
250272	6/18/2025	6/24/2025	Tear off existing shingle roof and install new Landmark TL roof in color "Shenandoah". Remove flat roofing area and install new TPO roofing in gray color with a gravel/ballast finish.	19,630	Roofing	Dolores 2 SW of 3rd

250271	6/18/2025	6/18/2025	Tear off existing comp shingles and cap sheet roof and install new underlayment on entire roof. Install new comp shingles with CertainTeed Landmark TL in color Country Grey and CertainTeed Flintlastic cap sheet in color Weathered Wood.	28,815	Roofing	Carpenter 2 NE of 2nd
250270	6/18/2025	6/18/2025	Pavers in the front quarter of the driveway will be pulled up and re-used as part of a grading repair, with new concrete edging adjacent to the area of work.	6,500	Exempt Work	8th 3 SE of Monte Verde
250269	6/17/2025	6/18/2025	Remove and replace furnace 80K downflow 80% eff.	10,000	Mechanical	Junipero 6 SE of 10th
250268			Removed RSD	0	BP Revision	San Carlos 5 NE of Santa Lucia
250267	6/18/2025		INSTALL A 30 kWh ESS BATTERY FOR SELF CONSUMPTION AND WHOLE HOME BACKUP POWER.	45,700	Electrical	Dolores 2 SE of 9th
250266	6/12/2025	6/12/2025	Repaint of exterior complete colors to remain the same.	0	Exempt Work	Dolores 2 SW of 7th
250265	6/12/2025	6/12/2025	Upgrade of 100A panel to 200A Meter Main Combo.	3,015	Electrical	Guadalupe 3 SE of 2nd
250264	6/12/2025	6/12/2025	Remove 50 gallon water heater and replace with a Bradford White RG275H6N	3,500	Plumbing	San Antonio 3 NE of 9th
250263	6/11/2025	6/26/2025	INSTALL 2 BATTERIES (27 kwh ESS)	15,000	Electrical	Scenic 1 NE of 10th
250262	6/10/2025	6/10/2025	Tear off existing wood shake roof and install 401 artic seal self adhering underlayment. Install synthetic shakes.	74,000	Roofing	SW Corner of Santa Fe & 8th

250261	6/10/2025	6/18/2025	Courtyard paver removal and replacement to clear code compliance case 25098. CONDITION: An encroachment permit with a CMP is required prior to permit issuance.	20,296	Building	SW Corner of Ocean & Lincoln
250260	6/9/2025	6/9/2025	Installation of new tankless water heater and replacement of main water line.	5,000	Plumbing	Lincoln 3 NW of 11th
250259	6/9/2025		Commercial TI to convert gallery space to commercial specialty food store. Remodel counter, install new lighting, upgrade electrical panel, addition of drainage system and new ADA restroom.	5,200	Building	Lincoln 3 SW of Ocean #1
250258	6/9/2025	6/9/2025	Remove 2x6 walking redwood deck boards and replace in-kind.	0	Exempt Work	San Antonio 4 NW of 10th
250257	6/9/2025		Repair of Cypress Inn. Repair of balcony, repair and painting of walls of courtyard and tower, installation of accessible door opener for interior courtyard	133,000	Building	NE Corner of Lincoln & 7th
250256	6/9/2025	6/9/2025	Fence section repair.	0	Exempt Work	Santa Fe 2 SE of 3rd
250255	6/6/2025	6/6/2025	Change out seven electrical panels in commercial units. Remove old Zinsco panels and install new.	7,000	Electrical	Ocean 2 SW of San Carlos
250254	6/5/2025	6/6/2025	Demolition of existing accessory paint studio.	4,000	Demolition	NW Corner of Guadalupe & 4th

250253	6/5/2025	6/18/2025	Interior remodel of a 1,991sf single family residence with attached garage to restore from fire damage. Remodel all bathrooms in-kind. Replace all sheetrock throughout the house and garage. Replace electrical main and sub-panels and wiring throughout the house. Install a new fire sprinkler system.	215,000	Building	SE Corner of Torres & 10th
250252	6/5/2025	6/5/2025	Install New Bryant 45MUHAQ36XX3 Air Handler & 37MUHAQ36AA3 Heat Pump within the existing attic space.	27,000	Mechanical	Lincoln 3 NW of 11th
250251	6/5/2025		Wire a hot tub in the backyard. Addition of a 50 amp volt plug on the outside of the garage. Installation of a generator.	23,475	Electrical	Casanova 2 SW of 11th
250250	6/4/2025	6/6/2025	Exploratory demolition of deck, remove tile and stucco as needed to view framing.	1,000	Demolition	Santa Fe 3 NE of 6th

Total Records: 41

7/1/2025



Code Compliance Report

06/01/2025 - 06/30/2025

Case #	Case Date	Status	Location	Problem Description	Date Received	Date Closed
25146	6/27/2025	Closed	Carmelo 4 SW of 2nd	Retaining wall being built without approval; form boards and rebar.	6/27/2025	6/27/2025
25145	6/27/2025	Open	Guadalupe 3 NW of 5th	Tree work without a permit	6/26/2025	
25144	6/25/2025	Closed	Mission 2 SW of 5th	Chainsaws and gas leaf blowers in use at 6:45AM.	6/25/2025	6/25/2025
25143	6/24/2025	Open	Lobos 5 NE of 3rd	Fence built without a Scope of Work Declaration; fence exceeds allowable height and stands over 7 feet tall.	6/24/2025	
25142	6/4/2025	Open	Lincoln 5 NE of 3rd	Construction affecting neighboring retaining wall	6/4/2025	
25141	6/3/2025	Closed	Camino Real and 2nd	Pile of brush	6/3/2025	6/5/2025
25140	6/24/2025	Closed	Mission 3 NE of Santa Lucia	Large trucks, portable toilet, and other signs of construction staging.	6/24/2025	6/24/2025
25139	6/3/2025	Open	NW corner of San Antonio and 8th	Trash and rodents on property	6/3/2025	
25138	6/2/2025	Closed	NW corner of Ocean and Junipero	Sign/vending in the sidewalk	6/2/2025	6/2/2025
25133	6/20/2025	Open	SWC of San Carlos and 6th	Loud music that could be heard from across the street		
25132	6/20/2025	Open	Ocean 2 NE of San Carlos	Rodent infestation	6/20/2025	
25131	6/19/2025	Open	San Carlos 3 SE of First	Vacant house with overgrown weeds and misc. debris	6/19/2025	
25130	6/18/2025	Closed	Viscaino 1 NW of Flanders	Illegal "Reserved Parking" signs	6/18/2025	6/30/2025

25121	6/16/2025	Open	Lincoln 2 SE of 13th	Tarps over motorcycles and automotive debris in driveway; trash and recyclables visible from the public right-of-way	6/16/2025	

Total Records: 14**7/1/2025**



Transient Rental Report

01/01/2025 - 06/30/2025

Case #	Street	Status	Date Received	Last Status Date	Date Closed
25163	2nd	STR verified	6/13/2025	6/16/2025	
25094	Forest	Closed	4/9/2025	4/15/2025	4/15/2025
25067	Junipero	Closed	3/28/2025	4/9/2025	4/9/2025
25065	Torres	Closed	3/26/2025	5/26/2025	5/26/2025
25063	Torres	Closed	3/24/2025	4/7/2025	4/7/2025
25016	Casanova	Closed	1/21/2025	3/3/2025	3/3/2025
25014	Lobos	Closed	1/16/2025	2/17/2025	2/17/2025
25006	San Antonio	Closed	1/6/2025	4/11/2025	4/11/2025

Total Records: 8

7/22/2025



Encroachment Permit Report

06/01/2025 - 06/30/2025

Permit #	Permit Type	Date Submitted	Project Description	Property Location	Date Issued	Status
250153	Temp Ench	6/27/2025	PG&E to replace existing pole. PM# 35641375	SW Corner of Perry Newberry & 5th	6/30/2025	Issued
250152	Temp Ench	6/27/2025	Installation of new 6" fire line (approx 25') from street main to property unit.	Dolores 2 NW of 6th		In Review
250151	Temp Ench	6/23/2025	PG&E to replace pole, overhead transformer, overhead secondary, underground service, and anchor. PG&E to install enclosures. PM# 35604038.	SE Corner of Mission & 3rd	6/24/2025	Issued
250150	Temp Ench	6/23/2025	PG&E to replace lid/frame within private property. Reserve parking to facilitate. PM# 31736545	Lincoln 2 SW of 7th	6/23/2025	Issued
250149	Temp Ench	6/18/2025	Closure of the shoulder to facilitate a full sewer replacement. Trenching approx 40' for replacement.	Scenic 1 NE of 12th	6/19/2025	Issued
250148	Perm Ench	6/17/2025	Replacement of existing entry stairs. Install landscaping lighting on new proposed staircases. Legalize existing site walls at property line.	Camino Real 10 NE of 4th		In Review
250147	Temp Ench	6/16/2025	Replace Utility Pole. PM# 35638010	SW Corner of Monterey & 3rd	6/18/2025	Issued

250146	Temp Ench	6/16/2025	PG&E to install new underground service, riser, and secondary breaker.	Casanova 4 SW of 4th	6/18/2025	Issued
250145	Temp Ench	6/16/2025	Replacement of utility pole. PM# 35635043	Lobos 2 SW of 3rd	6/18/2025	Issued
250144	Temp Ench	6/16/2025	Replace sewer lateral using pipe bursting.	Guadalupe 3 SW of 4th	6/16/2025	Issued
250143	Temp Ench	6/13/2025	Replace sewer lateral from house to city main in street. Excavate a 4'x4' bellhole, expose main, and backfill.	San Carlos 5 SW of 10th	6/13/2025	Issued
250142	Temp Ench	6/11/2025	PM 47218944 GAS MAINTENANCE, EXCAVATE 4' X 5' BELL HOLE	26173 DOLORES ST	6/13/2025	Issued
250141	Temp Ench	6/10/2025	PG&E to install underground service, remove overhead service and replace overhead secondary.	Dolores 4 SW of 10th	6/11/2025	Issued
250140	Temp Ench	6/10/2025	5'x11' and 4'x4' asphalt patch for CalAm job #0425.	SW Corner of Santa Fe & 2nd	6/10/2025	Issued
250139	Temp Ench	6/9/2025	Close sidewalk and three parking spaces to facilitate painting project.	Dolores 2 SW of 7th	6/12/2025	Issued
250138	Temp Ench	6/9/2025	Replace sewer lateral using pipe bursting.	Carmelo 5 SE of Ocean	6/9/2025	Issued
250137	Driveway	6/6/2025	Patch existing sand set paver driveway.	Palou 2 SW of 2nd	6/19/2025	Issued
250136	Temp Ench	6/6/2025	Veg management identified seven trees for trimming and two are for removal. These trees are making contact with power facilities.	Various throughout City		In Review

250135	Temp Ench	6/3/2025	3'x7' and 8'x9' asphalt patch for CalAm job #0424	NE Corner of Carpenter & 5th	6/3/2025	Issued

Total Records: 19**7/1/2025**



Tree Permit Report

06/01/2025 - 06/30/2025

Permit #	Permit Date	Permit Type	Location of Property	Description	Status	Approved Date
25160	6/3/2025	1. Tree Evaluation	Casanova 5 NW of Ocean	24" diameter pine tree too close to fence, slight lean evaluate for sickness	Approved	6/20/2025
25161	6/3/2025	2. Tree Removal/Pruning	Casanova St 2 NE of 11th	Oak Tree Removal	In Review	
25162	6/4/2025	2. Tree Removal/Pruning	San Carlos 4 SE of 13th	Remove pine tree in the backyard 19"	In Review	
25163	6/4/2025	2. Tree Removal/Pruning	Torres 4 SE of Ocean Ave.	PRUNING: Remove 2 large limbs on oak tree on right side of house.	In Review	
25164	6/4/2025	2. Tree Removal/Pruning	SE Corner of Flanders & Vizcaino	REMOVAL: 3 Oaks 26", 18", 15" i by the driveway/2 by the deck	Approved	6/19/2025
25165	6/4/2025	2. Tree Removal/Pruning	Carmelo 2 NW of 12th	1 Monterey Cypress 42" DBH, 1 oak 15" DBH	In Review	
25166	6/4/2025	2. Tree Removal/Pruning	Lincoln 6 SW of 12th	3 Cypress, 12", 12", 16"	In Review	
25167	6/4/2025	2. Tree Removal/Pruning	010127017000	Remove tree	Approved	6/5/2025
25168	6/6/2025	1. Tree Evaluation	SE Corner of Santa Rita & 4th	EVALUATION: 1- 75' HT x 35' SPR x 45" CAL Pinus Radiata "Monterey pine" PRUNING CITY TREES: 1- Acacia Melanoxylon- "Blackwood Acacia" - 60' HT x 36' SP x 22" CAL 1- Cupressus Macrocarpa- "Monterey Cypress" - 70' HT x 33' SP x 34" CAL 1- Pinus Radiata- "Monterey pine" - 60' HT x 27' SP x 18" CAL	In Review	

25169	6/9/2025	2. Tree Removal/Pruning	26041 Ridgewood Rd.	One 24" oak on southern property line, approximately 30' from the road.	Approved	6/10/2025
25170	6/9/2025	1. Tree Evaluation	Torres 4 NE of 6th	one about 30 ft Monterey pine	Approved	6/24/2025
25171	6/13/2025	1. Tree Evaluation	Santa Fe 5 SE of 3rd	2 Oak Trees. One is @ 3' Diameter. One is @ 2" Diameter	In Review	
25172	6/14/2025	2. Tree Removal/Pruning	SW corner Mt View and Crespi	Tree removal	Approved	6/17/2025
25173	6/16/2025	2. Tree Removal/Pruning	Santa Rita 3SE of Third. Pine in backyard. Bamboos on sides of home.	Trees and branches too close to home and over roof next to chimney.	Approved	6/16/2025
25174	6/16/2025	2. Tree Removal/Pruning	Dolores 5 SW of 12th	PRUNING: Oak branch over garage	Approved	6/23/2025
25175	6/17/2025	2. Tree Removal/Pruning	Guadalupe 4 NE of 5th	Oak (1) for possible removal	Approved	6/17/2025
25176	6/20/2025	2. Tree Removal/Pruning	Casanova 5 NW of Ocean	24" diameter pine tree too close to fence, slight lean evaluate for sickness	Approved	6/20/2025
25177	6/20/2025	2. Tree Removal/Pruning	Lopez 6 NE of 4th	1 Oak	Approved	6/20/2025
25178	6/20/2025	2. Tree Removal/Pruning	Vizcaino 9 SE of Mountain View	20" Oak	Approved	6/23/2025
25179	6/23/2025	2. Tree Removal/Pruning	Santa Rita 1SE of Ocean Ave	Remove tree branches that are over and laying on the roof at the request of our home owners insurance company	In Review	
25180	6/23/2025	2. Tree Removal/Pruning	Santa Fe 3 SE of Ocean	PRUNING: Oaks 6" Also one large branch at entry of property REMOVAL: Oaks- 2 dead removal City 2- removal diseased	Approved	6/24/2025

25181	6/25/2025	1. Tree Evaluation	Ocean 4 NE of Carpenter	EVALUATION FOR REMOVAL: 1 Monterey pine 43" diameter 85' tall. 2 ea. Acacia 1,6 diam. 8' tall, multi trunk. only 1/3rd living PRUNING: trim horizontal limb (over 6") of oak @ Southeast corner	In Review	
25182	6/27/2025	2. Tree Removal/Pruning	Carmelo 5 NE of Santa Lucia	2 oak trees (one dying in back 16") (one in front alive for addition 13")	Approved	6/30/2025
25183	6/30/2025	2. Tree Removal/Pruning	Monte Verde 6 SE of 12th	1 large branch approx 12 feet- Oak tree	In Review	

Total Records: 24

7/1/2025



CITY OF CARMEL-BY-THE-SEA

Monthly Report

Public Safety

June 2025

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Paul Tomasi, Director of Public Safety
APPROVED BY:	Chip Rerig, City Administrator

AMBULANCE REPORT

Summary of Carmel Fire Ambulance's June Calls for Service

AMBULANCE PERFORMANCE MEASURE

The performance goal for Code-3 (life threatening emergency-lights & siren) ambulance calls with a response time of 5 minutes or less from dispatch to arrival is 95%. For the month of June 2025, the ambulance was unable to meet the performance measure. The response time was 88% with (5) code-3 call over 5 minutes.

47 Calls for service in CBTS Average response time: 3:11 min.

41 Code 3 medical calls for service –Five calls over 5:00 min.

Events:

06/05/25 11:14 p.m.; Lincoln St. & 13th Ave. **(5:08 min response)**; Delayed due to distance, traffic.

06/13/25 11:40 a.m.; 25800 Hatton Rd. **(5:42 min response)**; Delayed due to distance (Flanders Mansion).

06/23/25 04:43 a.m.; 1st Ave. & Santa Rita St. **(5:13 min response)**; Ambulance responding from Monterey, delay due to time of day.

06/23/25 11:38 a.m.; San Carlos St. & Camino Del Monte Ave. **(6:05 min response)**; Delayed due to distance, traffic.

06/24/25 7:00 a.m.; Santa Rita St. & 5th Ave. **(5:21 min response)**; Delayed due to time of day.

*The performance goal for Code-3 (life threatening emergency-lights & siren) ambulance calls with a response time of 5 minutes or less from dispatch to arrival is 95%.

MONTEREY FIRE REPORT**Summary of Monterey Fire June Calls for Service****FIRE PERFORMANCE MEASURE**

The performance goal for Code-3 (life threatening emergency-lights & siren) fire calls with a response time of 5 minutes or less from dispatch to arrival is 95%. For the month of June 2025, the fire department was unable to meet the performance measure. The response time was 90% with (6) code-3 calls over 5 minutes.

68 total calls for service in CBTS- Average response time: 4:07 min.

61 total Code-3 calls – Two with a response of over 5:00 min.

Events:

06/18/25 7:39 a.m.; 13th Ave. & Carmelo St. (6:43 min response); Delay due to distance.

06/23/25 4:42 a.m. 1st Ave. & Santa Rita St. (5:53 min response); Delay due to distance.

06/27/25 2:35 p.m. 9th Ave. & San Antonio Ave. (6:43 min response); Delay due to distance (responded from Crossroads area)

06/19/25 9:59 a.m. Monte Verde St. & Ocean Ave. (8:05 min response); Delay due to multiple incidents so our response was from Station 11 (600 Pacific St, Monterey)

06/27/25 2:47 p.m. 10th Ave. & Junipero Ave. (5:59 min response); Delay due to multiple incidents, responded from Carmelo St. and 7th Ave.

06/13/25 11:39 a.m. 25800 Hatton Rd. (5:40 min response); Delay due to distance (Flanders Mansion)

*The performance goal for Code-3 (life threatening emergency-lights & siren) ambulance calls with a response time of 5 minutes or less from dispatch to arrival is 95%.



RESPONSE SUMMARY REPORT BY INCIDENT TYPE
27060 CARMEL-BY-THE-SEA
Alarm Date From: 06/01/2025 To: 06/30/2025



Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
300-321 Series (EMS)						
Medical assist, assist EMS crew	6/1/2025 11:29 PM	250601-MNT04150	0:03:46	OCEAN AVE	MONTE VERDE ST	3
Medical assist, assist EMS crew	6/12/2025 2:26 PM	250612-MNT04435	0:03:36	OCEAN AVE	LINCOLN ST	3
Medical assist, assist EMS crew	6/17/2025 4:51 PM	250617-MNT04574	0:02:27	TORRES ST	5TH AVE	3
Medical assist, assist EMS crew	6/17/2025 6:41 PM	250617-MNT04576	0:03:01	5TH AVE	SAN CARLOS ST	3
Medical assist, assist EMS crew	6/18/2025 7:39 AM	250618-MNT04590	0:06:43	13TH AVE	CARMELO ST	3
Medical assist, assist EMS crew	6/20/2025 8:55 AM	250620-MNT04655	0:02:54	S MOUNTAIN VIEW AVE	SANTA RITA ST	3
Medical assist, assist EMS crew	6/20/2025 10:50 AM	250620-MNT04661	0:02:44	SAN ANTONIO AVE	11TH AVE	3
Medical assist, assist EMS crew	6/20/2025 4:09 PM	250620-MNT04673	0:02:28	LINCOLN ST	6TH AVE	3
Medical assist, assist EMS crew	6/21/2025 12:34 AM	250621-MNT04684	0:04:20	TORRES ST	5TH AVE	3
Medical assist, assist EMS crew	6/22/2025 1:49 PM	250622-MNT04723	0:03:33	DOLORES ST	5TH AVE	3
Medical assist, assist EMS crew	6/23/2025 1:19 AM	250623-MNT04734	0:04:43	MONTE VERDE ST	9TH AVE	3
Medical assist, assist EMS crew	6/23/2025 4:42 AM	250623-MNT04737	0:05:35	1ST AVE	SANTA RITA ST	3
Medical assist, assist EMS crew	6/27/2025 2:35 PM	250627-MNT04870	0:06:43	9TH AVE	SAN ANTONIO AVE	3
Medical assist, assist EMS crew	6/29/2025 9:34 AM	250629-MNT04928	0:04:56	MONTE VERDE ST	9TH AVE	3
Medical assist, assist EMS crew	6/29/2025 3:19 PM	250629-MNT04937	0:04:18	CAMINO REAL ST	8TH AVE	3
EMS call, excluding vehicle accident with injury	6/3/2025 8:18 PM	250603-MNT04202	0:01:45	LINCOLN ST	3RD AVE	3
EMS call, excluding vehicle accident with injury	6/8/2025 6:13 PM	250608-MNT04331	0:03:14	OCEAN AVE	JUNIPERO AVE	3
EMS call, excluding vehicle accident with injury	6/10/2025 11:46 AM	250610-MNT04373	0:02:10	JUNIPERO AVE	OCEAN AVE	3
EMS call, excluding vehicle accident with injury	6/10/2025 12:56 PM	250610-MNT04374	0:02:38	DOLORES ST	10TH AVE	3
EMS call, excluding vehicle accident with injury	6/13/2025 5:56 AM	250613-MNT04450	0:03:41	MONTE VERDE ST	OCEAN AVE	3
EMS call, excluding vehicle accident with injury	6/15/2025 9:42 AM	250615-MNT04516	0:04:42	3080 RIO RD		3
EMS call, excluding vehicle accident with injury	6/15/2025 10:05 AM	250615-MNT04517	0:00:00	3080 RIO RD		3
EMS call, excluding vehicle accident with injury	6/15/2025 1:42 PM	250615-MNT04524	0:03:55	OCEAN AVE	SCENIC RD	3
EMS call, excluding vehicle accident with injury	6/19/2025 9:46 AM	250619-MNT04618	0:03:04	LINCOLN ST	3RD AVE	3
EMS call, excluding vehicle accident with injury	6/19/2025 9:59 AM	250619-MNT04619	0:08:05	MONTE VERDE ST	OCEAN AVE	3
EMS call, excluding vehicle accident with injury	6/19/2025 2:07 PM	250619-MNT04637	0:03:43	1ST AVE	SAN CARLOS ST	3
EMS call, excluding vehicle accident with injury	6/21/2025 5:24 AM	250621-MNT04686	0:03:33	OCEAN AVE	GUADALUPE ST	3
EMS call, excluding vehicle accident with injury	6/21/2025 9:05 AM	250621-MNT04690	0:03:49	SANTA FE ST	4TH AVE	3
EMS call, excluding vehicle accident with injury	6/24/2025 12:01 PM	250624-MNT04776	0:03:42	8TH AVE	DOLORES ST	3
EMS call, excluding vehicle accident with injury	6/25/2025 6:52 AM	250625-MNT04795	0:04:59	1ST AVE	SANTA RITA ST	3
EMS call, excluding vehicle accident with injury	6/25/2025 8:42 AM	250625-MNT04796	0:04:42	1ST AVE	SANTA RITA ST	3

Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
300-321 Series (EMS) cont.						
EMS call, excluding vehicle accident with injury	6/26/2025 11:18 AM	250626-MNT04837	0:04:26	25995 RIDGEWOOD RD		3
EMS call, excluding vehicle accident with injury	6/28/2025 4:43 PM	250628-MNT04910	0:04:15	MONTE VERDE ST	9TH AVE	3
EMS call, excluding vehicle accident with injury	6/29/2025 1:03 PM	250629-MNT04931	0:04:27	11TH AVE	SAN ANTONIO AVE	3
34			0:03:54			
322-399 Series (Rescues)						
Motor vehicle accident with no injuries.	6/19/2025 1:44 PM	250619-MNT04633	0:03:16	OCEAN AVE	SANTA RITA ST	3
1			0:03:16			
400 Series (Hazardous Material)						
Gas leak (natural gas or LPG)	6/13/2025 11:13 AM	250613-MNT04455	0:03:59	TORRES ST	10TH AVE	3
Gas leak (natural gas or LPG)	6/17/2025 10:09 AM	250617-MNT04562	0:01:34	TORRES ST	4TH AVE	3
Oil or other combustible liquid spill	6/10/2025 6:41 PM	250610-MNT04388	0:04:15	9TH AVE	CARMELO ST	2
Oil or other combustible liquid spill	6/25/2025 11:09 AM	250625-MNT04802	0:05:22	LINCOLN ST	10TH AVE	2
Power line down	6/11/2025 3:04 PM	250611-MNT04409	0:04:52	CARPENTER ST	3RD AVE	3
Power line down	6/23/2025 11:37 AM	250623-MNT04748	0:04:30	SAN CARLOS ST	CAMINO DEL MONTE AVE	3
Power line down	6/27/2025 11:45 AM	250627-MNT04864	0:04:11	CARMELO ST	7TH AVE	3
Accident, potential accident, other	6/27/2025 2:47 PM	250627-MNT04871	0:05:59	10TH AVE	JUNIPERO AVE	3
8			0:04:20			
500 & 600 Series (Service Calls)						
Water problem, other	6/24/2025 6:59 AM	250624-MNT04771	0:04:47	SANTA RITA ST	5TH AVE	3
Water problem, other	6/25/2025 1:23 PM	250625-MNT04807	0:02:34	4TH AVE	MONTE VERDE ST	2
Water or steam leak	6/13/2025 12:16 PM	250613-MNT04458	0:06:41	DOLORES ST	1ST AVE	2
Water or steam leak	6/14/2025 1:14 PM	250614-MNT04491	0:05:29	DOLORES ST	1ST AVE	2
Water or steam leak	6/22/2025 1:28 PM	250622-MNT04720	0:04:34	SANTA RITA ST	3RD AVE	3
Smoke or odor removal	6/20/2025 10:31 AM	250620-MNT04660	0:02:47	OCEAN AVE	JUNIPERO AVE	2
Assist invalid	6/21/2025 8:53 PM	250621-MNT04706	0:04:07	CASANOVA ST	8TH AVE	3
No incident found on arrival at dispatch address	6/6/2025 7:45 AM	250606-MNT04259	0:03:03	SAN CARLOS ST	6TH AVE	3
No incident found on arrival at dispatch address	6/12/2025 7:49 PM	250612-MNT04442	0:01:33	OCEAN AVE	MISSION ST	3
No incident found on arrival at dispatch address	6/12/2025 11:16 PM	250612-MNT04446	0:03:27	OCEAN AVE	MISSION ST	3
No incident found on arrival at dispatch address	6/30/2025 12:43 PM	250630-MNT04957	0:04:59	9TH AVE	CARMELO ST	3
Smoke scare, odor of smoke	6/22/2025 10:53 AM	250622-MNT04716	0:04:57	MONTE VERDE ST	2ND AVE	3
12			0:04:05			
700 Series (False Alarms)						
System malfunction, other	6/2/2025 4:23 AM	250602-MNT04152	0:04:58	CAMINO REAL ST	11TH AVE	3
Smoke detector activation due to malfunction	6/5/2025 11:14 PM	250605-MNT04255	0:04:59	LINCOLN ST	13TH AVE	3
Smoke detector activation due to malfunction	6/29/2025 3:49 PM	250629-MNT04938	0:03:22	LINCOLN ST	13TH AVE	3
Alarm system sounded due to malfunction	6/8/2025 3:22 AM	250608-MNT04313	0:04:00	MONTE VERDE ST	11TH AVE	3

Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
700 Series (False Alarms) cont.						
Alarm system sounded due to malfunction	6/13/2025 11:39 AM	250613-MNT04456	0:05:40	25800 HATTON RD		3
Alarm system sounded due to malfunction	6/27/2025 8:13 PM	250627-MNT04883	0:04:40	2998 FRANCISCAN WAY		3
Smoke detector activation, no fire - unintentional	6/1/2025 12:05 PM	250601-MNT04139	0:04:48	N CASANOVA ST	2ND AVE	3
Smoke detector activation, no fire - unintentional	6/9/2025 1:03 PM	250609-MNT04342	0:03:35	MONTE VERDE ST	6TH AVE	2
Smoke detector activation, no fire - unintentional	6/12/2025 12:59 PM	250612-MNT04432	0:03:16	LINCOLN ST	5TH AVE	3
Smoke detector activation, no fire - unintentional	6/24/2025 3:08 PM	250624-MNT04784	0:03:30	JUNIPERO AVE	5TH AVE	3
Alarm system activation, no fire - unintentional	6/3/2025 3:31 AM	250603-MNT04180	0:03:21	LINCOLN ST	11TH AVE	3
Alarm system activation, no fire - unintentional	6/22/2025 9:35 AM	250622-MNT04715	0:04:10	SAN ANTONIO AVE	9TH AVE	3
Alarm system activation, no fire - unintentional	6/24/2025 9:27 AM	250624-MNT04772	0:03:59	OCEAN AVE	MONTE VERDE ST	3

13

0:04:11

Over 5 Minute Response Times Cause of Delay: Code 3 Responses

250618-MNT04590 E15 responded from St 15, delay due to distance
 250623-MNT04737 E15 responded from St 15, delay due to distance
 250627-MNT04870 E15 responded from the Crossroads, delay due to distance
 250619-MNT04619 Multiple incidents in Carmel, responded from St 11
 250627-MNT04871 E15 cleared previous incident to respond
 250613-MNT04456 Delay due to distance to Flanders Mansion

Code 2 Calls	7
Code 3 Calls	61
Total # of Incidents	68
% Under 5 Minute Response Time	90%



RESPONSE SUMMARY REPORT BY DISTRICT
27015 CARMEL-BY-THE-SEA FIRE AMBULANCE
 Alarm Date From: 06/01/2025 To: 06/30/2025



Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
CARMEL HIGHLANDS						
EMS call, excluding vehicle accident with injury	6/11/2025	250611-CFA00657	00:12:30	149 CARMEL RIVIERA DR		3
EMS call, excluding vehicle accident with injury	6/13/2025	250613-CFA00666	00:13:07	214 PETER PAN RD		3
EMS call, excluding vehicle accident with injury	6/18/2025	250618-CFA00687	00:12:15	184 VAN ESS WAY		3
EMS call, excluding vehicle accident with injury	6/23/2025	250623-CFA00714	00:14:50	28 MAL PASO RD		3
4			0:13:11			
CYPRESS						
EMS call, excluding vehicle accident with injury	6/5/2025	250605-CFA00638	00:05:13	24682 DOLORES ST		3
EMS call, excluding vehicle accident with injury	6/5/2025	250605-CFA00639	00:09:34	25507 HACIENDA PL		3
EMS call, excluding vehicle accident with injury	6/14/2025	250614-CFA00671	00:05:20	3540 MESA CT		3
EMS call, excluding vehicle accident with injury	6/15/2025	250615-CFA00676	00:03:43	24703 CAMINO DEL MONTE		3
EMS call, excluding vehicle accident with injury	6/16/2025	250616-CFA00678	00:05:52	544 CARMEL RANCHO BLVD		3
EMS call, excluding vehicle accident with injury	6/16/2025	250616-CFA00679	00:04:37	25980 S CARMEL HILLS DR		3
EMS call, excluding vehicle accident with injury	6/16/2025	250616-CFA00680	00:04:24	25216 HATTON RD		3
EMS call, excluding vehicle accident with injury	6/19/2025	250619-CFA00689	00:05:25	RIBERA RD	CUESTA WAY	3
EMS call, excluding vehicle accident with injury	6/21/2025	250621-CFA00701	00:05:33	24785 SANTA FE ST		3
EMS call, excluding vehicle accident with injury	6/22/2025	250622-CFA00709	00:06:22	3510 TAYLOR RD		3
EMS call, excluding vehicle accident with injury	6/27/2025	250627-CFA00728	00:04:40	26200 CARMELO ST		3
EMS call, excluding vehicle accident with injury	6/29/2025	250629-CFA00733	00:06:24	26538 CARMEL RANCHO BLVD		3
EMS call, excluding vehicle accident with injury	6/30/2025	250630-CFA00734	00:12:34	4145 CANADA CT		3
13			0:06:08			
MID COAST						
EMS call, excluding vehicle accident with injury	6/18/2025	250618-CFA00686	00:21:25	34065 HWY 1		3
EMS call, excluding vehicle accident with injury	6/20/2025	250620-CFA00696	00:21:00	36510 HWY 1		3
EMS call, excluding vehicle accident with injury	6/27/2025	250627-CFA00727	00:28:21	35963 HWY 1		2
3			0:23:35			
MONTEREY						
EMS call, excluding vehicle accident with injury	6/4/2025	250604-CFA00637	00:08:47	1172 5TH ST		3
EMS call, excluding vehicle accident with injury	6/7/2025	250607-CFA00643	00:09:00	886 CANNERY ROW		3
EMS call, excluding vehicle accident with injury	6/8/2025	250607-CFA00645	00:12:00	654 CANNERY ROW		3
EMS call, excluding vehicle accident with injury	6/12/2025	250612-CFA00660	00:12:56	342 RAMONA AVE		3
EMS call, excluding vehicle accident with injury	6/13/2025	250613-CFA00667	00:07:24	1410 DEL MONTE SHOPPING CENTER		3
EMS call, excluding vehicle accident with injury	6/13/2025	250613-CFA00668	00:10:08	200 GLENWOOD CIR		2

Incident	Alarm Date	Incident Number	Response Time	Combined Address	Cross Street	Priority
MONTEREY cont.						
EMS call, excluding vehicle accident with injury	6/15/2025	250615-CFA00674	00:08:35	200 GLENWOOD CIR		3
EMS call, excluding vehicle accident with injury	6/20/2025	250620-CFA00699	00:10:29	1575 SKYLINE DR		3
EMS call, excluding vehicle accident with injury	6/25/2025	250625-CFA00724	00:10:59	2332 N FREMONT ST		3
9			0:10:02			
PACIFIC GROVE						
EMS call, excluding vehicle accident with injury	6/6/2025	250606-CFA00642	00:17:00	651 SINEX AVE		3
EMS call, excluding vehicle accident with injury	6/14/2025	250614-CFA00669	00:25:00	127 19TH ST		3
2			0:21:00			
PEBBLE BEACH						
EMS call, excluding vehicle accident with injury	6/1/2025	250601-CFA00628	00:08:59	1258 PORTOLA RD		2
EMS call, excluding vehicle accident with injury	6/7/2025	250607-CFA00644	00:08:27	SPYGLASS HILL RD	STEVENSON DR	3
EMS call, excluding vehicle accident with injury	6/20/2025	250620-CFA00692	00:13:36	3187 SEVENTEEN MILE DR		3
EMS call, excluding vehicle accident with injury	6/23/2025	250623-CFA00718	00:17:59	2700 SEVENTEEN MILE DR		3
4			0:12:15			
SEASIDE						
EMS call, excluding vehicle accident with injury	6/21/2025	250621-CFA00703	00:07:47	2050 N FREMONT ST		3
1			0:07:47			

Code 2 Calls	3
Code 3 Calls	33
Total # of Incidents	36
Total Average Response Time	0:13:25



CARMEL-BY-THE-SEA JUNE 2025 Response Summary Report by Incident Type

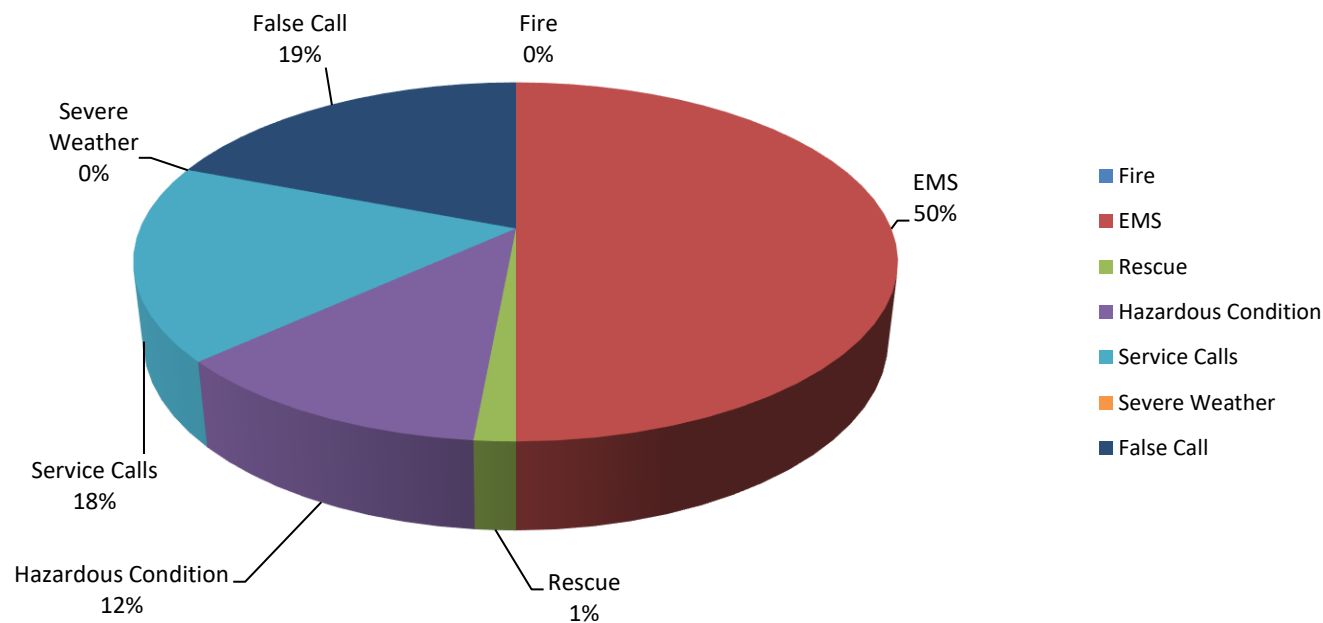


Type of Call	Number	Average Response Time
Fire	0	0:00
EMS	34	3:54
Rescue	1	3:16
Hazardous Condition	8	4:20
Service Calls	12	4:05
Severe Weather	0	0:00
False Call	13	4:11

Total Responses

68

4:07



Total Code 3 Calls:

61

Response Times for Code 3

Calls ≤ 5 minutes:

90%

request number	Date Requested	10-day response date	14-day extension due date	records requested	requestor	date completed	notes
25-53	6/5/2025	6/16/2025		all awarded solicitations for Public Relations and Social Media Services issued in the past 5 years. Existing Contract Past RFP Scoring & Evaluation Sheets Winning Proposal All Submitted Proposals	RFP Team, GovGuide Inc.	6/11/2025	no responsive records
25-54	6/6/2025	6/16/2025		Physical property file of the 7th and Dolores properties, block 91: lots 2, 4, 6 and 8. I've been through the online files but have reason to believe that there are plans that were not scanned. I'm especially interested in seeing the original plans and all related documents for the Palo Alto Savings and Loan bank complex (also known as the Northern California Savings and Loan) that occupies those four lots. The plans and related documents I want to see were created between 1965 and 1975.	Ian Martin	6/12/2025	6/12/2025 sent email to requestor letting them know we do not have any large plans for 1965-1975, only 2016.
25-55	6/6/2025	6/16/2025		1. A detailed breakdown of all fees assessed for the Golden Bough project, including but not limited to planning, building, permit, inspection, and plan check fees. 2. The methodology or cost-recovery analysis used by the City to determine these fees. 3. Any fee studies, staff reports, or adopted resolutions used to justify the current fee schedule as it pertains to this project. 4. Records of staff time and services performed by the Planning and Building Department for this project.	Stephen Moorer	6/24/2025	6/11/2025, sent records in response to part 1, 2, and 4 of the request. The response to part 3 of the request was sent on 6/24/25.
25-56	6/9/2025	6/20/2025		All building permits associated with APN 010-145-018-000. Architect Olof Dahlstrand renovated an existing building and added another in 1976-77, but I need to find out about the age of the existing building. I also would like to know about the original tract and its developer.	Barbara Lamprecht	6/10/2025	6/10/2025 - CP&B Staff provided a link to the online records for this property.
25-57	6/10/2025	6/20/2025		documents showing the total of consultant fees (paid to EMC Planning Group) Carmel paid for its Housing Element	Jane Haines	7/11/2025	sent record to requester 7-11-2025.
25-58	6/4/2025	6/16/2025		the City's contract commissioning Seth Bergstein of PAST Consultants LLC to prepare the professional analysis of impacts to the "art wall" on the 7D bank building on June 30, 2023.	Victoria Beach	6/13/2025	Records sent 6/13/2025

request number	Date Requested	10-day response date	14-day extension due date	records requested	requestor	date completed	notes
25-59	6/13/2025	6/23/2025		a list of properties in Carmel by the Sea that have participated in the parking in-lieu program	Ryan Aeschliman	6/13/2025	Records sent 6/13/2025
25-60	6/16/2025	6/26/2025		Partner Science and Engineering is conducting a Property Condition Assessment of Carmel Resort Inn Carpenter Street and 1st Avenue. We request information on the following: • The current zoning designation of the subject property and when it received this designation • The zoning designation of the subject property prior to receiving the current designation	M. Lafferty	6/17/2025	Sent link to property files scanned into GIS which includes zoning designation on 6/17/2025
25-61	6/19/2025	6/30/2025		a copy of the listing in electronic format for any unclaimed checks over \$500 and over 3 months old. If possible, please limit the listing to businesses only. If the period needs to be exact, please send it for the period of 1/1/2000-12/31/2024	Catherine Ford	7/28/2025	Records sent 7/28/2025
25-62	6/23/2025	7/3/2025		Bid Advertisement for the Scenic Pathway Restoration and Maintenance Project	Madison Griffin-Namkung, Foundation for Fair Contracting	7/12/2025	no responsive records
25-63	6/24/2025	7/7/2025		a copy of the of the study that estimates the loss of each parking spot in downtown Carmel generates nearly \$97,000 in economic impact to the city. This statement appears in the June 12, 2025 article in the Monterey County Weekly titled "Carmel's mayor puts parking on the priority list, citing lost revenue potential."	Jane Haines	6/26/2025	No responsive records.
25-64	6/18/2025	6/30/2025	7/14/2025	1) The scope of work performed by Trujillo Landscaping or any other contractor or volunteer group on City projects in the past 12 months. 2) Whether a public works contract was issued for the beach staircase project and if so, the contract, bid documents, and cost estimates. 3) Any agreements or memoranda of understanding between the City and Carmel Cares related to infrastructure or capital improvement work. 4) Confirmation of license classification and prevailing wage compliance (e.g., DIR registration, certified payroll) for Trujillo Landscaping used on the referenced project.	Raquel White, Construction Industry Force Account Council	7/12/2025	Responsive records and response sent to requester on 7/12/2025

request number	Date Requested	10-day response date	14-day extension due date	records requested	requestor	date completed	notes
25-65	6/27/2025	7/7/2025		A copy of the as-built record drawing for street improvement plans for the area of Guadalupe and 8th. This is surrounding APN 010-042-027. I am the civil engineer tasked with preparing plans for CAWD	Patrice Stafford, PE	7/1/2025	Records sent 7/1/2025

Police Records Request Log

June 2025

Request No.	Request Date & Received By	10-Day Due Date	Info Requested	Requestor	Date Completed by PSO	Status
2025-001	06-06-2025 ALI	6/16/2025	CQ2500243	DMV	06-08-2025 ALI	completed
2025-002	6/11/2025 SS	6/21/2025	CG2100108	Brooke Stevenson - Washoe County	6/11/2025 SS	Emailed
2025-003	6/11/2025 SS	6/21/2025	CA2500371	Lexis Nexis	6/11/2025 SS	Mailed
2025-004	6/11/2025	21-Jun	CG2500319	Trang Dijong	6/14/2025 SS	Picked up
2025-005	6/6/2025	6/16/2025	CA2300031, cad, audio, 911	Supboena for records complex	06/13/25 - confer w/ city atty	uploaded
2025-006	6/13/2025 SS	6/23/2025	CG2500397	Brooke Ramirez	6/13/2025 SS	Picked up
2025-007	6/19/2025	6/29/2025	CG2400522 OIS body cam	Raw West	ref to City Attorney	Referred to DA office
2025-008	06/20/25 mw	6/30/2025	C1540 Jane Marcus MVARS body	Chris Cain cite C1540 discovery req	no mvars/no record	Emailed
2025-009	6/23/2025	07/02/2025 mw	2024 arrest data	Keith Moreno	07/07/25 mw	Emailed
2025-010	6/27/25 SS	7/7/2025 SS	CA2500415	Rickie Williams	6/27/25 SS	Mailed
2025-011	6/30/2025	07/10/2025 MS	CFS 06262025-0033	Frank Kotsianas	07/01/2025 mw	Emailed



CITY OF CARMEL-BY-THE-SEA

Public Works Department June 2025 Report

TO:	Honorable Mayor and City Council Members
SUBMITTED BY:	Ken Wysocki, Public Works Director
SUBMITTED ON:	July 1, 2025

Public Works Director

- Hired 2-Maintenance Workers (1-Street, 1-Forest Parks & Beach); August 18th start date
- Interviewing for Project Manager position the week of July 28th
- Completed a draft-Fire Defense Plan with Monterey Fire.

Environmental Programs

- North Dunes Project:
 - Ice Plant Removal Ongoing
 - Drafting North Dunes Annual Report: Presenting at Forest & Beach Commission in September 2025
 - Renewing 5-year Coastal Development Permit (CDP 16-315) – Forest & Beach Commission Reviewed in June 2026; Planning Commission review in July 2025
- Roadway Improvement Project – CEQA NOE:
 - PW filed NOE with County of Monterey.
- Carmel Beach Sea Level Rise/Adaptation Project:
 - Waiting on response from the Coastal Commission regarding: Community Engagement Plan, Outreach Strategy Table, Draft Adaptation Feasibility Table, Community Workshop Summary.
 - Ongoing community outreach for completing a survey through the end of July.
 - Coastal Commission Grant Request for Funds and Progress Report submitted July 25th
- Stormwater:
 - Conducted Stormwater Training for Planning and Public Works staff.
 - PSA signed with Applied Marine Science for ASBS sampling/report
 - MRSWMP MOA Update to City Council in August 2025.
- Waste Management
 - Franchise Agreement MOU (ReGen +Member Agencies) to ReGen Board in August and to City Council in September.

Facility Maintenance

- First Murphy House – Termite Inspection completed. Working on rot repairs.
- Working on Public Works administrative office security counter.
- PD/PW Emergency Repairs: Working on gate/evidence room/EOC, and door security upgrades.
- Working on Fire Station Repair to accommodate new Fire Truck; design work completed, getting quotes for construction.

Street Maintenance

- Cleared clogged drain at Scenic & 13th foot wash station
- Finished sidewalk repair at Monte Verde and 7th
- Continued with sidewalk repairs at Mission & 5th and Dolores & 4th
- Continued thermoplastic work
- Repaired sidewalk on Junipero at the Plaza bus parking
- Repaired down stop sign at Camino Real and 11th
- Repaired retaining wall at MTNP Mountain View entrance

Project Management for the Capital Improvement Program

Ausonio, Inc. Projects:

- Sunset Center Retaining Walls Repair Project: Consultant completed the design of retaining walls. Requests were made to reduce the scope. Project is on FY25-26 CIP.

Wallace Group Projects:

- Shoreline Infrastructure Repair Project: PW team working with contractor on the scope.
- City-Wide Paving Project: Bid closed July 24th. Working on encroachment permit with Caltrans.

Additional Capital Improvement Projects:

- City-wide Drainage Improvement Projects: Construction on 2nd/Lincoln and 11th Ave completed, and Acacia way, 8th Ave/Santa Fe will be finishing up pipe installation.
- Vista Lobos Panel Upgrade & EV: Received bid schedule and will advertise for bid at the end of July, anticipate coming to Council for approval in August.
- Dolores Street Main Replacement (8th to Ocean): CalAM to install water main. Permit pending, and project to begin after Labor Day.
- CAWD (Santa Rita Guadalupe): will be installing new infrastructure in the Santa Rita region.
- CAWD (Scenic): will be installing new infrastructure. Work to begin after Labor Day.

Forestry, Parks, and Beach

- Refer to City Forester's Report.



CITY OF CARMEL-BY-THE-SEA

Monthly Report

City Forester's Report

TO:	Forest and Beach Commissioners
FROM:	Justin Ono, City Forester
SUBJECT:	June 2025 Forester's Report

Forestry, Parks, and Beach Highlights:

Carmel Forest Master Plan (CFMP):

- Biological consultant Nikki Nedeff and F&BC submitted edits of the CFMP (as agreed by the Steering Committee in their most recent meeting) to Staff who are starting their internal review and editing.
- A public meeting will be planned as soon as the first draft of the report is finished by Staff.

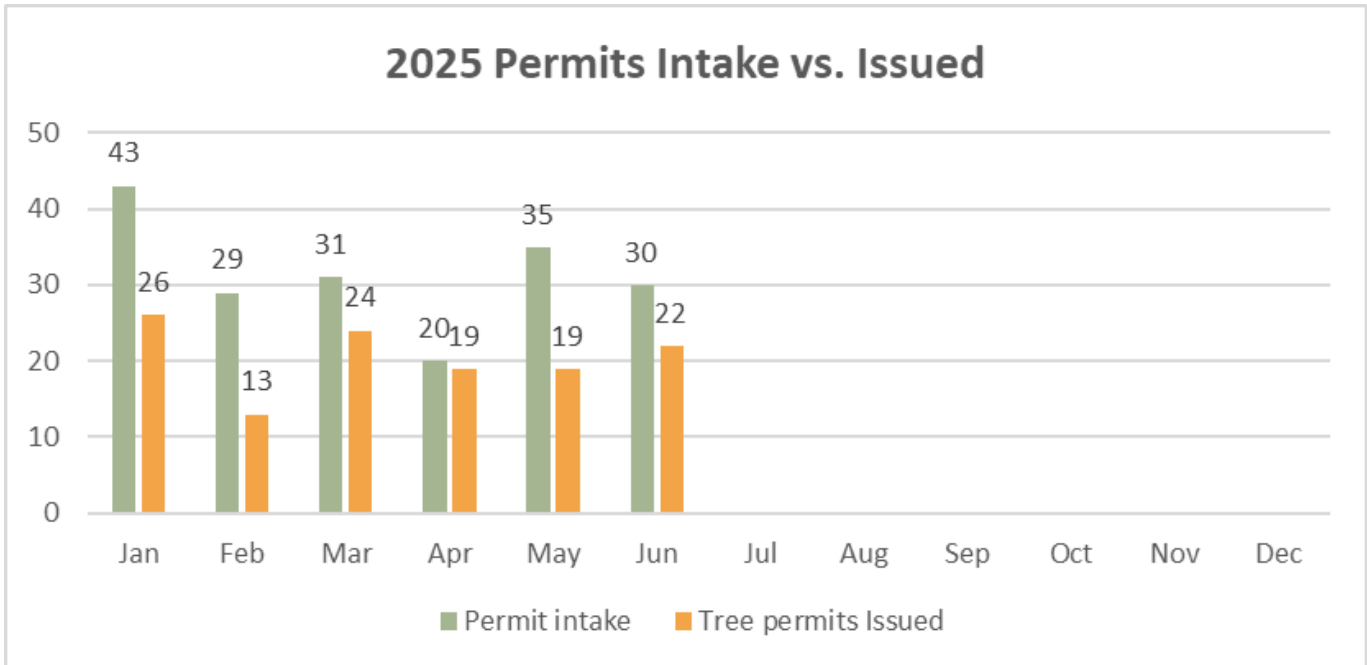
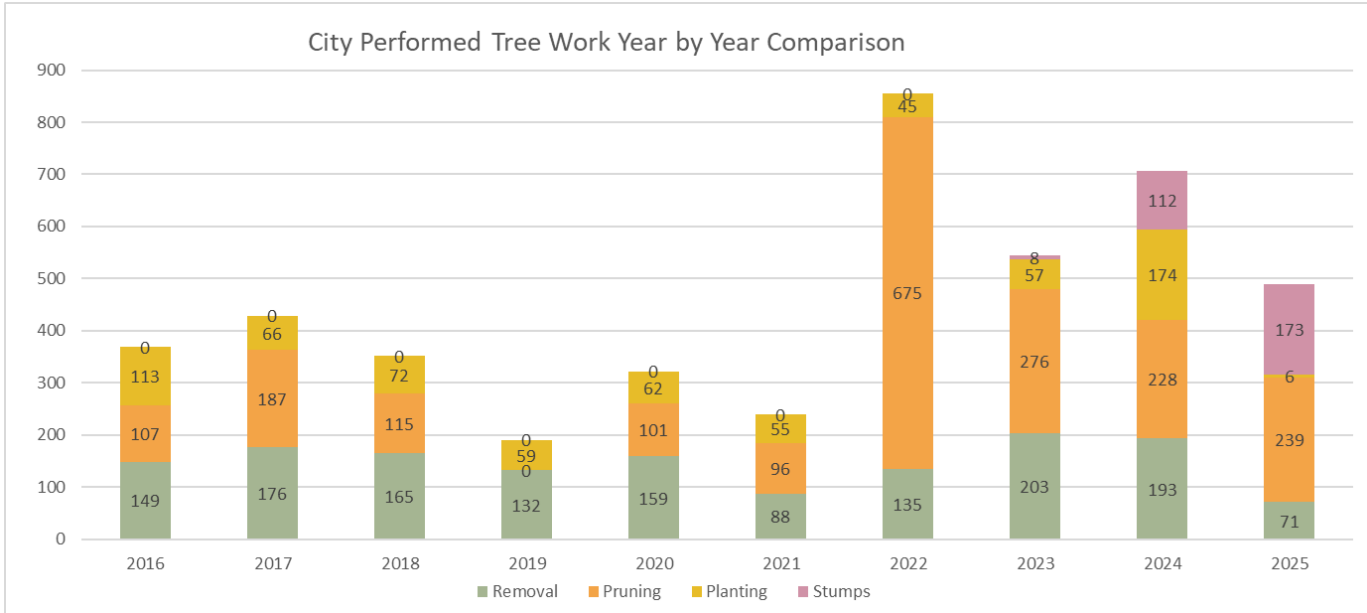
Contractors:

- Tope's Tree service pruned several trees and removed vegetation around Flander's Mansion for fire clearance and defensible space.
- Tope's also performed road widening/clearance pruning on Santa Lucia Ave to allow better access for the city escape route.
- Community Tree service had already completed their portion of the 2024/2025 contract.
- June saw mostly wrap up work with the contractors with task orders already being prepared for the new fiscal year's budget.
- For the new Fiscal Year 2025-26, a total of \$981,500 was allocated for tree services. Staff is currently drafting change orders to be divided between contractors for the FY 25-26.

City Staff and Crews:

- Forestry staff participated in First Aid and CPR training with the Monterey Fire Department.
- City Forestry Crew removed 5 dead, dying, or dangerous trees, planted 1 trees, and pruned 20 trees providing clearance for roads and stop signs, as well as maintaining tree health.
- City Tree Crew continued to pick up logs in the right of way that were left from several large PG&E tree removals.

Permit Information

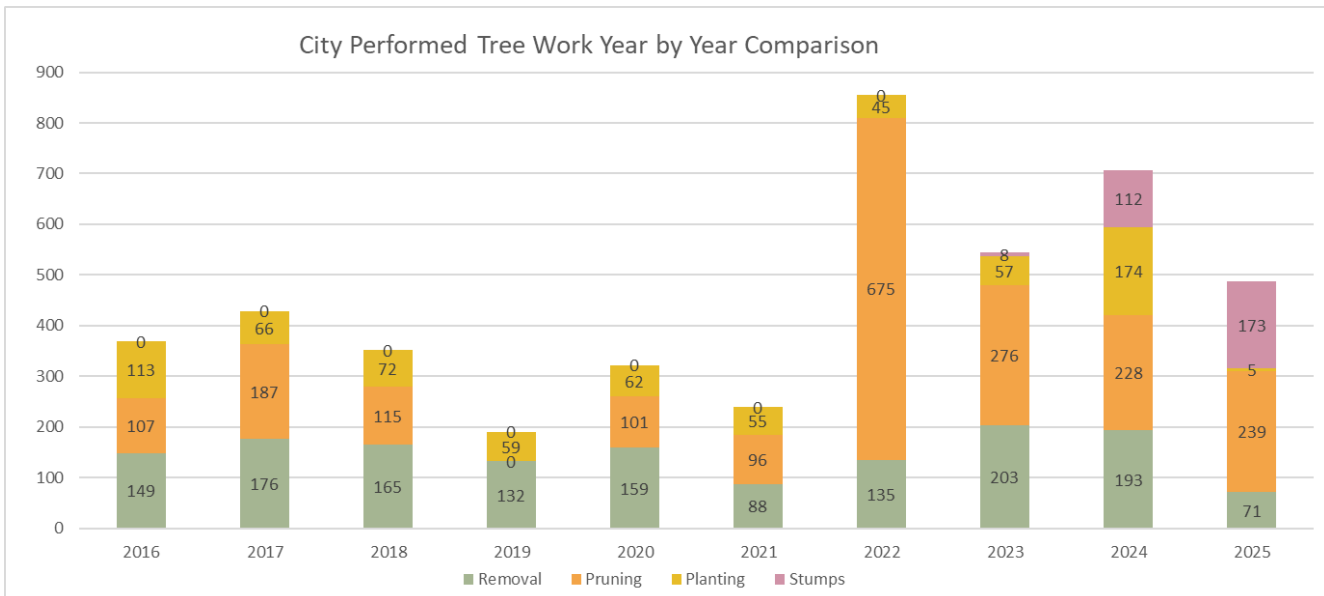


Historic permitted removals and required planting		
	Re-planting of upper	Re-planting of lower
2013	31	29
2014	35	20
2017	15	28
2018	1	18
2019	53	63
2020	70	28
2021	81	54
2022	48	37
2023	164	72
2024	118	113
2025*	46	54
*Year to date		

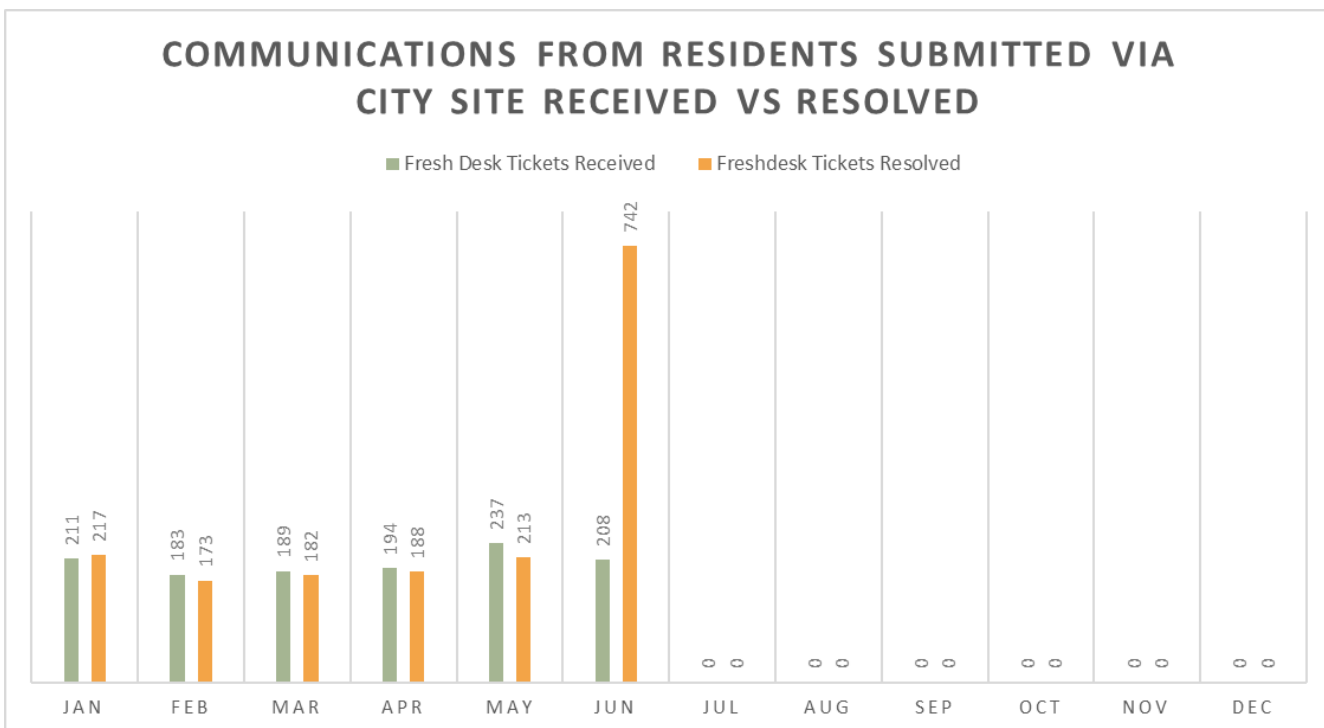
Historic permitted removals and required planting								
Year	Permitted removals	Removal of upper	Removal of lower	Replanting Required	Replanting of upper	Replanting of lower	Replanting %	Applications processed
2021	204	81	123	135	81	54	66.18%	213
2022	149	82	67	85	48	37	57.05%	155
2023	324	211	113	223	164	72	68.83%	336
2024	231	110	121	231	118	113	100.00%	391
2025	100	51	49	100	46	54	100.00%	182



City Forestry, Parks, and Beach Activities



Calendar year to date – Includes stumps removed by City crew as well as on call tree contractors.



*Numbers only represent correspondences received via the City's website and do not include live calls, voicemails, drop-in visitors, and emails sent directly to employees from residents, nor return calls and emails from staff. Spike in last months resolutions due to large scale data cleanup.

Tree Inventory and Deferred Maintenance 'Catch Up' Status

The 3-Year "Catch Up Plan":

Year 1 of the anticipated 3-year plan to catch up on deferred maintenance was a resounding success. The following chart provided at the previous month's Foresters Report reflects outcomes relative to goals for Fiscal Year 2024/25. Staff is currently updating our goals for this new Fiscal Year 2025-26 in light of our newly approved FY 25-26 budget of \$981,500, as well as cleaning data in our software to ensure we start out with the most accurate information possible. We will continue to provide monthly updates to our plans in each subsequent Forester's Report.

Year 1 of Forestry 3-Year Catch-Up Plan		
	Trees in Dead or Very Poor condition	Stumps
2024 Inventory	321	664
FY 24/25 Goal	128	221
FY 24/25 YTD	147	386

Forest, Parks and Beach CIP Funding:

The following chart and descriptions are the approved Fiscal Year 2025-26 CIP budgets related to Forest, Parks, and Beach:

Category	Description	FY25-26 Recommended Budget
New Capital Projects		
Forest/Park/Beach	Rio and Junipero Ave Median Enhancements	100,000
Forest/Park/Beach	Reconstruction of the Fourth Ave Outfall	900,000
Forest/Park/Beach	Shoreline Repairs Stairs Construction	300,000
Forest/Park/Beach	Forest Plan Implementation Year 2	739,000
Forest/Park/Beach	Devendorf Park Improvements	50,000
Forest/Park/Beach	Sand Ramp at Eighth Avenue	275,000
Forest/Park/Beach	Scenic Pathway Enhancements	100,000

FOREST, PARKS AND BEACH

Shoreline Infrastructure Repair (\$400,000)

The first phase of the Coastal Engineering Study included a Shoreline Infrastructure Condition Assessment. The Assessment concluded that 2-4 existing seawalls need repairs, with the highest priority repair being the Fourth Avenue Outfall. Eleven coastal access stairs were assessed with 9 stairs needing repairs, and two stairs are currently closed due to structural damage resulting from winter storms. In addition, of the 6 rock revetments, 4



are high priority in need of repair; one in its entirety and others in some portions.

The total cost for engineering design, environmental permits, and construction for all of these repairs will likely exceed \$2 million over the next few years, as outlined in the 5-Year CIP.

This Shoreline Infrastructure Repair Project will initiate the engineering and design of the highest priority repairs, as well as repairing the remaining damaged beach access stairs with similar materials as a “maintenance project”. This approach

is expected to streamline the regulatory approval process. This initial project will also allow the City to better estimate costs and phasing to complete future shoreline infrastructure repairs. A Request for Proposal has been prepared to retain a consultant with expertise in environmental permitting, coastal and structural engineering, and cost estimating.

Project funding for FY 23-24 was initially set at \$250,000. An additional \$100,000 previously budgeted for the Coastal Engineering Study, Phase 2 was reallocated to the Shoreline Infrastructure Project, and a FEMA grant of approximately \$50,000 was received for beach stair repairs. All funds will be carried over into FY 25-26.

Rio and Junipero Ave Median Enhancements (\$100,000)

Funding will be used to design and implement enhancements to the existing medians along Rio Road and Junipero Avenue. Improvements would include new landscaping and irrigation upgrades.

Reconstruction of the Fourth Ave Outfall (\$900,000)

Funding will be used for construction work to replace the outfall structure at 4th Avenue, which is showing significant structural deficiencies and is in a high level of disrepair. The existing structure is at risk of further deterioration, impacting the surrounding area. Design work for the replacement is being initiated in the current fiscal year, with construction aimed at restoring the outfall’s functionality, preventing further erosion, and ensuring the long-term stability of the area.

Shoreline Repairs Stairs Construction (\$300,000)

Funding will be used for construction work to reconstruct stairs damaged by winter storms and the effects of sea level rise. The stairs located north of 10th Avenue and on Twelfth Avenue have sustained deterioration and damage from these storms. Design work for the reconstruction will begin in the current fiscal year, with the goal of restoring safe access while addressing future environmental conditions. The anticipated cost is based on replacing the stairs with wooden structures, consistent with the existing design and environmental considerations. The design phase of the previously approved Shoreline Infrastructure Project (Task 1), which was authorized by City Council on March 24, 2025, is currently underway. Upon completion of this assessment, staff will return to Council with a potential recommendation to reconstruct the existing stairs using new concrete structures, with preliminary engineer's estimates placing the cost at approximately \$400,000 per stair.

Forest Plan Implementations Year 2 (\$739,000)

Budget reflects dead/unsafe tree removals and the backlog of stumps, all part of a 3-year tree maintenance catch-up plan, which began last fiscal year and is expected to culminate in the Fiscal Year 2026-27. In Year 1, the City removed over 175 dead, dying, or diseased trees and removed over 300 stumps, far exceeding our goals.

Devendorf Park Improvements (\$50,000)

Allocated funding will be used to support a series of improvements within Devendorf Park, including enhancements to the War Memorials to preserve their condition and appearance, restoration and upgrades to the existing fishpond to improve its functionality and aesthetic, and the installation of a new guard rail/fence along Sixth Avenue to enhance public safety and define the area. These efforts aim to preserve historic features, improve site aesthetics, and ensure a safer and more welcoming environment for visitors.

Sand Ramp at Eighth Avenue (\$275,000)

Funding will be used for the design and reconstruction of the access sand ramp near Eighth Avenue, which has been repeatedly damaged by winter storms and the impacts of sea level rise. The ramp no longer exists in its current location due to extensive damage. Design work for the new ramp will begin in the current fiscal year, with reconstruction aimed at ensuring safe and reliable access while addressing future environmental challenges.

Scenic Pathway Enhancements (\$100,000)

Funding would be used to resurface and stabilize the existing decomposed granite (DG) pathway along Scenic Pathway, as well as the installation of new signage.

(To see the entire approved Fiscal Year 2025-26 budget book, go to ci.carmel.ca.us)



CITY OF CARMEL-BY-THE-SEA
City Council
Staff Report

August 4, 2025

CONSENT AGENDA (Estimated time - 5 min)

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Jane Hogan, Accountant

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: June 2025 Check Register Summary

RECOMMENDATION:

Approve the check register for June 2025

BACKGROUND / SUMMARY:

The check register is a financial report generated from the City's financial system (Attachment 1). It categorizes checks by the responsible department or function, providing essential information such as the check number, vendor name, purchase description, check issue date, and the check amount.

Per the California Supreme Court's decision in the case of Los Angeles County Board of Supervisors v. Superior Court (Dec. 29, 2016) (2016 WL 7473802), the check register excludes the specific invoice payments for legal services incurred for pending and active investigations, pending and active litigation, as well as recently concluded matters. The Supreme Court has ruled that these specific invoices are protected under attorney-client privilege and therefore are not subject to disclosure under the Public Records Act.

As a supplement to the check register, staff have included information about the contract balances for vendors who received payments during the month of June 2025. This data can be found on the last page of the report.

The check register provides valuable insights into the City's financial transactions, ensuring transparency and accountability in our financial operations. The exclusion of

certain legal services payments adheres to the California Supreme Court's guidelines, safeguarding attorney-client privilege. The contract balance information further enhances our financial transparency.

FISCAL IMPACT:

The check register summary for June 2025 totals \$1,643,735.69.

PRIOR CITY COUNCIL ACTION:

Council ratified the May 2025 check register at the June 30, 2025 special council meeting.

ATTACHMENTS:

1. June 2025 Check Register Summary

June 2025 Check Register

ATTACHMENT 1

Check No.	Vendor/Employee	Transaction Description	Date	Amount
Department: 000				
55853	IWORQ	Prepaid System software FY 25-26 #212256	06/20/2025	3,522.00
55898	County of Monterey-Treasury Division	Citation funds collected May 2025	06/30/2025	2,075.00
55920	Visit Carmel	CHID MAR-APR 25	06/30/2025	269,208.71
250609001	CALPERS	Active Medical Premium June 2025	06/09/2025	155,246.76
Total for Department: 000				430,052.47
Department: 110 City Council				
55775	Mayon Capital, Inc	Mail delivery	06/06/2025	5,000.00
Total for Department: 110 City Council				5,000.00
Department: 111 City Administration				
55762	Amazon Web Services Inc	Data and cloud storage fees	06/06/2025	469.51
55766	Carmel Pine Cone	Legal noticing	06/06/2025	1,672.00
55768	Comcast	Cable service CH and PD	06/06/2025	552.38
55770	ETS Efficient Attn: Accts Receivable	Arista Subscription/Hardware & software support package	06/06/2025	42,526.31
55772	IAMP Pro Audio/Anthony J. Nocita	Set-up, live production, associated support of city meetings and	06/06/2025	2,640.00
55777	Office Depot, Inc.	Office supplies - Admin	06/06/2025	41.80
55781	Regional Government Services	Payroll services	06/06/2025	6,783.75
55782	Same Day Shred	Document shredding services	06/06/2025	80.00
55787	T-Mobile	Monthly cell service, usage and purchases	06/06/2025	340.14
55788	Verizon Wireless	Telephone sales and usage	06/06/2025	5,578.86
55789	Xerox Financial Services	Xerox copier leases citywide	06/06/2025	1,452.53
55799	AT&T	Telephone service citywide	06/16/2025	5,441.71
55803	Hinderliter, De Llamas & Associates	Sales Tax & Transaction Tax Contract Services	06/16/2025	600.00
55804	Iron Mountain	Records storage and management services	06/16/2025	354.70
55808	MRC	Printer usage fees-All departments	06/16/2025	52.04
55812	Primo Brands	Water service PD-bal on Alhambra PO	06/16/2025	109.07
55813	T-Mobile	Monthly cell service, usage and purchases	06/16/2025	1,028.44
55832	AT&T	Telephone service Citywide	06/20/2025	1,025.70
55842	Comcast	Cable service CH and PD	06/20/2025	46.18
55843	Comcast Business	NonNGEN internet and recurring charges	06/20/2025	644.40
55848	Digital Deployment	Website support agreement:Maint, training, security and updates	06/20/2025	700.00
55865	Pitney Bowes Bank Inc Purchase Power	Postage meter refills	06/20/2025	91.76
55867	Potter's Electronics	Equipment expense	06/20/2025	58.94
55869	Primo Brands/BlueTriton Brands Inc	Water service City Hall	06/20/2025	68.00
55872	Regional Government Services	Payroll services	06/20/2025	3,577.50
55875	Universal Staffing Inc	Temporary staffing services-City Hall	06/20/2025	2,905.20
55876	US Bank	Amazon Xerox Multi function printers	06/20/2025	491.61
55876	US Bank	Amazon APC Uninterruptible power supply UPS	06/20/2025	393.77
55876	US Bank	Amazon Aiibe Pen or flash drive	06/20/2025	27.37
55876	US Bank	Amazon Amazon Basics Mouse pads	06/20/2025	11.21
55876	US Bank	Amazon Victiv Camera accessories	06/20/2025	72.39
55876	US Bank	Amazon TOPXLKCMY Printer or facsimile toner	06/20/2025	156.22
55876	US Bank	Amazon Digipartpower Battery chargers	06/20/2025	31.88
55876	US Bank	Amazon SanDisk Solid state drive SSD	06/20/2025	252.21
55876	US Bank	Amazon OMseating Office or work chair	06/20/2025	648.34
55876	US Bank	Amazon Targus Keyboards	06/20/2025	27.73
55876	US Bank	Amazon Logitech Computer mouse or trackballs	06/20/2025	38.63
55876	US Bank	Amazon KINESIS Keyboards	06/20/2025	146.99
55876	US Bank	Amazon CandoCraft Computer Equipment and Accessories	06/20/2025	36.34
55876	US Bank	AI SLIDES: Subscription	06/20/2025	40.00
55876	US Bank	US BANK: Finance charges	06/20/2025	128.95
55890	Carmel Pine Cone	Legal noticing	06/30/2025	367.50
55896	Comcast	Cable service CH and PD	06/30/2025	562.44
55903	Institute for Local Government	PE Workshop-E Gary registration	06/30/2025	625.00
55919	US Bank	SQ *CISCO OFFICE LIQUIDAT 10 OFFICE CHAIRS CONFERENCE ROOM	06/30/2025	2,287.50
55919	US Bank	EIG*CONSTANTCONTACT.COM Subscription	06/30/2025	88.00
55919	US Bank	MICROSOFT#G090745453 SUBSCRIPTION	06/30/2025	880.22
55919	US Bank	JUNCTION NETWORKS, INC Telephone	06/30/2025	849.36
55919	US Bank	ADOBE *ADOBE SUBSCRIPTION	06/30/2025	3.87
55919	US Bank	JUNCTION NETWORKS, INC TELEPHONE	06/30/2025	389.40
55919	US Bank	BITWARDEN SUBSCRIPTION	06/30/2025	37.49
55919	US Bank	MONTEREY PARKMOBILECOM PARKING TRAINING	06/30/2025	7.90
55919	US Bank	FRESHWORKS INC SUBSCRIPTION	06/30/2025	750.00

55919	US Bank	ZOOM.COM 888-799-9666 SUBSCRIPTION	06/30/2025	667.84
55919	US Bank	JUNCTION NETWORKS, INC TELEPHONE	06/30/2025	39.75
55919	US Bank	CCSI METROFAX SUBSCRIPTION	06/30/2025	11.95
55919	US Bank	ADOBE *ADOBE SUBSCRIPTION	06/30/2025	899.67
55919	US Bank	BACKBLAZE INC SUBSCRIPTION	06/30/2025	85.90
55919	US Bank	FRESHWORKS INC SUBSCRIPTION	06/30/2025	232.00
55919	US Bank	FRESHWORKS INC SUBSCRIPTIONS	06/30/2025	299.92
55919	US Bank	GOOGLE *CLOUD RTWS8C SUBSCRIPTION	06/30/2025	2.48
55919	US Bank	JUNCTION NETWORKS, INC TELEPHONE	06/30/2025	389.64
55919	US Bank	BEETRONICS INC. SUBSCRIPTION	06/30/2025	64.46
55919	US Bank	B&H PHOTO 800-606-6969 CAPITAL PROJECT CC AV	06/30/2025	2,049.95
55919	US Bank	BEETRONICS INC. TOUCHSCREEN PD	06/30/2025	599.78
55919	US Bank	TST*ALVARADO STREET BREW Lunch meeting	06/30/2025	164.29
55919	US Bank	CARMEL DRUG STORE Misc	06/30/2025	32.67
55919	US Bank	EL BISTRO BY THE SEA Lunch meeting	06/30/2025	121.74
55919	US Bank	SQ *CARMEL VALLEY COFFEE Lunch meeting	06/30/2025	79.88
55919	US Bank	TERRY'S LOUNGE Lunch meeting	06/30/2025	127.31
55919	US Bank	TST*ALEJANDROS - MONTERE Lunch with staff	06/30/2025	43.90
55919	US Bank	GRASINGS RESTAURANT Employee lunch	06/30/2025	138.09
55919	US Bank	NYTIMES* Publication.	06/30/2025	23.00
55922	Xerox Financial Services	Xerox copier leases citywide	06/30/2025	1,452.53
250609001	CALPERS	Admin Fee Medical June 2025	06/09/2025	479.14

Total for Department: 111 City Administration	96,199.13
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Department: 112 City Attorney

55801	Best Best & Krieger, Attorney At Law	Legal fees:Telecommunications issue, Verizon litigation	06/16/2025	10,981.00
55836	Burke,Williams & Sorensen, LLP	City Attorney services-General (Personnel)	06/20/2025	41,002.00

Total for Department: 112 City Attorney	51,983.00
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Department: 115 Community Planning & Building

55802	Engineered Fire Systems	Plan Review - May 2025	06/16/2025	1,552.50
55829	American Planning Association	APA California 2025 Conference - Jacob Olander	06/20/2025	2,730.00
55878	Veronica Tam and Associates	Carmel Sites Strategy	06/20/2025	15,850.00
55919	US Bank	DROPBOX*B5D5ZSF1CKTG Dropbox Annual Subscription	06/30/2025	171.63
55919	US Bank	AIRTABLE.COM/BILL Airtable: Affordable Housing Project	06/30/2025	37.94
55919	US Bank	DROPBOX*B5D5ZSF1CKTG Dropbox Annual Subscription	06/30/2025	32.25
55919	US Bank	SAFEWAY.COM #2669 sandwiches for May 2025 Planning Commission	06/30/2025	65.24
55919	US Bank	MONTEREYCORECCTR*VCN Monterey County Clerk Recorder: Building Filing Fees	06/30/2025	108.50

Total for Department: 115 Community Planning & Building	20,548.06
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Department: 116 Police

55761	AARDVARK	Police Dept Safety Equipment	06/06/2025	4,703.21
55769	Department of Justice/Accounting Office	PD:Fingerprinting services	06/06/2025	98.00
55773	Jacob Clifford	Reimburse for travel expenses 5/4/-5/7/25 SLI Session 7 Folsom,	06/06/2025	562.45
55777	Office Depot, Inc.	PD Office supplies	06/06/2025	245.33
55783	T2 Systems Canada Inc.	PD:Digital iris services	06/06/2025	75.00
55784	T2 Systems, Inc	Automated Owner Lookups/Color Mailed Letters	06/06/2025	152.24
55807	Monterey Tire Service Inc	PD-New tire purchase and installation	06/16/2025	1,157.24
55809	Office Depot, Inc.	PD Office supplies	06/16/2025	48.71
55828	Amazon Capitol Services	PD Supplies and Equipment	06/20/2025	279.24
55839	Carmel Towing & Garage	PD Towing expense	06/20/2025	1,543.25
55847	Department of Justice/Accounting Office	PD:Fingerprinting services	06/20/2025	164.00
55854	Jacob Clifford	Travel reimbursment SLI Session 8 6/1-6/4/25	06/20/2025	925.95
55876	US Bank	SPROUTS: Training lunch	06/20/2025	32.00
55876	US Bank	The Officer's Club: training meal	06/20/2025	51.81
55876	US Bank	EVCS Charging: Electric Vehicle charging	06/20/2025	0.61
55876	US Bank	EVCS Charging: Electric Vehicle charging	06/20/2025	12.01
55876	US Bank	Bear West BBQ: training lunch	06/20/2025	37.73
55876	US Bank	Hampton Inn: Chief traing hotel	06/20/2025	735.24
55876	US Bank	Point Emblems: lapel pins VIPS service hours	06/20/2025	1,854.56
55876	US Bank	Portola Hotel: training parking	06/20/2025	3.00
55876	US Bank	Firestone Walker Taproom: training Commander and Chief	06/20/2025	74.72
55876	US Bank	Springside Restaurant: training Commander and Chief	06/20/2025	50.39
55894	City Of Monterey	Safety training-4 students	06/30/2025	100.00
55897	Community Hospital of the Monterey Peninsul	PD Testing services	06/30/2025	27.00
55916	Transunion Risk & Alterna	PD: Monthly fee for information services	06/30/2025	156.80
55919	US Bank	CHEVRON 0209655 Gas	06/30/2025	35.42
55919	US Bank	PAPA CHEVOS TACO SHOP Panel	06/30/2025	89.21
55919	US Bank	SARITAS MEXICAN GRILL - S Shift food	06/30/2025	34.48

55919	US Bank	POINT EMBLEMS LLC	06/30/2025	134.71
55919	US Bank	PIZZERIA CLASSICO Travel meals	06/30/2025	71.98
55919	US Bank	ORIGINAL MELS - FOLSOM Travel meals	06/30/2025	46.98
55919	US Bank	WINNERS AWARDS & ENGRAVI Plaques	06/30/2025	227.24
55919	US Bank	THE UPS STORE 326 Shipping	06/30/2025	17.52
Total for Department: 116 Police				13,748.03
Department: 117 Fire				
55767	City Of Monterey	Contracted overitme reimbursement Monterey Fire	06/06/2025	296,602.90
55776	Mission Linen Service	Fire Dept laundry service	06/06/2025	276.28
55839	Carmel Towing & Garage	Fire Dept. Gas Expense	06/20/2025	913.70
55846	Curtis Pacific North Division	Fire Dept safety equipment	06/20/2025	3,049.40
55860	Mission Linen Service	Fire Dept laundry service	06/20/2025	138.14
55869	Primo Brands/BlueTriton Brands Inc	Water service Fire Dept	06/20/2025	305.52
55886	Better Choice Costumes, LLC	Kid Fire Hats	06/30/2025	510.48
55894	City Of Monterey	Overtime reimbursement for staffing by Mty Fire May 2025	06/30/2025	17,319.31
55905	Mission Linen Service	Fire Dept laundry service	06/30/2025	299.32
Total for Department: 117 Fire				319,415.05
Department: 118 Ambulance				
55765	Bound Tree Medical LLC	Medical supplies	06/06/2025	224.86
55767	City Of Monterey	Ambulance Administration fee	06/06/2025	2,268.50
55778	Peninsula Welding & Medical Supply, inc.	Amb Dept:Oxygen/hazardous materials transport service	06/06/2025	145.02
55830	American Supply Company	Janitorial Supplies-Amb Dept	06/20/2025	267.72
55834	Bound Tree Medical LLC	Medical supplies	06/20/2025	4,607.14
55839	Carmel Towing & Garage	Amb Dept. Gas Expense	06/20/2025	1,106.04
55852	Isaac Eckel	Reimburse for ACLS license renewal	06/20/2025	185.00
55879	Wittman Enterprises, LLC	Ambulance billing service	06/20/2025	3,133.81
55887	Bound Tree Medical LLC	Medical supplies	06/30/2025	3,654.34
55907	Myles Routh	Reimburse for Medics for Life license	06/30/2025	185.00
Total for Department: 118 Ambulance				15,777.43
Department: 119 Public Works				
55806	Minuteman Press	Zoning Map for PW Director	06/16/2025	82.61
55831	Applied Marine Sciences	Storm sampling and analyses 5/16/25 #401-24-05	06/20/2025	6,811.75
55833	Ausonio, Inc	On Call PM and Construction Services	06/20/2025	729.75
55835	Brian Steckler	Conference Room table refinish 5/25/25 0525202501	06/20/2025	1,686.94
55840	Coastal Fabrication Company Inc	brackets 4/30/25 #34561	06/20/2025	107.29
55844	Community Tree Service	Tree work in City	06/20/2025	249,693.61
55850	Ferguson Enterprises, Inc.	FM Plumbing/elec supplies	06/20/2025	2.37
55851	Golden State Portables	Portables for City sites	06/20/2025	3,653.70
55858	David Sollid Marina Backflow Company	FM Backflow services	06/20/2025	75.00
55859	Miguel Manzano	Boot reimbursement	06/20/2025	207.56
55861	Monterey County Weekly Classifieds	Advertising for SOQ 2025-	06/20/2025	592.50
55862	Napa Auto Parts	PW vehicle supplies	06/20/2025	142.42
55864	On Point Generators	PW/FM Emergency generator services	06/20/2025	4,233.27
55866	Poe's Plumbing & Backflow	Carmel Fire dept bathroom sink repair I-41043-1	06/20/2025	165.00
55868	Primo Brands	PW Water 5/8/25	06/20/2025	240.31
55870	Pureserve Building Service	FM Janitorial services Citywide	06/20/2025	22,688.86
55871	Quality Print & Copy	Business cards for new PW Director 5/21/25 #24272	06/20/2025	109.25
55873	Scarborough Lumber & Building	Supplies for forestry	06/20/2025	427.78
55874	Sherwin-Williams Co.	PW Paint and paint supplies	06/20/2025	155.97
55877	Valley Hills Nursery	Plants and Trees	06/20/2025	525.76
55880	Yvette Culver	Reimbursemnt for New PW Director meet and greet	06/20/2025	107.08
55882	Ailing House Pest Control	FM Pest control services Citywide	06/30/2025	1,014.00
55883	American Lock & Key	Keys for City sites-	06/30/2025	569.09
55884	American Supply Company	PW/FM Janitorial supplies	06/30/2025	209.11
55888	California Fire Protection, Inc.	Quarterly Fire sprinkler Inspection	06/30/2025	1,150.00
55889	Carmel Area Wastewater District	Annual storm drain cleaning	06/30/2025	9,181.68
55891	Carmel Towing & Garage	Fuel Public Works Dept	06/30/2025	3,205.93
55892	Cintas Corp 2 (First Aid)	First Aid supplies PW 6/2/25 5273269004	06/30/2025	75.76
55893	Cintas Corporation	Uniform Services	06/30/2025	687.79
55899	Denise Duffy & Associates	ND Habitat 6/13/25 #9875	06/30/2025	3,231.90
55900	Drought Resistant Nursery	Supplies for forestry 6/6/25 2737018	06/30/2025	262.85
55904	Justin Ono	Reimbursement for First Aid training for Forestry	06/30/2025	38.62
55906	Monterey County Health Department	Permit Fee FA0813557 - CERS ID 10431298	06/30/2025	1,563.00
55908	Poe's Plumbing & Backflow	Flush valve replacement for sink	06/30/2025	728.96
55909	Robert Half	Temp help in Forestry	06/30/2025	2,981.17
55910	Scarborough Lumber & Building	Supplies for PW 6/4/25 404559-4 supplies for forestry 404654-4	06/30/2025	1,015.56

55911	Security Shoring & Steel Plates Inc	Traffic plate rental 5/19/25 163622	06/30/2025	1,216.00
55912	Sentry Alarm Systems	Alarm Service for City locations	06/30/2025	2,191.29
55914	The Monterey County Herald	SOQ Public Notice 5/31/25 for the SC Setinel	06/30/2025	1,040.00
55915	Town and Country Gardening	Tree work in City	06/30/2025	18,032.67
55917	Tree Stuff Lockbox No 639707	Forestry Supplies	06/30/2025	2,779.44
55918	Trucksis Enterprises, Inc.	Devendorf park flagpole 6/11/25	06/30/2025	81.63
55919	US Bank	PANERA BREAD #601799 O Welcome breakfast for new director. all public works was	06/30/2025	85.96
55919	US Bank	DD *MONTEREYDONUTS Donuts	06/30/2025	43.59
55919	US Bank	WM SUPERCENTER #4488 PWW BBQ	06/30/2025	85.74
55919	US Bank	SAFEWAY #2669 water for all	06/30/2025	27.72
55919	US Bank	DRAINAGE SOLUTIONS, INC. Slotted grate	06/30/2025	387.25
55921	Wald, Ruhnke & Dost Architects, LLP	Professional services Fire Dept Engine Bay expansion	06/30/2025	6,557.79

Total for Department: 119 Public Works	350,883.28
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Department: 120 Library

55810	Pacific Grove Self Storage	Storage Unit - Document storage	06/16/2025	407.00
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Total for Department: 120 Library	407.00
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Department: 121 Community Activities

55766	Carmel Pine Cone	full page color 2025 calendar of events - 5.30.25	06/06/2025	1,350.00
55771	Hear & Now Monterey, LLC	sound for Memorial Day ceremony - 5.26.2025	06/06/2025	765.00
55786	Tigerlilly Florist&Gifts	wreath and flowers for 2025 Memorial Day Ceremony	06/06/2025	475.25
55845	Copies By-The-Sea	Memorial Day Ceremony programs	06/20/2025	85.21

Total for Department: 121 Community Activities	2,675.46
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Department: 130 Non-Departmental

55779	PG&E	Citywide gas and electric services	06/06/2025	16,441.41
55780	Prism Public Risk Innovation	Deductible billing Oct-Dec 2024	06/06/2025	12,297.20
55811	PG&E	Citywide gas and electric services	06/16/2025	3,754.91
55837	Cal-Am Water Company	Water service citywide	06/20/2025	20,660.63
250609001	CALPERS	Retiree Medical Premium June 2025	06/09/2025	7,110.00

Total for Department: 130 Non-Departmental	60,264.15
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Department: 311 Capital Projects

55800	ATT	Network equipment for PD Cisco 2960 24 port switch, 2 T	06/16/2025	6,485.84
55827	4Leaf, Inc	Project Management Services:PD/PW Building projects per contract	06/20/2025	1,605.97
55833	Ausonio, Inc	City Hall Roof Repair Replacement -	06/20/2025	3,543.75
55838	California Art Delivery LLC	Professional services: Remove art from Council Chambers for reno	06/20/2025	1,200.00
55841	Coastal Paving & Excavating, Inc	Storm Drain Improvement- Implementation and construction per co	06/20/2025	109,748.75
55849	Dudek	Environmental support:Drainage and erosion control plan reviews,	06/20/2025	1,225.95
55856	Layer 1 Networks Inc	Demo work: City Hall Council Chambers:Remove cable and cable con	06/20/2025	1,562.56
55863	Neill Engineers Corp.	Drainage system repairs	06/20/2025	14,332.50
55881	4Leaf, Inc	Project Management Services:PD/PW Building projects per contract	06/30/2025	54.37
55885	Ausonio, Inc	Sunset Center Retaining Wall	06/30/2025	1,023.75
55895	Coastal Paving & Excavating, Inc	Storm Drain Improvement- Implementation and construction per co	06/30/2025	115,068.71
55901	EMC Planning Group, Inc	Police outreach and adaptation pathway development 5/31/25 #22-0	06/30/2025	9,638.04
55902	Indigo/Hammon & Playle Architects, LLP	Police Station Project 20335-18 5/16/25	06/30/2025	2,958.13
55913	Steele Solutions	Evidence Refridgerator with lock and key drop	06/30/2025	8,334.31

Total for Department: 311 Capital Projects	276,782.63
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Grand Total	1,643,735.69
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CITY OF CARMEL-BY-THE-SEA
City Council
Staff Report

August 4, 2025

CONSENT AGENDA (Estimated time - 5 min)

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Rob Culver, Public Works Superintendent

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: Resolution 2025-064 authorizing the purchase of a Caterpillar 255 Compact Track Loader from Quinn Company under Sourcwell Member Contract #020223 for \$119,485.08

RECOMMENDATION:

Adopt Resolution 2025-064 authorizing the purchase of a new Caterpillar 255 Compact Track Loader (CTL) from Quinn Company under Sourcwell Member Contract for \$119,485.08

BACKGROUND / SUMMARY:

The purchase of a compact track loader will significantly improve the Public Works Departments' beach maintenance and overall operations. The absence of a dedicated equipment ramp for beach access currently makes transporting machinery onto the beach difficult and inefficient. This acquisition will enhance our ability to perform essential tasks such as sand redistribution and erosion control on the Del Mar and Volleyball Court Dunes. These areas are crucial for both recreational use and ecological health, and proactive maintenance is vital for their preservation. The compact track loader will provide the necessary mobility and power to navigate the sandy terrain effectively.

Included with this purchase are two attachments, a Brushcutter Mower and a Pickup Broom to further broaden the machine's utility. The Brushcutter will assist in vegetation management throughout the City, and the Pickup Broom will be used for debris removal and maintaining cleanliness in the Del Mar parking lot. This proactive approach will save time and resources by preventing more significant issues from developing.

Quotes were obtained by Quinn Company from Sourcewell, a local government procurement agency under contract #020223. (**Attachment 2**).

Staff recommends that City Council adopt the attached Resolution (**Attachment 1**) authorizing the purchase of a new Caterpillar 255 Compact Track Loader.

FISCAL IMPACT:

Funding for this CTL was included in the Council-approved Capital Improvement Plan budget for Fiscal Year 2025/2026 with funding of \$125,000 from the Vehicle and Equipment Fund.

PRIOR CITY COUNCIL ACTION:

At the June 3rd 2025 Council meeting, Council approved the FY 2025/26 Capital Improvement Plan which included an appropriation of \$125,000 from the Vehicle and Equipment Fund for a Compact Track Loader.

ATTACHMENTS:

1. Resolution 2025-064 - Compact Track Loader
2. City of Carmel 255 7-18-25

**CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL**

RESOLUTION NO. 2025-064

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
APPROVING THE PURCHASE OF A CATAPILLAR 255 COMPACT TRACK LOADER FROM
QUINN COMPANY IN THE AMOUNT OF \$119,485.08**

WHEREAS, the purchase of a compact track loader will significantly improve the Public Works Departments beach maintenance and overall operations; and

WHEREAS, The absence of a dedicated equipment ramp for beach access currently makes transporting machinery onto the beach difficult and inefficient; and

WHEREAS, Quotes were obtained by Quinn Company from Sourcewell, a local government procurement agency under contract #020223.

WHEREAS, At June 3rd, 2025, Council meeting, Council approved the FY 25/26 Capital Improvement Plan which included an appropriation of \$125,000 from the Vehicle and Equipment Fund for a Compact Track Loader.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CARMELBY-THE-SEA:

Authorize the purchase of a Caterpillar 255 Compact Track Loader in the amount of \$119,485.08

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
this 4th day of August 2025, by the following vote:**

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dale Byrne
Mayor

Nova Romero, MMC
City Clerk



184743-9999

Jun 10, 2025

CITY OF CARMEL
ACCOUNTS PAYABLE
PO BOX CC
CARMEL, California 93921-1997

Attention: ROB CULVER

Dear Sir,

We would like to thank you for your interest in our company and our products, and are pleased to quote the following for your consideration.

One (1) New Caterpillar Inc. Model: 255 Compact Track Loader including standard and optional equipment as listed below.

STOCK NUMBER: NS0025162

SERIAL NUMBER: 0FL710810

YEAR: 2025

SMU: 0

We wish to thank you for the opportunity of quoting on your equipment needs. This quotation is valid for 30 days, after which time we reserve the right to re-quote. If there are any questions, please do not hesitate to contact me.

Sincerely,

Justin Brown
Machine Sales Representative

One (1) New Caterpillar Inc. Model: 255 Compact Track Loader including standard and optional equipment as listed below.

Standard Equipment

POWERTRAIN

Cat C2.8T turbocharged diesel engine
 -Gross horsepower per ISO 14396
 74.2 hp (55.3 kW)
 -Electric fuel priming pump
 -Glow plugs starting aid
 -Liquid cooled, direct injection
 Air cleaner, dual element, radial seal
 S-O-S sampling valve, hydraulic oil
 Ecology drain - coolant
 Filter, hydraulic supply, cartridge type
 Filter, hydraulic return, cartridge type

Filter, canister type, engine oil
 Filter, canister type, fuel
 and water separator
 Radiator / hydraulic oil
 cooler (side-by-side)
 Spring applied, hydraulically released,
 parking brakes
 Hydrostatic transmission
 Lockable fuel cap
 Auto engine idle

UNDERCARRIAGE

Torsion Suspension (4 independent
 torsion axles)
 Two speed travel

Integrated tie downs on track
 frame (4)

HYDRAULICS

Selectable control pattern - ISO or H
 Electro/hydraulic implement control
 Electro/hydraulic hydrostatic
 transmission control

Speed sensor guarding
 Heavy duty flat faced quick disconnects
 with integrated pressure release lever

ELECTRICAL

Work Tool Electrical Harness
 Heavy duty battery
 -includes battery disconnect with
 lockout feature
 12 volt electrical system
 85 ampere alternator
 LED work lights
 Auto reverse lights

Switch backlighting
 Interior LED dome light
 Backup alarm
 Electrical outlet, beacon
 Courtesy lighting, exterior
 Automatic Work light notification flash
 when parking brake is released

OPERATOR ENVIRONMENT

Operator warning system indicators:
 -Air filter restriction
 -Alternator output
 -Armrest raised / operator out of seat
 -Engine coolant temperature

-Date, Time, Units, and brightness
 settings
 -Multi-operator Anti-theft Security
 System & Monitoring
 -Maintenance schedule and reminders

- Engine oil pressure
- Glow plug activation
- Hydraulic supply filter restriction
- Hydraulic oil temperature
- Park brake engages
- Engine emission system (where applicable)
- Control interlock system, when operator leaves seat or armrest raised:
 - Hydraulic system disables
 - Hydrostatic transmission disables
 - Parking brake engages
- ROPS cab, tilt up
- FOPS, Level I
- Color LCD monitor:
 - Creep speed control
 - Drive response adjustment
 - Implement response adjustment
 - Drive Power Priority adjustment
 - Language selection (x32)

FRAMES

Lift linkage, vertical path
 Chassis, one piece welded
 Machine tie down points (9)
 Removable panels for machine

OTHER STANDARD EQUIPMENT

Steel engine door with replaceable louvers
 Engine door - lockable
 Extended life antifreeze (-37C, -34F)
 Work tool attachment coupler

- Event and Diagnostic Code monitoring
- Smart Technology, enables use of Smart Attachments
- Gauges: fuel level, hour meter, hydraulic temperature, battery voltage, tachometer.
- Cell Phone Storage Pocket
- Cup Holder
- Ergonomic contoured armrest
- Independently adjustable, seat mounted joystick controls.
- Top and rear windows
- Floormat
- Headliner
- Interior rear view mirror
- Horn
- Hand (dial) throttle, electronic
- 12 volt power port
- Rear window breaker hammer

frame cleanout
 Support, lift arm
 Steel rear and front bumpers, welded
 Fuel fill, machine right hand side

Hydraulic oil level sight gauge
 Radiator coolant level sight gauge
 Radiator expansion bottle
 Cat ToughGuard TM hose
 Hydraulic demand cooling fan

MACHINE SPECIFICATIONS

255 05A COMPACT TRACK LOADER	586-0258
LANE 2 ORDER	0P-9002
CAB PACKAGE, ULTRA	651-8304
HYDRAULICS, PERFORMANCE, (HP3) – HIGH FLOW	585-9684
WORKLIGHTS,LED,FRONT/REAR/SIDE	579-2311
COMFORT PKG, ENCLOSED CAB,HVAC	585-9836
SEAT,AIR SUSPENSION,HEAT/VENT	585-9588
PACKAGE, TECHNOLOGY (T5)	601-6604
FAN, COOLING, DEMAND	585-9666
QUICK COUPLER, HYD, SELF LEVEL	586-0291
HOSE GUIDE, ATTACHMENT	640-5405
GUARDING / SEALING PKG, (HD1)	586-0092
IDLER WHEELS, TRIPLE FLANGE	642-3004
TRACK,RUBBER,400MM(15.7 IN)BAR	594-1466
RIDE CONTROL	586-0028
STARTING PACKAGE, STANDARD	652-2073
FUEL, ELECTRIC PRIMING	590-1211
REAR LIGHTS	579-2312
DOOR, CAB, POLYCARBONATE	593-7244
INTEGRATED RADIO	651-8586
SEAT BELT, 3"	613-1925
PRODUCT LINK, CELLULAR PL243	579-2323
COUNTERWEIGHT,MACHINE,EXTERNAL	585-9676
MOUNTING, FIRE EXTINGUISHER	594-1961
SSL BU115E - K61179	6264231
SSL MP74E - K60869	4266536
BRUSHCUTTER, BR320, HF XPS	610-2720

WARRANTY & COVERAGE

Standard Warranty: 24 MONTHS / 2,000 HOURS FULL MACHINE

MACHINE LIST PRICE W/ WORKTOOLS	\$133,377.83
SOURCEWELL MEMBER DISCOUNT - 21 %	(\$28,009.34)
FREIGHT, PREP & DELIVERY	\$4,000.00
NET BALANCE DUE	\$109,368.49
SALES TAX (9.25%)	\$10,116.59
AFTER TAX BALANCE	\$119,485.08

PAYMENT TERMS**Cash Invoice Terms**

CASH WITH ORDER

\$0.00

ADDITIONAL CONSIDERATIONS

- MACHINE IS IN STOCK

Accepted by _____ on _____

Signature



CITY OF CARMEL-BY-THE-SEA
City Council
Staff Report

August 4, 2025

CONSENT AGENDA (Estimated time - 5 min)

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Brian Pierik, City Attorney

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: Resolution 2025-065 Approving Revisions to City Policy C89-02: City Council Meetings, Orders of Council, Agenda Packets, Minutes of Meeting and Agenda Distribution

RECOMMENDATION:

Adopt Resolution 2025-065 Approving Revisions to City Policy C89-02: City Council Meetings, Orders of Council, Agenda Packets, Minutes of Meeting and Agenda Distribution.

BACKGROUND / SUMMARY:

At the City Council on June 30, 2025, the City Council gave direction to return to the Council with a Resolution revising City Policy C89-02: City Council Meetings, Orders of Council, Agenda Packets, Minutes of Meeting and Agenda Distribution in reference to Section II CITY COUNCIL MEETINGS regarding Agenda Preparation and Agenda Finalization.

Attachment 2 is a Clean version of Policy C89-02 accepting the proposed revisions.

Attachment 3 is a redline showing the proposed revisions to City Policy C89-02, including Section II on Agenda Preparation and Agenda Finalization.

Attachment 4 is the current City Policy C89-02.

Staff recommends that the City Council adopt the attached Resolution (**Attachment 1**) Approving Revisions to City Policy C89-02: City Council Meetings, Orders of Council,

Agenda Packets, Minutes of Meeting and Agenda Distribution.

FISCAL IMPACT:

No direct fiscal impact for this action

PRIOR CITY COUNCIL ACTION:

June 30, 2025 - Council directed the City Attorney to return at the next meeting with revisions to the policy for formal adoption.

ATTACHMENTS:

1. Resolution 2025-065
2. Exhibit A - Revised Policy C89-02 on Council meetings (Clean version)
3. Redline of Revisions to Policy C89-02 on Council meetings per Council direction
4. Current Policy C89-02: City Council Meetings Orders of Council Agenda Packets
Minutes of Meeting and Agenda Distribution

**CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL**

RESOLUTION NO. 2025-065

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
APPROVING REVISIONS TO CITY POLICY C89-02: CITY COUNCIL MEETINGS, ORDERS
OF COUNCIL, AGENDA PACKETS, MINUTES OF MEETING AND AGENDA DISTRIBUTION**

WHEREAS, City Policy C89-02 was originally adopted on August 2, 1988, to guide the City Council and staff in conducting public meetings and preparing and distributing agendas and minutes; and

WHEREAS, the policy has been updated periodically to reflect changes in procedures and best practices; and

WHEREAS, the most recent revision to Policy C89-02 occurred in 2020; and

WHEREAS, the City Council has determined that further updates are needed to reflect current practices for meeting procedures, public comment, agenda review, and other related processes.

**NOW THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF
CARMEL-BY-THE-SEA DOES HEREBY:**

Adopt the revised Policy C89-02 City Council Meetings, Orders of Council, Agenda Packets, Minutes of Meeting, and Agenda Distribution as provided in Exhibit A.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-
THE-SEA this 4th day of August, 2025 by the following vote:**

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dale Byrne, Mayor

Nova Romero, MMC, City Clerk

PROPOSED CHANGES TO CITY OF CARMEL-BY-THE-SEA POLICY AND PROCEDURE

Subject:	City Council Meetings/Orders of Council/Agenda Packets/Minutes of Meeting and Agenda Distribution	Policy/Procedure No: C89-02
Effective Date:	2 August 1988	Authority: Resolution No. 88-89

Purpose:

To provide a guide for the City Council and staff for the conduct of public meetings, agenda and minute preparation and distribution of agenda packets.

Policy/Procedure:

1. Adoption of action minutes as outlined in the attached memorandum from the League of California Cities .
2. Adoption of City Clerk's policy regarding agenda packets (No packets shall be disseminated until the packets are made available to the City Council).
3. Adoption of the sequence of the Orders of Council as set forth in the policy attached.

Responsible Party:

City Administrator/City Clerk

Department of Origin:

Administration/City Council

Revision Dates:

2 March 2009 (28 October 2008 Council Retreat)

5 June 2012 (Resolution No. 2012-33)

6 October 2020 (Resolution No. 2020-063)

Rescinded Date :

CITY OF CARMEL-BY-THE-SEA CITY COUNCIL RULES AND PROCEDURES

The City Council is composed of five members: Mayor and four Council Members. The Mayor serves a two- year term and members of the City Council serve four year terms.

I. ELECTED OFFICIALS

A. Mayor (directly elected since 1978)

The Mayor is the chair of the meeting and, as such, presides at all Council meetings. As the titular head of the City Council, the Mayor represents the City at quasi-governmental and social functions and may represent the City Council before other governmental bodies on specific matters as may be authorized by the City Council.

B. Mayor Pro Tempore

The Mayor Pro Tempore is appointed by the Mayor in December or at the first meeting after the City Council is seated following an election. This appointment is announced by the Mayor, but does not need to be ratified by the City Council. In the absence of the Mayor, the Mayor Pro Tempore shall chair the City Council meetings and may attend social/quasi-governmental functions on behalf of the City.

C. Absence of both the Mayor and Mayor Pro Tempore

In the absence of both the Mayor and Mayor Pro Tempore, members of the City Council shall appoint an acting Mayor Pro Tempore, who shall have the powers and duties of the Mayor Pro Tempore as described above.

II. CITY COUNCIL MEETINGS

City Council meeting dates and types (e.g. Regular, Special, Closed Session, Tour of Inspection) are regulated by Chapter 2 of the Municipal Code.

A. Agenda

Only items that are agendized may be acted on at any Council meeting.

- Agenda Preparation

The draft agenda is prepared by the City Administrator and City Clerk with the input of all department directors and is reviewed at weekly staff Management meetings.

In preparing the Agenda, the City Administrator will request input from the Mayor and Mayor Pro Tem.

- Agenda Finalization

The final Agenda shall be approved by the Mayor or the Mayor's designee as to form only and may suggest non-substantive changes such as, for example, the order of the Agenda items.

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Any City Council member who is ill or will be away from the City may request, in writing, that an

item of "personal interest" or a "major issue" be continued to the next meeting. The City Council shall vote on the issue of continuance.

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Presentation materials for agenda items shall be posted with the Agenda Packet or no later than 5 pm on the Friday before the City Council meeting.

Agendas may include a specific start time for an item. If there is a specific start time for an item, the Council will complete the consideration of the item in progress and then proceed to consider the item which has a specific start time.

B. Orders of City Council Business

The Orders of City Council business are adopted by Resolution of the City Council. The Orders of City Council Business are:

- **Extraordinary Business**

This category allows the City Council to recognize volunteers, employees, and present certificates of appreciation and awards.

- **Announcements from City Council Members & City Administrator & City Clerk**

This category allows an opportunity for City Council Members to comment on meetings attended of outside agencies and the City Administrator to give a brief report to the City Council and receive presentations that require little or no action. The City Clerk will announce whether the City has received and posted written public comments for any agenda items.

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The public has opportunities to speak to the City Council. The Public Appearances section allows persons to speak a maximum of three minutes, or as otherwise established by the City Council, on items of City business, other than those scheduled agenda items for Regular City Council meetings.. Matters not appearing on the City Council's agenda will not receive action at that meeting but may be referred to staff for a future meeting or resolution outside of a City Council meeting. The City Council reserves the right to limit the duration of the Public Appearances section of the agenda to thirty minutes total. Mayor may ask for the number of people who wish to speak on an item and may adjust the public comment time accordingly. (For Special City Council meetings, public comment will be allowed on the item or items listed on the Special Meeting Agenda.

Members of the public are entitled to directly address the City Council concerning any item that is described in the notice of the City Council meeting during consideration of that item. Public comments or testimony on agenda items other than Public Appearances shall be limited to a maximum of three minutes per speaker.

Speakers may be requested to consider making a statement that they agree with the comments of a prior speaker.

Under the Brown Act, comments on agenda items must relate to that specific item, and

comments on non-agenda items must fall within the legislative body's jurisdiction. Remote or in-person participants who do not comply with the requirements of the Brown Act will be muted.

- **Consent Agenda**

Consent Agenda items will be voted on in one motion unless removed. The Consent Agenda consists of routine and non-controversial City matters that can be as a whole approved by a single majority vote. Any City Council Member or member of the public may ask to have an item pulled from the Consent Agenda for discussion. Such items are normally moved to the end of the meeting.

If a City Council Member has a question for information only about a Consent Agenda item, the Member should ask prior to the meeting, rather than pulling the item for discussion during the meeting.

Corrections to the Minutes are given to the City Clerk prior to the meeting so that corrections can be made prior to their adoption.

- **Orders of Council**

Orders of Council include reports of committee/commissions, ordinances and resolutions, public hearings, reports of officials, unfinished business, and council matters.

Public Hearings consist of zoning amendments, General Plan amendments, appeals of Commission decisions and other items mandated by the State. If the Public Hearing is an appeal, appellants are allowed a total of 10 minutes to speak on their own behalf after the staff report and at the close of public comment in order to have the opportunity to rebut public comments. Other speakers will be allowed three minutes. Formal Public Hearings must be advertised pursuant to State and Government Codes.

Ordinances are the most binding form of action the City Council can take. They are codified as the Municipal Code of the City of Carmel-by-the-Sea which is the municipal law of the City. The City Council has authority to pass ordinances through Government Code Section 37100, as long as these ordinances do not conflict with the laws and Constitution of the State of California or of the United States. Ordinances require two readings and do not become effective until 30 days after the second reading, unless it is an Urgency Ordinance

A resolution is a formal form of a motion normally utilized to set forth policy of the City. Each resolution, in addition to being referenced by number and brief title in the minutes, will be recorded as provided by law and maintained in numerical sequence as a permanent record of the City in a separate set of books. Resolutions are used for various reasons, such as when specifically required by law, when needed as a separate evidentiary document to be transmitted to another governmental agency, or where the frequency of future references back to its contents warrants a separate document to facilitate such future reference and research.

III. CONDUCT OF CITY COUNCIL MEETINGS

A. General Procedure

It is the policy of the Council not to become involved in entanglements over parliamentary procedure. Pursuant to the Municipal Code, the Chair shall have authority to prevent the misuse of motions, or the abuse of any privilege, or obstruction of the business of the Council by ruling any such matter out of order. The Mayor will assist the Council to focus on the agenda, discussions and deliberations. He/she has been delegated the responsibility to control the debate and order of the speakers.

B. Questions Addressed to a Council Member

With the concurrence of the Mayor, a Council Member holding the floor may address a question to another Council Member. That Council Member may respond while the floor is still held by the Council Member asking the question.

Council Members will limit their comments to the subject matter, item or motion being currently considered by the Council. They will govern themselves as to the length of their comments or presentation.

C. Meeting Procedures for review of Each Item on the Agenda (with the exception of Public Hearings:

1. The Mayor will read the agenda item under discussion.
2. Staff will present a brief report unless Council directs that no staff report is necessary.
3. Upon recognition by Mayor, Members of the City Council may ask questions of staff.
4. Mayor will ask for public comment in chambers and then remote
5. Mayor will ask for Council discussion
6. Mayor will ask Council to take action for an action item including motions, resolutions, ordinances and directions to staff.

D. Public input/oral presentations

Any member of the public wishing to address the Council orally on a specific agenda item may do so when the item is taken up by Council, or as otherwise specified by the Council or its presiding officer. Oral presentations are limited to three minutes, unless otherwise provided.

Persons who anticipate oral presentations exceeding three minutes are encouraged to submit comments in writing to the City Clerk, by the Tuesday prior to the meeting so they may be included in the agenda packet. In order to expedite matters and to avoid repetitious presentations, whenever any group of persons wishes to address Council on the same subject matter, the presiding officer may request that a spokesperson be chosen by the group. A specified time limit also may be set for the total presentation for any group.

- Close of Public Comment

Once public comment is closed, it cannot be reopened unless Council agrees by consensus.

- Staff response to questions from the public.

Based on staff responses to the public, members of the City Council may wish to address further questions to staff.

- The Mayor/City Administrator/Attorney shall remind the City Council of the action before Council.
- City Council discussion
- City Council action/motions

Before a motion can be considered or debated, it must be seconded. Once the motion has been properly made and seconded, the Chair shall open the matter for discussion offering the first opportunity to the moving party and, thereafter, to any City Council Member properly recognized by the Chair. Once the matter has been fully discussed and the Chair calls for a vote, no further discussion will be allowed.

Council Members may be allowed to explain their vote briefly for the record. Once a vote is taken, all Council Members shall support the action taken.

- Substitute motions

When a motion is on the floor, any member of City Council may make a substitute motion. If the substitute motion is seconded, it shall be acted upon prior to acting on the main motion.

- Tie votes

A tie vote results in a failed motion. In such an instance, any member of the Council may offer a motion for further action. If there is no action by an affirmative vote, the result is no action. If the matter involves an appeal and an affirmative vote does not occur, the result is that the decision appealed stands as decided by the decision-making persons or body from which the appeal was taken.

- Motions to reconsider

Motions to reconsider a matter may be made at the same meeting or at the next succeeding meeting following a Council action for reconsideration on. Such motions must be made by a Council Member voting in favor of the original motion.

- Staff announcement of decision

The Mayor, City Administrator, City Attorney, or City Clerk shall announce the vote and passage or failure of an item.

- Curfew

New items will not be started after 9:30 pm unless the City Council votes to extend the time of the City Council meeting.

E. Meeting Procedure for formal Appeals/Public Hearings

When a matter for public hearing comes before the City Council, the Mayor shall inquire if there are any persons present who desire to speak on the matter which is to be heard or to present any evidence regarding the matter.

The procedure for holding City Council appeals differs from other items where the public is allowed to speak in that appellants are allowed to have 10 minutes to make a presentation, including closing comments. The public testimony follows, after which the appellants are given an opportunity for rebuttal or closing arguments.

- Public comments/discussion

No person will be permitted during the hearing to speak about matters or present any evidence that is not germane to the matter being considered. A determination of relevance shall be made by the Mayor or City Attorney, but may be appealed by any Member of the City Council.

Public Hearings may be scheduled for special City Council meetings except for Public Hearings for the adoption of a regular ordinance.

F. Minutes of Meeting Policy (C 89-02)

The Minutes of the City Council meeting are action minutes and do not reflect City Council commentary and discussion. However, if a Council Member wishes to include comments in the record, they will be included if so requested at the meeting (e.g. "for the record, I wish to state..."). All motions made, even those made without a second are to be included in the minutes.

- Items entered into the record

All agenda items/documentation/correspondence received at a Council meeting shall be retained in the City's records.

- Distribution

The minutes shall be distributed to members of the City Council for comment and/or correction in the Council packet. The City Clerk will correct the minutes prior to the meeting, and if the correction is substantive, copies of the corrected minutes shall be distributed to all members of the Council.

G. Official Recording of the Meeting

All City Council meetings are recorded. This ensures accuracy of the minutes and provides a temporary record of the City Council proceedings. Once the minutes are approved, legally, the recordings do not have to be retained. However, recordings of the Council meetings; Planning Commission meetings, and recordings of other commissions/boards shall be retained pursuant to the City's adopted Retention Schedule.

Amended: October 6, 2020

COUNCIL MINUTES

A. PREFACE

City Clerks in general law cities are specifically required to keep a record, journal or minutes of the council meetings (Gov. C. 36814, 40801). Cities governed by freeholder's charters are usually subject to the same requirements. Although there is no legal necessity to do so, it is appropriate to mention, introductorily, in the minutes that the meeting was convened and held as noticed.

B. PURPOSE OF COUNCIL MINUTES

A most important principle of corporation law, applicable to private, public, and municipal corporations, is that such organizations can only act through their officers and employees. These corporations are governed by fixed rules found in the basic law of the organization; in charter and state statutes in the case of municipal corporations.

When these factors are considered, the keeping of a good record of council proceedings becomes obvious. A sufficient record must be kept to furnish evidence that the City Council has complied with the law or rules by which it is governed, thus pointing to the need for accurate and clear records of council proceedings. Finally, if accurate, complete, and unambiguous minutes of City Council meetings are recorded, these facts themselves will be treated as conclusive evidence of the facts therein stated.

C. FORM AND CONTENTS OF COUNCIL MEETING MINUTES

1. Standard Forms:

Use of standardized format is recommended to develop uniformity on minute entries and to save time in composing the record.

2. Jurisdictional Matters

To establish proof that jurisdictional requirements for holding a meeting have been complied with, it is important that minutes contain the following:

- a. Date, hour, and place of meeting.
- b. Whether it is a regular, adjourned, or special meeting.
- c. A proper notice has been given if it is a special meeting.
- d. The names of council members in attendance (in case a council member arrives late, or departs before adjournment, the minutes should show the time of arrival and/or departure at that point in the proceedings).

3. Approval of Minutes of Previous Meetings

Although there is no legal requirement that minutes be approved by the City Council, this traditional procedure is advisable as it lends further weight to the accuracy and completeness of the record. It is recommended that the City Council be furnished copies of minutes in sufficient time prior to a City Council meeting to avoid any necessity of reading of the minutes by the clerk. When approved as written, or as changed by the City Council, the minutes are considered to be official.

4. Record of Action Taken

The minutes need only record:

a. Petitions and communications

1. Date of the document
2. Subject
3. Authors, if only a few

4. Number of signers, if numerous
5. Action taken

The minutes need not record the comments made by members of the City Council concerning the merit or lack of merit of the petition or requests contained in the document, unless expressly requested by the officer making such comment. The reason for the latter observation is that the document speaks for itself, and it has no legal significance until the City Council acts or refuses to act with respect thereto.

b. Consideration of bids

1. Record of bids filed and opened
 - a. The subject matter of the bids
 - b. The compliance with all requirements for the advertising for such bids.
 - c. The names of all bidders, and the total amounts of their respective bids.
2. Action taken with respect to bids.
 - a. It is preferable that a resolution, prepared or approved by the City Attorney, be used in awarding contracts to the successful bidder. When this is done, the minutes need only refer to the resolution in recording the action taken.
 - b. If the City Council determines to accept a bid which is not the lowest in amount, it is advisable that the minutes show that such bid was "the lowest reasonable bid". Whether the minutes should include a record of the matters leading to the determination of "responsibility" is a decision clerks might well review with their City Attorneys.
 - c. Ordinances and resolutions

1. Introduction

The information which should be recorded in City Council minutes, with respect to the introduction of an ordinance, depends upon the particular rules or practices of each city on the subject. Thus, if the practice requires that before an ordinance or resolution can be acted upon, it shall be introduced by one City Council Member, and seconded by another, this information should be recorded in the minutes.

Generally speaking, minutes should record the following data concerning the introduction of an ordinance or resolution:

- aa. The title or subject matter
 - bb. The names of the City Council Members introducing and seconding
 2. Compliance with jurisdictional requirements prior to action taken on ordinances or resolutions

Whenever the basic law or rules of a city require that a certain procedure must be followed prior to any action taken in adopting an ordinance or resolution, the minutes should show such compliance. This would include a statement referring to the previous introduction of the ordinance and would include a reference on an urgency ordinance that it is an urgency ordinance.

3. Votes cast for or against adoption of ordinances and resolutions

aa. Presumption of validity of ordinances and resolutions. There is a presumption in favor of the due and regular adoption or rejection of a city ordinance or resolution, if there are any official records to support that presumption, and that the votes were cast in substantial accordance with the requirements of the law or regulations pertaining to such matters.

This is particularly true where the ordinance or resolution contains a certificate signed by the mayor and/or clerk.

bb. Voting procedure governing adoption of ordinances and regulations (See Chapter VI on legislative Procedures)

d. Reports of officers

1. Written reports

Since any written record is the best evidence of its contents, a written report presented at a City Council meeting need only be mentioned in the minutes by reference to:

aa. Name or title of the officer

bb. Date of the report

cc. Subject or title of report

dd. Disposition made of report, if any

Resolution 2020-063
Page 1

**PROPOSED CHANGES TO CITY OF
CARMEL-BY-THE-SEA POLICY AND PROCEDURE**

Subject:	City Council Meetings/Orders of Council/Agenda Packets/Minutes of Meeting and Agenda Distribution	Policy/Procedure No: C89-02
Effective Date:	2 August 1988	Authority: Resolution No. 88-89

Purpose:

To provide a guide for the City Council and staff for the conduct of public meetings, agenda and minute preparation and distribution of agenda packets.

Policy/Procedure:

1. Adoption of action minutes as outlined in the attached memorandum from the League of California Cities .
2. Adoption of City Clerk's policy regarding agenda packets (No packets shall be disseminated until the packets are made available to the City Council).
3. Adoption of the sequence of the Orders of Council as set forth in the policy attached.

Responsible Party:

City Administrator/City Clerk

Department of Origin:

Administration/City Council

Revision Dates:

2 March 2009 (28 October 2008 Council Retreat)

5 June 2012 (Resolution No. 2012-33)

6 October 2020 (Resolution No. 2020-063)

Rescinded Date :

4900-8183-2250 v1

Resolution 2020-063
Page 2

CITY OF CARMEL-BY-THE-SEA CITY COUNCIL RULES AND PROCEDURES

The City Council is composed of five members: Mayor and four Council Members. The Mayor serves a two- year term and members of the City Council serve four year terms.

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In preparing the Agenda, the City Administrator will request input from the Mayor and Mayor Pro Tem. (CHANGE 1A)

- Agenda Finalization

The final Agenda shall be approved by the Mayor or the Mayor's designee as to form only and may suggest non-substantive changes such as, for example, the order of the Agenda items. The Mayor and Mayor Pro Tempore meet with the City Administrator and City Clerk prior to the meeting to finalize the draft agenda. (CHANGE NO. 1B)

- Continuance of Agenda Item

Resolution 2020-063
Page 3

Any City Council member who is ill or will be away from the City may request, in writing, that an item of "personal interest" or a "major issue" be continued to the next meeting. The City Council shall vote on the issue of continuance.

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This category allows the City Council to recognize volunteers, employees, and present certificates of appreciation and awards.

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Speakers may be requested to consider making a statement that they agree with the comments of a prior speaker. (CHANGE NO. 7)

Resolution 2020-063
Page 4

Under the Brown Act, comments on agenda items must relate to that specific item, and comments on non-agenda items must fall within the legislative body's jurisdiction. Remote or in-person participants who do not comply with the requirements of the Brown Act will be muted. (CHANGE NO. 8)

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A resolution is a formal form of a motion normally utilized to set forth policy of the City. Each resolution, in addition to being referenced by number and brief title in the minutes, will be recorded as provided by law and maintained in numerical sequence as a permanent record of the City in a separate set of books. Resolutions are used for various reasons, such as when specifically required by law, when needed as a separate evidentiary document to be transmitted to another governmental agency, or where the frequency of future references back to its contents warrants a separate document to facilitate such future reference and research.

III. CONDUCT OF CITY COUNCIL MEETINGS

A. General Procedure

It is the policy of the Council not to become involved in entanglements over parliamentary procedure. Pursuant to the Municipal Code, the Chair shall have authority to prevent the misuse of motions, or the abuse of any privilege, or obstruction of the business of the Council by ruling any such matter out of order. The Mayor will assist the Council to focus on the agenda,

Resolution 2020-063
Page 5

discussions and deliberations. He/she has been delegated the responsibility to control the debate and order of the speakers.

B. Questions Addressed to a Council Member

With the concurrence of the Mayor, a Council Member holding the floor may address a question to another Council Member. That Council Member may respond while the floor is still held by the Council Member asking the question.

Council Members will limit their comments to the subject matter, item or motion being currently considered by the Council. They will govern themselves as to the length of their comments or presentation.

C. Meeting Procedures for review of Each Item on the Agenda (with the exception of Public Hearings: CHANGE NO. 9)

- *1. The Mayor will read the agenda item under discussion.
- *2. Staff will present a brief report unless Council directs that no staff report is necessary.
3. Upon recognition by Mayor, Members of the City Council may ask questions of staff.
4. Mayor will ask for public comment in chambers and then remote.
5. Mayor will ask for Council discussion
6. Mayor will ask Council to take action for an action item including motions, resolutions, ordinances and directions to staff.

Upon recognition by the Mayor, Members of City Council may ask questions of the staff prior to opening of the discussion to members of the audience.

D. Public input/oral presentations

Any member of the public wishing to address the Council orally on a specific agenda item may do so when the item is taken up by Council, or as otherwise specified by the Council or its presiding officer. Oral presentations are limited to three minutes, unless otherwise provided.

Persons who anticipate oral presentations exceeding three minutes are encouraged to submit comments in writing to the City Clerk, by the Tuesday prior to the meeting so they may be included in the agenda packet. In order to expedite matters and to avoid repetitious presentations, whenever any group of persons wishes to address Council on the same subject matter, the presiding officer may request that a spokesperson be chosen by the group. A specified time limit also may be set for the total presentation for any group.

- Close of Public Comment

Once public comment is closed, it cannot be reopened unless Council agrees by consensus.

- Staff response to questions from the public.

Based on staff responses to the public, members of the City Council may wish to address further questions to staff.

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Resolution 2020-063
Page 6

- The Mayor/City Administrator/Attorney shall remind the City Council of the action before Council.
- City Council discussion
- City Council action/motions

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Council Members may be allowed to explain their vote briefly for the record. Once a vote is taken, all Council Members shall support the action taken.

- Substitute motions

When a motion is on the floor, any member of City Council may make a substitute motion. If the substitute motion is seconded, it shall be acted upon prior to acting on the main motion.

- Tie votes

A tie vote results in a failed motion. In such an instance, any member of the Council may offer a motion for further action. If there is no action by an affirmative vote, the result is no action. If the matter involves an appeal and an affirmative vote does not occur, the result is that the decision appealed stands as decided by the decision-making persons or body from which the appeal was taken.

- Motions to reconsider

Motions to reconsider a matter may be made at the same meeting or at the next succeeding meeting following a Council action for reconsideration on. Such motions must be made by a Council Member voting in favor of the original motion.

- Staff announcement of decision

The Mayor, City Administrator, City Attorney, or City Clerk shall announce the vote and passage or failure of an item.

- Curfew (CHANGE NO. 10)

New items will not be started after 9:30 pm unless the City Council votes to extend the time of the City Council meeting.

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E. Meeting Procedure for formal Appeals/Public Hearings

When a matter for public hearing comes before the City Council, the Mayor shall inquire if there are any persons present who desire to speak on the matter which is to be heard or to present any evidence regarding the matter.

The procedure for holding City Council appeals differs from other items where the public is allowed to speak in that appellants are allowed to have 10 minutes to make a presentation, including closing comments. The public testimony follows, after which the appellants are given an opportunity for rebuttal or closing arguments.

Resolution 2020-063
Page 7

- Public comments/discussion

No person will be permitted during the hearing to speak about matters or present any evidence that is not germane to the matter being considered. A determination of relevance shall be made by the Mayor or City Attorney, but may be appealed by any Member of the City Council.

Public Hearings may be scheduled for special City Council meetings except for Public Hearings for the adoption of a regular ordinance. (CHANGE 11).

F. Minutes of Meeting Policy (C 89-02)

The Minutes of the City Council meeting are action minutes and do not reflect City Council commentary and discussion. However, if a Council Member wishes to include comments in the record, they will be included if so requested at the meeting (e.g. "for the record, I wish to state..."). All motions made, even those made without a second are to be included in the minutes.

- Items entered into the record

All agenda items/documentation/correspondence received at a Council meeting shall be retained in the City's records.

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The minutes shall be distributed to members of the City Council for comment and/or correction in the Council packet. The City Clerk will correct the minutes prior to the meeting, and if the correction is substantive, copies of the corrected minutes shall be distributed to all members of the Council.

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All City Council meetings are recorded. This ensures accuracy of the minutes and provides a temporary record of the City Council proceedings. Once the minutes are approved, legally, the recordings do not have to be retained. However, recordings of the Council meetings, Planning Commission meetings, and recordings of other commissions/boards shall be retained pursuant to the City's adopted Retention Schedule.

Amended: October 6, 2020

COUNCIL MINUTES

A. PREFACE

City Clerks in general law cities are specifically required to keep a record, journal or minutes of the council meetings (Gov. C. 36814, 40801). Cities governed by freeholder's charters are usually subject to the same requirements. Although there is no legal necessity to do so, it is appropriate to mention, introductorily, in the minutes that the meeting was convened and held as noticed.

B. PURPOSE OF COUNCIL MINUTES

A most important principle of corporation law, applicable to private, public, and municipal corporations, is that such organizations can only act through their officers and employees. These corporations are governed by fixed rules found in the basic law of the organization; in charter and state statutes in the case of municipal corporations.

When these factors are considered, the keeping of a good record of council proceedings becomes obvious. A sufficient record must be kept to furnish evidence that the City Council has complied with the law or rules by which it is governed, thus pointing to the need for accurate and clear records of council proceedings. Finally, if accurate, complete, and unambiguous minutes of City Council meetings are recorded, these facts themselves will be treated as conclusive evidence of the facts therein stated.

C. FORM AND CONTENTS OF COUNCIL MEETING MINUTES

1. Standard Forms:

Use of standardized format is recommended to develop uniformity on minute entries and to save time in composing the record.

2. Jurisdictional Matters

To establish proof that jurisdictional requirements for holding a meeting have been complied with, it is important that minutes contain the following:

- a. Date, hour, and place of meeting.
- b. Whether it is a regular, adjourned, or special meeting.
- c. A proper notice has been given if it is a special meeting.
- d. The names of council members in attendance (in case a council member arrives late, or departs before adjournment, the minutes should show the time of arrival and/or departure at that point in the proceedings).

3. Approval of Minutes of Previous Meetings

Although there is no legal requirement that minutes be approved by the City Council, this traditional procedure is advisable as it lends further weight to the accuracy and completeness of the record. It is recommended that the City Council be furnished copies of minutes in sufficient time prior to a City Council meeting to avoid any necessity of reading of the minutes by the clerk. When approved as written, or as changed by the City Council, the minutes are considered to be official.

4. Record of Action Taken

The minutes need only record:

a. Petitions and communications

1. Date of the document
2. Subject
3. Authors, if only a few

C89-02

4. Number of signers, if numerous
5. Action taken

The minutes need not record the comments made by members of the City Council concerning the merit or lack of merit of the petition or requests contained in the document, unless expressly requested by the officer making such comment. The reason for the latter observation is that the document speaks for itself, and it has no legal significance until the City Council acts or refuses to act with respect thereto.

b. Consideration of bids

1. Record of bids filed and opened
 - a. The subject matter of the bids
 - b. The compliance with all requirements for the advertising for such bids.
 - c. The names of all bidders, and the total amounts of their respective bids.
2. Action taken with respect to bids.
 - a. It is preferable that a resolution, prepared or approved by the City Attorney, be used in awarding contracts to the successful bidder. When this is done, the minutes need only refer to the resolution in recording the action taken.
 - b. If the City Council determines to accept a bid which is not the lowest in amount, it is advisable that the minutes show that such bid was "the lowest reasonable bid". Whether the minutes should include a record of the matters leading to the determination of "responsibility" is a decision clerks might well review with their City Attorneys.
 - c. Ordinances and resolutions

1. Introduction

The information which should be recorded in City Council minutes, with respect to the introduction of an ordinance, depends upon the particular rules or practices of each city on the subject. Thus, if the practice requires that before an ordinance or resolution can be acted upon, it shall be introduced by one City Council Member, and seconded by another, this information should be recorded in the minutes.

Generally speaking, minutes should record the following data concerning the introduction of an ordinance or resolution:

- aa. The title or subject matter
 - bb. The names of the City Council Members introducing and seconding
2. Compliance with jurisdictional requirements prior to action taken on ordinances or resolutions

C89-02

Whenever the basic law or rules of a city require that a certain procedure must be followed prior to any action taken in adopting an ordinance or resolution, the minutes should show such compliance. This would include a statement referring to the previous introduction of the ordinance and would include a reference on an urgency ordinance that it is an urgency ordinance.

3. Votes cast for or against adoption of ordinances and resolutions

aa. Presumption of validity of ordinances and resolutions. There is a presumption in favor of the due and regular adoption or rejection of a city ordinance or resolution, if there are any official records to support that presumption, and that the votes were cast in substantial accordance with the requirements of the law or regulations pertaining to such matters.

This is particularly true where the ordinance or resolution contains a certificate signed by the mayor and/or clerk.

bb. Voting procedure governing adoption of ordinances and regulations (See Chapter VI on legislative Procedures)

d. Reports of officers

1. . Written reports

Since any written record is the best evidence of its contents, a written report presented at a City Council meeting need only be mentioned in the minutes by reference to:

aa. Name or title of the officer

bb. Date of the report

cc. Subject or title of report

dd. Disposition made of report, if any

CITY OF CARMEL-BY-THE-SEA POLICY AND PROCEDURE

Subject: City Council Meetings/Orders of Council/Agenda Packets/Minutes of Meeting and Agenda Distribution	Policy/Procedure No: C89-02
Effective Date: 2 August 1988	Authority: Resolution No. 88-89

Purpose:

To provide a guide for the City Council and staff for the conduct of public meetings, agenda and minute preparation and distribution of agenda packets.

Policy/Procedure:

1. Adoption of action minutes as outlined in the attached memorandum from the League of California Cities .
2. Adoption of City Clerk's policy regarding agenda packets (No packets shall be disseminated until the packets are made available to the City Council).
3. Adoption of the sequence of the Orders of Council as set forth in the policy attached.

Responsible Party:

City Administrator/City Clerk

Department of Origin:

Administration/City Council

Revision Dates:

2 March 2009 (28 October 2008 Council Retreat)
5 June 2012 (Resolution No. 2012-33)
6 October 2020 (Resolution No. 2020-063)

Rescinded Date :

C89-02

CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL
RULES AND PROCEDURES

The City Council is composed of five members: Mayor and four Council Members. The Mayor serves a two-year term and members of the City Council serve four year terms.

I. ELECTED OFFICIALS

A. Mayor (directly elected since 1978)

The Mayor is the chair of the meeting and, as such, presides at all Council meetings. As the titular head of the City Council, the Mayor represents the City at quasi-governmental and social functions and may represent the City Council before other governmental bodies on specific matters as may be authorized by the City Council.

B. Mayor Pro Tempore

The Mayor Pro Tempore is appointed by the Mayor in December or at the first meeting after the City Council is seated following an election. This appointment is announced by the Mayor, but does not need to be ratified by the City Council. In the absence of the Mayor, the Mayor Pro Tempore shall chair the City Council meetings and may attend social/quasi-governmental functions on behalf of the City.

C. Absence of both the Mayor and Mayor Pro Tempore

In the absence of both the Mayor and Mayor Pro Tempore, members of the City Council shall appoint an acting Mayor Pro Tempore, who shall have the powers and duties of the Mayor Pro Tempore as described above.

II. CITY COUNCIL MEETINGS

City Council meeting dates and types (e.g. Regular, Special, Closed Session, Tour of Inspection) are regulated by Chapter 2 of the Municipal Code.

A. Agenda

Only items that are agendized may be acted on at any Council meeting.

- Agenda Preparation

The draft agenda is prepared by the City Administrator and City Clerk with the input of all department directors and is reviewed at weekly staff Management meetings.

- Agenda Finalization

The Mayor and Mayor Pro Tempore meet with the City Administrator and City Clerk prior to the meeting to finalize the draft agenda.

C89-02

- Continuance of Agenda Item

Any City Council member who is ill or will be away from the City may request, in writing, that an item of "personal interest" or a "major issue" be continued to the next meeting. The City Council shall vote on the issue of continuance.

- Agenda Posting

The Agenda is posted (City Hall, Main Library and Post Office bulletin boards and on the City Website) 6 days prior to a regular meeting and a minimum of 24 hours prior to a Special Meeting.

B. Orders of City Council Business

The Orders of City Council business are adopted by Resolution of the City Council. The Orders of City Council Business are:

- Extraordinary Business

This category allows the City Council to recognize volunteers, employees, present certificates of appreciation and awards.

- Announcements from City Council Members & City Administrator

This category allows an opportunity for City Council Members to comment on meetings attended of outside agencies and the City Administrator to give a brief report to the City Council and receive presentations that require little or no action.

- Public Appearances

The public has opportunities to speak to the City Council. The Public Appearances section allows persons to speak a maximum of three minutes, or as otherwise established by the City Council, on items of City business, other than those scheduled agenda items. Matters not appearing on the City Council's agenda will not receive action at that meeting but may be referred to staff for a future meeting or resolution outside of a City Council meeting. The City Council reserves the right to limit the duration of the Public Appearances section of the agenda to thirty minutes total.

Members of the public are entitled to directly address the City Council concerning any item that is described in the notice of the City Council meeting during consideration of that item. Public comments or testimony on agenda items other than Public Appearances shall be limited to a maximum of three minutes per speaker.

- Consent Agenda

Consent Agenda items will be voted on in one motion unless removed. The Consent Agenda consists of routine and non-controversial City matters that can be as a whole approved by a single majority vote. Any City Council Member or member of the public may ask to have an item pulled from the Consent Agenda for discussion. Such items are normally moved to the end of the meeting.

If a City Council Member has a question for information only about a Consent Agenda item, the Member should ask prior to the meeting, rather than pulling the item for discussion during the meeting.

Corrections to the Minutes are given to the City Clerk prior to the meeting so that corrections can be made prior to their adoption.

- Orders of Council

Orders of Council include reports of committee/commissions, ordinances and resolutions, public hearings, reports of officials, unfinished business, and council matters.

Public Hearings consist of zoning amendments, General Plan amendments, appeals of Commission decisions and other items mandated by the State. If the Public Hearing is an appeal, appellants are allowed a total of 10 minutes to speak on their own behalf after the staff report and at the close of public comment in order to have the opportunity to rebut public comments. Other speakers will be allowed three minutes. Formal Public Hearings must be advertised pursuant to State and Government Codes.

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- City Council discussion
- City Council action/motions

Before a motion can be considered or debated, it must be seconded. Once the motion has been properly made and seconded, the Chair shall open the matter for discussion offering the first opportunity to the moving party and, thereafter, to any City Council Member properly recognized by the Chair. Once the matter has been fully discussed and the Chair calls for a vote, no further discussion will be allowed.

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Amended: October 6, 2020

COUNCIL MINUTES

A. PREFACE

City Clerks in general law cities are specifically required to keep a record, journal or minutes of the council meetings (Gov. C. 36814, 40801). Cities governed by freeholder's charters are usually subject to the same requirements. Although there is no legal necessity to do so, it is appropriate to mention, introductorily, in the minutes that the meeting was convened and held as noticed.

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Use of standardized format is recommended to develop uniformity on minute entries and to save time in composing the record.

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- a.** Date, hour, and place of meeting.
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The minutes need only record:

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1. Date of the document
2. Subject
3. Authors, if only a few
4. Number of signers, if numerous
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1. Record of bids filed and opened
 - a. The subject matter of the bids
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1. Introduction

The information which should be recorded in City Council minutes, with respect to the introduction of an ordinance, depends upon the particular rules or practices of each city on the subject. Thus, if the practice requires that before an ordinance or resolution can be acted upon, it shall be introduced by one City Council Member, and seconded by another, this information should be recorded in the minutes. Generally speaking, minutes should record the following data concerning the introduction of an ordinance or resolution:

- aa. The title or subject matter
- bb. The names of the City Council Members introducing and seconding

2. Compliance with jurisdictional requirements prior to action taken on ordinances or resolutions

Whenever the basic law or rules of a city require that a certain procedure must be followed prior to any action taken in adopting an ordinance or resolution, the minutes should show such compliance. This would include a statement referring to the previous introduction of the ordinance and would include a reference on an urgency ordinance that it is an urgency ordinance.

3. Votes cast for or against adoption of ordinances and resolutions

aa. Presumption of validity of ordinances and resolutions. There is a presumption in favor of the due and regular adoption or rejection of a city ordinance or resolution, if there are any official records to support that presumption, and that the votes were cast in substantial accordance with the requirements of the law or regulations pertaining to such matters.

This is particularly true where the ordinance or resolution contains a certificate signed by the mayor and/or clerk.

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d. Reports of officers

1. Written reports

Since any written record is the best evidence of its contents, a written report presented at a City Council meeting need only be mentioned in the minutes by reference to:

- aa. Name or title of the officer
- bb. Date of the report
- cc. Subject or title of report
- dd. Disposition made of report, if any



CITY OF CARMEL-BY-THE-SEA
City Council
Staff Report

August 4, 2025

CONSENT AGENDA (Estimated time - 5 min)

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Ashlee Wright, Library and Community Activities Director

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: Resolution 2025-066 Approving the consumption of alcohol on public property and the erection of tents for the Carmel Woman's Club Centennial Celebration on Saturday, September 20, 2025

RECOMMENDATION:

Adopt Resolution 2025-066 Approving the consumption of alcohol on public property and the erection of tents for the Carmel Woman's Club Centennial Saturday, September 20, 2025.

BACKGROUND / SUMMARY:

The Woman's Club Centennial Celebration – Journey Through the Decades, will be held on Saturday, September 20, 2025, in the Woman's Club and on Ninth Avenue between San Carlos and Dolores Streets, adjacent to the Woman's Club. This is a one-time event to honor 100 years of community, connection, and service, featuring live entertainment, food, historical exhibits, activities, and kids' zone and will be open to the public.

The Woman's Club is requesting permission from the City Council to serve alcohol and to erect 10 x 10 tents on the street. Per Carmel Municipal Code Chapter 9.20, section 020, it is unlawful for any person to drink any alcoholic beverage in or upon any public place within the City. In addition, per Carmel Municipal Code section 12.32.060, it is unlawful to construct or erect any tent upon any public property. In both of these instances, however, the City Council may authorize exceptions to the code for specific events of limited duration by adopting a resolution.

Staff recommends adoption of the attached Resolution (**Attachment 1**), approving the consumption of alcohol on public property and the erection of tents for the Carmel Woman's Club Centennial Celebration event.

FISCAL IMPACT:

Approving this item will incur no fiscal impact on the City's budget.

PRIOR CITY COUNCIL ACTION:

There has been no prior Council action on this item.

ATTACHMENTS:

1. Resolution 2025-066 Woman's Club Centennial

**CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL**

RESOLUTION NO. 2025-066

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA AUTHORIZING THE CONSUMPTION OF ALCOHOL ON PUBLIC PROPERTY AND THE ERECTION OF TENTS ON PUBLIC PROPERTY FOR THE WOMAN'S CLUB CENTENNIAL CELEBRATION SATURDAY, SEPTEMBER 20, 2025

WHEREAS, the Woman's Club is celebrating its 100th year of community, connection, and service in Carmel-by-the-Sea; and

WHEREAS, the Woman's Club Centennial Celebration will take place in the Woman's Club and on Ninth Avenue between San Carlos and Dolores Streets adjacent to the Woman's Club; and

WHEREAS, the event will feature live entertainment, food, alcohol, historical exhibits, activities, and kids' zone, that will be open to the public; and

WHEREAS, Chapter 9.20 of the Carmel-by-the-Sea Municipal Code states that it is unlawful for and person to drink any alcoholic beverage in or upon any public place, but that the City Council has the right, through adoption of a resolution, to make exceptions to the regulation for specific events of limited duration; and

WHEREAS, Chapter and section 12.32.060, it is unlawful to construct or erect any tent upon any public property, but that the City Council may, however, authorize exceptions to the code for specific events of limited duration by adopting a resolution.

NOW THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DOES HEREBY:

Authorize the consumption of alcohol and the erection of tents for the Woman's Club Centennial Celebration Saturday, September 20th, 2025.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 4th day of August 2025, by the following vote:

AYES

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dale Byrne, Mayor

Nova Romero, MMC, City Clerk



CITY OF CARMEL-BY-THE-SEA
City Council
Staff Report

August 4, 2025

CONSENT AGENDA (Estimated time - 5 min)

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Marisa Bermudez, HR Manager

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: Resolution 2025-067 Authorizing the City Administrator to Execute Amendment No. 4 to a Professional Services Agreement with Traffic Patterns, LLC, extending the term through June 30, 2028, for recruitment services, and authorizing a not-to-exceed amount of \$45,000 for the 3-year term extension

RECOMMENDATION:

Adopt Resolution 2025-067 Authorizing the City Administrator to Execute Amendment No. 4 to a Professional Services Agreement with Traffic Patterns, LLC, extending the term through June 30, 2028, for recruitment services, and authorizing a not-to-exceed amount of \$45,000 for the 3-year term extension

BACKGROUND / SUMMARY:

The City utilizes a variety of consultants to augment its staffing capacity, especially to provide specialized services. Traffic Patterns, LLC provides recruitment services. The City Administrator entered into an agreement with Traffic Patterns, LLC on October 22, 2021 for a not-to-exceed amount of Fifteen Thousand Dollars (\$15,000.00) with an end date of June 30, 2023. Due to the volume of the City's recruitments, the City Administrator authorized Amendment No. 1 for an additional Nine Thousand Nine Hundred Dollars (\$9,900.00), Amendment No. 2 for an additional Fifteen Thousand One Hundred Dollars (\$15,100.00), and Amendment No. 3 for an increase of Twenty-Five Thousand Dollars (\$25,000.00) resulting in a total cost not-to-exceed Sixty-Five Thousand Dollars (\$65,000.00).

The term for Amendment No. 3 was authorized through June 30, 2025. In order to

continue efficiently and proactively recruiting competitive candidates and onboarding top talent, the City benefits by augmenting its staffing capacity for successful recruitments.

According to the Carmel-by-the-Sea Municipal Code, contracts exceeding Fifty-Nine Thousand Nine Hundred and Ninety-Nine Dollars (\$59,999.00) shall be entered into only by City Council authorization. The proposed recommendation for City Council consideration is to adopt a Resolution (**Attachment 1**) authorizing the City Administrator to execute Amendment No. 4 (**Attachement 2**) to the existing Agreement with Traffic Patterns, LLC that will increase the contract amount by Forty-Five Thousand Dollars (\$45,000.00) over three (3) fiscal years for a new not-to-exceed total amount of One Hundred Ten Thousand Dollars (\$110,000.00) with an end date of June 30, 2028.

FISCAL IMPACT:

Forty-Five Thousand Dollars (\$45,000.00) in funds will be budgeted over three (3) years under the Recruitment Services line item to cover this agreement increase, allocating Fifteen Thousand Dollars (\$15,000.00) per fiscal year through June 30, 2028.

PRIOR CITY COUNCIL ACTION:

July 13, 2022 City Council meeting, the City Council authorized the City Administrator to execute Amendment No. 2 (Resolution No. 2022-057).

May 6, 2024 City Council meeting, the City Council authorized the City Administrator to execute Amendment No. 3 (Resolution No. 2024-030).

ATTACHMENTS:

1. Resolution 2025-067
2. Traffic Patterns, LLC - Amendment No. 4_Final
3. Exhibit A - Traffic Patterns, LLC Fee Schedule

**CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL**

RESOLUTION NO. 2025-067

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA AUTHORIZING THE CITY ADMINISTRATOR TO EXECUTE AMENDMENT NO. 4 TO THE PROFESSIONAL SERVICES AGREEMENT WITH TRAFFIC PATTERNS, LLC FOR RECRUITMENT SERVICES FOR A NEW NOT-TO-EXCEED AMOUNT OF ONE HUNDRED TEN THOUSAND DOLLARS (\$110,000.00) AND EXTENDING THE TERM THROUGH JUNE 30, 2028.

WHEREAS, on October 22, 2021, the City Administrator entered into a Professional Services Agreement with Traffic Patterns, LLC for on-call recruitment services in the amount of Fifteen Thousand Dollars (\$15,000.00); and

WHEREAS, due to the high volume of recruitments and filling of positions, the City Administrator authorized subsequent amendments: Amendment No. 1 to increase the not-to-exceed amount to Twenty-Four Thousand Nine Hundred Dollars (\$24,900.00) on June 1, 2022; executed Amendment No. 2 increasing the not-to-exceed amount to a total of Forty Thousand Dollars (\$40,000.00) on August 4, 2022; and executed Amendment No. 3 on May 15, 2024 for a term through June 30, 2025, resulting in a new total not-to-exceed amount of Sixty-Five Thousand Dollars (\$65,000.00); and

WHEREAS, the City's diligent recruitment process, which requires a substantial dedication of time and capacity, is accomplished within a department with limited available staff capacity; and

WHEREAS, the City worked through twenty (20) recruitments to fill vacant positions between the execution of Amendment No. 3 in May 2024 and the beginning of FY 2025/2026; and

WHEREAS, the City continues to recruit for multiple vacancies through its established process and due to limited capacity, additional on-call recruitment services are needed to complete recruitments; and

WHEREAS, the funding beyond the original Professional Services Agreement and Amendment No. 1, Amendment No. 2, and Amendment No. 3 would be exceeded for continued services; and

WHEREAS, the Carmel-by-the-Sea Municipal Code requires contracts exceeding Fifty-Nine Thousand Nine Hundred and Ninety-Nine Dollars (\$59,999.00) to be entered into only by Council authorization.

NOW THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DOES HEREBY:

Authorize the City Administrator to execute Amendment No. 4 to the Professional Services Agreement with Traffic Patterns, LLC for recruitment services, for an increase in the amount of Forty-Five Thousand Dollars (\$45,000.00), with Fifteen Thousand Dollars

(\$15,000.00) allocated per fiscal year through June 30, 2028; for a new not-to-exceed total amount of One Hundred and Ten Thousand Dollars (\$110,000.00) and extending the term through June 30, 2028.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA
this 4th day of August 2025, by the following vote:**

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dale Byrne, Mayor

Nova Romero, MMC, City Clerk

AMENDMENT NO. 4
 AGREEMENT NUMBER 93-21-22
 Recruitment Services

1. This amendment (the “Amendment”) is made by City of Carmel-by-the-Sea and Traffic Patterns, LLC (“Consultant”), parties to Agreement 93-21-22 (the “Agreement”) executed on October, 22, 2021, with subsequent Amendment No. 1 on June 1, 2022, Amendment No. 2 on August 4, 2022, and Amendment No. 3 on May 15, 2024.

2. The Agreement is amended as follows:

- a. Section 3.A (Term) of the Agreement is amended and restated as follows:

The work under this Agreement will commence by October 22, 2021 and must be completed by June 30, 2028 unless sooner terminated or the City grants an extension of time in writing pursuant to the terms of this Agreement, except for provisions in this Agreement that will survive the termination or completion of this Agreement. Consultant will perform Change Order services as set out in Section 1.B, “Amendment of Services (Change Orders)”, in a timely manner or in accordance with the agreed upon Change Order Project Schedule.

- b. Section 2.A (Compensation) of the Agreement is amended and restated as follows:

Subject to any limitations set forth in this Agreement, the City agrees to pay and Consultant agrees to accept as full and fair consideration for the performance of this Agreement, hourly fees as set forth in Consultant’s Fee Schedule (Exhibit “A”), in a total amount not-to-exceed One Hundred Ten Thousand Dollars (\$110,000.00). Such compensation is the “Maximum Authorized Expenditure” under this Agreement. The Fee Schedule includes, but is not limited to, fees for each phase and task, not-to-exceed total fee, hourly rates, reimbursable rates and subconsultant mark-up rates. The use of subconsultants will not be considered a reimbursable expense, and such costs must be applied towards the approved budgeted amount. Payment of any compensation to Consultant is contingent upon performance of the terms and conditions of this Agreement to the satisfaction of the City. If the City determines that the Services set forth in the written invoice have not performed in accordance with the terms of this Agreement, the City is not responsible for payment until the Services have been satisfactorily performed.

3. Except as set forth in this Amendment, the Agreement is unaffected and shall continue in full force and effect in accordance with its terms. If there is conflict between this amendment and the Agreement or any earlier amendment, the terms of this amendment will prevail.

4. Each party represents and warrants that all necessary action has been taken by such party to authorize the undersigned to execute this Amendment and to bind the parties to the performance of its obligations.
5. This Amendment may be executed in counterparts, each of which will be deemed an original, and all of which, when taken together, constitute one and the same instrument. The Amendment will be considered executed when the signature of a party is delivered by facsimile or other electronic transmission. Such facsimile or other electronic signature will have the same effect as an original signature.
6. If any term, condition, or covenant of this Amendment is declared or determined by any court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of this Amendment will not be affected and the Amendment will be read and construed without the invalid, void or unenforceable provision.

CONSULTANT:

By: _____

Date: _____

CITY:By: _____
Chip Rerig, City Administrator

Date: _____

ATTEST:By: _____
Nova Romero, City Clerk

Date: _____

TRAFFIC PATTERNS



P.O. Box 25
Danville, CA 94526
C: (925) 886-9488
www.trafficpatterns.net

City of Carmel-by-the-Sea Scope of Services

Hourly Rate		Services
1	\$55	Recruitment Services: Develop a recruitment plan for each recruitment that includes timeline, interview questions and assessment tools to be used to evaluate candidates; develop and post job announcements on the City's website and job boards (as needed); track and review applications; schedule candidate interviews; provide support during oral interview boards; respond to candidate inquiries; and provide regular status updates to the City on recruitment activity.

Thank you for the opportunity to provide you with this proposed Scope of Services. We are happy to discuss any changes to meet your needs.



CITY OF CARMEL-BY-THE-SEA
City Council
Staff Report

August 4, 2025
PUBLIC HEARINGS

TO: Honorable Mayor and City Council Members

SUBMITTED BY: Evan Kort, Senior Planner

APPROVED BY: Chip Rerig, City Administrator

SUBJECT: **APP 25115 (Esperanza Carmel Commercial - JB Pastor Building):** Consideration of an Appeal (APP 25115, Esperanza Carmel Commercial - JB Pastor Building) filed by Krista Ostoich on behalf of Mike Brown, Mike Cate, Don Goodhue, Steve Hillyard, Vinz Koller, Courtney Kramer, Cindy Lloyd, Ian Martin, Rich Pepe, Kristi Reimer, and Julie Wendt of the Planning Commission's approval (Resolution No. 2025-020-PC) of Design Review, DR 23-140 (Esperanza Carmel Commercial - JB Pastor Building), Use Permit, UP 21-113 (Esperanza Carmel Commercial - JB Pastor Building), Lot Merger, LM 20-394 (Esperanza Carmel Commercial - JB Pastor Building), and associated environmental determination for the JB Pastor Building located at Dolores Street 2 southeast of 7th Avenue in the Service Commercial (SC) District at Lots 6, 8, and 10 of Block 91. APNs: 010-145-023-000, 010-145-024-000, and 010-145-012-000 (Estimated time - 3 hours)

RECOMMENDATION:

Staff recommends the City Council adopt a resolution (**Attachment 1**):

1. Denying the Appeal (APP 25115, Esperanza Carmel Commercial - JB Pastor Building) filed by Krista Ostoich on behalf of Mike Brown, Mike Cate, Don Goodhue, Steve Hillyard, Vinz Koller, Courtney Kramer, Cindy Lloyd, Ian Martin, Rich Pepe, Kristi Reimer, and Julie Wendt of the Planning Commission's approval (Resolution No. 2025-020-PC) of Design Review, DR 23-140 (Esperanza Carmel Commercial - JB Pastor Building), Use Permit, UP 21-113 (Esperanza Carmel Commercial - JB Pastor Building), Lot Merger, LM 20-394

(Esperanza Carmel Commercial - JB Pastor Building), and associated environmental determination for the JB Pastor Building located at Dolores Street 2 southeast of 7th Avenue in the Service Commercial (SC) District at Lots 6, 8, and 10 of Block 91. APNs: 010-145-023-000, 010-145-024-000, and 010-145-012-000;

2. Finding the project categorically exempt from the California Environmental Quality Act (CEQA), State CEQA Guidelines and local environmental regulations, pursuant to CEQA Guidelines Section 15331 (Class 31) – Preservation of Historical Resource and Section 15332 (Class 32) – In-Fill Development, and that no exceptions to the categorical exemptions contained in CEQA Guidelines Section 15300.2 apply to negate those exemptions;
3. Approving a Lot Merger, LM 20-394 (Esperanza Carmel Commercial – JB Pastor Building), to combine Lot 6 (APN 010-145-023-000), Lot 8 (APN 010-145-024-000), and Lot 10 (APN 010-145-012-000); resulting in one 12,000 square foot legal lot of record;
4. Approving a Design Review, DR 23-140 (Esperanza Carmel Commercial - JB Pastor Building) and Coastal Development Permit for the construction of a new 12,971-square-foot, two-story mixed-use development with 8 apartment units and approximately 5,100 square feet of new commercial floor area, with a new 852-square-foot basement and a new surface parking area at the rear of the property with a total of 12 parking spaces with 10 of the 12 spaces sharing a parking a parking lift system and the remaining required parking being provided through the city's in-lieu parking program. The existing community room and ornamented concrete wall (part of the Northern California Savings and Loan Complex) are proposed to remain on the project site as part of the project. The total project floor area including that of the existing community room (existing and proposed structures) is 13,663 square feet; and
5. Approving Use Permits, UP 21-113 (Esperanza Carmel Commercial - JB Pastor Building), to allow:
 - Construction resulting in a net increase of commercial floor area;
 - Residential density of 29 dwelling units per acre;
 - Construction of 852 square feet of an underground floor; and
 - Payment of in-lieu parking fees.

BACKGROUND / SUMMARY:

EXECUTIVE SUMMARY

On April 9, 2025, the Planning Commission approved a mixed-use development for the construction of a new 12,971-square-foot, two-story mixed-use development on a 12,000 square foot site and finding the project to be categorically exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332 (Resolution 2025-020-PC, **Attachment 2**).

Following the approval, eleven (11) members of the public filed a timely appeal of the approval on four primary grounds: improper use of a CEQA categorical exemption, violations of zoning limits on floor area and interaccessibility, improper application of in-lieu parking fees, and noncompliance with conditions imposed by City Council under Resolution 2023-099.

BACKGROUND/ PROJECT DESCRIPTION

The project site is located at Dolores Street 2 southeast of 7th Avenue in the Service Commercial (SC) Zoning District. The site consists of Lots 6, 8, and 10 of Block 91, which are proposed to be merged as part of this application.

The project site is also partially located on the site of the Northern California Savings & Loan Complex ("Complex"), a site listed on the Carmel Inventory of Historic Resources. The Complex is located at the Southeast corner of 7th Avenue and Dolores Street and is comprised of Lots 2, 4, 6, and 8 of Block 91 (refer to Figure 1, below). As part of the project, no changes are proposed to Lots 2 and 4 which are under separate ownership. See **Figure 1** below.



Figure 1. Site Composition. Subject development is comprised of Lots 6, 8, and 10.

Originally submitted in 2019 as a smaller proposal on Lot 10 alone, the project expanded in 2021 to include all three lots, including demolition of the community room. Following public hearings and the listing of the property on the city's local historic inventory, the applicant revised the project and proposed relocating the community room to the east of the main building (Lot 4). However, the City Council upheld the Historic Resources Board's determination that relocation would not comply with the Secretary of the Interior's Standards.

In response, the applicant submitted a revised design in May 2023 that retained the community room in its original location. While the Historic Resources Board initially found the updated proposal consistent with preservation standards, the City Council overturned that determination in October 2023 and issued a new Determination of Consistency with modified findings and conditions (refer to timeline below).

On April 9, 2025, the applicant received approval from the Planning Commission (Resolution 2025-020-PC; refer to Attachment 2) to merge lots 6, 8 and 10 and construct a new 12,971-square-foot,

two-story mixed-use development with 8 apartment units and approximately 5,100 square feet of new commercial floor area, with a new 852-square-foot basement and a new surface parking area at the rear of the property with a total of 12 parking spaces with 10 of the 12 spaces sharing a parking lift system and the remaining required parking being provided through the city's in-lieu parking fee program.

All current/existing improvements on Lots 8 and 10 are proposed to be demolished, and the majority of the existing site improvements on Lot 6 will be removed. However, the Community Room Structure and historic concrete walls on Lot 6 fronting Dolores Street and along the existing driveway will be maintained and protected to ensure the project does not adversely impact the historic Complex. Public right-of-way improvements are also proposed for the areas immediately fronting the project site. New landscaping is also proposed in the right-of-way fronting Dolores Street as well as throughout the project site. With the retention of the existing Northern California Saving & Loan Community Room and ornamented concrete wall surrounding the building, a total of 13,663 square feet of floor area spread across three separate buildings are proposed (i.e. new construction = 12,971 sf; total site = 13,663 sf).

- **July 17, 2023: Historic Resources Board**

- **Summary:** Adopted a resolution issuing a Determination of Consistency with the Secretary of the Interior's Standards (2023-009-HRB).
 - [Click Here](#) for Staff Report
 - [Click Here](#) for Adopted Resolution (also see **attachment 3**)
 - [Click Here](#) for Video of Hearing.

- **September 12, 2023: City Council**

- **Summary:** City Council held a Right of Review Hearing. Hearing continued with direction to staff to prepare a resolution overturning the previous Historic Resources Board Determination of Consistency for the subject project (Resolution 2023-009-HRB), with new findings of Consistency and Conditions of Approval.
 - [Click Here](#) for Staff Report
 - No Resolution Adopted
 - [Click Here](#) for Video of Hearing

- **October 3, 2023: City Council**

- **Summary:** City Council held a Right of Review Hearing. Adopted a resolution overturning the previous Historic Resources Board Determination of Consistency for the subject project (Resolution 2023-009-HRB), with new findings of Consistency and Conditions of Approval (Resolution 2023-099).
 - [Click Here](#) for Staff Report
 - [Click Here](#) for Adopted Resolution (also see attachment 3)
 - [Click Here](#) for Video of Hearing

- **July 10, 2024: Planning Commission**

- **Summary:** Consideration of Design Review, Lot Merger, Use Permit, Coastal Development Permit, and associated CEQA action. Hearing continued with direction to applicant to revise project.
 - [Click Here](#) for Staff Report
 - No Resolution Adopted
 - [Click Here](#) for Video of Hearing

- **April 9, 2025: Planning Commission**

- **Summary:** Adopted Resolution 2025-020-PC approving Design Review, Lot Merger,

Use Permit, Coastal Development Permit, and associated CEQA action.

- [Click Here](#) for Staff Report
- [Click Here](#) for Adopted Resolution (also see **attachment 2**)
- [Click Here](#) for Video of Hearing

(A detailed timeline of events surrounding the complex site and project between 2018-present has been included as **Attachment 4**.)

On April 23, 2025, Krista Ostoich, Attorney at Law, submitted a timely appeal of the project on behalf of the appellants, identified in the appeal to include: Mike Brown, Mike Cate, Don Goodhue, Steve Hillyard, Vins Koller, Courtney Kramer, Cindy Lloyd, Ian Martin, Rich Pepe, Kristi Reimers, and Julie Wendt (refer to **Attachment 5**).

The specific actions being appealed, as stated on the appeal form, include: *“Appeal of approval of DR 23-140, LM 20-394, and UP 21-113, and finding that the Project is categorically exempt.”*

The appellants assert the following grounds as the basis for their appeal:

1. *“Project is not categorically exempt from [the California Environmental Quality Act] CEQA as exceptions to the Categorical Exemption exists.*
2. *Appeal of approval of DR 23-140 is based on improper application of the term “structure” and interaccessibility” which results in a structure with more than 10,000 sf of floor area; improper landscaping, parking and open space requirement.*
3. *Appeal of approval of UP 21-113 based on usage of in-lieu parking fees and failure to meeting the zoning standards and general plan.*
4. *Appeal of finding that Project now addresses the conditions of approval set by the City Council in Resolution 2023-099.”*

STAFF ANALYSIS

According to the appellants’ appeal (**Attachment 5**), the appellants’ are specifically appealing the “approval of DR 23-140, LM 20-394, and UP 21-113, and finding that the Project is categorically exempt.”

Appeal Analysis

Since the appeal was filed, three of the appellants provided additional correspondence and allegations beyond those included in the appeal documents submitted by the appellants’ attorney Ms. Ostoich. That additional correspondence has been included in attachments to this staff report and the allegations raised therein are responded to accordingly below. Specifically, appellant Rich Pepe’s correspondence is included as **Attachment 5a**, appellant Ian Martin’s correspondence is included as **Attachment 5b**, and appellant Steve Hillyard’s correspondence is included as **Attachment 5c**.

Design Review, DR 23-140

As provided in the grounds for appeal, the appellants are appealing the Design Review application “based on improper application of the term “structure” and interaccessibility” which results in a structure with more than 10,000 sf of floor area; improper landscaping, parking and open space requirement.”

Structures and Interaccessability: In correspondence provided ahead of the appeal hearing (**refer to Attachment 6c**), appellant Hillyard concludes that, “the term ‘open space’ as used in the commercial districts differs starkly from the term ‘usable open space’ as defined in the general code definitions chapter. Thus, an interpretation of the code that would substitute usable open space for

open space in zoning code section 17.14.140.C is not supported by substantial evidence... An elevated walkway between buildings is not open space and the ability to move between the buildings (structures) using that elevated walkway means that that movement is without exiting to open space. Therefore, the development's configuration is not allowed"

Staff Analysis: Staff disagrees with Mr. Hillyard's contention that the second floor balcony between Buildings 1 and 2 does not qualify as open space and thus that Buildings 1 and 2 are actually a single structure/building that exceeds the 10,000 square foot floor area ratio maximum. In accordance with Carmel-by-the-Sea (CMC) section 17.14.140.C, No single structure shall contain more than 10,000 square feet of floor area. Interaccessibility between adjacent structures on one or more building sites by any means that allows passage between structures without first exiting to an open space area shall not be allowed if the resulting floor area contained within the combined structures would exceed 10,000 square feet of area.

The project proposes three separate/individual buildings, each less than 10,000 square feet as follows:

- Building 1: 9,544 sf
- Building 2: 3,427 sf
- Building 3: 692 sf (Community Room – Existing Structure)

The only connections between the buildings are an exterior uncovered second floor egress balcony connecting buildings 1 and 2. On the ground level, a person would need to enter into the open space gallery, before entering into any other building on the site. On the second floor, a person would need to exit onto the open space egress balcony before entering into any other building. Whether on the ground floor or second floor, a person would first exit to an area of open space before entering into the other building.

Appellant Hillyard alleges that the elevated walkway connecting buildings 1 and 2 does not constitute open space and also claims in their transmittal that "the term 'open space' is not defined in this general definitional code chapter," therefore, the building configuration should not be permitted.

However, the CMC does include a definition of open space and breaks the definition of open space down into three open space types, namely: Private Open Space, Usable Open Space, and Common Open Space. As demonstrated below, the three defined open space types are not mutually exclusive and the second floor balcony at issue here connecting proposed Buildings 1 and 2 qualifies as open space under all of the defined open space types.

CMC section 17.70, Definitions – "Open Space Types":

Private Open Space. An open area outside a building adjoining and directly accessible to a dwelling unit, reserved for the exclusive use of residents of the dwelling unit and their guests.

Usable Open Space. An outdoor or fenced area on the ground or on a roof, balcony, deck, porch, or terrace designed and accessible for outdoor living, recreation, pedestrian access, or landscaping, but excluding parking facilities, driveways, utility or service areas, or any required front or corner side yard, and excluding any space with a dimension of less than six feet in any direction or an area of less than 36 square feet.

Common Open Space. Land not individually owned or dedicated for public use that

is designed and intended for the common use or enjoyment of the residents or occupants of a development.

The ground floor gallery areas and the second floor balcony between buildings 1 and 2 meets the criteria for open space types because they are open air areas outdoors/outside of the walls of the buildings, reserved for the exclusive pedestrian access use of residents and not owned by any individual resident or dedicated for public use. As such, these areas clearly qualify as open space, whether one is looking at the definition for "Usable Open Space," or "Common Open Space" open space type. The egress balcony on the second floor, intended to be used for the residential occupants of the buildings, would also qualify as "Private Open Space," "Usable Open Space", and "Common Open Space".

As noted in CMC section 17.14.140.C, "Interaccessibility between adjacent structures on one or more building sites by any means that allows passage between structures without first exiting to an open space area shall not be allowed if the resulting floor area contained within the combined structures would exceed 10,000 square feet of area."

A person within Building 1 (less than 10,000 square feet) must exit the enclosed building into an exterior area of open space (not counted as floor area), before they can enter into Building 2 (less than 10,000 square feet) -refer to Figure 2a and 2b, below. Because passage outside to an area of open space is first required, and has been satisfied as described above, the project can be found to meet the applicable requirements of CMC section 17.14.140.C (refer to Interaccessibility between buildings 1 and 2 (or 3) would require an individual to enter into an area of either usable open space or common open space before moving from one building to another.



Figure 2a. Open space illustration on egress balcony.



Figure 2b. Open space illustration in gallery area.

Notwithstanding the above analysis, this building configuration has already been considered by the Planning Commission who has the power and responsibility to interpret the meaning and intent of the City's land use code (CMC section 17.52.060). This has been the longstanding and consistent interpretation of the Planning Commission as it relates to exterior walkways connecting multiple buildings.

In July 1986, the Planning Commission considered DR 86-147 for a project located at the southeast corner of San Carlos Street and 4th Avenue. The staff report ([click here for property file](#); see page 265) for the project states, in part:

CODE COMPLIANCE:

17.12.040 "No structure shall exceed 10,000 square feet of ground coverage. No interaccessibility between structures shall be allowed, if to do so would create a structure in excess of 10,000 square feet." While the total first floor enclosed area exceeds 10,000 square feet, this total has been divided between three buildings. It is unclear whether the interconnections between these buildings by ramps and elevated walkways constitute interaccessibility as discussed in Section 17.12.040. The project has proceeded through the design process on the assumption that interaccessibility refers to openings or doorways between buildings sharing a common wall. The Commission should discuss this aspect of the design to confirm or reject staff's interpretation of this code section.

The project was approved and constructed with the connected "ramps and elevated walkways." Staff notes that the code references "ground coverage" and not "floor area," and is not reflective of the city's current ordinances, though largely implies the same intent and requirement. The current zoning code was adopted in 2004.

Between 2016 and 2023, the Planning Commission considered three separate projects located between the southwest corner of Dolores Street and 5th Avenue and Dolores Street 2 southwest of 5th Avenue. Each one of these three separate projects were over 10,000 square feet in floor area total and were connected with a second level egress balcony, similar to the subject project. The Planning Commission approved each of these three projects finding them consistent with the requirements of the applicable city ordinances. Refer to **Attachment 7**.

In arguing that the 2nd floor balcony does not qualify as open space and thus that Buildings 1 and 2 must be considered as a single structure that exceeds the 10,000 square foot floor area

ratio maximum, appellant Hillyard relies on unfounded arguments. His arguments ignore the section of the Municipal Code that defines open space types and instead looks to other provisions of the Code that merely reference the words open space and claims those references provide the true definition of open space. Those claims are without merit as the Municipal Code's "Definitions" in Section 17.70.020 expressly states that "[t]he words, terms, and phrases defined in this chapter [17.70] shall, for all purposes connected with this title, be construed as having the meanings respectively set forth in this chapter." (emphasis added). Moreover, his arguments point to other references to the words "open space" in sections of the Code outside of Chapter 17.70's definitions, e.g. language in Section 17.14.130 pertaining to the definition of Building Coverage, to craft an argument that open space can only be located on the ground floor. That is contradictory because Section 17.14.130 expressly includes above ground areas such as "stairs," "overhanging balconies" and "stories which overhang a ground level story" within the definition of areas to be included in calculating building coverage. Section 17.14.130 clearly demonstrates that it pertains to things that are not only on the ground, like balconies and stairs, so it doesn't prove open space must also be only at ground level.

In summary, the project proposes three separate buildings, which are independent structures that each are below the maximum 10,000 square foot floor area ratio and the ground floor gallery and 2nd floor balcony areas clearly qualify as open space inaccessibility passageways between the buildings that does not count toward any of the building's square footage for purposes of determining the proposed buildings' compliance with the Code's floor area ratio maximum.

Landscaping: In the written comments provided ahead of the appeal hearing (refer to **Attachment 5c**), appellant Hillyard asserts that landscaping not located on the ground level of the building site cannot be used to satisfy the requirements of zoning code CMC section 17.34.080.A. He does so based entirely on the same arguments addressed above which assert that open space areas are limited to the ground floor.

Staff Analysis: As explained below and for the same reasons discussed above, it has been demonstrated that open space areas, and thus landscaping within such areas, can be located on or above the ground floor. The Planning Commission found that the project met the landscape requirements, as proposed. The minimum landscape requirement is 1,200 square feet (10% site area) of landscaping whereas over 1,466 square feet (>12.2% of site area) of landscaping is proposed.

The appellant contests that landscaping not located on the ground level of the building site cannot be used to satisfy the requirements of zoning code CMC section 17.34.080.A and argues that because upwards of 70% of the project's proposed landscaping is to be placed on the roof or second story the project does not meet the requirements of that section.

CMC section 17.34.080.A.1 requires that a minimum of 50 percent of the required open space on each site shall be landscaped. This quantifies that amount of landscaping a site must have, but does not require that landscaping be located specifically on the ground level. "Required open space" is not expressly defined in the zoning code and therefore the practice has been to quantify this area as the "site area" less (minus) the "maximum allowable building coverage area." This has been the city's current and longstanding practice for implementation of the landscape requirements.

Landscaping is defined in CMC Chapter 17.70 as, "the planting and maintenance of trees, ground cover, shrubs, vines, flowers, or lawn for an aesthetic or functional purpose." The roof top landscaping is located in an open space area (that qualifies as both "useable open space"

and “private open space”). The landscaping is located in an outdoor ... area ... on a roof... designed and accessible for outdoor living and accessible to the tenants of the dwellings units -it serves an aesthetic purpose for the tenants of the building. It also serves a functional purpose and serves as a green roof and supports the projects drainage and stormwater quality control system, as illustrated on sheet C7 of the project plans, consistent with the city's Water Quality Protection Ordinance and the Central Coast Water Board Post-Construction Requirements.

A more black and white reading of the zoning code would find that “required open space” sets the threshold for quantity and location, being that landscaping is only required to be planted within areas that are defined as “required open space.” “Required open space” is not expressly defined in the zoning code but is referenced within the definition of “yard types” (CMC section 17.70) and is synonymous with a setback area. In the CC and SC districts, there is no required setback (i.e. yard – “required open space”) therefore there could be an interpretation where there is no landscaping requirement.

Staff maintains that landscaping located above ground level, such as on rooftops or elevated open space areas, may be counted toward the minimum landscape requirement, consistent with both the definition of “landscaping,” the definitions of open space provided in CMC section 17.70, and longstanding city practice. The appellant's assertion that only ground-level landscaping may qualify is based on a misreading of the Code and fails to acknowledge the absence of such a restriction in CMC section 17.34.080.A or related definitions. The project meets and exceeds the required landscaping threshold, and the appellant's argument does not present substantial evidence to support a contrary interpretation.

Parking: In the written statements provided ahead of the appeal hearing (refer to **Attachments 5a, 5b, and 5c**), three of the appellants argue that the parking arrangement presented in project plans do not satisfy the requirements of the zoning code.

Staff Analysis: Parking is addressed in the Use Permit section, below. While noted in one of the appellant's letters under the “Design Review” section (attachment 6c), the matter of parking is related to the associated Use Permit. For consistency and conciseness, this discussion and the responses to all of the appellants' parking-related claims have been relocated to the Use Permit discussion, below.

Lot Merger, LM 20-394

The appellants did not provide any grounds for appeal in their appeal documents related to or challenging the approval of the lot merger. Staff recommends the City Council uphold the Planning Commission's decision to approve the Lot Merger application.

Use Permit, UP 21-113

As provided in the grounds for appeal, the appellants appeal the Planning Commission's approval of a Use Permit for the project due to the “usage of in-lieu parking fees and failure to meeting the zoning standards and general plan.”

At the time of the writing this report, the appellants' have submitted three supplemental letters related to parking requirements for the site. These letters have been included as Attachments 5a, 5b and 5c. Staff has responded to those items that involve findings for approval for the project.

Letter 1 (Mr. Pepe's letter in Attachment 6a)

“According to city requirements, new buildings in the Service Commercial (SC) zone must provide their own parking—either on-site or through the development of an underground

facility.”

Staff Analysis: The appellant’s claim is without merit. As noted in the April 9, 2025 staff report, the in-lieu parking program is supported by the zoning code and General Plan. Because both the General Plan and zoning code recognize the in-lieu parking program as a viable option for providing required parking, a project that satisfies parking using this program can be found to meet the minimum parking requirement.

Letter 1 (Mr. Pepe’s letter in Attachment 6a) & Letter 3 (Mr. Hillyard’s letter in Attachment 6c)

“The use of in-lieu parking fees may only be considered when it is demonstrated that providing such parking is technically or practically infeasible. In this case, the applicant has not made any such demonstration.”

“Does the project qualify to use the in-lieu alternative? Resolving this issue requires assessing the sufficiency of the evidence provided by the applicant to demonstrate it has used “diligence” to provide off-street parking, but on-site parking is impractical....”

Staff Analysis: The appellant is misrepresenting the requirement for participation in the in-lieu program in the first listed quotation. The requirement is not “technically or practically infeasible,” rather on-site parking just needs to be found to be “not practical” (CMC section 17.38.030.C).

An “infeasibility” standard would mean that the applicant must show it’s effectively impossible, either due to physical limitations or extreme cost, or engineering constraints (or city policy). Whereas a “practicality” standard is a much lower standard that requires the use of professional judgment as to whether it is reasonable to provide parking on-site and to determine whether on-site parking is likely to succeed/be effective in real world circumstances.

The municipal code even provides criteria to evaluate practicality demonstrating that it’s a more nuanced and discretionary standard. CMC section 17.38.030.C requires that the criteria set forth in CMC section 17.38.030.B.2-4 shall be used to evaluate the practicality of providing parking on-site. Those practicality criteria are as follows, any one of which can justify a finding that on-site parking is not practical and thus that parking in-lieu fees can be used to satisfy a site’s/project’s off-street parking requirements:

CMC section 17.38.030.B.2-4:

- 2. The project site for which the parking requirement applies is 5,000 square feet or less in size and has less than 50 feet of street frontage.*
- 3. The construction of required driveway(s) for on-site parking would result in the excessive loss of curb parking on street.*
- 4. The topography, size, shape or peculiar conditions of the site or the existing development on the site would make the provision of on-site parking impractical.*

In this case, the project site/development meets criteria 4 due to the peculiar condition as described in the April 9, 2025 Planning Commission staff report:

An earlier iteration of the project included a fully excavated basement that would accommodate all parking on the site, however, this was proposed when the applicant was pursuing the demolition and then

subsequent relocation of the Community Room. Following the adoption of the Determination of Consistency that demolition and subsequent relocation of the Community Room was inconsistent with the Secretary's Standards (Resolutions: Reso. 2021-03-HRB, Reso. 2021-043, Reso. 2023-02-HRB, Reso. 2023-052; Attachment 4), the applicant abandoned the basement (which included parking for the full project) and began to pursue providing parking via the in-lieu program which is consistent with the provisions of the municipal code.

The Planning Commission found that a peculiar condition existed due to the preservation of the Community Room and establishment of the "preservation buffer" established as a Condition of Approval of the Determination of Consistency, and the applicant has adequately demonstrated they have diligently pursued meeting on-site parking requirements as on-site parking was previously proposed for the project and the in-lieu program was not pursued until after the preservation buffer was established which required the project to be redesigned, thus eliminating the ability to provide all off-street parking on site in the previously proposed underground garage. Furthermore, the applicant has provided a letter from a structural engineer attesting that a basement near the Community Room could result in the building being susceptible to damage and could compromise the historic structure. The applicant has also communicated with staff throughout the review process that they explored providing parking at the former Comerica Bank site (located across the street) however, this option was unsuccessful and there are no other logical parking locations in the vicinity that could satisfy the parking requirements for locating parking on another site in the area.

Letter 1 (Mr. Pepe's letter in Attachment 6a)

"The project in question requires 18 parking spaces... While the calculated requirement is 17.6 spaces, the municipal code stipulates rounding up, thus requiring a total of 18 spaces."

Staff Analysis: The municipal code allows for payment of fractional parking spaces as part of the parking in-lieu fee program.

CMC section 17.38.020.B Fractional Spaces: "When parking requirements are met through the payment of in-lieu fees, or a combination of in-lieu fees and off-street parking, and a determination of the minimum required parking results in one or more full spaces plus a fraction of an additional parking space, the in-lieu payment shall include one full fee for each one full space plus a fractional fee proportional to the fractional space."

Letter 2 (Mr. Martin's letter in Attachment 6b) & Letter 3 (Mr. Hillyard's letter in Attachment 6c)

"The JB Pastor Building should not only accommodate its own required parking, it must also accommodate eight of the 7th and Dolores restaurant parking spaces it will displace. This was the City's considered position in 2019."

Staff Analysis: While the Planning Director in 2019 expressed the opinion that parking displaced by the JB Pastor Building should be replaced (refer to Attachment 6b, page 3), this opinion was later re-evaluated under new leadership. In 2021, the City's then-Planning Director issued a new determination (see Attachment 6b, page 7), concluding that replacement of the eight parking spaces previously used by the 7th and Dolores restaurant was not required. This 2021 interpretation formed the basis

for how the current project has been reviewed and processed.

Importantly, the Use Permit referenced by the appellant (UP 17-020) expired without implementation, and therefore no longer carries any legal or regulatory effect. The restaurant's entitlement to use the JB Pastor site for parking terminated with the expiration of that permit. Furthermore, the 2021 determination included specific findings explaining why replacement parking was not required under then-current circumstances and policies.

Staff concurs with the conclusions reached in the 2021 determination and adds the following context:

As discussed in the "Background" section of this report, the Northern California Savings and Loan Complex site is comprised of lots 2, 4, 6, and 8. In 2018, each of these lots were issued an unconditional Certificate of Compliance (CoC), affirming that they are separate legal lots and may be sold, leased, or financed independently (also refer to Attachment 4). Since that time, ownership of the lots has changed, and the lots are no longer under unified control. The issuance of separate COCs in 2018 and subsequent changes in ownership legally and functionally fractured the site that once supported joint-use parking. As a result, the restaurant cannot rely on another property's parking unless a new entitlement or agreement is in place.

The current condition is non-conforming with respect to parking for the restaurant, unless parking is provided on the same lot as the use or secured through another authorized method under the municipal code -such as a use permit approving parking on another site. Currently, no valid use permit or other legal agreement (i.e. a reciprocal parking agreement or parking easement) authorizes the restaurant's parking to be located on the project site. Until such time the restaurant parking is provided on-site, or approved through other means, the use is considered non-conforming.

Lastly, it is important to clarify the scope of the current hearing. The appeal under consideration pertains specifically to Use Permit 21-113 and whether the subject project meets its own parking requirements. The parking compliance of the adjacent restaurant, or the associated use permit, is not part of this application and is not before the Council for discussion.

As the use of the parking in-lieu fee program to satisfy the on-site parking requirement is supported by the General Plan and expressly permitted under the zoning code and supported by the Planning Commission's findings, staff recommends the City Council uphold the Planning Commission's decision to approve the Use Permit application together with the exception allowing a portion of the site's off-street parking requirement to be satisfied by parking in-lieu fees.

The Project is Categorically Exempt from CEQA and none of the Exceptions to the Categorical Exemptions Apply

Based on the detailed analysis prepared by staff in the CEQA Exemption memo and prepared for and relied upon by the Planning Commission, and included here as Attachment 8, substantial evidence demonstrates that the project falls under the Class 32 categorical exemption for in-fill development projects found in CEQA Guidelines Section 15332, and that none of the exceptions to the categorical exemptions in CEQA Guidelines Section 15300.2 apply to negate the project's CEQA exempt status. Since that time, and based on the expert report prepared by PAST Consultants (see **Attachment 9**) and the City Council's determination of consistency with the Secretary of Interior's

Standards in Resolution 2023-099 (see **Attachment 3**), staff has further determined and recommends that the City Council find that the Project also falls under the Class 31 categorical exemption for historic resource preservation projects found in CEQA Guidelines Section 15331. Indeed, here the City Council, acting in the capacity of the Historic Resources Board (“Board”) following the City Council Right-of-Review (CMC section 2.04.160) has already determined that the project meets the Secretary of the Interior’s Standards and has adopted a Determination of Consistency with the Secretary of the Interior’s Standards (Resolution 2023-099). No timely appeal or lawsuit was filed challenging the City Council’s Determination of Consistency.

In accordance with the City’s Historic Preservation Ordinance (CMC Chapter 17.32), a “Determination of consistency” shall mean a finding adopted by the City that the proposed new construction, addition, alteration, and/or relocation complies with all of the provisions of this chapter (CMC Chapter 17.32, Historic Preservation) and the Secretary’s Standards.

As stated in Section 15064.5(b)(3) of the CEQA Guidelines: “Generally, a project that follows the Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995), Weeks and Grimmer, shall be considered as mitigated to a level of less than a significant impact on the historical resource.”

Resolution 2023-099 included “Conditions of Approval being incorporated into the project, and accepted and approved by the City of Carmel-by-the-sea Planning Commission as part of the discretionary permit and approval for this project.” This is standard practice and supported by CMC section 17.32.160.B.1.a, which states: “If the Board concurs with the evaluation, the Board shall issue a determination of consistency and adopt any appropriate conditions of approval. Any finding of compliance by the Board shall be supported by substantial evidence.”

The project applicant implemented the required design changes into the project prior to final review by the Planning Commission, as stipulated by the Conditions of Approval (Resolution 2023-099), and the Planning Commission found the project consistent with the direction provided by the Council, as proposed.

The Planning Commission did not accept the project at their July 10, 2024 meeting, finding the project to be inconsistent with the requirements of Resolution 2023-099 and gave direction to the applicant to make changes. The applicant returned to the Planning Commission with a revised design that was presented to the Planning Commission on April 9, 2025 to which the Planning Commission found satisfied the requirements of Resolution 2023-099.

In summary, the project is categorically exempt from CEQA under both the Class 31 and Class 32 exemptions and none of the exceptions apply to disqualify the project from those exemptions.

While the initial appeal documents did include a CEQA claim as one of the grounds for the appeal, those documents asserted that the “[p]roject is not categorically exempt from CEQA as exceptions to the Categorical Exemption exist” without providing any discussion, analysis or evidence in support of that claim. Prior to the appeal, the only exception raised by members of the public was the exception in CEQA Guidelines Section 15300.2(f) which says that a categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource. But as discussed and demonstrated above, the existing Community Room Structure and historic concrete walls on Lot 6 fronting Dolores Street and along the existing driveway will be maintained and protected to ensure the project does not adversely impact the historic Complex and the City Council, acting in the capacity of the Historic Resources Board (“Board”) following the City Council Right-of-Review (CMC section 2.04.160) has already determined that the project meets the

Secretary of the Interior's Standards and has adopted a Determination of Consistency with the Secretary of the Interior's Standards (Resolution 2023-099). Based on that Determination of Consistency and on the proclamation in CEQA Guidelines Section 15064.5(b)(3) that such projects "shall be considered as mitigated to a level of less than a significant impact on the historical resource," the exception to the categorical exemptions found in CEQA Guidelines Section 15300.2(f) does not apply here.

Appellant Hillyard subsequently submitted additional written comments in support of the appeal's plain CEQA claim. Specifically, in his June 5, 2025 correspondence included here as Attachment 6c, Mr. Hillyard alleges: (1) the City's project application review process that lead to the determination that the project is exempt from CEQA violated CEQA's procedural requirements; (2) that the project does not qualify for the Class 32 categorical exemption for in-fill development projects because it is inconsistent with zoning requirements related to floor area ratio, landscaping and parking requirements, it relies on mitigation measures and will have significant air quality impacts; and (3) reiterates the claim that the historic resources exception in CEQA Guidelines Section 15300.2(f) applies and negates any categorical exemptions the project may fall under. None of Mr. Hillyard's allegations have merit.

Indeed, while the City certainly and voluntarily did provide notice of and opportunity for the public to comment on staff's analysis and related recommendation that the project is categorically exempt from CEQA, it is well settled that CEQA does not require public agencies to follow any specific procedure or make specific findings when approving activities that are exempt. [Robinson v City & County of San Francisco \(2012\) 208 Cal.App.4th 950, 963](#); [San Lorenzo Valley Community Advocates for Responsible Educ. v San Lorenzo Valley Unified Sch. Dist. \(2006\) 139 Cal.App.4th 1356, 1385](#); [CalBeach Advocates v City of Solana Beach \(2002\) 103 Cal.App.4th 529](#); see also CEQA Guidelines §§ 15061–15062 and [Association for Protection of Env't'l Values v City of Ukiah \(1991\) 2 Cal.App.4th 720, 730](#). As such, the alleged CEQA procedural violations are without merit.

Similarly, contrary to Mr. Hillyard's contentions, the project squarely meets all of the requirements for the Class 32 categorical exemption for in-fill development projects. First, as discussed and demonstrated above and in the staff report and attachments thereto presented to the Planning Commission, the project is consistent with all applicable General Plan policies and zoning regulations, including those pertaining to floor area ratio, landscaping and parking requirements. Second, the City did not impose mitigation measures on the project and rely on those mitigation measures as support for the finding that the project falls under the Class 32 categorical exemption for in-fill projects as Mr. Hillyard asserts. Rather, staff relied on a traffic report prepared by an expert traffic engineer (refer to Attachment 10) and on existing, generally applicable regulatory and legal requirements and standard conditions of approval as permitted by CEQA. (See [San Francisco Beautiful v City & County of San Francisco \(2014\) 226 Cal.App. 4th 1012, 1032](#) [regulations of general applicability that will prevent a significant impact from occurring are not treated as impermissible mitigation measures]; [Berkeley Hillside Preservation v City of Berkeley \(2015\) 241 CA4th 943, 961](#) [reliance on standard conditions of approval not considered impermissible mitigation measure].) Finally, as to the alleged air quality impacts, Mr. Hillyard concedes the City appropriately relied on the Monterey Bay Unified Air Pollution Control District's (MBARD) adopted CEQA Guidelines and its screening thresholds to find the project's construction impacts on the small .275 acre site are likely to be well below MBARD's 82 lb/day threshold of significance for inhalable particulate matter emissions and Mr. Hillyard's claim that construction emissions may exceed that threshold is wholly speculative and unsupported by substantial evidence. Indeed, Mr. Hillyard fully admits that he is not an expert and "doesn't have the skills to run the [CalEEMod] model" he attempted to use to show that emissions may exceed that threshold.

Finally, as discussed and demonstrated above, the project is consistent with the Secretary of Interior

standards for the preservation of historic resources and the appellants provide no evidence to the contrary. (See [Historic Architecture Alliance v City of Laguna Beach \(2023\) 96 Cal.App. 5th 186](#) [city's finding that project followed Secretary of Interior's standards and was therefore exempt under the Class 31 categorical exemption established the project would not have a significant impact on the historic resource, precluding application of the exception in CEQA Guidelines § 15300.2(f)].)

In summary, for the above reasons and as demonstrated herein and in the staff report and attachments thereto presented to the Planning Commission, staff recommends the project be found to be categorically exempt from CEQA pursuant to CEQA Guidelines Section 15331 (Class 31) – Preservation of Historical Resource and Section 15332 (Class 32) – In-Fill Development, and that no exceptions to the categorical exemptions contained in CEQA Guidelines Section 15300.2 apply to negate those exemptions.

Additional CEQA Discussion

While not part of this appeal, members of the public have recently and repeatedly advanced several common questions and made related comments concerning CEQA issues that staff has been asked to address. So, for public informational purposes only, staff addresses some of those recent questions and CEQA issues as follows:

*Doesn't CEQA require preparation of an Initial Study and a Mitigated Negative Declaration (MND) or full Environmental Impact Report (EIR) for all projects? No, not necessarily. While an Initial Study/MND or an EIR is often the CEQA document used to assess potential impacts of large, complex and impactful projects, CEQA does not require such extensive environmental impact review for all projects. At its core, CEQA involves three steps that must be followed in lock step for each and every project. The first step entails assessing whether the proposed activity is even a project subject to CEQA in the first place. If the analysis under that first step reveals that the proposed activity requires a discretionary approval and has the potential to result in either a direct or reasonably foreseeable indirect physical change in the environment, the proposed activity is a project that is subject to CEQA and City staff must then move on to the second step. If not, the CEQA review ends there at the first step. The second step entails assessing whether the project falls under any statutory or categorical exemptions from CEQA. If the evidence in the record demonstrates that the proposed activity meets the criteria of one or more exemptions (and for categorical exemptions that none of the exceptions apply), CEQA review ends there and nothing further is required. If the proposed activity is found to be a project subject to CEQA and that no exemptions apply, however, City staff would then be required to move on to the third step and to prepare what's called an Initial Study to assess whether the project may result in any significant adverse environmental impacts. If that Initial Study shows that there will be no such impacts, the proper CEQA document would be what is called a Negative Declaration (ND); if the Initial Study shows that there may be significant adverse impacts but that all such potential impacts could be reduced to insignificant levels by imposing mitigation measures the proper CEQA document would be a MND; and if the Initial Study shows that the project may cause significant adverse environmental impacts that may be difficult to reduce to insignificant levels through mitigation measures alone the proper CEQA document would be an EIR which provides a fulsome impact analysis including an analysis of mitigation measures and a reasonable range of alternatives to the proposed project. As you can see, the evidence has to first show that the proposed activity is a project subject to CEQA and not exempt from CEQA before the requirement to prepare an Initial Study and either an ND, MND or EIR kicks in.

*Who is responsible for complying with CEQA? The requirement to comply with CEQA is imposed on the lead agency, generally defined as the agency that will take the first discretionary action on a project or that has the primary discretionary approval authority over a proposed activity. More specifically, the lead agency's decision making body is responsible for making the final

determinations related to the aforementioned three-step CEQA process (with the agency's rules and regulations specifying who the decisionmaking body is and who hears appeals from decisions made by the decisionmaking body, if available, for all the various approvals/permits that an agency may require). However, agency staff and department heads typically conduct most if not all of the background investigations and CEQA review/impact analyses and present their findings and recommendations to the decision making body for a final decision.

*Are CEQA exemptions absolute? Sometimes, but not always. Statutory exemptions are CEQA exemptions that are created by the Legislature and adopted into State law. If a project falls under a statutory exemption it is absolute, meaning there are no exceptions and no further CEQA review is required. In addition to the many statutory exemptions found both within CEQA and in other state laws, there are 33 classes of categorical exemptions, which are created as regulations by the Secretary of the Natural Resources Agency. Categorical exemptions are not absolute, and are subject to a number of exceptions which, if applicable, can negate a project's otherwise categorically exempt status. Two of the most common exceptions are the cumulative impact and historical resource exceptions, however, those exceptions only apply if there is substantial evidence that the cumulative impact of successive projects of the same type in the same place will be significant (not just that several projects are proceeding around the same time) or if there is substantial evidence that a project may cause a substantial adverse change in the significance of a historical resource (not just that a historic house is located nearby a proposed project). It is very important to also note that under CEQA, substantial evidence is limited to demonstrated facts, reasonable assumptions predicated upon such facts and expert opinion supported by such facts; argument, speculation, unsubstantiated opinion or narrative, evidence which is clearly erroneous or inaccurate, or evidence of social or economic impacts which do not contribute to or are not caused by physical impacts on the environment does not constitute substantial evidence.

*Does CEQA protect privacy or private views? No, generally, CEQA does not protect privacy or private views. While CEQA does require consideration of aesthetic impacts, the focus there is primarily on public viewsheds, scenic vistas and roads, particularly those identified as significant resources within a community. Impacts on privacy or private views are not considered significant under CEQA unless they also affect the broader public realm or a scenic resource.

*Does CEQA provide authority to modify or even deny a project? No. CEQA provides no separate grant of authority to require project changes or allow project denials in the name of environmental protection beyond the authority and discretion other non-CEQA laws afford an agency. As such, CEQA's reach is limited to the amount and type of the underlying agency discretion. Indeed, CEQA expressly states as follows in Public Resources Code Section 21004: "In mitigating or avoiding a significant effect of a project on the environment, a public agency may exercise only those express or implied powers provided by law other than this division."

¹None of the appellants in their appeal form or otherwise have contested the Planning Commission's approval of the Coastal Development Permit as part of this appeal.

FISCAL IMPACT:

None for this action. The time and materials necessary for the processing of the application was previously allocated in the FY24/25 budget.

PRIOR CITY COUNCIL ACTION:

The City Council has not taken previous action on this appeal (APP 25115). Refer to **Attachment 3** for a timeline of past Council action's for the project.

ATTACHMENTS:

1. Attachment 1 - Resolution 2025-068
2. Attachment 2 - Planning Commission Resolution; Resolution 2025-20-PC
3. Attachment 3 - Timeline
4. Attachment 4 - Appeal Docs
5. Attachment 5a - Pepe Letter
6. Attachment 5b - Martin Letter
7. Attachment 5c - Hillyard Letter
8. Attachment 6 - Previous Design Review Approvals
9. Attachment 7 – Supplemental Categorical Exemption Findings
10. Attachment 8 - Phase II Evaluation - PAST Consultants
11. Attachment 9 - Resolution from Prior City Council and HRB actions
12. Attachment 10 - In-Lieu Parking Letter, Engineer's Letter, and Traffic Study
13. Attachment 11a - Project Plans (Sheets A1.0 - A10.2) - Architectural
14. Attachment 11b - Project Plans (Sheets C1 - E5.2) - Civ, Lands, Elec
15. Attachment 12 - Lot Merger Exhibit
16. Attachment 13 - Public Correspondence

CITY OF CARMEL-BY-THE-SEA CITY COUNCIL

RESOLUTION NO. 2025-068

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DENYING THE APPEAL (APP 25115, ESPERANZA CARMEL COMMERCIAL - JB PASTOR BUILDING) FILED BY KRISTA OSTOICH ON BEHALF OF MIKE BROWN, MIKE CATE, DON GOODHUE, STEVE HILLYARD, VINZ KOLLER, COURTNEY KRAMER, CINDY LLOYD, IAN MARTIN, RICH PEPE, KRISTI REIMER, AND JULIE WENDT OF THE PLANNING COMMISSION'S APPROVAL (RESOLUTION NO. 2025-020-PC) OF DESIGN REVIEW, DR 23-140 (ESPERANZA CARMEL COMMERCIAL - JB PASTOR BUILDING), USE PERMIT, UP 21- 113 (ESPERANZA CARMEL COMMERCIAL - JB PASTOR BUILDING), LOT MERGER, LM 20-394 (ESPERANZA CARMEL COMMERCIAL - JB PASTOR BUILDING), AND ASSOCIATED ENVIRONMENTAL DETERMINATION FOR THE JB PASTOR BUILDING LOCATED AT DOLORES STREET 2 SOUTHEAST OF 7TH AVENUE IN THE SERVICE COMMERCIAL (SC) DISTRICT AT LOTS 6, 8, AND 10 OF BLOCK 91. APNS: 010- 145-023-000, 010-145-024-000, AND 010-145-012-000;

FINDING THE PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), STATE CEQA GUIDELINES AND LOCAL ENVIRONMENTAL REGULATIONS, PURSUANT TO SECTION 15331 (CLASS 31) - HISTORICAL RESOURCE RESTORATION/REHABILITATION AND SECTION 15332 (CLASS 32) – IN-FILL DEVELOPMENT, AND - AND NO EXCEPTIONS TO THE EXEMPTION CONTAINED IN SECTION 15300.2 CAN BE MADE;

APPROVING A LOT MERGER, LM 20-394 (ESPERANZA CARMEL COMMERCIAL – JB PASTOR BUILDING) TO COMBINE LOT 6 (APN 010-145-023-000), LOT 8 (APN 010-145-024-000), AND LOT 10 (APN 010-145- 012-000) RESULTING IN ONE 12,000 SQUARE FOOT LEGAL LOT OF RECORD;

APPROVING A DESIGN REVIEW, DR 23-140 (ESPERANZA CARMEL COMMERCIAL - JB PASTOR BUILDING) AND COASTAL DEVELOPMENT PERMIT FOR THE CONSTRUCTION OF A NEW 12,971- SQUARE-FOOT, TWO-STORY MIXED-USE DEVELOPMENT WITH 8 APARTMENT UNITS AND APPROXIMATELY 5,100 SQUARE FEET OF NEW COMMERCIAL FLOOR AREA, WITH A NEW 852-SQUARE- FOOT BASEMENT AND A NEW SURFACE PARKING AREA AT THE REAR OF THE PROPERTY WITH A TOTAL OF 12 PARKING SPACES WITH 10 OF THE 12 SPACES SHARING A PARKING A PARKING LIFT SYSTEM AND THE REMAINING REQUIRED PARKING BEING PROVIDED THROUGH THE CITY'S IN-LIEU PARKING PROGRAM. THE TOTAL PROJECT FLOOR AREA INCLUDING THAT OF THE EXISTING COMMUNITY ROOM (EXISTING AND PROPOSED STRUCTURES) IS 13,663 SQUARE FEET; AND

APPROVING USE PERMITS, UP 21-113 (ESPERANZA CARMEL COMMERCIAL - JB PASTOR BUILDING), TO ALLOW: CONSTRUCTION RESULTING IN A NET INCREASE OF COMMERCIAL FLOOR AREA; RESIDENTIAL DENSITY OF 29 DWELLING UNITS PER ACRE; CONSTRUCTION OF 852 SQUARE FEET OF AN UNDERGROUND FLOOR; AND PAYMENT OF IN-LIEU PARKING FEES.

WHEREAS, on October 25, 2019, International Design Group (“Applicant”) submitted an application on behalf of Esperanza Carmel Commercial LLC (“Owner”) requesting approval of Track 2 Design Review application for the JB Pastor Building (“Design Review”); and

WHEREAS, since the initial Design Review application, subsequent revisions and modifications to the project have taken place and have been submitted under various Design Review Permit numbers, each superseding the previous; and

WHEREAS, the various Design Review numbers, in sequential order, are as follows: DR 19-156, DR 19-427, DR 20-395, DR 22-157, DR 23-140; and

WHEREAS, the Design Review Application is accompanied by an associated Lot Merger Application (LM 20-394) and Use Permit application (UP 21-113); and

WHEREAS, the combination of the Use Permit, Lot Merger, and Design Review are described herein as (“Application”); and

WHEREAS, the Application has been submitted for a 12,000-square-foot lot located at Dolores Street 2 southeast of 7th Avenue in the Service Commercial (SC) Zoning District; and

WHEREAS, the Applicant is proposing the construction of a 12,971-square-foot, two-story mixed- use development with 8 apartment units and approximately 5,425 square feet of commercial space; and

WHEREAS, the total project floor area including all existing and proposed structures is 13,663 square feet; and

WHEREAS, parking is primarily proposed on-site, with the balance being provided through participation in the in-lieu parking program; and

WHEREAS, the project was considered by the City Council at the October 3, 2023, meeting where the Council overturned the July 2023 decision of the Historic Resources Board (Reso. 2023-009-HRB) and Issued a Determination of Consistency with the Secretary of the Interior’s Standards, with new findings and conditions (Resolution 2023-099); and

WHEREAS, in accordance with Carmel Municipal Code (CMC) Section 17.58.030 (Commercial Design Review), the construction of new buildings requires approval of a Commercial Track Two Design Review Approval by the Planning Commission when a Use Permit is also required; and

WHEREAS, a Use Permit approved by the Planning Commission is required for each of the following four entitlements: *Increase in Commercial Floor Area*, *Commercial Spaces or Business* (CMC Section 17.14.050), *Residential Density 22 du/ac –33 du/ac* (CMC Section 17.14.030), *In Lieu Fees* (CMC Section 17.38.030.C), and *Underground Floors* (CMC Section 17.14.150.A); and

WHEREAS, a Coastal Development Permit is also required in accordance with CMC Section 17.52.090 (Coastal Development Permit Required); and

WHEREAS, in accordance with CMC Section 17.52.090.B, *The review of a coastal development permit application may be combined with and/or processed concurrently with the review of any other discretionary permit application required by other City ordinances*; and

WHEREAS, on July 10, 2024, the Planning Commission held a duly noticed public hearing to receive public testimony regarding the Application, including, without limitation, the information provided to the Planning Commission by City staff and through public testimony on the application; and

WHEREAS, on July 10, 2024, the Planning Commission continued the hearing with direction to the applicant to make changes to the project; and

WHEREAS, the applicant revised the project plans based on the direction given at the July 10, 2024, hearing and requested reconsideration by the Planning Commission; and

WHEREAS, on March 30, 2025, a notice of the public hearing scheduled for April 9, 2025, was published in the Carmel Pine Cone in compliance with State law (California Government Code 65091) and mailed to owners of real property within a 300-foot radius of the project indicating the date and time of the public hearing; and

WHEREAS, on or before March 30, 2025, the Applicant posted the public notice on the project site and hand-delivered a copy of the public notice to each property within a 100-foot radius of the project site indicating the date and time of the public hearing; and

WHEREAS, on or before April 6, 2025, the meeting agenda was posted in three locations in compliance with State law indicating the date and time of the public hearing; and

WHEREAS, on April 9, 2025, the Planning Commission held a duly noticed public hearing to receive public testimony regarding the Application, including, without limitation, the information provided to the Planning Commission by City staff and through public testimony on the application; and

WHEREAS, the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, “CEQA”), together with State Guidelines (14 California Code Regulations §§ 15000, *et seq.*, the “CEQA Guidelines”) and City Environmental Regulations (CMC Chapter 17.60) require that certain projects be reviewed for environmental impacts and that environmental documents be prepared; and

WHEREAS, the Planning Commission found that pursuant to CEQA regulations, the Application is categorically exempt under Section 15332 (Class 32) – In-Fill Developments, and no exceptions to the exemption exist pursuant to section 15300.2 of the CEQA Guidelines as found in Attachment 2 of the April 9, 2025 Planning Commission staff report submitted by the Community Planning and Building Department; and

WHEREAS, the Planning Commission approved the subject Design Review, DR 23-140 (Esperanza Carmel Commercial - JB Pastor Building), Coastal Development Permit, Use Permit, UP 21-113 (Esperanza Carmel Commercial - JB Pastor Building), Lot Merger, LM 20-394 (Esperanza Carmel Commercial - JB Pastor Building), and associated environmental determination for the JB Pastor Building located at Dolores Street 2 southeast of 7th Avenue on April 9, 2025, as provided in Resolution 2025-020-PC; and

WHEREAS, on April 23, 2025, Krista Ostoich submitted a timely appeal (APP 25031) on behalf of Mike Brown, Mike Cate, Don Goodhue, Steve Hillyard, Vinz Koller, Courtney Kramer, Cindy Lloyd, Ian Martin, Rich Pepe, Kristi Reimer, and Julie Wendt ("Appellant(s)") of the Planning Commission's approval (Resolution No. 2025-020-PC) of Design Review, DR 23-140 (Esperanza Carmel Commercial - JB Pastor Building), Use Permit, UP 21-113 (Esperanza Carmel Commercial - JB Pastor Building), Lot Merger, LM 20- 394 (Esperanza Carmel Commercial - JB Pastor Building), and associated environmental determination for the JB Pastor Building located at Dolores Street 2 southeast of 7th Avenue; and

WHEREAS, the appeal hearing was scheduled for the City Council's June 30, 2025, meeting; and

WHEREAS, on June 20, 2025, a notice of the public hearing scheduled for June 30, 2025, was published in the Carmel Pine Cone in compliance with State law (California Government Code 65091) and mailed to owners of real property within a 300-foot radius of the project indicating the date and time of the public hearing; and

WHEREAS, on or before June 20, 2025, city staff posted the public notice on the project site and hand-delivered a copy of the public notice to each property within a 100-foot radius of the project site indicating the date and time of the public hearing; and

WHEREAS, on or before June 27, 2025, the meeting agenda was posted in three locations in compliance with State law indicating the date and time of the public hearing; and

WHEREAS, on June 30, 2025, the City Council continued the public hearing to a date certain of August 4, 2025; and

WHEREAS, on July 25, 2025, a notice of the public hearing scheduled for August 4, 2025, was published in the Carmel Pine Cone in compliance with State law (California Government Code 65091) and mailed to owners of real property within a 300-foot radius of the project indicating the date and time of the public hearing; and

WHEREAS, on or before July 25, 2025, city staff posted the public notice on the project site and hand-delivered a copy of the public notice to each property within a 100-foot radius of the project site indicating the date and time of the public hearing; and

WHEREAS, on or before July 31, 2025, the meeting agenda was posted in three locations in compliance with State law indicating the date and time of the public hearing; and

WHEREAS, on August 4, 2025, the City Council held a duly noticed public hearing to receive public testimony regarding the Appeal, including, without limitation, the information provided to the City Council by City staff and through public testimony on the project; and

WHEREAS, the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, "CEQA"), together with State Guidelines (14 California Code Regulations §§ 15000, *et seq.*, the "CEQA Guidelines") and City Environmental Regulations (CMC 17.60) require that certain projects be reviewed for environmental impacts and that environmental documents be prepared; and

WHEREAS, the City Council found that pursuant to California Environmental Quality Act CEQA regulations, the project is Categorically Exempt according to Section 15331 (Class 31) and Section 15332 (Class 32) of CEQA Guidelines and that no exceptions to the categorical exemptions contained in CEQA Guidelines Section 15300.2 apply to negate those exemptions; and

WHEREAS, this Resolution and its findings are made based upon the evidence presented to the Council at the hearing date, including, without limitation, the staff report and attachments submitted by the Community Planning and Building Department; and

WHEREAS, the City Council did hear and consider all said reports, attachments, recommendations, and testimony herein above set forth and used their independent judgment to evaluate the project; and

WHEREAS, the facts set forth in the recitals are true and correct and are incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Carmel-by-the-Sea does hereby **DENY** the appeal submitted by Krista Ostoich (APP 25031) on behalf of Mike Brown, Mike Cate, Don Goodhue, Steve Hillyard, Vinz Koller, Courtney Kramer, Cindy Lloyd, Ian Martin, Rich Pepe, Kristi Reimer, and Julie Wendt ("Appellant(s)") of the Planning Commission's approval (Resolution No. 2025-020-PC) of Design Review, DR 23-140 (Esperanza Carmel Commercial - JB Pastor Building), Use Permit, UP 21-113 (Esperanza Carmel Commercial - JB Pastor Building), Lot Merger, LM 20-394 (Esperanza Carmel Commercial - JB Pastor Building), and associated environmental determination for the JB Pastor Building located at Dolores Street 2 southeast of 7th Avenue.

BE IT FURTHER RESOLVED that the City Council of the City of Carmel-By-The-Sea does hereby find the following Resolutions are also associated the site and associated development history with the project: 2021-03-HRB, 2021-043, 2023-01-HRB, 2023-051, 2023-052, 2023-09-HRB, 2023-099, and the findings of the aforementioned resolutions shall be incorporated into this resolution by reference.

BE IT FURTHER RESOLVED that the City Council of the City of Carmel-By-The-Sea does hereby make the following findings and determinations regarding the **Design Review**:

FINDINGS REQUIRED FOR DESIGN REVIEW APPROVAL		
For each of the required findings listed below, the staff has indicated whether the application, either as proposed or with conditions, supports adopting the findings. For all findings checked "no," the staff report discusses the issues to facilitate the Planning Commission's decision-making. Findings checked "yes" may or may not be discussed in the report depending on the issues.		
CMC Section 17.58.060, Findings for Design Review Approval	YES	NO
<i>Before approving an application for design review in any district, the Director, Historic Preservation Board, or the Planning Commission shall find that the final design plans:</i>		
1. Conform to the applicable policies of the General Plan and the Local Coastal Program;	✓	
2. Comply with all applicable provisions of this code; and	✓	
3. Are consistent with applicable adopted design review guidelines.	✓	

BE IT FURTHER RESOLVED that the City Council of the City of Carmel-By-The-Sea does hereby make the following findings and determinations regarding the **USE PERMITS** for Increase in Commercial

Floor Area, Commercial Spaces or Business (CMC Section 17.14.050), Residential Density 22 du/ac –33 du/ac (CMC Section 17.14.030), and Underground Floors (CMC Section 17.14.150.A):

FINDINGS REQUIRED FOR USE PERMIT APPROVAL		
For each of the required findings listed below, the staff has indicated whether the application, either as proposed or with conditions, supports adopting the findings. For all findings checked "no," the staff report discusses the issues to facilitate the Planning Commission's decision-making. Findings checked "yes" may or may not be discussed in the report depending on the issues.		
CMC Section 17.64.010, Use Permit Findings for Approval <i>In its review of applications for use permits, the Planning Commission shall evaluate each proposed use in order to consider its impact on the City. No use permit shall be granted unless all of these general findings can be made:</i>	YES	NO
1. That the proposed use will not be in conflict with the City's General Plan.	✓	
2. That the proposed use will comply with all zoning standards applicable to the use and zoning district.	✓	
3. That granting the use permit will not set a precedent for the approval of similar uses whose incremental effect will be detrimental to the City, or will be in conflict with the General Plan.	✓	
4. That the proposed use will not make excessive demands on the provision of public services, including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection.	✓	
5. That the proposed use will not be injurious to public health, safety or welfare.	✓	
6. That the proposed use will be compatible with surrounding land uses and will not conflict with the purpose established for the district within which it will be located.	✓	
7. That the proposed use will not generate adverse impacts affecting health, safety, or welfare of neighboring properties or uses.	✓	

BE IT FURTHER RESOLVED that the City Council of the City of Carmel-By-The-Sea does hereby authorize participation in the City's in lieu parking program (CMC Section 17.38.040) for 5.6 parking spaces, which was determined based on the 5794.05 square feet of commercial floor area on the site and a parking ratio of 1 space per 600 square feet of commercial floor area. There shall be 12 spaces located on-site and 10 of the on-site parking spaces shall be split between a parking list system and 2 (including 1 ADA space) shall be surface parking. The fees for the 5.6 parking spaces authorized through the in lieu program shall be paid in accordance with CMC Section 17.38.040.A.

BE IT FUTHER RESOLVED that the City Council of the City of Carmel-By-The-Sea does hereby make the following findings and determinations regarding the **Coastal Development Permit**:

FINDINGS REQUIRED FOR COASTAL DEVELOPMENT PERMITS		
For each of the required findings listed below, the staff has indicated whether the application, either as proposed or with conditions, supports adopting the findings. For all findings checked "no," the staff report discusses the issues to facilitate the Planning Commission's decision-making. Findings checked "yes" may or may not be discussed in the report depending on the issues.		
CMC Section 17.64.010.B, Coastal Development Permits	YES	NO
1. The project, as described in the application and accompanying materials, as modified by any conditions of approval, conforms with the certified City of Carmel-by-the-Sea Local Coastal Program.	✓	

2. If the project is located between the first public road and the sea, the project conforms with the public access and recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Sections 30200 of the Public Resources Code).	N/A	N/A
Finding 2. The project is not located between the first public road and the sea. This finding is not applicable.		

BE IT FURTHER RESOLVED that the City Council of the City of Carmel-by-the-Sea does hereby **FIND** the project categorically exempt from the California Environmental Quality Act (CEQA), State CEQA guidelines and local environmental regulations, pursuant to Section 15331 (Class 31) – Historical Resource Restoration/Rehabilitation, and Section 15332 (Class 32) – In-Fill Development and no exceptions to the exemption contained in Section 15300.2 can be made; and **APPROVE** the Design Review, DR 23-140 (Esperanza Carmel Commercial - JB Pastor Building), Use Permit, UP 21-113 (Esperanza Carmel Commercial - JB Pastor Building), Lot Merger, LM 20-394 (Esperanza Carmel Commercial - JB Pastor Building), and Coastal Development Permit for the construction of a new 12,971-square-foot, two-story mixed-use development with 8 apartment units and approximately 5,425 square feet of new commercial floor area, with a new 852-square-foot basement and a new surface parking area at the rear of the property with a total of 12 parking spaces with 10 of the 12 spaces sharing a parking lift system and the remaining required parking being provided through the city's in-lieu parking program. The existing community room and ornamented concrete wall (part of the Northern California Savings and Loan Complex) are proposed to remain on the project site as part of the project. The total project floor area including that of the existing community room (existing and proposed structures) is 13,663 square feet. The project is located at Dolores Street 2 southeast of 7th Avenue in the Service Commercial (SC) District at Lots 6, 8, and 10 of Block 91 (APNs: 010-145-012/022/023) Approval of the project is subject to the following Conditions of Approval:

CONDITIONS OF APPROVAL	
No.	Standard Conditions
1.	Authorization. Approval of this Design Review, DR 23-140 (Esperanza Carmel Commercial - JB Pastor Building), Use Permit, UP 21-113 (Esperanza Carmel Commercial - JB Pastor Building), Lot Merger, LM 20-394 (Esperanza Carmel Commercial - JB Pastor Building), and Coastal Development Permit for the construction of a new 12,971-square-foot, two-story mixed-use development with 8 apartment units and approximately 5,794 square feet of new commercial floor area, with a new 852-square-foot basement and a new surface parking area at the rear of the property with a total of 12 parking spaces with 10 of the 12 spaces sharing a parking lift system and the remaining required parking being provided through the city's in-lieu parking program. The existing community room and ornamented concrete wall (part of the Northern California Savings and Loan Complex) are proposed to remain on the project site as part of the project. The total project floor area including that of the existing community room (existing and proposed structures) is 13,663 square feet. The project is located at Dolores Street 2 southeast of 7th Avenue in the Service Commercial (SC) District at Lots 6, 8, and 10 of Block 91, APNs: 010-145-012/022/023. The project shall be constructed and uses carried out in substantial conformance with the plans, and application materials considered by the City Council as part of the August 4, 2025 City Council hearing, unless modified by the Conditions of Approval herein.
2.	Codes and Ordinances. The project shall be constructed in conformance with all requirements of the Service Commercial (SC) zoning district. All adopted building and fire codes shall be adhered to in preparing the working drawings. If any codes or ordinances require design elements to be

	changed, or if any other changes are requested at the time such plans are submitted, such changes may require subsequent approval by the Planning Commission and additional environmental review.
3.	Permit Validity. This approval shall be valid for a period of eighteen (18) months from the date of action unless an active building permit has been applied for and maintained consistent with the requirements of the Building Division. Extensions to this approval may be granted consistent with CMC 17.52.170.C.
4.	Water Use. Approval of this application does not permit an increase in water use on the project site without adequate supply. Should the Monterey Peninsula Water Management District determine that adequate water is not available for this site, this permit will be scheduled for reconsideration, and appropriate findings prepared for review and adoption by the Planning Commission.
5.	Fire Sprinklers. Installation of an automatic fire sprinkler system in accordance with the California Building and Fire Codes shall be required.
6.	Water Supply – Fire Protection. Prior to the issuance of a building permit, documentation must be provided which verifies sufficient water supply for the fire sprinkler system and the proposed location of the underground fireline(s).
7.	Electrical Laterals. All electrical service laterals to any new building or structure, or to any building or structure being remodeled when such remodeling requires the relocation or replacement of the main service equipment, shall be placed underground on the premises upon which the building or structure is located.
8.	Sewer Laterals. Sanitary sewer lateral connection shall be reviewed and approved by CAWD, an Encroachment Permit shall be obtained from the City of Carmel-by-the-Sea prior to installation.
9.	Modifications Prior to Construction. The Applicant shall submit in writing, with revised plans, to the Community Planning and Building staff any proposed changes to the approved project plans prior to incorporating those changes into the project. Minor changes to the approved project, plans, or use (ex. change in locations of exterior light fixtures, or changes in landscape material) may be approved administratively by the Director of Community Planning and Building upon submittal of a Design Review Application. Major changes to the approved project, plans, or use (ex. changes in massing, roof forms, height, amendments to Conditions of Approval) shall be reviewed by the Planning Commission and/or Historic Resourced Board/City Council, as appropriate. All major changes shall require submittal of a Design Review Application. The determination of what constitutes a Major or Minor change shall be made by the Director of Community Planning and Building. All approved major and minor changes shall require a Building Permit Revision to incorporate the change into the approved building plan set.
10.	Modifications During Construction. The Applicant shall submit in writing, with revised plans, to the Community Planning and Building staff any proposed changes to the approved project plans prior to incorporating those changes, as outlined in Condition of Approval #9. If the Applicant changes the project without first obtaining City approval, the Applicant will be required to submit the change in writing, with revised plans, within 2 weeks of the City being notified. A cease work order may be issued any time at the discretion of the Director of Community Planning and Building until: a) either the Planning Commission or Staff has approved the change, or b) the property owner has eliminated the change and submitted the proposed change in writing, with

	revised plans, for review. The project will be reviewed for its compliance to the approved plans prior to final inspection.
11.	Exterior Revisions to Planning Approval Form. All proposed modifications that affect the exterior appearance of the building, site elements, or associated Use Permits shall be submitted on the "Revisions to Planning Approval" form on file in the Community Planning and Building Department. Any modification incorporated into the construction drawings that is not listed on this form, shall not be deemed approved upon issuance of a building permit.
12.	Conflicts Between Planning Approvals and Construction Plans. It shall be the responsibility of the Owner, Applicant, and Contractor(s) to ensure consistency between the project plans approved by Planning Staff, the Planning Commission, or the City Council on appeal, and the construction plans submitted to the Building Division as part of the Building Permit review. Where inconsistencies between the Planning approval and the construction plans exist, the Planning approval shall govern, unless otherwise approved in writing by the Community Planning & Building Director, or their designee. When changes or modifications to the project are proposed, the Applicant shall clearly list and highlight each proposed change and bring each change to the City's attention. Changes to the project that are incorporated into the construction drawings that were not clearly listed or identified as a proposed change shall not be considered an approved change. Should conflicts exist between the originally approved project plans and the issued construction drawings that were not explicitly identified as a proposed change, the plans approved as part of the Planning Department Review, including any Conditions of Approval, shall prevail.
13.	Indemnification. The Applicant agrees, at his or her sole expense, to defend, indemnify, and hold harmless the City, its public officials, officers, employees, and assigns, from any liability; and shall reimburse the City for any expense incurred, resulting from, or in connection with any project approvals. This includes any appeal, claim, suit, or other legal proceeding, to attack, set aside, void, or annul any project approval. The City shall promptly notify the Applicant of any legal proceeding, and shall cooperate fully in the defense. The City may, at its sole discretion, participate in any such legal action, but participation shall not relieve the Applicant of any obligation under this condition. Should any party bring any legal action in connection with this project, the Superior Court of the County of Monterey, California, shall be the situs and have jurisdiction for the resolution of all such actions by the parties hereto.
14.	Hazardous Materials Waste Survey. A hazardous materials waste survey shall be required in conformance with the Monterey Bay Air Resource District prior to the issuance of a demolition permit.
15.	Cultural Resources. All new construction involving excavation shall immediately cease if cultural resources are discovered on the site, and the Applicant shall notify the Community Planning & Building Department within 24 hours. Work shall not be permitted to recommence until such resources are properly evaluated for significance by a qualified archaeologist. If the resources are determined to be significant, prior to resumption of work, a mitigation and monitoring plan shall be prepared by a qualified archaeologist and reviewed and approved by the Community Planning and Building Director. In addition, if human remains are unearthed during the excavation, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and distribution pursuant to California Public Resources Code (PRC) Section 5097.98.
16.	Encroachment Permit Required. Any construction, reconstruction, or closure of the right of way shall require approval of an encroachment permit.

17.	Truck Haul Route. Prior to Building Permit issuance, the Applicant shall provide for City (Community Planning and Building Director in consultation with the Public Services and Public Safety Departments) review and approval, a truck-haul route, and any necessary temporary traffic control measures for the grading activities. The Applicant shall be responsible for ensuring adherence to the truck-haul route and implementation of any required traffic control measures.
18.	Noise from Electrical and Mechanical Equipment. The fixed installation of any electrical or mechanical equipment shall be subject to the standards outlined in CMC 17.28.020.
19.	USA North 811. Prior to any excavation or digging, the Applicant shall contact the appropriate regional notification center (USA North 811) at least two working days, but not more than 14 calendar days, prior to commencing that excavation or digging. No digging or excavation is authorized to occur on-site until the Applicant has obtained a Ticket Number and all utility members have positively responded to the dig request. (Visit USANorth811.org for more information)
20.	BMP Tracking Form. Prior to issuance of a building permit, the Applicant shall submit for review and approval by the Community Planning & Building and Public Works Departments a completed BMP Tracking form.
21.	Semi-Permeable Surfaces. Prior to issuance of a building permit, the Applicant shall submit for review and approval by the Community Planning & Building and Public Works Departments cross-section details for semi-permeable surfaces.
22.	Erosion and Sediment Control Plan. Prior to issuance of a building permit, the Applicant shall submit for review and approval by the Community Planning & Building and Public Works Departments an erosion and sediment control plan that includes locations and installation details for erosion and sediment control BMPs, material staging areas, and stabilized access.
23.	Drainage Plan. Prior to the issuance of a building permit, the Applicant shall submit for review and approval by the Community Planning & Building and Public Works Departments a drainage plan that meets the requirements of the City's drainage guidance, SOG 17-07. At a minimum, new and replaced impervious area drainage must be dispersed around the site rather than focused on one corner of the property; infiltration features must be sized appropriately and located at least 6 feet from neighboring properties. The drainage plan shall include information on drainage from new impervious areas and semi-pervious areas.
24.	Construction Management Plan. Prior to the issuance of the first construction-related permit, the applicant shall submit a Construction Management Plan (CMP) for review and approval by the Community Planning and Building Director and Director of Public Works, and other relevant City departments as found necessary during the review of the CMP. The CMP shall contain measures to minimize potential construction impacts including measures to comply with all construction-related Conditions of Approval such as dust control, construction emissions, hazardous materials, construction days/hours, construction traffic control, waste reduction and recycling, stormwater pollution prevention, noise control, complaint management, and cultural resource management. The CMP shall provide project-specific information including descriptive procedures, approval documentation, and drawings (such as a site logistics plan, fire safety plan, construction phasing plan, proposed truck routes, traffic control plan, complaint management plan, construction worker parking plan, and litter/debris clean-up plan) that specify how potential construction impacts will be minimized and how each construction-related requirement will be satisfied throughout construction of the project.
25.	Landscape Plan. All new landscaping shall be shown on a landscape plan and shall be submitted to the Community Planning & Building Department and to the City Forester prior to the issuance of a building permit.

26.	Landscape Inspection and Maintenance. All approved landscaping shall be installed on-site prior to a final inspection. All required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. The property owner shall be responsible for maintaining planting in adjacent public rights-of-way consistent with the approved landscape plan. All required fences, walls, and irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.
27.	Tree Removal. Trees on the site shall only be removed upon the approval of the City Forester or Forest and Beach Commission, as appropriate; all remaining trees on site, or in the right-of-way immediately adjacent to the site shall be protected during construction by methods approved by the City Forester.
28.	Significant Trees. All foundations within 15 feet of significant trees shall be excavated by hand. If any tree roots larger than two inches (2") are encountered during construction, the City Forester shall be contacted before cutting the roots. The City Forester may require the roots to be bridged or may authorize the roots to be cut. If roots larger than two inches (2") in diameter are cut without prior City Forester approval or any significant tree is endangered as a result of construction activity, the building permit will be suspended and all work stopped until an investigation by the City Forester has been completed. Six inches (6") of mulch shall be evenly spread across the inside the dripline of all trees prior to the issuance of a building permit.
29.	Tree Protection Measures. Requirements for tree preservation shall adhere to the following tree protection measures on the construction site. ● Prior to grading, excavation, or construction, the developer shall clearly tag or mark all trees to be preserved. ● Excavation within 6 feet of a tree trunk is not permitted. ● No attachments or wires of any kind, other than those of a protective nature shall be attached to any tree. ● Per Municipal Code Section 17.48.110, no material may be stored within the dripline of a protected tree including the drip lines of trees on neighboring parcels. ● Tree Protection Zone -- The Tree Protection Zone shall be equal to dripline or 18 inches radially from the tree for every one inch of trunk diameter at 4.5 feet above the soil line, whichever is greater. A minimum of 4-foot-high transparent fencing is required unless otherwise approved by the City Forester. Tree protection shall not be resized, modified, removed, or altered in any manner without written approval. The fencing must be maintained upright and taught for the duration of the project. No more than 4 inches of wood mulch shall be installed within the Tree Protection Zone. When the Tree Protection Zone is at or within the drip line, no less than 6 inches of wood mulch shall be installed 18 inches radially from the tree for every one inch of trunk diameter at 4.5 feet above the soil line outside of the fencing. ● The Structural Root Zone -- Structural Root Zone shall be 6 feet from the trunk or 6 inches radially from the tree for every one inch of trunk diameter at 4.5' above the soil line, whichever is greater. Any excavation or changes to the grade shall be approved by the City Forester prior to work. Excavation within the Structural Root Zone shall be performed with a pneumatic excavator, hydro-vac at low pressure, or another method that does not sever roots. ● If roots greater than 2 inches in diameter or larger are encountered within the approved Structural Root Zone the City Forester shall be contacted for approval to make any root cuts or alterations to structures to prevent roots from being damaged.

	If roots larger than 2 inches in diameter are cut without prior City Forester approval or any significant tree is endangered as a result of construction activity, the building permit will be suspended and all work stopped until an investigation by the City Forester has been completed and mitigation measures have been put in place.
30.	Conditions of Approval. All conditions of approval for the Planning permit(s) shall be printed on a full-size sheet and included with the construction plan set submitted to the Building Safety Division.
31.	Condition of Approval Acknowledgement. The Condition of Approval Acknowledgement form, available from the Community Planning and Building Department, shall be signed by the appropriate parties prior to the issuance of a building permit. A signed copy of the acknowledgement shall also be printed in the building plan set.
32.	Pre-Construction Meeting. Prior to the issuance of a building permit, the contractor overseeing the project shall schedule a pre-construction meeting with the Project Planner for the purpose of reviewing the conditions of approval and expectations during construction.
Design Review (DR) Conditions of Approval	
33.	Setback and Height Certifications. A State licensed surveyor shall survey and certify the following in writing: • The footing locations are in conformance with the approved plans prior to footing/foundation inspection; and • The roof heights and plate heights of each building are in conformance with the approved plans prior to roof sheathing inspection. Roofs and plates shall not exceed the elevation points as identified in the approved project plans and the roofs include an appropriate allowance for roofing material thickness. Written certifications prepared, sealed, and signed by the surveyor shall be provided prior to footing/foundation inspection and roof sheathing inspection. In the event that multiple footing/foundation pours are required, a survey letter shall be submitted for each separate section.
34.	Exterior Lighting. All light fixtures shall not be directed toward the public right-of-way. Lighting intensity shall not exceed eight-candlefoot power at a point two feet beyond the storefront windows as measured in a vertical or horizontal plane three feet above the ground or public walking surface. The manufacturer's specifications, including illumination information, for each exterior light fixture shall be included in the construction drawings submitted with the building permit application.
35.	Interior Storefront Lighting. Lighting intensity within the interior of the store space shall not exceed 30-candlefoot power at any point visible from the public right-of-way as measured in a vertical or horizontal plane three feet above the floor or walking surface. The manufacturer's specifications, including illumination information, for each exterior light fixture shall be included in the construction drawings submitted with the building permit application.
36.	Stone Facades (including chimneys). Stone facades shall be installed in a broken course/random or similar masonry pattern. Setting the stones vertically on their face in a cobweb pattern shall not be permitted. All stonework shall be wrapped around building corners and terminated at an inside corner or a logical stopping point that provides a finished appearance. Termination of stonework shall be subject to review and approval by the Community Planning & Building Director or their designee. The masonry pattern shall be clearly identified in the construction drawings submitted with the building permit application.

37.	Aluminum-Clad Wood Frame Windows and Doors. The Applicant shall submit product information for the aluminum-clad wood windows and doors prior to the issuance of a building permit. The window style shall be consistent with authentic wood windows and doors. When approved with divided lights, lights that appear to be true divided light including the use of internal and external mullions and muntins on insulated windows may be used. The painted finish shall be matte or low gloss. Removable, snap-in, or internal only mullions and muntins are prohibited.
38.	Street Trees – Structural Cells. New street trees shall be planted in within structural cells that provide at least 100 cubic feet of un-compacted soil volume for the long term viability of new trees. Prior to issuance of a building permit, the plans shall be revised to include a note on the landscape plans to indicate structural cells shall be used, as well as details provided for the proposed structural cells.
39.	Roof Mounted Mechanical Equipment. All roof mounted mechanical equipment shall be placed within a screened roof top enclosure or located below the parapet level and shall not be visible from the ground at any distance from the building.
40.	Exterior Duct Work. Ducting, line sets, conduit and similar features associated with mechanical or electrical equipment shall be run through the interior of the structure. If not feasible, these elements shall be located on building faces that are not visible from publicly accessible areas and painted to match the color of the building wall upon which it is placed.
41.	Exterior Lighting Location. No exterior light fixtures shall be installed or relocated which overhangs the public right-of-way. All light fixtures shall be located on the project site. Modifications to the approved lighting plan shall require submission a photometric plan to ensure compliance with the requirements of Condition of Approval #34.
42.	Exterior/Interior Lighting Intensity. Prior to building permit issuance, the plans shall be revised so the exterior lighting intensity for the site complies with Condition of Approval #34 (see trash enclosure area, for example).
43.	Public Way Improvements – Public Works. Prior to building permit issuance, the following shall be adequately addressed and/or revised in the project plans: • The applicant shall be responsible for repair of any damage to the adjacent public right-of-way or improvements (including by not limited to the street, sidewalk, utilities) during construction. • All Public Way Improvements shall be constructed consistent with the requirements of the “Policy and Standards for Public Way Design”.
44.	Public Way Improvements – Planning. Prior to Building Permit issuance, the following shall be adequately addressed, and/or revised in the project plans: • The sidewalk paver(s) shall be clearly identified in the project plans. The sidewalk paver(s) shall: ○ Be constructed from sand-set pavers that facilitate percolation using square, rectangular, hexagonal, cobble or creased-keystone shapes; ○ Use earthen, warm hues (tan, brown, warm grey); and ○ Use a single hue or a mix of not more than two similar hues in paving areas. • Driveway colors and/or materials should match the adjacent sidewalk.

	All Public Way Improvements shall be constructed consistent with the requirements of the "Policy and Standards for Public Way Design".
45.	Final Inspection. A final certificate of occupancy for any individual building or structure shall only be granted upon completion of the entire project. All landscaping shall be installed, inspected, and approved prior to issuance of a final certificate of occupancy for the project. Construction and installation of all public way improvements approved as part of the proposed project shall be completed, inspected, and approved prior to issuance of a final certificate of occupancy of the project.
46.	Fire Department Connections. All fire department connections (FDC) required for the project must be located on the exterior of buildings. They may not be covered or hidden, nor may they be located inside buildings. Fire risers, and other service equipment may be screened as required by Condition of Approval #47.
47.	Utility Screening. All utilities, including but not limited to, fire service equipment, gas meters, electrical meters, and associated equipment shall be screened from public view in a location and method approved by the Community Planning and Building Department and Fire Department.
48.	Master Sign Program. Prior to Final Inspection, the Applicant shall submit an application for a Master Sign Program. The purpose of the Master Sign Program shall be to coordinate the installation and location of signage on the subject site in an orderly and equitable manner among commercial tenants.
49.	Exterior Business Uses. This approval does not authorize or pre-approve any land use or business to operate exterior business uses, such as outdoor seating, in conjunction with a proposed business. Any use not proposed to be located within an enclosed business space shall be reviewed for consistency with CMC 17.14, as applicable.
50.	Garage Enclosure Location. The garbage enclosure shall remain located in an area outside of the "Preservation Buffer" as established in Resolution 2023-099. Relocation of, or expansion, the enclosure into the Preservation Buffer shall require an amendment of Resolution 2023-099 by the City Council.
51.	Unused – Condition of Approval #51 is intentionally retained for numerical consistency. There is no Condition of Approval #51 which is applicable to the project.
Use Permit (UP) Conditions of Approval	
52.	Refuse Storage. The Property Owner shall provide readily accessible areas that serve all occupants and tenants of all buildings on the site and are identified for the storage and collection of recyclable materials container and organic materials container materials, consistent with the three-container collection program offered by the City, or comply with provision of adequate space for recycling for multi-family residential dwelling premises and commercial business premises pursuant to the California Green Building Standards Code (CMC Section 8.16.180).
53.	Refuse Collection. The property owner shall adhere to the requirements established in CMC Sections 8.16.120-130, including but not limited to, subscribing to and paying for City's three-container collection services and comply with requirements of those services for all recyclable materials, organic materials, and solid waste generated by the commercial and residential uses at the project site. The city shall have the right to review the number and size containers and frequency of collection to evaluate adequacy of capacity provided for each type of collection service for proper separation of materials and containment of materials. The property owner shall adjust the service level for collection services as requested by the City or its designee to maintain an appropriate level of collection.

54.	Transient Rentals Prohibited. No residential unit shall be occupied on a transient rental basis. Any unit rented, leased, or offered for occupancy to any party for any form of remuneration shall be for a period of not less than 30-calendar days.
55.	Second Floor Commercial Uses. Commercial use may not take place or be occupied in any space above the ground floor except as allowed for home occupations within residential units as may be permitted by the Carmel Municipal Code.
56.	Residential Unit Subdivision. No residential unit shall be further subdivided into any additional unit or units without review and approval by the Planning Commission.
57.	Timeshare Prohibition. No apartment unit shall be sold, leased, rented, used, or occupied on any form of timeshare or interval basis.
58.	Unused – Condition of Approval #58 is intentionally retained for numerical consistency. There is no Condition of Approval #58 which is applicable to the project.
59.	Future Commercial Tenants. Future business will be reviewed through the standard Business License and/or Use Permit application process, as applicable. This approval does not approve or pre-authorize any land use or business to operate at the subject site. All future tenants shall also be required to comply with the Monterey Peninsula Water Management District requirements.
60.	Commercial Signage. Commercial tenants shall be subject to the provisions of the Master Sign Program, identified in Condition of Approval DR#48.
61.	In Lieu Parking Fees. Prior to Building Permit issuance, the applicant shall remit payment to the Community Planning and Building Department and Finance Department, as appropriate, for all fees related to the 5.6 parking spaces provided through payment into the city's in-lieu fee program in accordance with CMC section 17.38.040.A. The value of the fee is as established in Urgency Ordinance 2020-003 and Resolution 2003-72.
Lot Merger (LM) Conditions of Approval	
62.	Nomenclature – Application Materials Revision. Prior to recordation of the required lot merger, which shall be required prior to issuance of a building permit, the legal description (as indicated in Attachment A of the Lot Merger Application Materials) of the lot merged shall be revised to reflect the description of the merged site as "Merged Lot 6A" to be consistent with the city's naming convention for merged lots, as opposed to "Merged Lot A".
63.	Legal Description – Application Materials Revision. Prior to recordation of the required lot merger, which shall be required prior to issuance of a building permit, the legal description of the lot merged shall be revised include reference to a "Lot Merger Map – Exhibit B" and referenced within the legal description of for the merged property. The legal description and map shall be prepared by a licensed land surveyor or engineer as appropriate.
Historic Preservation (HP) Conditions – From Reso. 2023-099	
64.	Ornamented Concrete Wall. The original ornamented concrete wall located at the southwest corner of the Community Room shall remain in its existing location and configuration. It shall remain unaltered and protected through construction. Site improvements shall not significantly obstruct the wall from public view and the wall shall remain accessible to the public as a piece of public art as part of a courtyard, interblock-walkway, or other means.
65.	Community Room Repairs. If repairs or alteration of any nature are proposed for the Community Room, the applicant shall submit in writing to the Community Planning and Building Department an application outlining the details of any proposed work for review and approval prior to commencement of work. Any deteriorated exterior elements for the Community Room should be repaired, rather than replaced whenever possible.

Acknowledgment and acceptance of conditions of approval.

Property Owner Signature

Printed Name

Date

Applicant Signature

Printed Name

Date

PASSED, APPROVED, AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF CARMEL-BY-THE-SEA this 4th day of August 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

Dale Byrne
Mayor

Nova Romero, MMC
City Clerk

**CITY OF CARMEL-BY-THE-SEA
PLANNING COMMISSION**

PLANNING COMMISSION RESOLUTION NO. 2025-020-PC

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARMEL-BY-THE-SEA FINDING THE SUBJECT PROJECT CATEGORICALLY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA), STATE CEQA GUIDELINES AND LOCAL ENVIRONMENTAL REGULATIONS, PURSUANT TO SECTION 15332 (CLASS 32) – IN-FILL DEVELOPMENT AND NO EXCEPTIONS TO THE EXEMPTION CONTAINED IN SECTION 15300.2 CAN BE MADE; AND APPROVING DESIGN REVIEW, DR 23-140 (ESPERANZA CARMEL COMMERCIAL - JB PASTOR BUILDING), USE PERMIT, UP 21-113 (ESPERANZA CARMEL COMMERCIAL - JB PASTOR BUILDING), LOT MERGER, LM 20-394 (ESPERANZA CARMEL COMMERCIAL - JB PASTOR BUILDING), AND ASSOCIATED COASTAL DEVELOPMENT PERMIT FOR THE CONSTRUCTION OF A NEW 12,971-SQUARE-FOOT, TWO-STORY MIXED-USE DEVELOPMENT WITH 8 APARTMENT UNITS AND APPROXIMATELY 5,794 SQUARE FEET OF NEW COMMERCIAL FLOOR AREA, WITH A NEW 852-SQUARE-FOOT BASEMENT AND A NEW SURFACE PARKING AREA AT THE REAR OF THE PROPERTY WITH A TOTAL OF 12 PARKING SPACES WITH 10 OF THE 12 SPACES SHARING A PARKING A PARKING LIFT SYSTEM AND THE REMAINING REQUIRED PARKING BEING PROVIDED THROUGH THE CITY'S IN-LIEU PARKING PROGRAM. THE EXISTING COMMUNITY ROOM AND ORNAMENTED CONCRETE WALL (PART OF THE NORTHERN CALIFORNIA SAVINGS AND LOAN COMPLEX) ARE PROPOSED TO REMAIN ON THE PROJECT SITE AS PART OF THE PROJECT. THE TOTAL PROJECT FLOOR AREA INCLUDING THAT OF THE EXISTING COMMUNITY ROOM (EXISTING AND PROPOSED STRUCTURES) IS 13,663 SQUARE FEET. THE PROJECT IS LOCATED AT DOLORES STREET 2 SOUTHEAST OF 7TH AVENUE IN THE SERVICE COMMERCIAL (SC) DISTRICT AT LOTS 6, 8, AND 10 OF BLOCK 91. APNS: 010-145-023-000, 010-145-024-000, AND 010-145-012-000.

WHEREAS, on October 25, 2019, International Design Group ("Applicant") submitted an application on behalf of Esperanza Carmel Commercial LLC ("Owner") requesting approval of Track 2 Design Review application for the JB Pastor Building ("Design Review"); and

WHEREAS, overtime, subsequent revisions and modifications to the project have been taken place and have been submitted under various Design Review Permit number, each superseding the previous; and

WHEREAS, the various Design Review numbers, in sequential order, are as follows: DR 19-156, DR 19-427, DR 20-395, DR 22-157, DR 23-140; and

WHEREAS, the Design Review Application is accompanied by an associated Lot Merger Application (LM 20-394) and Use Permit application (UP 21-113); and

WHEREAS, the combination of the Use Permit, Lot Merger, and Design Review are described herein as ("Application"); and

WHEREAS, the Application has been submitted for a 12,000-square-foot lot located at Dolores Street 2 southeast of 7th Avenue in the Service Commercial (SC) Zoning District; and

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WHEREAS, the Applicant is proposing the construction of a 12,971-square-foot, two-story mixed-use development with 8 apartment units and approximately 5,425 square feet of commercial space; and

WHEREAS, the total project floor area including all existing and proposed structures is 13,663 square feet; and

WHEREAS, parking is primarily proposed to be provided on-site with the balance being provided through participation in the in-lieu parking program; and

WHEREAS, the project was considered by the City Council at the October 3, 2023 meeting where the Council overturned the July 2023 decision of the Historic Resources Board (Reso. 2023-009-HRB) and Issued a Determination of Consistency with the Secretary of the Interior's Standards, with new findings and conditions (Resolution 2023-099); and

WHEREAS, in accordance with Carmel Municipal Code (CMC) Section 17.58.030 (Commercial Design Review), the construction of new buildings requires approval of a Commercial Track Two Design Review Approval by the Planning Commission when a Use Permit is also required; and

WHEREAS, a Use Permit approved by the Planning Commission is required for each of the following four entitlements: *Increase in Commercial Floor Area*, *Commercial Spaces or Business* (CMC 17.14.050), *Residential Density 22 du/ac – 33 du/ac* (CMC 17.14.030), *In Lieu Fees* (CMC 17.38.030.C), and *Underground Floors* (CMC 17.14.150.A); and

WHEREAS, a Coastal Development Permit is also required in accordance with CMC 17.52.090 (Coastal Development Permit Required); and

WHEREAS, in accordance with CMC 17.52.090.B.2, *a track two design review approval shall constitute a coastal development permit for any project subject to review under this section* (CMC 17.52.090.B); and

WHEREAS, on July 10, 2024, the Planning Commission held a duly noticed public hearing to receive public testimony regarding the Application, including, without limitation, the information provided to the Planning Commission by City staff and through public testimony on the application; and

WHEREAS, on July 10, 2024, the Planning Commission continued the hearing with direction to the applicant to make changes to the project; and

WHEREAS, the applicant has revised the plans based on the direction given at the July 10, 2024 hearing and is requesting reconsideration by the Planning Commission; and

WHEREAS, on March 30, 2025, a notice of the public hearing scheduled for April 9, 2025, was published in the Carmel Pine Cone in compliance with State law (California Government Code 65091) and mailed to owners of real property within a 300-foot radius of the project indicating the date and time of the public hearing; and

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WHEREAS, on or before March 30, 2025, the Applicant posted the public notice on the project site and hand-delivered a copy of the public notice to each property within a 100-foot radius of the project site indicating the date and time of the public hearing; and

WHEREAS, on or before April 6, 2025, the meeting agenda was posted in three locations in compliance with State law indicating the date and time of the public hearing; and

WHEREAS, on April 9, 2025, the Planning Commission held a duly noticed public hearing to receive public testimony regarding the Application, including, without limitation, the information provided to the Planning Commission by City staff and through public testimony on the application; and

WHEREAS, the California Environmental Quality Act (California Public Resources Code §§ 21000, *et seq.*, “CEQA”), together with State Guidelines (14 California Code Regulations §§ 15000, *et seq.*, the “CEQA Guidelines”) and City Environmental Regulations (CMC 17.60) require that certain projects be reviewed for environmental impacts and that environmental documents be prepared; and

WHEREAS, the Planning Commission found that pursuant to CEQA regulations, the Application is categorically exempt under Section 15332 (Class 32) – In-Fill Developments, and no exceptions to the exemption exist pursuant to section 15300.2 of the CEQA Guidelines as found in Attachment 2 of the April 9, 2025 Planning Commission staff report submitted by the Community Planning and Building Department; and

WHEREAS, this Resolution and its findings are made based upon the evidence presented to the Commission at the hearing date, including, without limitation, the staff report and attachments submitted by the Community Planning and Building Department; and

WHEREAS, the Planning Commission did hear and consider all said reports, attachments, recommendations, and testimony herein above set forth and used their independent judgment to evaluate the project; and

WHEREAS, the facts set forth in the recitals are true and correct and are incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Carmel-By-The-Sea does hereby find the following Resolutions are also associated the site and associated development history with the project: 2021-03-HRB, 2021-043, 2023-01-HRB, 2023-051, 2023-052, 2023-09-HRB, 2023-099, and the findings of the aforementioned resolutions shall be incorporated into this resolution by reference.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Carmel-By-The-Sea does hereby make the following findings and determinations regarding the **Design Review**:

FINDINGS REQUIRED FOR DESIGN REVIEW APPROVAL

For each of the required findings listed below, the staff has indicated whether the application, either as proposed or with conditions, supports adopting the findings. For all findings checked "no," the staff report discusses the issues to facilitate the Planning Commission’s decision-making. Findings checked "yes" may or may not be discussed in the report depending on the issues.

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CMC 17.58.060, Findings for Design Review Approval <i>Before approving an application for design review in any district, the Director, Historic Preservation Board, or the Planning Commission shall find that the final design plans:</i>	YES	NO
1. Conform to the applicable policies of the General Plan and the Local Coastal Program;	✓	
2. Comply with all applicable provisions of this code; and	✓	
3. Are consistent with applicable adopted design review guidelines.	✓	

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Carmel-By-The-Sea does hereby make the following findings and determinations regarding the **USE PERMITS** for Increase in Commercial Floor Area, Commercial Spaces or Business (CMC 17.14.050), Residential Density 22 du/ac –33 du/ac (CMC 17.14.030), and Underground Floors (CMC 17.14.150.A):

FINDINGS REQUIRED FOR USE PERMIT APPROVAL For each of the required findings listed below, the staff has indicated whether the application, either as proposed or with conditions, supports adopting the findings. For all findings checked "no," the staff report discusses the issues to facilitate the Planning Commission's decision-making. Findings checked "yes" may or may not be discussed in the report depending on the issues.		
CMC 17.64.010, Use Permit Findings for Approval <i>In its review of applications for use permits, the Planning Commission shall evaluate each proposed use in order to consider its impact on the City. No use permit shall be granted unless all of these general findings can be made:</i>	YES	NO
1. That the proposed use will not be in conflict with the City's General Plan.	✓	
2. That the proposed use will comply with all zoning standards applicable to the use and zoning district.	✓	
3. That granting the use permit will not set a precedent for the approval of similar uses whose incremental effect will be detrimental to the City, or will be in conflict with the General Plan.	✓	
4. That the proposed use will not make excessive demands on the provision of public services, including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection.	✓	
5. That the proposed use will not be injurious to public health, safety or welfare.	✓	
6. That the proposed use will be compatible with surrounding land uses and will not conflict with the purpose established for the district within which it will be located.	✓	
7. That the proposed use will not generate adverse impacts affecting health, safety, or welfare of neighboring properties or uses.	✓	

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Carmel-By-The-Sea does hereby authorize participation in the City's in lieu parking program (CMC section 17.38.040) for 5.6 parking spaces, which was determined based on the 5794.05 square feet of commercial floor area on the site and a parking ratio of 1 space per 600 square feet of commercial floor area. There shall be 12 spaces located on-site and 10 of the on-site parking spaces shall be split between a parking list system and 2 (including 1 ADA space) shall be surface parking. The fees for the 5.6 parking space authorized through the in lieu program shall be paid in accordance with CMC section 17.38.040.A.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Carmel-By-The-Sea does hereby make the following findings and determinations regarding the **Coastal Development Permit**:

FINDINGS REQUIRED FOR COASTAL DEVELOPMENT PERMITS		
For each of the required findings listed below, the staff has indicated whether the application, either as proposed or with conditions, supports adopting the findings. For all findings checked "no," the staff report discusses the issues to facilitate the Planning Commission’s decision-making. Findings checked "yes" may or may not be discussed in the report depending on the issues.		
CMC 17.64.010.B, Coastal Development Permits	YES	NO
1. The project, as described in the application and accompanying materials, as modified by any conditions of approval, conforms with the certified City of Carmel-by-the-Sea Local Coastal Program.	✓	
2. If the project is located between the first public road and the sea, the project conforms with the public access and recreation policies of Chapter 3 of the Coastal Act of 1976 (commencing with Sections 30200 of the Public Resources Code).	N/A	N/A
Finding 2. The project is not located between the first public road and the sea. This finding is not applicable.		

BE IT FURTHER RESOLVED that the Planning Commission of the City of Carmel-by-the-Sea does hereby **FIND** the project categorically exempt from the California Environmental Quality Act (CEQA), State CEQA guidelines and local environmental regulations, pursuant to Section 15332 (Class 32) – In-Fill Development and no exceptions to the exemption contained in Section 15300.2 can be made; and **APPROVE** the Design Review, DR 23-140 (Esperanza Carmel Commercial - JB Pastor Building), Use Permit, UP 21-113 (Esperanza Carmel Commercial - JB Pastor Building), Lot Merger, LM 20-394 (Esperanza Carmel Commercial - JB Pastor Building), and associated Coastal Development Permit for the construction of a new 12,971-square-foot, two-story mixed-use development with 8 apartment units and approximately 5,425 square feet of new commercial floor area, with a new 852-square-foot basement and a new surface parking area at the rear of the property with a total of 12 parking spaces with 10 of the 12 spaces sharing a parking a parking lift system and the remaining required parking being provided through the city's in-lieu parking program. The existing community room and ornamented concrete wall (part of the Northern California Savings and Loan Complex) are proposed to remain on the project site as part of the project. The total project floor area including that of the existing community room (existing and proposed structures) is 13,663 square feet. The project is located at Dolores Street 2 southeast of 7th Avenue in the Service Commercial (SC) District at Lots 6, 8, and 10 of Block 91. APNs: 010-145-012/022/023, subject to the following Conditions of Approval:

CONDITIONS OF APPROVAL	
No.	Standard Conditions
1.	Authorization. Approval of this Design Review, DR 23-140 (Esperanza Carmel Commercial - JB Pastor Building), Use Permit, UP 21-113 (Esperanza Carmel Commercial - JB Pastor Building), Lot Merger, LM 20-394 (Esperanza Carmel Commercial - JB Pastor Building), and associated Coastal Development Permit for the construction of a new 12,971-square-foot, two-story mixed-use development with 8 apartment units and approximately 5,794 square feet of new commercial floor area, with a new 852-square-foot basement and a new surface parking area at the rear of the property with a total of 12 parking spaces with 10 of the 12 spaces sharing a parking a parking

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	lift system and the remaining required parking being provided through the city's in-lieu parking program. The existing community room and ornamented concrete wall (part of the Northern California Savings and Loan Complex) are proposed to remain on the project site as part of the project. The total project floor area including that of the existing community room (existing and proposed structures) is 13,663 square feet. The project is located at Dolores Street 2 southeast of 7th Avenue in the Service Commercial (SC) District at Lots 6, 8, and 10 of Block 91, APNs: 010-145-012/022/023. The project shall be constructed and uses carried out in substantial conformance with the plans, and application materials considered by the Planning Commission as part of the April 9, 2025 Planning Commission hearing, unless modified by the Conditions of Approval herein.
2.	Codes and Ordinances. The project shall be constructed in conformance with all requirements of the Service Commercial (SC) zoning district. All adopted building and fire codes shall be adhered to in preparing the working drawings. If any codes or ordinances require design elements to be changed, or if any other changes are requested at the time such plans are submitted, such changes may require subsequent approval by the Planning Commission and additional environmental review.
3.	Permit Validity. This approval shall be valid for a period of eighteen (18) months from the date of action unless an active building permit has been applied for and maintained consistent with the requirements of the Building Division. Extensions to this approval may be granted consistent with CMC 17.52.170.C.
4.	Water Use. Approval of this application does not permit an increase in water use on the project site without adequate supply. Should the Monterey Peninsula Water Management District determine that adequate water is not available for this site, this permit will be scheduled for reconsideration, and appropriate findings prepared for review and adoption by the Planning Commission.
5.	Fire Sprinklers. Installation of an automatic fire sprinkler system in accordance with the California Building and Fire Codes shall be required.
6.	Water Supply – Fire Protection. Prior to the issuance of a building permit, documentation must be provided which verifies sufficient water supply for the fire sprinkler system and the proposed location of the underground fireline(s).
7.	Electrical Laterals. All electrical service laterals to any new building or structure, or to any building or structure being remodeled when such remodeling requires the relocation or replacement of the main service equipment, shall be placed underground on the premises upon which the building or structure is located.
8.	Sewer Laterals. Sanitary sewer lateral connection shall be reviewed and approved by CAWD, an Encroachment Permit shall be obtained from the City of Carmel-by-the-Sea prior to installation.
9.	Modifications Prior to Construction. The Applicant shall submit in writing, with revised plans, to the Community Planning and Building staff any proposed changes to the approved project plans prior to incorporating those changes into the project. Minor changes to the approved project, plans, or use (ex. change in locations of exterior light fixtures, or changes in landscape material) may be approved administratively by the Director of Community Planning and Building upon submittal of a Design Review Application. Major changes to the approved project, plans, or use (ex. changes in massing, roof forms, height, amendments to Conditions of Approval) shall be reviewed by the Planning Commission and/or

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	Historic Resourced Board/City Council, as appropriate. All major changes shall require submittal of a Design Review Application. The determination of what constitutes a Major or Minor change shall be made by the Director of Community Planning and Building. All approved major and minor changes shall require a Building Permit Revision to incorporate the change into the approved building plan set.
10.	Modifications During Construction. The Applicant shall submit in writing, with revised plans, to the Community Planning and Building staff any proposed changes to the approved project plans prior to incorporating those changes, as outlined in Condition of Approval #9. If the Applicant changes the project without first obtaining City approval, the Applicant will be required to submit the change in writing, with revised plans, within 2 weeks of the City being notified. A cease work order may be issued any time at the discretion of the Director of Community Planning and Building until: a) either the Planning Commission or Staff has approved the change, or b) the property owner has eliminated the change and submitted the proposed change in writing, with revised plans, for review. The project will be reviewed for its compliance to the approved plans prior to final inspection.
11.	Exterior Revisions to Planning Approval Form. All proposed modifications that affect the exterior appearance of the building, site elements, or associated Use Permits shall be submitted on the "Revisions to Planning Approval" form on file in the Community Planning and Building Department. Any modification incorporated into the construction drawings that is not listed on this form, shall not be deemed approved upon issuance of a building permit.
12.	Conflicts Between Planning Approvals and Construction Plans. It shall be the responsibility of the Owner, Applicant, and Contractor(s) to ensure consistency between the project plans approved by Planning Staff, the Planning Commission, or the City Council on appeal, and the construction plans submitted to the Building Division as part of the Building Permit review. Where inconsistencies between the Planning approval and the construction plans exist, the Planning approval shall govern, unless otherwise approved in writing by the Community Planning & Building Director, or their designee. When changes or modifications to the project are proposed, the Applicant shall clearly list and highlight each proposed change and bring each change to the City's attention. Changes to the project that are incorporated into the construction drawings that were not clearly listed or identified as a proposed change shall not be considered an approved change. Should conflicts exist between the originally approved project plans and the issued construction drawings that were not explicitly identified as a proposed change, the plans approved as part of the Planning Department Review, including any Conditions of Approval, shall prevail.
13.	Indemnification. The Applicant agrees, at his or her sole expense, to defend, indemnify, and hold harmless the City, its public officials, officers, employees, and assigns, from any liability; and shall reimburse the City for any expense incurred, resulting from, or in connection with any project approvals. This includes any appeal, claim, suit, or other legal proceeding, to attack, set aside, void, or annul any project approval. The City shall promptly notify the Applicant of any legal proceeding, and shall cooperate fully in the defense. The City may, at its sole discretion, participate in any such legal action, but participation shall not relieve the Applicant of any obligation under this condition. Should any party bring any legal action in connection with this project, the Superior Court of the County of Monterey, California, shall be the situs and have jurisdiction for the resolution of all such actions by the parties hereto.

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14.	Hazardous Materials Waste Survey. A hazardous materials waste survey shall be required in conformance with the Monterey Bay Air Resource District prior to the issuance of a demolition permit.
15.	Cultural Resources. All new construction involving excavation shall immediately cease if cultural resources are discovered on the site, and the Applicant shall notify the Community Planning & Building Department within 24 hours. Work shall not be permitted to recommence until such resources are properly evaluated for significance by a qualified archaeologist. If the resources are determined to be significant, prior to resumption of work, a mitigation and monitoring plan shall be prepared by a qualified archaeologist and reviewed and approved by the Community Planning and Building Director. In addition, if human remains are unearthed during the excavation, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and distribution pursuant to California Public Resources Code (PRC) Section 5097.98.
16.	Encroachment Permit Required. Any construction, reconstruction, or closure of the right of way shall require approval of an encroachment permit.
17.	Truck Haul Route. Prior to Building Permit issuance, the Applicant shall provide for City (Community Planning and Building Director in consultation with the Public Services and Public Safety Departments) review and approval, a truck-haul route, and any necessary temporary traffic control measures for the grading activities. The Applicant shall be responsible for ensuring adherence to the truck-haul route and implementation of any required traffic control measures.
18.	Noise from Electrical and Mechanical Equipment. The fixed installation of any electrical or mechanical equipment shall be subject to the standards outlined in CMC 17.28.020.
19.	USA North 811. Prior to any excavation or digging, the Applicant shall contact the appropriate regional notification center (USA North 811) at least two working days, but not more than 14 calendar days, prior to commencing that excavation or digging. No digging or excavation is authorized to occur on-site until the Applicant has obtained a Ticket Number and all utility members have positively responded to the dig request. (Visit USANorth811.org for more information)
20.	BMP Tracking Form. Prior to issuance of a building permit, the Applicant shall submit for review and approval by the Community Planning & Building and Public Works Departments a completed BMP Tracking form.
21.	Semi-Permeable Surfaces. Prior to issuance of a building permit, the Applicant shall submit for review and approval by the Community Planning & Building and Public Works Departments cross-section details for semi-permeable surfaces.
22.	Erosion and Sediment Control Plan. Prior to issuance of a building permit, the Applicant shall submit for review and approval by the Community Planning & Building and Public Works Departments an erosion and sediment control plan that includes locations and installation details for erosion and sediment control BMPs, material staging areas, and stabilized access.
23.	Drainage Plan. Prior to the issuance of a building permit, the Applicant shall submit for review and approval by the Community Planning & Building and Public Works Departments a drainage plan that meets the requirements of the City's drainage guidance, SOG 17-07. At a minimum, new and replaced impervious area drainage must be dispersed around the site rather than focused on one corner of the property; infiltration features must be sized appropriately and located at least 6 feet from neighboring properties. The drainage plan shall include information on drainage from new impervious areas and semi-pervious areas.
24.	Construction Management Plan. Prior to the issuance of the first construction-related permit, the applicant shall submit a Construction Management Plan (CMP) for review and approval by the Community Planning and Building Director and Director of Public Works, and other relevant

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	City departments as found necessary during the review of the CMP. The CMP shall contain measures to minimize potential construction impacts including measures to comply with all construction-related Conditions of Approval such as dust control, construction emissions, hazardous materials, construction days/hours, construction traffic control, waste reduction and recycling, stormwater pollution prevention, noise control, complaint management, and cultural resource management. The CMP shall provide project-specific information including descriptive procedures, approval documentation, and drawings (such as a site logistics plan, fire safety plan, construction phasing plan, proposed truck routes, traffic control plan, complaint management plan, construction worker parking plan, and litter/debris clean-up plan) that specify how potential construction impacts will be minimized and how each construction-related requirement will be satisfied throughout construction of the project
25.	Landscape Plan. All new landscaping shall be shown on a landscape plan and shall be submitted to the Community Planning & Building Department and to the City Forester prior to the issuance of a building permit.
26.	Landscape Inspection and Maintenance. All approved landscaping shall be installed on-site prior to a final inspection. All required planting shall be permanently maintained in good growing condition and, whenever necessary, replaced with new plant materials to ensure continued compliance with applicable landscaping requirements. The property owner shall be responsible for maintaining planting in adjacent public rights-of-way consistent with the approved landscape plan. All required fences, walls, and irrigation systems shall be permanently maintained in good condition and, whenever necessary, repaired or replaced.
27.	Tree Removal. Trees on the site shall only be removed upon the approval of the City Forester or Forest and Beach Commission, as appropriate; all remaining trees on site, or in the right-of-way immediately adjacent to the site shall be protected during construction by methods approved by the City Forester.
28.	Significant Trees. All foundations within 15 feet of significant trees shall be excavated by hand. If any tree roots larger than two inches (2") are encountered during construction, the City Forester shall be contacted before cutting the roots. The City Forester may require the roots to be bridged or may authorize the roots to be cut. If roots larger than two inches (2") in diameter are cut without prior City Forester approval or any significant tree is endangered as a result of construction activity, the building permit will be suspended and all work stopped until an investigation by the City Forester has been completed. Six inches (6") of mulch shall be evenly spread across the inside the dripline of all trees prior to the issuance of a building permit.
29.	Tree Protection Measures. Requirements for tree preservation shall adhere to the following tree protection measures on the construction site. ● Prior to grading, excavation, or construction, the developer shall clearly tag or mark all trees to be preserved. ● Excavation within 6 feet of a tree trunk is not permitted. ● No attachments or wires of any kind, other than those of a protective nature shall be attached to any tree. ● Per Municipal Code Chapter 17.48.110 no material may be stored within the dripline of a protected tree including the drip lines of trees on neighboring parcels. ● Tree Protection Zone -- The Tree Protection Zone shall be equal to dripline or 18 inches radially from the tree for every one inch of trunk diameter at 4.5 feet above the soil line, whichever is greater. A minimum of 4-foot-high transparent fencing is required unless otherwise approved by the City Forester. Tree protection shall not be resized, modified, removed, or altered in any manner without written approval. The fencing

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	must be maintained upright and taught for the duration of the project. No more than 4 inches of wood mulch shall be installed within the Tree Protection Zone. When the Tree Protection Zone is at or within the drip line, no less than 6 inches of wood mulch shall be installed 18 inches radially from the tree for every one inch of trunk diameter at 4.5 feet above the soil line outside of the fencing. • The Structural Root Zone -- Structural Root Zone shall be 6 feet from the trunk or 6 inches radially from the tree for every one inch of trunk diameter at 4.5' above the soil line, whichever is greater. Any excavation or changes to the grade shall be approved by the City Forester prior to work. Excavation within the Structural Root Zone shall be performed with a pneumatic excavator, hydro-vac at low pressure, or another method that does not sever roots. • If roots greater than 2 inches in diameter or larger are encountered within the approved Structural Root Zone the City Forester shall be contacted for approval to make any root cuts or alterations to structures to prevent roots from being damaged. If roots larger than 2 inches in diameter are cut without prior City Forester approval or any significant tree is endangered as a result of construction activity, the building permit will be suspended and all work stopped until an investigation by the City Forester has been completed and mitigation measures have been put in place.
30.	Conditions of Approval. All conditions of approval for the Planning permit(s) shall be printed on a full-size sheet and included with the construction plan set submitted to the Building Safety Division.
31.	Condition of Approval Acknowledgement. The Condition of Approval Acknowledgement form, available from the Community Planning and Building Department, shall be signed by the appropriate parties prior to the issuance of a building permit. A signed copy of the acknowledgement shall also be printed in the building plan set.
32.	Pre-Construction Meeting. Prior to the issuance of a building permit, the contractor overseeing the project shall schedule a pre-construction meeting with the Project Planner for the purpose of reviewing the conditions of approval and expectations during construction.
Design Review (DR) Conditions of Approval	
33.	Setback and Height Certifications. A State licensed surveyor shall survey and certify the following in writing: • The footing locations are in conformance with the approved plans prior to footing/foundation inspection; • The roof heights and plate heights of each building are in conformance with the approved plans prior to roof sheathing inspection. Roofs and plates shall not exceed the elevation points as identified in the approved project plans and the roofs include an appropriate allowance for roofing material thickness. Written certifications prepared, sealed, and signed by the surveyor shall be provided prior to footing/foundation inspection and roof sheathing inspection. In the event that multiple footing/foundation pours are required, a survey letter shall be submitted for each separate section.
34.	Exterior Lighting. All light fixtures shall not be directed toward the public right-of-way. Lighting intensity shall not exceed eight-candlefoot power at a point two feet beyond the storefront windows as measured in a vertical or horizontal plane three feet above the ground or public walking surface. The manufacturer's specifications, including illumination information, for each

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	exterior light fixture shall be included in the construction drawings submitted with the building permit application.
35.	Interior Storefront Lighting. Lighting intensity within the interior of the store space shall not exceed 30-candlefoot power at any point visible from the public right-of-way as measured in a vertical or horizontal plane three feet above the floor or walking surface. The manufacturer's specifications, including illumination information, for each exterior light fixture shall be included in the construction drawings submitted with the building permit application.
36.	Stone Facades (including chimneys). Stone facades shall be installed in a broken course/random or similar masonry pattern. Setting the stones vertically on their face in a cobweb pattern shall not be permitted. All stonework shall be wrapped around building corners and terminated at an inside corner or a logical stopping point that provides a finished appearance. Termination of stonework shall be subject to review and approval by the Community Planning & Building Director or their designee. The masonry pattern shall be clearly identified in the construction drawings submitted with the building permit application.
37.	Aluminum-Clad Wood Frame Windows and Doors. The Applicant shall submit product information for the aluminum-clad wood windows and doors prior to the issuance of a building permit. The window style shall be consistent with authentic wood windows and doors. When approved with divided lights, lights that appear to be true divided light including the use of internal and external mullions and muntins on insulated windows may be used. The painted finish shall be matte or low gloss. Removable, snap-in, or internal only mullions and muntins are prohibited.
38.	Street Trees – Structural Cells. New street trees shall be planted in within structural cells that provide at least 100 cubic feet of un-compacted soil volume for the long term viability of new trees. Prior to issuance of a building permit, the plans shall be revised to include a note on the landscape plans to indicate structural cells shall be used, as well as details provided for the proposed structural cells.
39.	Roof Mounted Mechanical Equipment. All roof mounted mechanical equipment shall be placed within a screened roof top enclosure or located below the parapet level and shall not be visible from the ground at any distance from the building.
40.	Exterior Duct Work. Ducting, line sets, conduit and similar features associated with mechanical or electrical equipment shall be run through the interior of the structure. If not feasible, these elements shall be located on building faces that are not visible from publicly accessible areas and painted to match the color of the building wall upon which it is placed.
41.	Exterior Lighting Location. No exterior light fixtures shall be installed or relocated which overhangs the public right-of-way. All light fixtures shall be located on the project site. Modifications to the approved lighting plan shall require submission a photometric plan to ensure compliance with the requirements of Condition of Approval #34.
42.	Exterior/Interior Lighting Intensity. Prior to building permit issuance, the plans shall be revised so the exterior lighting intensity for the site complies with Condition of Approval #34 (see trash enclosure area, for example).
43.	Public Way Improvements – Public Works. Prior to building permit issuance, the following shall be adequately addressed and/or revised in the project plans: • The applicant shall be responsible for repair of any damage to the adjacent public right-of-way or improvements (including by not limited to the street, sidewalk, utilities) during construction.

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	All Public Way Improvements shall be constructed consistent with the requirements of the “Policy and Standards for Public Way Design”.
44.	Public Way Improvements – Planning. Prior to Building Permit issuance, the following shall be adequately addressed, and/or revised in the project plans: - The sidewalk paver(s) shall be clearly identified in the project plans. The sidewalk paver(s) shall: - Be constructed from sand-set pavers that facilitate percolation using square, rectangular, hexagonal, cobble or creased-keystone shapes; - Use earthen, warm hues (tan, brown, warm grey); - Use a single hue or a mix of not more than two similar hues in paving areas; - Driveway colors and/or materials should match the adjacent sidewalk. All Public Way Improvements shall be constructed consistent with the requirements of the “Policy and Standards for Public Way Design”.
45.	Final Inspection. A final certificate of occupancy for any individual building or structure shall only be granted upon completion of the entire project. All landscaping shall be installed, inspected, and approved prior to issuance of a final certificate of occupancy for the project. Construction and installation of all public way improvements approved as part of the proposed project shall be completed, inspected, and approved prior to issuance of a final certificate of occupancy of the project.
46.	Fire Department Connections. All fire department connections (FDC) required for the project must be located on the exterior of buildings. They may not be covered or hidden, nor may they be located inside buildings. Fire risers, and other service equipment may be screened as required by Condition of Approval #47.
47.	Utility Screening. All utilities, including but not limited to, fire service equipment, gas meters, electrical meters, and associated equipment shall be screened from public view in a location and method approved by the Community Planning and Building Department and Fire Department.
48.	Master Sign Program. Prior to Final Inspection, the Applicant shall submit an application for a Master Sign Program. The purpose of the Master Sign Program shall be to coordinate the installation and location of signage on the subject site in an orderly and equitable manner among commercial tenants.
49.	Exterior Business Uses. This approval does not authorize or pre-approve any land use or business to operate exterior business uses, such as outdoor seating, in conjunction with a proposed business. Any use not proposed to be located within an enclosed business space shall be reviewed for consistency with CMC 17.14, as applicable.
50.	Garage Enclosure Location. The garbage enclosure shall remain located in an area outside of the “Preservation Buffer” as established in Resolution 2023-099. Relocation of, or expansion, the enclosure into the Preservation Buffer shall require an amendment of Resolution 2023-099 by the City Council.
51.	Unused – Condition of Approval #51 is intentionally retained for numerical consistency. There is no Condition of Approval #51 which is applicable to the project.
Use Permit (UP) Conditions of Approval	
52.	Refuse Storage. The Property Owner shall provide readily accessible areas that serve all occupants and tenants of all buildings on the site and are identified for the storage and collection of recyclable materials container and organic materials container materials, consistent with the three-container collection program offered by the City, or comply with provision of adequate

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	space for recycling for multi-family residential dwelling premises and commercial business premises pursuant to the California Green Building Standards Code (CMC section 8.16.180).
53.	Refuse Collection. The property owner shall adhere to the requirements established in CMC sections 8.16.120-130, including but not limited to, subscribing to and paying for City's three-container collection services and comply with requirements of those services for all recyclable materials, organic materials, and solid waste generated by the commercial and residential uses at the project site. The city shall have the right to review the number and size containers and frequency of collection to evaluate adequacy of capacity provided for each type of collection service for proper separation of materials and containment of materials. The property owner shall adjust the service level for collection services as requested by the City or its designee to maintain an appropriate level of collection.
54.	Transient Rentals Prohibited. No residential unit shall be occupied on a transient rental basis. Any unit rented, leased, or offered for occupancy to any party for any form of remuneration shall be for a period of not less than 30-calendar days.
55.	Second Floor Commercial Uses. Commercial use may not take place or be occupied in any space above the ground floor except as allowed for home occupations within residential units as may be permitted by the Carmel Municipal Code.
56.	Residential Unit Subdivision. No residential unit shall be further subdivided into any additional unit or units without review and approval by the Planning Commission.
57.	Timeshare Prohibition. No apartment unit shall be sold, leased, rented, used, or occupied on any form of timeshare or interval basis.
58.	Unused – Condition of Approval #58 is intentionally retained for numerical consistency. There is no Condition of Approval #58 which is applicable to the project.
59.	Future Commercial Tenants. Future business will be reviewed through the standard Business License and/or Use Permit application process, as applicable. This approval does not approve or pre-authorize any land use or business to operate at the subject site. All future tenants shall also be required to comply with the Monterey Peninsula Water Management District requirements.
60.	Commercial Signage. Commercial tenants shall be subject to the provisions of the Master Sign Program, identified in Condition of Approval DR#48.
61.	In Lieu Parking Fees. Prior to Building Permit issuance, the applicant shall remit payment to the Community Planning and Building Department and Finance Department, as appropriate, for all fees related to the 5.6 parking spaces provided through payment into the city's in-lieu fee program in accordance with CMC section 17.38.040.A. The value of the fee is as established in Urgency Ordinance 2020-003 and Resolution 2003-72.
Lot Merger (LM) Conditions of Approval	
62.	Nomenclature – Application Materials Revision. Prior to recordation of the required lot merger, which shall be required prior to issuance of a building permit, the legal description (as indicated in Attachment A of the Lot Merger Application Materials) of the lot merged shall be revised to reflect the description of the merged site as "Merged Lot 6A" to be consistent with the city's naming convention for merged lots, as opposed to "Merged Lot A".
63.	Legal Description – Application Materials Revision. Prior to recordation of the required lot merger, which shall be required prior to issuance of a building permit, the legal description of the lot merged shall be revised include reference to a "Lot Merger Map – Exhibit B" and referenced within the legal description of for the merged property. The legal description and map shall be prepared by a licensed land surveyor or engineer as appropriate.
Historic Preservation (HP) Conditions – From Reso. 2023-099	

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64.	Ornamented Concrete Wall. The original ornamented concrete wall located at the southwest corner of the Community Room shall remain in its existing location and configuration. It shall remain unaltered and protected through construction. Site improvements shall not significantly obstruct the wall from public view and the wall shall remain accessible to the public as a piece of public art as part of a courtyard, interblock-walkway, or other means.
65.	Community Room Repairs. If repairs or alteration of any nature are proposed for the Community Room, the applicant shall submit in writing to the Community Planning and Building Department an application outlining the details of any proposed work for review and approval prior to commencement of work. Any deteriorated exterior elements for the Community Room should be repaired, rather than replaced whenever possible.

Acknowledgment and acceptance of conditions of approval.

_____	_____	_____
Property Owner Signature	Printed Name	Date
_____	_____	_____
Applicant Signature	Printed Name	Date

PASSED, APPROVED, AND ADOPTED BY THE PLANNING COMMISSION OF THE CITY OF CARMEL-BY-THE-SEA this 9th day of April 2025, by the following vote:

AYES: Ahlborn, Karapetkov, Locke, LePage

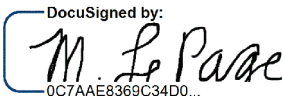
NOES:

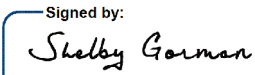
ABSENT: Allen

ABSTAIN:

APPROVED:

ATTEST:

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Michael LePage
Chair

Signed by:

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Shelby Gorman
Planning Commission Secretary

Northern California Savings and Loan Complex & JB Pastor Project Timeline (2018-Present)

This timeline was prepared in part with the assistance of NotebookLM using published staff reports and adopted resolutions as source material.

2018

- **November 19, 2018:** Community Planning and Building Department issued four Certificate of Compliances (CoC's) associated with lots 2, 4, 6, 8 of Block 91 finding that each lot was legally created and constitutes a single, separate lot of record and may be sold, leased, or financed without further compliance with the Subdivision Map Act or any local ordinance enacted pursuant thereto. Development of the parcel may require issuance of a permit or permits, or other grant or grants of approval.

2019

- **April 17, 2019:** International Design Group (IDG) submitted a Track 2 Design Review application, DR 19-156 (Esperanza Carmel) for the JB Pastor Building on behalf of Esperanza Carmel Commercial LLC.

This project was proposed for lot 10 only. This was the initial application in a series of revisions for the project.

This project proposed the construction of one building totaling 5,362 square feet, with a 3,365 square foot basement.

- **June 12, 2019:** The Planning Commission conducted a Preliminary Review of the project (DR 19-156, Esperanza Carmel), providing feedback and generally expressing support with some recommendations for changes.
- **June 28, 2019:** The city received an application for concept review, CR 19-267 (CPines 7), for the development of the southern two lots (Lots 6 & 8) of the Northern California Savings and Loan Complex ("Complex").

This project proposed the construction of two buildings totaling 9,030 square feet, a 7,300 square foot basement, and disassembly and reassembly of the community room including a 452 square-foot addition to the community room, and demolition of the ornamented concrete wall in its entirety (total proposed project floor area: 10,090 sf).

- **August 14, 2019:** The Planning Commission conducted a Preliminary Concept Review of CR 19-267 (CPines 7), providing feedback and generally expressing support with some recommendations for changes.
- **October 3, 2019:** Margaret Clovis prepared an "Evaluation of Significance and Phase Two Report [for the complex]". This report assessed the historical significance of the complex and evaluated proposed changes to the community room for consistency with the Secretary of the Interior's Standards for Rehabilitation associated with DR 19-463 (CPines 7) (formal application associated with CR 19-267 (CPines 7)) located on lots 6 & 8.

The report found the bank building eligible for listing in the California Register for Historic Resources (CRHR), but not for the Carmel Historic Resources Inventory or the National Register due to age, which requires buildings under 50 years old to be exceptionally important for listing. The report also concluded that the proposed project meets the Secretary of the Interior's Standards for Rehabilitation.

- **November 4, 2019:** City Council considers an Encroachment Permit (EN 19-152 (CPines 7)) application for a hydraulic driveway ramp with safety warning gates extending along the sidewalk associated with DR 19-463. According to the staff report, the purpose of the encroachment was to eliminate the curb cut that would be necessary for the driveway and to facilitate better access into the subgrade garage. The City Council denied the encroachment permit.
- **November 18, 2019:** The Historic Resources Board (HRB) determined that the Palo Alto Savings and Loan Complex was eligible for listing on the City's Historic Inventory and moved to add the property to the Carmel Inventory of Historic Resources.
- **November 26, 2019:** An appeal (APP 19-486, CPines 7)) of the Historic Resources Board's (HRB) decision to add the Palo Alto Savings and Loan Complex to the City's Historic Inventory was filed with the city by the agent for DR 19-463 (CPines 7).

The basis for this appeal included arguments that the building was less than 50 years old and did not meet the "exceptional importance" standard, was not eligible under National Register Criterion G or the city's historic preservation ordinance, and that the City Council had previously determined in 2006 that the building was not historic.

2020

- **February 4, 2020:** The appeal (APP 19-486 (CPines 7)) was granted and a Determination of Ineligibility for listing on the City's Historic Inventory was issued for the complex by the City Council with the basis for the determination being that:

- The property lacks sufficient age to be considered historic;
- The property does not relate to historic themes or property types established in the Historic Context Statement for Carmel-by-the-Sea
- The property has no association with important events, people or architecture that are identified in the Historic Context Statement or that represent the historical/cultural evolution of Carmel-by-the-Sea.

The Determination of Ineligibility was dated to expire on October 26, 2022 when the building reached 50-years old.

- **June 2020** (estimated): Ownership of Lots 6 & 8 transferred to Esperanza Carmel.

2021

- **January 8, 2021:** International Design Group (IDG) submitted a revised Track 2 Design Review application (DR 20-395, Esperanza Carmel) for the JB Pastor Building on behalf of Esperanza Carmel Commercial LLC.

This project was proposed for lots 6, 8, and 10. This project proposed the demolition of all improvements across the three lots, including the demolition of the community room, and construction of a 16,898 square foot two story mixed-use development with a 11,371 square foot basement garage.

- **March 1, 2021:** Margaret Clovis prepared a Phase II report that found proposed amendments consistent with the Secretary of the Interior's Standards for Rehabilitation, provided recommendations were followed. This report indicated the complex was eligible for the CRHR and would be eligible for the Carmel Inventory in 2022.
- **April 19, 2021:** The Historic Resources Board (HRB) held a public hearing to review Design Review Application DR 20-395 for the demolition of the Community Room. The HRB voted to continue the application and directed staff to prepare a resolution issuing a Finding of Noncompliance with the Secretary of the Interior's Standards. The Board's rationale included that the bank building and community room are a historically related unit, integral to the original design, and that removing the community room would fundamentally alter the south elevation.
- **May 17, 2021:** The Historic Resources Board adopted Resolution 2021-03-HRB, issuing a Finding of Noncompliance with the Secretary of the Interior's Standards for the proposed demolition of the Palo Alto Savings and Loan Bank Community Room.
- **May 19, 2021:** Christopher Mitchell filed an appeal (APP 21-179) on behalf of Esperanza Carmel Commercial of the HRB's decision to adopt Resolution 2021-03-HRB.

- **August 3, 2021:** The City Council considered the appeal (APP 21-179). The City Council denied the appeal and upheld the HRB's decision to issue a Finding of Noncompliance (Resolution 2021-03-HRB) for the demolition of the Community Room. This decision was formalized in Resolution 2021-043.

2022

- **May 24, 2022:** International Design Group (IDG) submitted revised application DR 22-157 on behalf of Esperanza Carmel, proposing the construction of a mixed-use building on Lots 6, 8, and 10.

This project was proposed for lots 6, 8, and 10. This project proposed the demolition of all improvements across the three lots, including the relocation of the community room to the east of the restaurant/bank building, and construction of a 16,898 square foot two story mixed-use development with a 11,371 square foot basement garage.

- **October 8, 2022:** A second application, DR 22-310, was submitted by the applicant for the concurrent relocation of the Community Room to Lot 4 from Lot 6.
- **October 26, 2022:** The previous Determination of Ineligibility expired, prompting a re-evaluation of the Complex for local inventory eligibility as it reached 50 years old.
- **December 2022:** PAST Consultants conducted an intensive survey, concluding that the Complex is eligible for listing on the Carmel Inventory of Historic Resources and the CRHR under Criterion 3 due to its intact Bay Region Modern-stylistic elements and design by prominent local architects Walter Burde & Associates and Will Shaw & Associates.

2023

- **January 12, 2023:** PAST Consultants prepared a Phase II Evaluation, determining that the proposed relocation of the Community Room was *not* consistent with the Secretary of the Interior's Standards. The report recommended maintaining the original spatial relationship between the bank building and the Community Room.
- **January 23, 2023:** The Historic Resources Board held a public hearing.
 - The HRB adopted Resolution 2023-01-HRB, adding the Northern California Savings and Loan Complex to the Carmel Inventory of Historic Resources and Carmel Register of Historic Resources.
 - HRB also adopted Resolution 2023-02-HRB, finding the proposed relocation of the Community Room inconsistent with the Secretary of the Interior's Standards.

- **February 6, 2023:** Esperanza Carmel Commercial filed an appeal (APP 23-031) of the HRB's decision to adopt Resolution 2023-01-HRB and 2023-02-HRB.
- **May 2, 2023:** The City Council considered the appeal (APP 23-031). The City Council denied the appeal and upheld the HRB's decision to Northern California Savings and Loan Complex to the Carmel Inventory of Historic Resources and Carmel Register of Historic Resources (Reso. 2023-01-HRB) and find the proposed relocation of the Community Room inconsistent with the Secretary of the Interior's Standards (Reso. 2023-02-HRB). These decisions were formalized in Resolutions 2023-052 and 2023-053, respectively.
- **May 24, 2023:** International Design Group (IDG) submitted revised application DR 23-140 on behalf of Esperanza Carmel, proposing the construction of a mixed-use building on Lots 6, 8, and 10.

This project was proposed for lots 6, 8, and 10. This project submitted proposed the retention of the community room and demolition of other improvements on the site, and construction of a 15,351-square-foot, two-story mixed-use development (16,043 sf existing + proposed) with a 9,805 square foot basement.

- **June 30, 2023:** PAST Consultants prepared a Phase II report, which found proposed amendments consistent with the Secretary of the Interior's Standards for Rehabilitation, provided recommendations were carried out.
- **July 17, 2023:** The Historic Resources Board adopted Resolution 2023-009-HRB, issuing a Determination of Consistency with the Secretary of the Interior's Standards for the construction of a 15,351-square-foot mixed-use building with a subterranean garage.
- **August 3, 2023:** Two City Council members requested a Right of Review of the HRB's decision (Resolution 2023-009-HRB).
- **September 12, 2023:** The City Council public hearing for the Right of Review. They decided to continue the project and directed staff to prepare findings and conditions to overturn the HRB's Determination of Consistency (Resolution 2023-009-HRB) and issue a new Determination of Consistency.
- **October 3, 2023:** The City Council adopted Resolution 2023-099, overturning the July 2023 decision of the Historic Resources Board (Resolution 2023-009-HRB) and issuing a new Determination of Consistency with new findings and conditions for the project.

2024

- **July 10, 2024:** The Planning Commission held a public hearing for the project and continued the hearing, directing the applicant to make changes to the project.

2025

April 9, 2025: The Planning Commission adopted Resolution 2025-020-PC approving the associated Design Review, Use Permits, and Coastal Development Permits for the project.

The approved project included the retention of the community room and demolition of other improvements on the site, and construction of a 12,971-square-foot, two-story mixed-use development (13,663 sf existing + proposed) with an 852 square foot basement.

- **April 23, 2025:** Krista Ostoich filed an appeal (APP 25115) on behalf of Mike Brown, Mike Cate, Don Goodhue, Steve Hillyard, Vinz Koller, Courtney Kramer, Cindy Lloyd, Ian Martin, Rich Pepe, Kristi Reimer, and Julie Wendt of the Planning Commission's approval of Resolution No. 2025-020-PC.

APR 23 '25 PM12:13



CITY OF CARMEL-BY-THE-SEA APPEAL FORM

Appeals to a Board or Commission must be made by completing and submitting an Appeal Form with the City Clerk. Appeals shall be filed **within 10 calendar days following the date of action** and paying the required filing fee as established by City Council resolution.

Appeals to the City Council must be made by completing and submitting an Appeal Form with the City Clerk. Appeals shall be filed **within 10 working days following the date of action** and paying the required filing fee as established by City Council resolution.

See Attachment "A"

Name of Appellant

c/o Krista Ostoich Attorney at Law, P.O. Box 221211, Carmel, CA 93922

Mailing Address of Appellant

c/o Krista Ostoich Attorney at Law, (831) 250-7422 c/o Krista Ostoich Attorney at Law, kostoich@ostoichlaw.com

Phone Number

Email address

Send correspondence to the following party (if different than Appellant):

See Attachment "A"

Name

Krista Ostoich, Attorney at Law

Mailing Address

P.O. Box 221211, Carmel, CA 93922 kostoich@ostoichlaw.com

Phone Number

Email address

Planning Commission

Commission, Board, Official or Department whose action is being appealed

Physical location of property involved (street location or address): Dolores St 2 Southeast of 7th Ave

6/8/10

91

010-145-012; 010-145-023; 010-145-024

Lot

Block

APN

Date of decision being appealed: April 9, 2025

Specific action or decision being appealed: Appeal of approval of DR 23-140, LM 20-394,
and UP 21-113, and finding that Project is categorically exempt.

Grounds for appeal (attach additional pages if necessary): See Attachment "B"

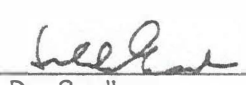
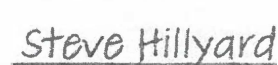
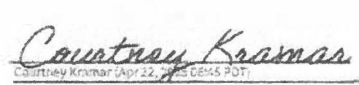
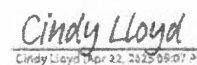
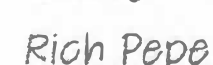
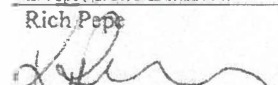
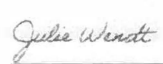
See Attachment "A"

Signature of Appellant

Attachment

“A”

APPELLANT LIST AND SIGNATURES

Brown, Mike		Date: <u>APR 22, 2025</u>	 Mike Brown
Cate, Mike	k8electric@sbcglobal.net	Date: <u>Apr 21, 2025</u>	 Mike Cate (Apr 21, 2025 18:51 PDT) Mike Cate
Goodhue, Don	donalddgoodhue@comcast.net	Date: <u>4/22/25</u>	 Don Goodhue
Hillyard, Steve	sahillyard@hotmail.com	Date: <u>Apr 21, 2025</u>	 Steve Hillyard (Apr 21, 2025 17:10 PDT) Steve Hillyard
Koller, Vinz	vinz.koller@mac.com	Date: <u>Apr 22, 2025</u>	 Vinz Koller (Apr 22, 2025 09:07 PDT) Vinz Koller
Kramer, Courtney	cortiekramer@yahoo.com	Date: <u>Apr 22, 2025</u>	 Courtney Kramer (Apr 22, 2025 08:45 PDT) Courtney Kramer
Lloyd, Cindy	lucindalloyd41@gmail.com	Date: <u>Apr 22, 2025</u>	 Cindy Lloyd (Apr 22, 2025 09:07 PDT) Cindy Lloyd
Martin, Ian	ian@ianmartinphotography.com	Date: <u>Apr 21, 2025</u>	 Ian Martin (Apr 21, 2025 13:06 PDT) Ian Martin
Pepe, Rich	pepe@pepeinternational.com	Date: <u>Apr 21, 2025</u>	 Rich Pepe (Apr 21, 2025 19:51 PDT) Rich Pepe
Reimers, Kristi	kreimers1975@icloud.com	Date: <u>Apr 22, 2025</u>	 Kristi Reimers (Apr 22, 2025 14:20 PDT) Kristi Reimers
Wendt, Julie	juliemwendt@yahoo.com	Date: <u>Apr 21, 2025</u>	 Julie Wendt

Attachment “B”

1. Project is not categorically exempt from CEQA as exceptions to the Categorical Exemption exist.
2. Appeal of approval of DR 23-140 is based on improper application of the term “structure” and “interaccessibility” which results in a structure with more than 10,000 sf of floor area; improper landscaping, parking and open space requirements.
3. Appeal of approval of UP 21-113 based on usage of in-lieu parking fees and failure to meet the zoning standards and general plan.
4. Appeal of finding that Project now addresses the conditions of approval set by the City Council in Resolution 2023-099.

Rich Pepe
PO Box 901
Carmel-by-the-Sea, CA 93921

Carmel City Council
City Hall
Monte Verde Street between Ocean and 7th Avenues
Carmel-by-the-Sea, CA 93921

Subject: Opposition to In-Lieu Parking Request – JB Pastor Building Site

Dear Members of the Carmel City Council,

I am writing to express my strong opposition to the proposed use of in-lieu parking fees in place of providing adequate on-site parking for the JB Pastor Building project, currently under appeal following approval by the Planning Commission.

According to city requirements, new buildings in the Service Commercial (SC) zone must provide their own parking—either on-site or through the development of an underground facility.

The use of in-lieu parking fees may only be considered when it is demonstrated that providing such parking is technically or practically infeasible. In this case, the applicant has not made any such demonstration.

The project in question requires 18 parking spaces: eight for the residential units and ten for commercial use, including the newly acquired community room formerly part of the bank. While the calculated requirement is 17.6 spaces, the municipal code stipulates rounding up, thus requiring a total of 18 spaces.

Underground parking is clearly feasible for this site. Numerous nearby buildings, including two on the same block at 7th and Dolores, as well as the adjacent building to the south, have successfully constructed underground garages. Providing such parking on this site is not only possible but also consistent with precedent throughout downtown Carmel.

Instead, the applicant proposes installing a five-unit car-stacking system intended to accommodate ten vehicles. These systems are typically employed for long-term storage or specialized commercial uses, such as at mechanic shops or valet services. They are unsuitable for shared residential use—particularly for unrelated tenants—due to their size, operational complexity, and safety concerns. They do not provide a practical or functional substitute for standard parking in a busy, mixed-use downtown setting.

The primary motivation for this alternative appears to be cost savings, as in-lieu fees are considerably less expensive than constructing a compliant underground garage. However, financial considerations alone are not a valid justification for circumventing city requirements.

As former Planning Commissioner Bob Delves rightly observed when this proposal was previously denied: “This building needs to park itself,” expressing concern that the applicant had not fully accounted for the broader impact on our small village.

At the most recent Planning Commission hearing, Chairperson Michael LePage referenced a private home on Scenic Road utilizing a lift system as a precedent in support of the proposal. This is an inappropriate and misleading comparison—akin to comparing apples to oranges.

Carmel is already grappling with serious parking challenges. The loss of public spaces under AB 413, rising visitor traffic, and increasing delivery demands have all intensified the strain on available parking. Notably, six parking spaces were recently converted to Loading Zones Only at the heavily trafficked corner of 7th and Dolores. Compounding the issue, modern vehicles are, on average, 20–22% larger than those of past decades, while standard parking space dimensions have remained largely unchanged.

We must uphold the standards established in the General Plan and require that new developments meet their own parking needs responsibly and fully.

For these reasons, I respectfully urge the City Council to deny the in-lieu parking request and require the applicant to provide a fully code-compliant underground parking garage.

Thank you for your time and thoughtful consideration.

Sincerely,

Rich Pèpe

Fwd: JB Pastor Building and Responsible Parking Management

Evan Kort <ekort@ci.carmel.ca.us>
To: Nova Romero <nromero@ci.carmel.ca.us>

Tue, May 20, 2025 at 9:19 AM

2/2



Evan Kort
Senior Planner
Community Planning and Building

City of Carmel-by-the-Sea

Direct: (831) 620-2023

Dept. Main: (831) 620-2010

-CLICK HERE TO-
SCHEDULE A MEETING
OR
SCHEDULE AN INSPECTION

----- Forwarded message -----

From: **Ian Martin** <ian@ianmartinphotography.com>
Date: Tue, May 20, 2025 at 8:07 AM
Subject: Re: JB Pastor Building and Responsible Parking Management
To: <dbyrne@ci.carmel.ca.us>, Robert Delves <rdelves@ci.carmel.ca.us>, Jeff Baron <jbaron@ci.carmel.ca.us>, Hans Buder <hbuder@ci.carmel.ca.us>, Alissandra Dramov <adramov@ci.carmel.ca.us>
Cc: Chip Rerig <crerig@ci.carmel.ca.us>, Brandon Swanson <bswanson@ci.carmel.ca.us>, Anna Ginette <aginette@ci.carmel.ca.us>, Brian Pierik <bpierik@ci.carmel.ca.us>, Evan Kort <ekort@ci.carmel.ca.us>, <nromero@ci.carmel.ca.us>

A clarification:

Esperanza wasn't the developer at the time the Wiener letter was sent, however the analysis in the letter remains the same. The City should require the JB Pastor Building to accommodate eight of the restaurant's parking spaces displaced by the development.

--Ian Martin

On Mon, May 19, 2025 at 8:27 PM Ian Martin <ian@ianmartinphotography.com> wrote:

Dear Mayor Byrne and Council Members,

The JB Pastor Building should not only accommodate its own required parking, it must also accommodate eight of the 7th and Dolores restaurant parking spaces it will displace.* This was the City's considered position in 2019. Marc Wiener, who was the Director of Building and Planning at the time, wrote to the person who owned the property then to say so. The City Attorney and the City Administrator were cc'd along with the property owner's attorney. The letter is found in the planning file for the 7th and Dolores properties and is attached here for your convenience.

A key excerpt:

“The City cannot approve a project that creates a significant parking nonconformity. Failure to address the parking situation is a basis for denial of the subject development of the southern two lots, and could impact the restaurant Use Permit, should you choose to move forward with selling the two southern lots which would result in you losing control of the parking.”

Esperanza now owns the two lots mentioned above and intends to develop them as part of the JB Pastor Building.

Three years after the Wiener letter was sent, a Planning and Building Department memorandum (also attached) was issued. Wiener was no longer with the City at this point. This memorandum makes no mention of the Wiener letter and presents a rationale for waiving the restaurant's parking requirement, using a municipal code provision that grandfathers in an existing use when a change in the law would otherwise forbid it. This rationale doesn't work, because *the law hasn't changed*.

It should *still* be the City's position that those two lots have to accommodate the restaurant's parking. The then property owner and his attorney were put on notice as to the City's position. That information should have been disclosed to the buyer of the property when it was sold. Parking is a scarce public resource entrusted to the City to manage. Managing it responsibly means not simply giving it away.

Sincerely,

Ian Martin

*The restaurant interior needs seven spaces, the patio area needs one: see Planning Commission staff reports for UP 16-191, October 12, 2016, and DR 17-365, December 13, 2017, respectively. The Community Room is not included in this eight-space calculation as it is now owned by Esperanza and must be accounted for in the parking requirements for the JB Pastor Building development.



City of Carmel-by-the-Sea

COMMUNITY PLANNING AND BUILDING DEPARTMENT

POST OFFICE DRAWER CC
CARMEL-BY-THE-SEA, CA 93921
(831) 620-2010 OFFICE

October 23, 2019

Jeff Peterson
2 N Santa Cruz Ave, #201
Los Gatos, CA 95030

RE: Parking Requirement
Seventh and Dolores Restaurant (UP 17-020)
SE Cor. Dolores & 7th
Blk: 91, Lots: 2, 4, 6 & 8; APN: 010-145-020

Dear Mr. Peterson:

The subject property containing the Seventh and Dolores restaurant is composed of four separate lots of record. The main restaurant building is located on the northern two lots (Lots 2 & 4), while the southern two lots (Lots 6 & 8) are developed with a parking lot and a small restaurant building. The current restaurant Use Permit (UP 17-020) extends across all four lots of this property. The restaurant is currently required to provide 8 parking stalls and this number would be reduced to 7 if the smaller building is no longer part of the restaurant. The staff report and plans associated with the Use Permit identify that the restaurant has conforming parking.

You are in the process of selling the southern two lots to Fred Kern, who has submitted an application (CR 19-267) to develop these lots with a mixed-used building and subgrade parking garage. All of the restaurant parking would be eliminated with the development of the southern two lots. Eliminating the restaurant parking will create a parking nonconformity, and as such, you must either replace or maintain the restaurant parking at the site. This means that you either have to create new parking stalls on the northern two lots to replace the lost parking stalls, or ensure that the development of the southern two lots includes the necessary parking for the restaurant.

You have inquired as to whether you can purchase the parking stalls through the City's parking in-lieu fee program. The City's Zoning Code does allow for a parking in-lieu fee, but includes a standard that this option be available when providing on-site parking is impractical (refer to Exhibit 1). In this case, the property has conforming parking, and the loss parking would be solely due to a proposed development project. In staff's opinion it would be very challenging for the Planning Commission or City Council to approved this request. Additionally, based on the formula established in the City's Zoning Code, the price for 7-8 parking stalls would likely be in excess of one-million dollars.

The City cannot approve a project that creates a significant parking nonconformity. Failure to address the parking situation is a basis for denial of the subject development of the southern two lots, and could impact the restaurant Use Permit, should you choose to move forward with selling the two southern lots which would result in you losing control of the parking.

Please let me know if you have any questions. We would be glad to meet with you to discuss this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "M Wiener".

Marc Wiener, AICP
Community Planning and Building Director

Encl: CMC 17.38.030

CC: Tony Lombardo, Property Owner's Attorney
Fred Kern, Project Applicant
Chip Rerig, City Administrator
Brian Pierik, City Attorney

Exhibit 1

17.38.030 Exceptions.

It is recognized that some sites, due to size, shape, topography, existing buildings, the availability of land suitable for parking purposes or location within specific land use districts, may have difficulty meeting all parking requirements. Therefore, the following exceptions are provided to increase the flexibility in meeting parking requirements:

A. On-Site Parking in the Central Commercial (CC) Land Use District. In contrast to the other districts within the City, on-site parking is prohibited in the central commercial (CC) land use district. This policy eliminates the need for curb cuts in sidewalks and the interference with free pedestrian traffic flow that would result from an excessive number of driveways. This policy is also intended to enhance the opportunities for creating intra-block courts and walkways between properties and buildings.

B. Use of Another Site. Parking requirements may be fulfilled by supplying the required parking on another site upon approval of a use permit. When use of another site for parking is authorized, such parking shall be located within the commercial district on property permitting such use. The land area required to provide such parking shall be legally committed for the full life of the structure for which the parking is required. The legal commitment shall be of such a nature that it cannot be withdrawn for the life of the structure, without the consent of the City. Applicants applying for approval of a use permit authorizing the use of another site for parking purposes must demonstrate one of the following conditions:

1. The property owners of two or more adjacent properties have proposed a combined development plan to provide the required parking for their properties, in accordance with the parking standards established in this chapter, on part of the several sites involved.
2. The project site for which the parking requirement applies is 5,000 square feet or less in size and has less than 50 feet of street frontage.
3. The construction of required driveway(s) for on-site parking would result in the excessive loss of curb parking on street.
4. The topography, size, shape or peculiar conditions of the site or the existing development on the site would make the provision of on-site parking impractical.
5. The site for which parking is required is located within the central commercial (CC) land use district where on-site parking is prohibited.

C. Parking Adjustment In-Lieu Fees. The Planning Commission may authorize the satisfaction of parking requirements through the granting of a use permit and the payment of in-lieu fees when on-site parking is not practical or when on-site parking is prohibited by City policies. Parking adjustments shall not decrease the number of parking spaces required by this chapter. The practicality of providing parking on-site shall be evaluated by using the criteria set forth in subsection (B)(2) through (B)(4) of this section. Standards for participation in the in-lieu fee program are established in CMC 17.38.040, Parking In-Lieu Fee Program. Applicants for use permits authorizing the use of in-lieu fees to adjust on-site parking shall also demonstrate both of the following:

1. The parking for which the adjustment is sought is not required for serving hotel or motel uses.

2. The applicant has diligently pursued meeting the parking requirements both on-site and off-site, but has been unsuccessful in meeting the requirement, or that the site is located within the central commercial (CC) land use district where on-site parking is prohibited. (Ord. 2004-02 § 1, 2004; Ord. 2004-01 § 1, 2004).

17.38.040 Parking In-Lieu Fee Program.

When parking adjustments have been authorized by the Planning Commission in conformance with CMC 17.38.030(C), required parking may be satisfied by the payment to the City of in-lieu fees. Funds collected by the City from such payments shall be deposited in a specific fund and used by the City to acquire and/or develop off-street parking. Such parking shall be available to the public and shall be in or near the business district of the City. Funds paid to the City for in-lieu parking shall not be refundable in the event of destruction or removal of the structure or land use for which the funds were paid, but shall run with the land. The City shall maintain a record of all spaces credited to each property including all spaces paid through in-lieu fees, spaces physically provided on each property and all spaces represented by the existing parking nonconformity on each site.

A. Payment of In-Lieu Fees. All in-lieu parking fees shall be paid prior to the issuance of the first permit (any business license or building permit) for which the in-lieu fees are required with one exception. The only exception arises when the number of in-lieu parking spaces exceeds five, in which case at least 40 percent of the total in-lieu fees shall be paid prior to the issuance of the project permit or license and the remaining balance shall accrue interest at the prime interest rate fixed on the date the first permit or license is issued. Any fees, including interest that will be subject to such delayed payments shall be evidenced by a promissory note. This promissory note shall provide for the payment of attorney's fees and costs to the prevailing party and shall be secured by a deed of trust.

B. Determination of Value of Parking In-Lieu Fees. The amount to be charged for an in-lieu parking space shall be determined by using the current construction costs of public garages having Type I or Type II fire resistance and the regional modifier for the San Francisco area as supplied by the "Building Standards" of the International Conference of Building Officials and a factor representing land costs. Four hundred square feet shall be used as the necessary area for a car to park and have maneuvering room with ingress and egress. The current construction costs per square foot shall be multiplied by the modifier to determine the cost per square foot to construct the parking space. The cost of constructing the parking space shall then be increased by 50 percent to reflect land cost. This total shall be the fee paid for each full in-lieu parking space. A fee reduction of 25 percent shall be allowed for parking spaces required for newly established residential dwelling units. (Ord. 2004-02 § 1, 2004; Ord. 2004-01 § 1, 2004).



City of Carmel-by-the-Sea

COMMUNITY PLANNING AND BUILDING DEPARTMENT

Memorandum

Date: October 20, 2021
From: Brandon Swanson, Community Planning and Building Director *BS*
Subject: 7th and Dolores Restaurant Non-Conforming Parking (Block 91 – Lots 2,4,6, and 8)

On October 12, 2016, the City of Carmel-by-the-Sea Planning Commission approved a Use Permit and associated Coastal Development Permit to allow a full line restaurant called the "Seventh and Dolores Steakhouse", located on the southeast corner of 7th Avenue and Dolores Street (UP 16-191 - CPines 7, LLC). This Use Permit runs with the land, and remains in effect until such a time that the permit is either amended by the property owner or revoked by the City for reasons pursuant to Carmel Municipal Code (CMC) section 17.66.050. The main restaurant building is located on lots 2 and 4 of block 91, with an adjacent parking lot on lots 6 and 8. At the time of approval, all four lots were under the control of the same property owner. CMC section 17.38.020 (Table A) states that one parking space is required per 600 square feet of commercial floor area (restaurants are classified as "commercial" use and not separately categorized). At the time of project approval, the parking available on lots 6 and 8 satisfied the City's on-site parking requirements, which based on the square footage of the restaurant is nine (9) parking spaces. No conditions of approval were included with UP 16-191 requiring that Lots 6 and 8 were merged into lots 2 and 4 to ensure parking in perpetuity for the site. Lots 6 and 8 were subsequently sold to a different property owner in the following years. This sale was not in violation of any conditions of approval associated with the restaurant's Use Permit. Lot 6 and 8 have continued to be used for restaurant parking in the intervening years despite different ownership of the properties. If in the future, development was to take place on lots 6 and 8, thereby reducing or removing parking spaces for the restaurant, this would create a 'non-conforming use' situation for the restaurant with respect to parking, since the land use entitlement was legally granted for lots 2 and 4. CMC section 17.36.020.A states that *"A building or structure that was lawfully established, but does not conform to existing zoning regulations, shall be deemed a nonconforming structure and may be used and maintained as provided in this chapter."* Since lots 6 and 8 are separate properties, and under different ownership, a loss of restaurant parking, and this creation of a 'non-conforming use' is a reasonable possibility. In the event that this happens, the restaurant would still be allowed to continue operation without the creation of new parking spaces pursuant to CMC section 17.36.020.A. Continuation of the legal non-conforming restaurant use would also be allowed if lots 2 and 4 and the existing restaurant were to be sold in the future. CMC section 17.36.050.C, states in relevant part that: *"... A use that is nonconforming due to physical or structural standards (e.g., floor area, number of parking spaces, etc.) shall not be required to conform upon change of ownership of the use."*

Comments to the City Council Hearing

JB Pastor Development, June 5, 2025

By Steve Hillyard

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Structure of hearing

This commentator could find no code provision that either authorizes or demands that this appeal be configured as a *de novo* hearing. Thus, these comments are presented as a review of the record using a substantial-evidence standard, which is defined as:

Such credible and relevant evidence as a reasonable mind might accept as adequate to support a conclusion.

In the appeal context, if Council agrees that the evidence doesn't support the Planning Commission's findings and conclusion, I assume that the application will be referred to the Planning Commission for appropriate action.

If the appeal is configured as a *de novo* hearing, I request that Council consider these arguments in that context. If Council agrees that development, as presented in the application, does not conform to the code and the LUP, I respectfully suggest that the application should be denied.¹

Basic premise

The Planning Commission may interpret the zoning code but may not change or ignore it. It must obey the law. The relevant code sections read:

The Planning Commission as the designated planning agency of the City shall have the following power and responsibilities:

F. To **interpret**² the **meaning and intent** of the City's land use code. (CMC 17.52.060) Duties and Powers of the Planning Commission):

E. Decision. Decisions of the Planning Commission shall be reached by an affirmative vote of a majority of its members present. A quorum for each approval body shall consist of three members. All Commission decisions shall be based on consideration of the facts presented to it by the applicant, City staff, and members of the public and consideration of all goals, objectives, policies, criteria and standards established in City planning documents and ordinances. **Unless otherwise authorized under the municipal code, the Commission shall not have the authority to waive or modify the site development requirements of this title or the requirements of any other applicable City ordinances.** (CMC 17.52.160 Planning Commission Procedures)

I respectfully submit that this Council is similarly empowered and restricted. The Council and Commission have very little discretion in these quasi-judicial hearings; both groups must enforce our laws—not remake them.

¹ I am reminded of the caution given new planning commissions: don't try to redesign the project for the applicant.

² Unless otherwise noted, all emphasis is the authors

Code interpretation

Code interpretation is a carefully defined process that ensures that the boundary between modifying and clarifying is not breached. The fundamental goal of the process is to determine the **intent** of the provision under scrutiny.

To ensure that the interpretative process remains within the clarifying context, the process requires that the interpreters³ make findings on how their proposed interpretation reflects the code's intent. The process also requires that interpreters cite evidence that supports those findings. This accepted interpretative process also prescribes methods to focus the inquiry on the relevant facts.⁴

The first inquiry determines if the code section is ambiguous. This inquiry analyzes the section using the ordinary meaning of the words in the current context. If the section is clear, the interpretation process stops.

If the section is ambiguous, the inquiry looks at the entire code for clarification of the section's intent. If this is no help, the inquiry proceeds to other relevant documents such as the city's land use plan.

Scope of comments

These comments are limited to the following:

- Do the plans present structures that can be approved
- Do the plans present a landscaping plan that can be approved
- Do the plans present a parking arrangement that can be approved
- The Staff and Planning Commission failed to follow CEQA requirements

Design Review

Structures

The plans present two buildings separated by about six feet and attached to each other by an elevated walkway at their second floors. This walkway provides the only access to the second-floor apartments. Access to several retail shops lie beneath this walkway. This presents the issue:

³ The Planning Director also has the authority to interpret the code, but the same rules apply.

⁴ The interpretation process developed by the courts is wonderfully nuanced. The following is an abbreviated process that suits our current needs.

Can this combination of structural elements be approved?

The applicable code section is zoning code⁵ section Carmel Municipal Code (CMC) 17.14.140.C:⁶

C. Maximum Floor Area. No single structure shall contain more than 10,000 square feet of floor area. Interaccessibility between adjacent structures on one or more building sites by any means that allows passage between structures without first exiting to an open space area shall not be allowed if the resulting floor area contained within the combined structures would exceed 10,000 square feet of area.⁷

This section contains two provisions: one regulating the maximum floor area of a structure and another prohibiting a configuration of structures in terms of accessibility. These comments will deal with them in that order.

The first issue before you is:

Does this combination of two buildings and a second-floor, common walkway constitute a structure as defined by the code?

The staff report⁸ concludes that the combination of the two buildings and the walkway is not a structure as follows:

In summary, the project consists of 3 separate buildings or “structures.” Building 1 encloses 9,544 square feet of floor area total. Building 2 encloses 3,427 square feet of floor area total. The connecting egress balcony between building 1 and 2 is an entirely separate structure, not defined as a building, that functions as an area of open space, as discussed above.⁹

This argument can be summarized as interpreting the code to find that an combination of structures is not a structure. The staff reports supports this interpretation by observing that the phrase, “No single structure” in the building-mass-regulating-section is singular, so it could not refer to a combination of structures; each structure must be evaluated on it own.

An alternative interpretive process begins with determining if the section is ambiguous; is it unclear based on a reading using the ordinary meaning of the words. Consider the definition of structure

⁵ Further references to code section are to the zoning code.

⁶ Chapter 17.14 is entitled COMMERCIAL ZONING DISTRICTS.

⁷ To provide clarity and ease of reading this section will be referred to as “building-mass-regulating-section”

⁸ These comments assume that the Council has a copy of the staff report for the meeting at which the Planning Commission approved this project.

⁹ These comments will discuss open space later but note that the staff report contends that the walkway is a structure as well as open space.

CMC 17.70¹⁰ defines structure as:

Structure: A stable assembly of parts. The term "structure" includes, but is not limited to, any building, deck, garage, carport, arbor, fence, wall, stairway, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line

The Council should also consider these definitions provided by Microsoft's drafting aid, Copilot:

Assembly: In the context of combining things, "assembly" refers to the process of putting together various components or parts to create a complete and functional unit. This can involve arranging, fitting, and joining different elements in a systematic and organized manner to achieve a specific purpose or result. Assembly is commonly used in manufacturing, construction, and other fields where multiple parts need to be combined to form a finished product.

Part: In the context of an assembly, a "part" refers to an individual component or piece that, when combined with other parts, contributes to the creation of a complete and functional unit. Each part plays a specific role in the overall assembly, and its proper placement and integration are essential for the final product to work as intended.

With these definitions in mind, these comments contend that the code's definition of structure is not ambiguous; it means a combination of components that create a complete and functional unit. There is no distinction between parts that are structures and parts that are not structures.

Applying these definitions to this application, Council should conclude that the three components of the structure—two buildings and a connecting, second-floor walkway that provides access to all apartments—constitute a combination of components that form a complete and functional unit. Thus,

The staff report's contention—upon which the Planning Commission is presumed to have relied—that an assembly of structures is not a structure is not supported by substantial evidence and incorrect.

The staff report notes that the floor area of this combination of structures is 12,971 square feet. Thus, the floor area of the proposed structure exceeds the 10,000 square foot limit and cannot be approved. Council is invited to find:

For the purposes of CMC 17.14.140.C, structure as defined by CMC 17.70 includes a combination of structures and other components that create a complete and functional unit.

¹⁰ Chapter 17.70 contains a list of definitions related to the zoning code.

The proposed structure that consists of two building joined by a common, second-floor walkway exceeds the 10,000 square foot limit and does not conform to code requirement.

This interpretation and finding demonstrate that the structure does not conform to the code and cannot be approved. However, to remove any doubt on this issue, the Council may wish to address the second provision of the code section under interpretation:

Does the ability to move between the two buildings using a common, elevated walkway render the complex prohibited?

To repeat, the second provision of 17.14.140.C (building-mass-regulating-section) cited above reads:

Interaccessibility between adjacent structures on one or more building sites by any means that allows passage between structures without first exiting to an **open space** area shall not be allowed if the resulting floor area contained within the combined structures would exceed 10,000 square feet of area.

The code section that defines interaccessibility in the context of the commercial districts also references “open space”:

For Commercial Districts. The ability to move between structures on the same or an adjacent building site without first exiting to an **open space**. (17.70.020 Definitions)

So, the resolution of this issue depends on what the code’s intends by the term “open space” in the building-mass-section.

In its discussions of this issues, the staff report substitutes the term “usable open space” as defined in CMC 17.72.020 for the term “open space.” Then, it concludes that because “useable open space” is defined, in part, as “designed and accessible for outdoor living, recreation, pedestrian access, or landscaping” and includes bridges, that an elevated walkway is an open space.

However, the staff report presents no evidence to support this substitution and doesn’t mention references to “open space” in other sections of this code chapter, 17.14, which regulate developments in the commercial districts. The most significant of these sections is the Chapter’s definition of building coverage and open space:

Building coverage is defined as the total ground area of a site occupied by any building or structure as measured from the outside of its surrounding external walls or supporting members. Building coverage includes exterior structures such as stairs, arcades, bridges, permanent structural elements protruding from buildings such as overhanging balconies, oriel windows, stories which overhang a ground level story, and covered carports.

Excluded from building coverage are roof eaves extending less than 30 inches from the face of the building, awnings or covered entryways and masonry walls not greater than six feet in height such as wing-walls, planter walls or grade-separation retaining walls.

All site area not counted as building coverage shall be considered open space.

(CMC 17.14.130 first paragraph)

Because the phrase, “shall be considered open space” is not definitional according to the ordinary meaning of the words, it must be interpreted.

This section begins by defining “building coverage” in terms of “total ground area of the building site.” It gives examples of what are considered coverage and what aren’t. Without changing from this definitional mode, the section continues by referring to open space in terms of the portion of the site left over after building coverage is “counted”. Then, it commands that this left-over piece “shall be considered open space”. These comments contend that because this command is included a definitional code section, it should be interpreted as defining open space accordingly. These facts invite the Council to find that:

The code intends to define the term open space as that portion of the ground area of a building site that is not allocated to building coverage.

This definition identifies open space as a portion of the ground area of the building site. Consequently, this definition would not include an elevated walkway. Thus, exiting to walkway between the two buildings would not constitute exiting to open space, and the configuration is not allowed. However, this does not completely resolve the issue.

As noted, without referring to the definitional code section analyzed above, the staff report’s uses the term “usable open space” in the building-mass-section to find that exiting to the elevated walkway constituted exiting to “open space.” The question now is:

Can the term “open space” in the building-mass-provision also be interpreted to mean “usable open space”?

Usable open space is defined in the general definitional section of the code under the heading, Open Space Types as follows:

Usable Open Space. An outdoor or fenced area on the ground or on a roof, balcony, deck, porch, or terrace designed and accessible for outdoor living, recreation, pedestrian access, or landscaping, but excluding parking facilities, driveways, utility or service areas, or any required front or corner side yard, and excluding any space with a dimension of less than six feet in any direction or an area of less than 36 square feet. (CMC 17.70.020)

The term “open space” is not defined in this general definitional code chapter.

If Council adopts the definition of open space offered by these comments, these terms conflict;¹¹ one refers to ground area of a site and the other to places in the development from the ground to the roof. Council should determine which definition the code intend to apply to the building-mass-regulating-section. One clue is how both definitions are used in

¹¹ Even without adopting the definition, Council must consider all areas of the site not counted as building to be open space.

the code, paying particular attention to uses in Chapter 17.14, Commercial Zoning Districts:

Chapter 17.14 Commercial Zoning Districts, refers to open space four times outside the section under consideration:

17.14.170.A. **Open space** is an open area that is free of structures and is visually accessible from public ways or walkways.

The subsection above defines open space in terms of being free of structures meaning it refers to the ground level of the site.

17.14.170.B. A courtyard is an **open space** on private property that is linked to an adjoining sidewalk or walkway in such a manner as to encourage public access. It must be enclosed on at least two sides by buildings and must remain open to the sky. To qualify for floor area bonus provisions the minimum width of a courtyard shall be 20 feet and the minimum area shall be 400 square feet.

The subsection above refers to open space that is open to the sky, enclosed by buildings and linked to the sidewalk. This also suggests that it is referring to a place on the ground.

17.14.210 Parking Design

F. 4. Garages shall be ventilated to avoid the build-up of exhaust gases. When mechanical ventilation is used, noise mitigation measure shall be incorporated such as low-noise fans, insulated ductwork and vibration absorbing mounting systems. Ducts shall not exhaust toward any building openings or **open space** on any adjoining property nor toward any on-site or off-site **open space**, pathway, street, place or park accessible to the public. Venting to the roof is generally preferred. Plans for underground garages shall be reviewed to ensure accessibility for Police and Fire Department personnel during emergencies. To the extent possible, utility meters, vaults and connections should be located within garages or driveways and away from pedestrian walking surfaces. (Ord. 2004-02 § 1, 2004; Ord. 2004-01 § 1, 2004).

The subsection above uses open space in conjunction with other places normally found on the ground: pathway, street, and place or parks accessible to the public.

Section 17.14.180 states: Landscaping shall be provided in conjunction with developments in the commercial zone districts in accordance with CMD 17.34. Section 17.34.080 refers to open space once:

The following standards apply to all commercial districts in the City.

1. A minimum of 50 percent of the required **open space** on each site shall be landscaped. Landscaping may include nonliving materials such as garden benches, water features and patterned paving treatments as long as the combined total area of such plant alternatives is not used as more than 25 percent of the required landscaping on any site. All landscaping improvements

shall include upper canopy trees on-site and/or in the sidewalk in front of the property whenever possible. (CMC17.34.080.A.1)

Copilot defines landscape:

As a verb, "landscape" means to make a piece of land more attractive by altering the existing design, adding ornamental features, planting trees, shrubs, or flowers, and other similar activities.

Thus, the section on landscaping refers to open space as a piece of land that must be made more attractive by planting.

These references in the code chapter regulating developments in the commercial zoning districts describe a portion of the ground area of a building site that is free of structures, linked to an adjoining sidewalk, visible to the public, protected from garage exhaust and planted. This suggests that code intends that, in the context of development regulation in the commercial districts, open space refer to a distinct, ground level portion of building site that must be treated in specific ways. It is not a generic term, category or concept that needs further definition.

In contrast, the commercial district regulatory chapter does not refer to “usable open space”. Other chapters refer to “usable open space” three times—once in the general requirement of the code: CMC 17.020.060 Consistency with the General Plan and the Coast Land Use Plan (see section CMC 17.020.060.C.4.c). Two other references to usable open space are found in code chapter, 17.64.120 Motels – Existing Motel Uses and the Reconstruction of Motel Buildings in Commercial and R-4 Districts.

The term “open space” is used exclusively in the commercial districts’ regulatory chapter. It consistently refers to places, attributes, and land treatments that focus on defining the visual characteristics of a potential development. The building-mass-regulating-section is a component of this regulatory scheme. Introducing “usable open space” in this regulatory scheme would be an outlier and given its definition, a dormant flaw. Moreover, if the City Council intended to insert the concept of usable open space into this regulatory scheme, they could have simply used the term. Thus, the evidence suggests that the code intends that open space, as defined, is a fundamental concept associated with regulating developments in the commercial districts. Thus, substituting usable open space, as defined, for open space in the building-mass-regulating-section is not supported by substantial evidence.

The term “open space” as used in the commercial districts differs starkly from the term “usable open space” as defined in the general code definitions chapter. Thus, an interpretation of the code that would substitute usable open space for open space in zoning code section 17.14.140.C is not supported by substantial evidence.

Then, the Council could and should conclude that:

An elevated walkway between buildings is not open space and the ability to move between the buildings (structures) using that elevated walkway means that that movement is without exiting to open space. Therefore, the development's configuration is not allowed.

Landscaping

As noted above zoning code section 17.34.080 presents the landscaping requirement for developments in the commercial district including section 17.34.080.A.1:

1. A minimum of 50 percent of the required open space on each site shall be landscaped. Landscaping may include nonliving materials such as garden benches, water features and patterned paving treatments as long as the combined total area of such plant alternatives is not used as more than 25 percent of the required landscaping on any site. All landscaping improvements shall include upper canopy trees on-site and/or in the sidewalk in front of the property whenever possible. (CMC17.34.080.A.1)

The landscaping plans show living plants and benches that the staff report acknowledges meet the 50 percent requirement. However, up to 70 percent of that landscaping is located on the structure's second story or roof—well above the ground level of the building site. If Council adopts the definition of open space offered in the preceding discussions, the proposed placement of the required landscaping does not meet code requirements. Therefore, the Council should find:

Landscaping not located on the ground level of the building site cannot be used to satisfy the requirements of zoning code section CMC 17.34.080.A. Therefore, the development does not meet the requirements of that section.

Parking

Restaurant

If this development were approved and built to the current plan, it would eliminate seven parking spaces current used by the adjacent restaurant. Without those spaces, the restaurant would lack the number of parking spaced required to authorize a permit for this use. These parking spaces are located on the southern two of the four lots that formerly comprised the restaurant complex. Esperanza purchased these lots in 2020 and plans to build over the spaces.

On October 23, 2019, Marc Wiener, then current Community Planning and Building Director opined in a letter to the owner of the four lots that the loss of the parking spaces would render the restaurant use non-conforming. He also opined that the restaurant

site could not meet the requirements for the in-lieu-fee alternative to providing actual spaces, so the restaurant would need to provide the seven parking places on the eastern portion of the remaining two lots if possible. He concluded that the city could not approve a development that would create this non-conformity.

On October 20, 2021, Brandon Swanson, then current Community Planning and Building Director, wrote an unaddressed memorandum. In it, he noted that the loss of the parking spaces would render the restaurant's use non-conforming but argued the restaurant could continue operating. He wrote:

Since lots 6 and 8 are separate properties, and under different ownership, a loss of restaurant parking, and this creation of a 'non-conforming use' is a reasonable possibility. In the event that this happens, the restaurant would still be allowed to continue operation without the creation of new parking spaces pursuant to CMC section 178.36.020.A.

Code section CMC 17.36.020.A reads:

A. A building or structure that was **lawfully established**, but does not conform to **existing zoning regulations**, shall be deemed a nonconforming structure and may be used and maintained as provided in this chapter. (For structural nonconformance, see CMC Title [15](#) and the Uniform Building Code.)

These comments respectfully submit that Mr. Swanson's interpretation is unsupported. The first condition for the continued use of a building or structure is that it must have been lawfully established. The second condition is that it does not conform to existing zoning regulations (it's unlawful). Both conditions refer to the regulatory status of the "building or structure." Thus, the event that allows a nonconforming building to continue operating is a change in the law or regulations, not a physical change to the property or structure. This legal transformation is well established and is generally known as grandfathering. The affected property is usually characterized as "legal nonconforming" to distinguish it from a nonconforming property that does not enjoy this law-change accommodation.

Moreover, Mr. Swanson's interpretation would allow owners and use-permit holders to unilaterally convert their properties from conforming to non-conforming and continue to use them as long as the conversion was reasonably foreseeable. But this interpretation would materially impair the enforcement of the city's zoning code resulting land-use anarchy. This cannot be the intent of the zoning code. The purpose of this Chapter reads as follows:

17.36.010 Purpose.

Much of Carmel's charm and uniqueness comes from the variety in design of its buildings. **Many of its older buildings, although nonconforming, add to this overall charm and unique quality. The loss of such buildings could have a detrimental effect on the overall character of the City.** It is the purpose of this chapter to regulate nonconforming buildings and nonconforming uses and to provide for the elimination of

nonconformity, where its elimination will not have a detrimental effect on the City's unique charm and the overall village character of the City.

These comments submit that Council should find that:

The zoning code and section 17.36.020.A intends to allow the continued use of a building or structure that previously conformed to all zoning code provisions, but as a result of a change in that code, the building or structure became nonconforming.

The Planning Director's interpretation of zoning code section 17.36.050.A, dated October 20, 2021, is not supported by substantial evidence and is void.

Mr. Wiener's letter states:

The City cannot approve a project that creates a significant parking nonconformity. Failure to address the parking situation is a basis for denial of the subject development of the southern two lots, and could impact the restaurant Use Permit, should you choose to move forward with selling two southern lots which would result in you losing control of the parking.

These comments will not try to resolve the issue of whether the city can or cannot approve a development that creates a nonconformity on a neighboring site. But this commentator should note that the issue could be rendered moot by this developer providing replacement parking spaces for the restaurant in an underground garage constructed on its building site.

In-lieu Fee Alternative

As originally designed, this project included an underground parking facility that satisfied its parking requirements. The entrance to this facility was located close to a wall and structure that were later declared historic. The developer now maintains that it cannot proceed with the underground facility because excavating near the historic resource could damage those resources. It also argues that a five-foot "preservation buffer" around the resources prevents construction activity in that area. The developer intends to provide some surface parking including the use of parking lifts¹² and use the In-lieu fee alternative for the balance of the required spaces. This presents the following issue:

Does the project qualify to use the in-lieu alternative?

Resolving this issue requires assessing the sufficiency of the evidence provided by the applicant to demonstrate it has used "diligence" to provide off-street parking, but on-site parking is impractical. The relevant code sections read:¹³

¹² These comments will not address the use of parking lifts but the code doesn't mention them and instead calls for parking spaces of specified dimensions. Thus, to ensure the integrity of design review process, if parking lifts are to be considered as a viable means of meeting off-street parking requirements, the code should be interpreted (or amended) to include lifts in the normal definition of parking spaces

¹³ This code process for establishing the requirement to qualify for the in-lieu accommodation is convoluted and tedious but the criteria becomes clear at the end.

C. Parking Adjustment In-Lieu Fees. The Planning Commission may authorize the satisfaction of parking requirements through the granting of a use permit and the payment of in-lieu fees when on-site parking is **not practical** or when on-site parking is prohibited by City policies. Parking adjustments shall not decrease the number of parking spaces required by this chapter. **The practicality of providing parking on-site shall be evaluated by using the criteria set forth in subsection (B)(2) through (B)(4) of this section.** Standards for participation in the in-lieu fee program are established in CMC 17.38.040, Parking In-Lieu Fee Program. **Applicants for use permits authorizing the use of in-lieu fees to adjust on-site parking shall also demonstrate both of the following:**

1. The parking for which the adjustment is sought is not required for serving hotel or motel uses.

2. The applicant has diligently pursued meeting the parking requirements both on-site and off-site, but has been unsuccessful in meeting the requirement, or that the site is located within the central commercial (CC) land use district where on-site parking is prohibited. (CMC 17.38.030.C.2)

The standards cited above for participating in the in-lieu program (CMC 17.38.040) are as follow: (they are framed in terms of using parking spaces on another property):

B. Use of Another Site. Parking requirements may be fulfilled by supplying the required parking on another site upon approval of a use permit. When use of another site for parking is authorized, such parking shall be located within the commercial district on property permitting such use. The land area required to provide such parking shall be legally committed for the full life of the structure for which the parking is required. The legal commitment shall be of such a nature that it cannot be withdrawn for the life of the structure, without the consent of the City. **Applicants applying for approval of a use permit authorizing the use of another site for parking purposes must demonstrate one of the following conditions:**

...

4. The topography, size, shape or peculiar conditions of the site or the existing development on the site would make the provision of on-site parking impractical. (CMC 17.38.030.B.4)

This places the meaning of diligence and practical at issue.

To help evaluate the applicant's evidence in support of its claimed entitlement to use the in-lieu-fee alternative, Council could adopt the following definitions:

Diligence: Diligence refers to careful and persistent work or effort. It is often associated with thoroughness, attention to detail, and a strong commitment to completing tasks efficiently and effectively.

Practical: something that is sensible, realistic, and useful in actual situations

First, applicant's claim that it cannot work within the Perseveration Buffer is disingenuous; the minimum building setbacks from the wall, community room and bank building are visual corridors created to preserve the public's view of the historic structures. They have nothing to do with underground construction or parking.

To support its contention that providing off-street parking is impractical, the applicant submits a letter from the president of ESA Structural Engineering Design Inc. That letter states in part:

In the figure [FIGURE A] it shows the minimum distance from the building where no shoring is required, or a shoring is required when the excavation is within the minimum distance from the existing building.

The letter continues:

With this classification [soil class] shoring is highly recommended when excavating is less than the minimum distance from the existing structure as indicated on the next page FIGURE A.

Applicant's evidence also includes IDG's paper, "Best construction practices for foundation excavation. [sic] Adjacent to existing historic buildings." Those practices include:

2. Excavation Techniques & Safety:

Controlled Excavation:

Use precise excavation methods, such as hand digging or controlled mechanical equipment, to minimize disturbance to adjacent structures.

Sloping and Benching:

Follow OSHA guidelines for sloping and benching to prevent cave-ins and ensure worker safety.

Sheet Piling or Retaining Walls:

Implement temporary support systems like sheet piles or retaining walls to prevent soil movement and protect adjacent structures.

Underpinning:

Consider underpinning or shoring techniques for additional support if needed, especially for shallow foundations of adjacent buildings.

Vibration Monitoring:

Install vibration monitors and crack gauges to track ground movement and ensure that vibrations don't damage adjacent structures.

Water Management:

Implement proper drainage and water management systems to prevent water from accumulating near the excavation site and causing instability.

3. Post-Excavation:

Grading and Leveling:

Level and grade the excavated area as needed, creating a smooth and even surface for the foundation construction.

Compaction:

Ensure proper compaction of the excavated soil to prevent future settlement and ensure stability.

Council can also take notice that:

- Contractors routinely excavate for driveways and underground parking near structures without damaging those structures.
- Prior plans for this development have shown that underground parking and access to that parking is practical

From applicant's own evidence, Council should conclude that the applicant can adequately protect the historic resources during construction using standard construction practices including shoring of the site near the historic resources. Consequently, the applicant has not demonstrated that providing underground parking not sensible or unrealistic. It has also not demonstrated that it has used diligence in providing that parking. Therefore:

The staff's opinion, upon which the Planning Commission presumably relied, that "the applicant has adequately demonstrated that they have diligently pursued meeting on-site parking requirements" is not supported by substantial evidence.

The in-lieu-fee parking alternative is not available to applicant.

The parking arrangement presented in project plans do not satisfy the requirements of the zoning code.

Design Review Conclusions

Review of the Record Context

These comments demonstrate that the record does not support a conclusion that the project complies with zoning code requirements focused on building mass, landscaping and parking. Thus, Council should find and instruct as follows:

The record does not support the Planning Commission's findings that:

- **The project conforms to the applicable policies of the General Plan and Local Coastal Program, and that**
- **The project complies with all applicable provisions of this [zoning] code**

The application is returned to Planning Commission to process it in conformance with the record of this hearing.

De-novo Hearing Context

These comments recommend the following findings and action:

Based on the finding above, the project:

Does not conform to all applicable policies of the General Plan and Local Coastal Program and does not comply with all provisions of the Zoning Code

The application is denied.

CEQA

CEQA Purpose

CEQA is a process “to assist public agencies in systematically identifying both the significant effects of proposed projects and the feasible alternatives or feasible mitigation measures which will avoid or substantially lessen such significant effects.” (PRC 21002)¹⁴ (Note that the process has two elements identifying, (1) significant effects and (2) feasible alternatives and mitigation measures.)

The city’s zoning code Chapter 17.60, Environmental Review, recognizes the city’s “responsibility” to comply with CEQA and states that: The [CEQA] procedures are intended to protect and assure that citizens of the community contribute to the preservation and the enhancement of the environment. (CMC 17.60.010 Purpose) The code goes on to incorporate all state CEQA regulations.

CEQA Process

Before an application is submitted, CEQA allows city staff and the applicant to meet and review the development’s potential impacts on the environment as well as potential mitigation measures and project alternatives. (14 CCR15060.5)¹⁵

Under CEQA, after the city receives a development application, it has 30 days to determine if the application is “complete” and if the project is subject to CEQA. (14 CCR 1506(a), 14 CCR 15101)¹⁶ If the project is subject to CEQA, staff reviews the project to determine if the character of the development renders it exempt from the CEQA review process. If it’s exempt, the city prepares a “notification of exemption. This ends the CEQA process. If the project does not qualify for an exemption, the city must begin the environmental assessment portion of the CEQA process with an “initial study”.

¹⁴ California Public Resource Code.

¹⁵ Title 14 California Code of Regulations Section 15060.5

¹⁶ City code gives the staff 30 day after receiving an application to determine if the application is complete, it is subject to CEQA, and decide if the nature of the project makes it exempt.

The initial study results in a document that identifies the project's potential environmental impacts and determines whether each would exceed a usually-defined threshold of significance. If none of the potential impacts cross that threshold, the city issues a negative declaration and the CEQA process is complete. If the initial study identifies impacts that exceed their threshold of significance, the study identifies mitigating measures that would bring the impact to a level below the threshold. If the applicant accepts the mitigation measures and alters the project plans accordingly, the city will issue a mitigated negative declaration and the process is complete. If the applicant rejects the mitigation measures, the city must prepare an Environmental Impact Report.

In this process, the Planning Director determines if the project is exempt from CEQA (CMC 17.52.030.G), and does so without public involvement. On the other hand, the Planning Commission must approve negative declarations, initial studies, mitigated negative declarations, and environmental impact reports. (CMC 17.60.040.A) Since the commission can only act in a public hearing, the public is involved in identifying potential impact, assessing their level of significance and evaluating the adequacy of the identified mitigation measures.

CEQA Process Followed for this Project

Staff and the Planning Commission acted inconsistent with both city and state law by not starting the process when the developer filed its application. Rather than determining that the application was complete and that the project was exempt within 30 days of receiving the application, staff waited until the final design-review hearing and presented the Planning Commission with the opportunity to find that that the project was categorically exempt from the CEQA process as an "in-fill" project.

It is unclear why staff waited until the final design review hearing to formally address the CEQA process or why they referred the exemption issue to the commission. In fact, it is difficult to reconcile this administrative policy/process with the clear provisions of state and city law. Moreover, it's counter intuitive to make CEQA-applicability decisions at the end of an approval process that CEQA is designed to inform.

Proposed finding:

City staff and planning commission failed to follow CEQA requirements when processing this application.

City staff and the planning commission did not have sufficient information regarding the project's impact on environment to make an informed decision on its environmental acceptability.

CEQA Categorical Exemption

As noted above, at the final hearing, staff argued, and the Planning Commission agreed, that the project was categorical exempt from the CEQA process.

Through the regulatory process, the state has identified categories of projects that, because of their defined characteristics, would not significantly impact the environment. Projects that conform to the qualifying characteristics are exemptions from the CEQA process. The state has also identified circumstances in which these categorical exemption cannot be used. These are called exceptions. One exception is the Historic Resource Exception.

CEQA Historic Resource Exception

CEQA regulations state:

- (f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource. (14 CCR 15300.2) (Note the word, “may”.)

A portion of this project is located on a lot that includes the Community Room and a decorative wall associated with the Northern California Savings and Loan Complex—an historic resource listed on the city’s register. The Historic Resource Board reviewed the impacts on these resources and incorrectly found that the project would not result in a substantial adverse change in the significance of a historical resource. Later, the City Council, using correct criteria, found that the project would adversely change the historic significance of these resources as well as the bank building itself; it recommended changes to the design.

Thus, it was apparent at the beginning of design review that the project may change the historic significance of the resources. Therefore, at the beginning of the design review process, the historic resource exception applied, and no categorical exemptions were allowed. This prohibition remained into the last design review hearing. Still, staff argued that the in-fill exemption could apply, and the Planning Commission agreed. They went on to find that the project qualified for that categorical exemption

CEQA In-fill Exemption

To qualify for the in-fill exemption, a project must meet stated criteria. Those are found in the CEQA regulation 14 CCR 15332:

15332. IN-FILL DEVELOPMENT PROJECTS

Class 32 consists of projects characterized as in-fill development meeting the conditions described in this section.

(a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

(b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

(c) The project site has no value as habitat for endangered, rare or threatened species.

(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

(e) The site can be adequately served by all required utilities and public services.

This presents two issues for the Council. The first is:

*Is this project consistent with general plan policies and zoning code.*¹⁷

Attachment 2 to the staff report (Supplemental Categorical Exemption Findings) asserts, “The project conforms to General Plan policies and zoning regulations.” Presumably, staff relies on the discussions in the balance report as evidence for their finding. But as these comments argue, the project is inconsistent with numerous zoning code provisions including those that deal with:

- Building mass limits
- Landscaping requirements
- Parking requirements

If any of these arguments are correct, the staff report finding is not supported by substantial evidence and the criterion in subsection (a) of the infill exemption has not been satisfied; the project does not conform to General Plan policies and zoning regulations.

Thus, there is no substantial evidence in the record that supports a finding that: The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.

The second issue for the Council is;

Would this project present no significant effect on Traffic, Noise, Air Quality, Water Quality

Again, this criterion reads: “Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.”

These comments accept the staff’s evidence that the project will not significantly impact the environment on a continuing (operating) basis. However, the staff report did not correctly evaluate construction impacts.

In respect to construction-related air quality impacts, the staff report erred by using incorrect significance-threshold criteria. For the others, the report failed to identify or

¹⁷ It should be noted that by approving the project and checking the appropriate box, the approval resolution could be interpreted as normalizing all LUP and zoning code violation thus eliminating their factual inconsistency by check-mark fiat. But a check mark is not evidence.

estimate of the significance of the potential impacts. Instead, staff argued that the project would not significantly impact the environment because of the assumed mitigating effects of regulatory requirements imposed in the future. As will be demonstrated, this assumption is not allowed.

Traffic, noise water quality

For traffic, the report asserted that the construction project must conform to a yet-to-be-defined construction plan and, therefore, would not significantly impact traffic. For construction noise and water quality, the report relied on the assertion that the project must comply with state and city rules again assuming that this would eliminate any significant impacts associated with these categories. Then, the report implicitly concludes that because of the presumed mitigating requirements in these rules and plan, the project's environmental impacts would be reduced to below the relevant levels of significant. Thus, the project would satisfy this criterion and would qualify for the exemption.

Recall that the state established exemptions for some categories of projects, because, as defined, they would not have a significant impact on the environment. Thus, the lack of a significant impact is an inherent quality or characteristic of a category that justifies it for an exemption. In other words, the criteria in the CEQA in-fill exemption provision define a project that would not inherently have a significant impact on the environment. Therefore, a project that requires mitigation to reduce the environmental impacts to less than significant doesn't qualify for the exemption.^{18 19}

So, the Council should conclude that:

Because the staff report, upon which the Planning Commission presumable relied, cites mitigating measures for its finding that the JB Pastor project would not significantly impact the environment in terms of construction noise, traffic and water quality, that finding is not supported by substantial evidence.

Air emissions

The staff report's discussion of air emission impacts correctly references the local air district's guidelines that set the significance thresholds for construction air emissions but cited the wrong standard.

The staff report referenced the Monterey Bay Unified Air Pollution Control District CEQA Air Quality Guidelines. This document sets threshold levels of various air pollutants and presents methods of estimates of those emissions. Of particular interest is particulate emissions.

¹⁸ In fact, resorting to mitigating measures to justify a project's inclusion in the in-fill category implicitly admits that the project would cause a significant impact without that mitigation.

¹⁹ I believe that there is significant case law on this subject.

The guidelines set the significance threshold for construction particulate emissions at 82 lbs/day. To demonstrate that the project would not exceed this threshold, the staff report quotes Table 5-2 of the guidelines:

construction emissions could potentially impact local air quality if grading and excavation activities disturb more than 2.2 acres per day. Projects above this threshold may have a significant impact on air quality.

The staff report then concludes, “The project site is approximately .275 acres and is below the 2.2-acres of grading per day threshold and would not result in a significant effect relative to air quality.” However, the guidelines state:

Table 5-2 identifies the level of construction activity that could result in significant temporary impact if not mitigated. The threshold should be use for screening purposes and does not represent a definitive threshold.

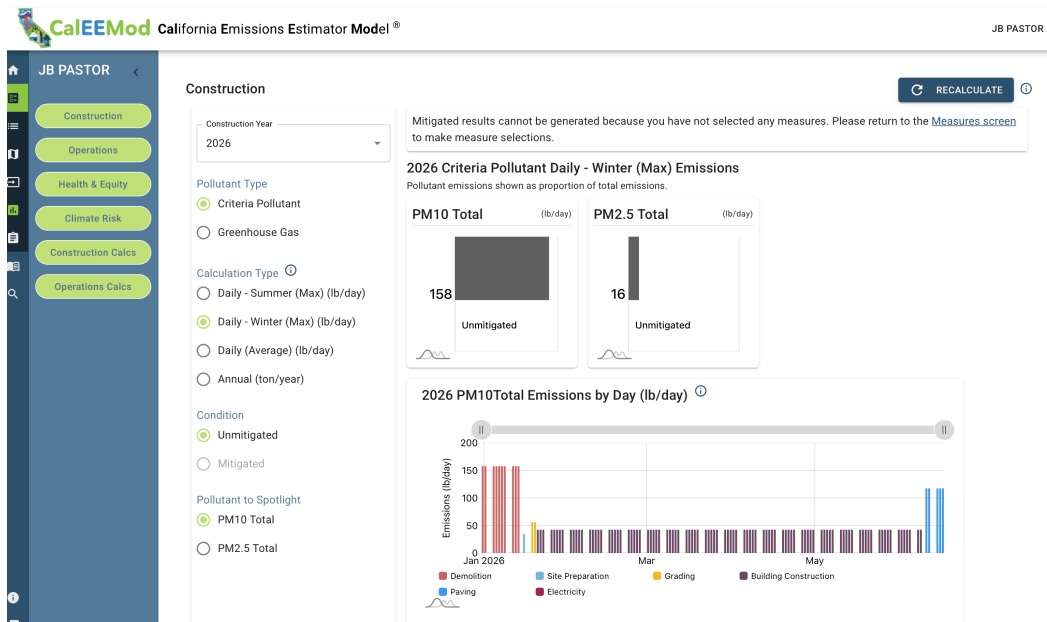
While the JB Pastor project does not involve earthmoving at the Table 5-2 level, it does include demolition. So, this screening threshold is inappropriate for estimating the total, short term particulate emissions of the project, particularly in an urban setting of sensitive receptors.²⁰

The guidelines continue with detailed strategies for estimating construction emission including particulate matter. They demand a quantitative approach and ultimately recommend modeling. The California Emissions Estimator Model (CalEEMod) is one such model. This commentator ran the model with the following assumptions:

- New low rise residential building
- New building size 8000 sq. ft. (low)
- Building demolished 5399 sq. ft. (135% of a 4,000 sq. ft. lot.)
- Project start January 1, 2026

As you can see below, the model estimates the max particulate emissions to be 174 lb/day for the first ten days of construction, well above the 82 lb/day threshold of significance.

²⁰Sensitive receptors: A location where human populations, especially children, seniors, and sick persons, are located where there is reasonable expectation of continuous human exposure according to the averaging period for the ambient air quality standard e.g. 24-hour, 8-hour, 1-hour). These locations include residents.



Caveat: This commentator doesn't have the skills to run this model for the purpose of estimating the actual particulate emissions from this project. I present it to demonstrate that the staff report erred in using the grading criteria and if staff used the correct process, the emissions may well exceed the significance threshold. This also demonstrates the work required to qualify a project for inclusion in the in-fill categorical exemption.

The Council should find:

The staff report, upon which the Planning Commission presumably relied, used an incorrect threshold for construction-related particulate emission to find that the project would not result in any significant effects relating to air quality. Thus, that finding is not supported by substantial evidence.

Recommended findings for in-fill exemptions:

The record does not contain substantial evidence to support a finding that the project qualifies for the CEQA in-fill exemption.

CEQA conclusions

The fact that the staff and Planning Commission didn't follow CEQA does not resolve substantive design-review and building-use issues. CEQA is an informational tool and a failure to follow the process should not require a project denial. Nevertheless, this commentator recommends:

If this hearing is constructed as an appeal on the record and the project is referred to the Planning Commission, the referral should instruct the staff and commission to begin the CEQA process starting with an Initial Study.

If this hearing is a de-novo hearing and the Council denies or approves the application, Council might wish to instruct staff and the Planning Commission to reform their process.

Conclusion

This hearing's import to the community far exceeds how it impacts this project. It highlights flaws the city's land use regulatory process. The Land Use Element of the General Plan, zoning code and the regulatory process form a bulwark that resists the constant efforts by some to gain a financial advantage or change our community to suit their preferences—one project at a time. If one part of this triad malfunctions, the bulwark is weakened.

Because of the constraints imposed by the legislative process, the regulatory process is the most vulnerable, and misinterpretation of the code presents the greatest threat; this stealth procedure changes the law. It allows the buildout of nonconforming designs and creates a precedent that others can exploit. Aside from these obvious impact on our community's character, the uncertainty of what our rules mean and how they are applied, increases the workload on staff, the Planning Commission and this Council.

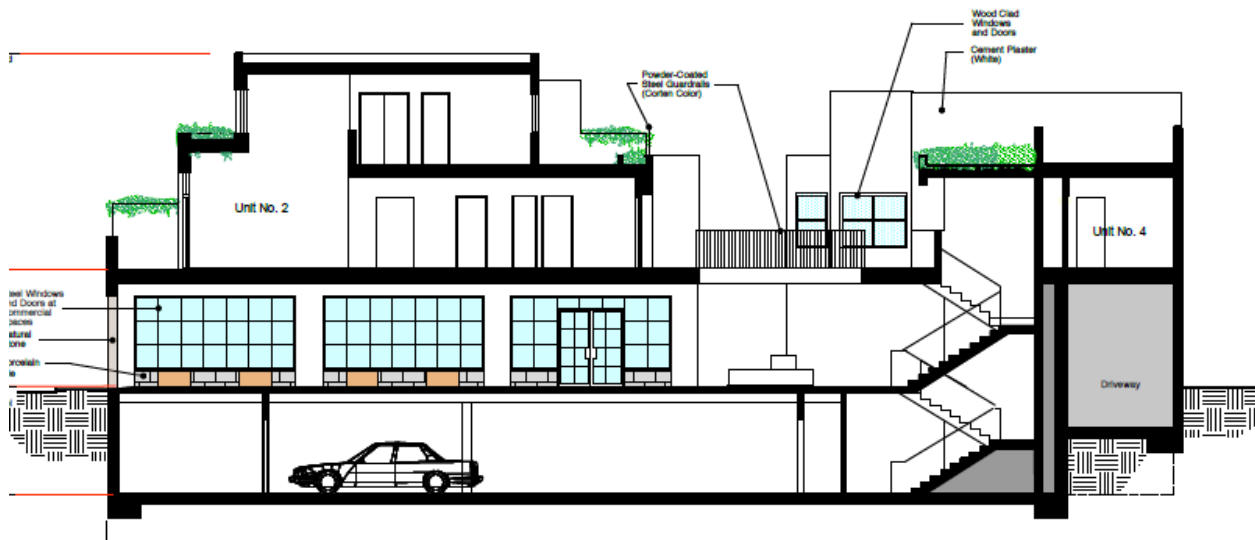
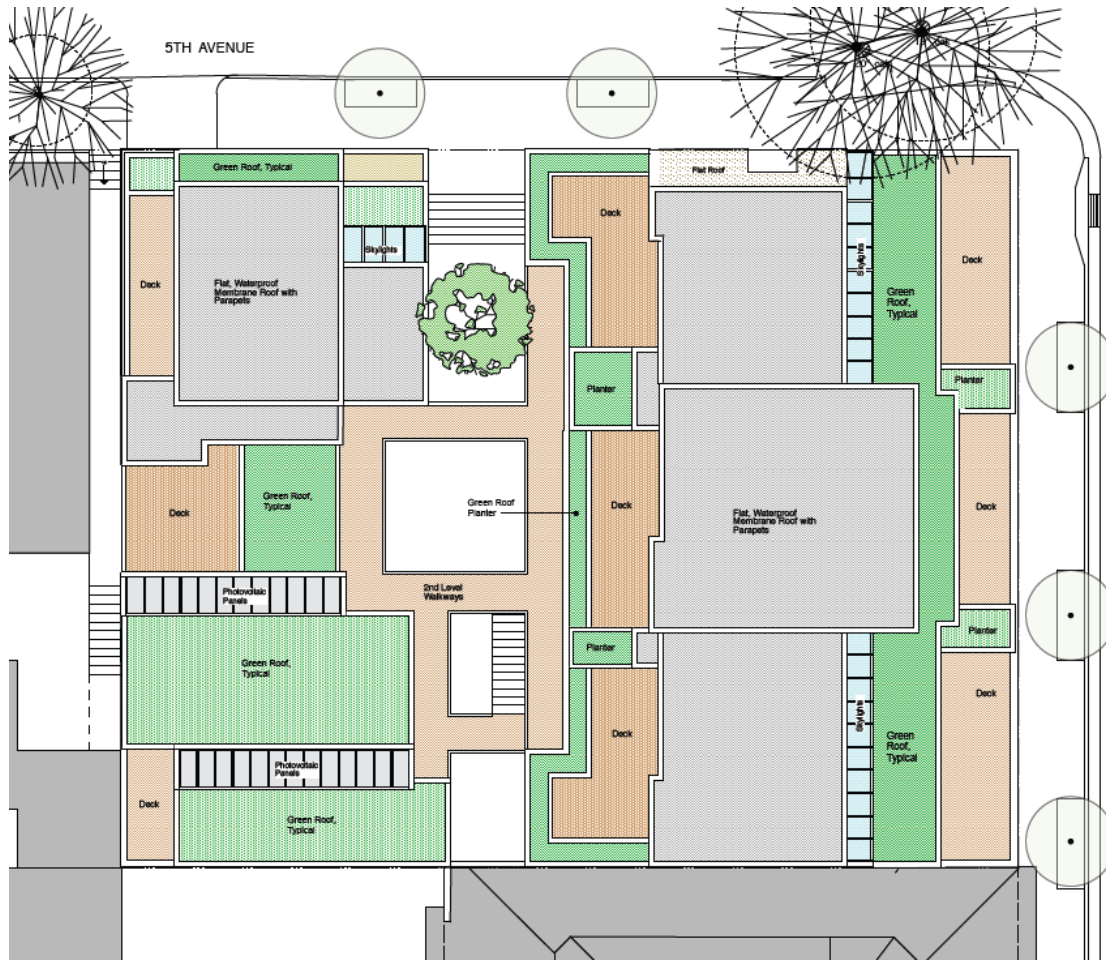
Unsympathetic developers may submit and resubmit a nonconforming project with minor tweaks hoping for regulatory exhaustion to set in and the code to be misinterpreted to meet their current design. This means more work for the staff, more meeting of the Planning Commission and more appeals to the Council.

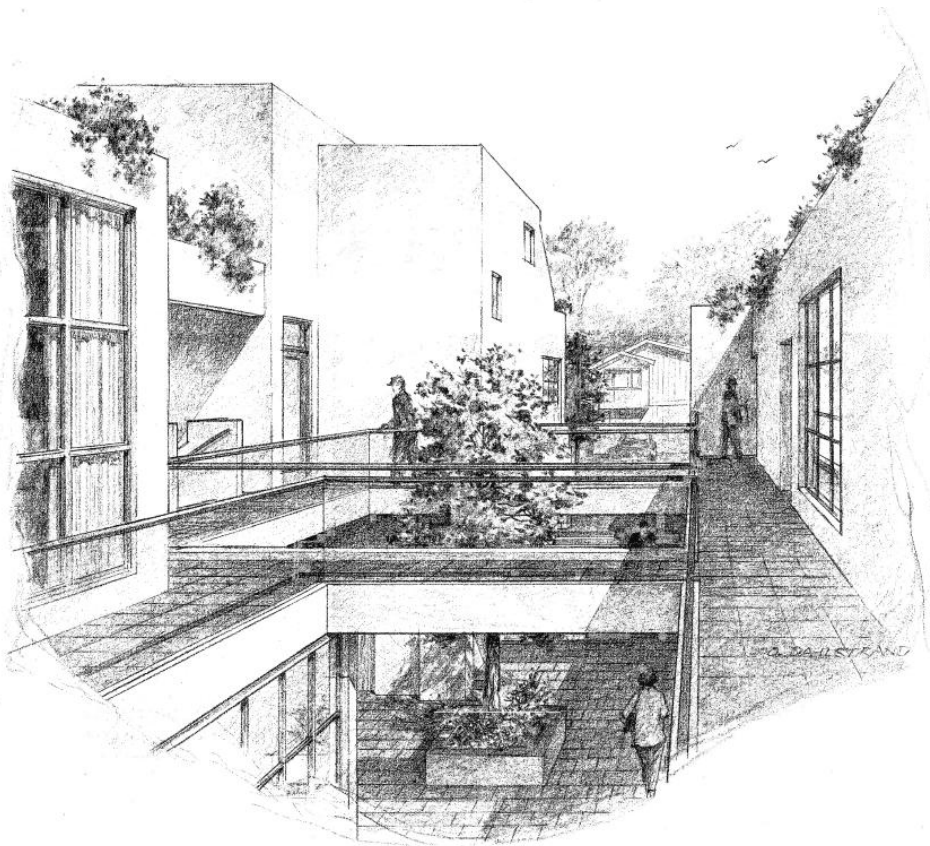
No project should be used to make a statement, but this project presents an opportunity for the Council to dig in and set an example of how our code must be applied.

DR 16-032 (Leidig-Draper)

Del Dono

SWC Dolores and 5th

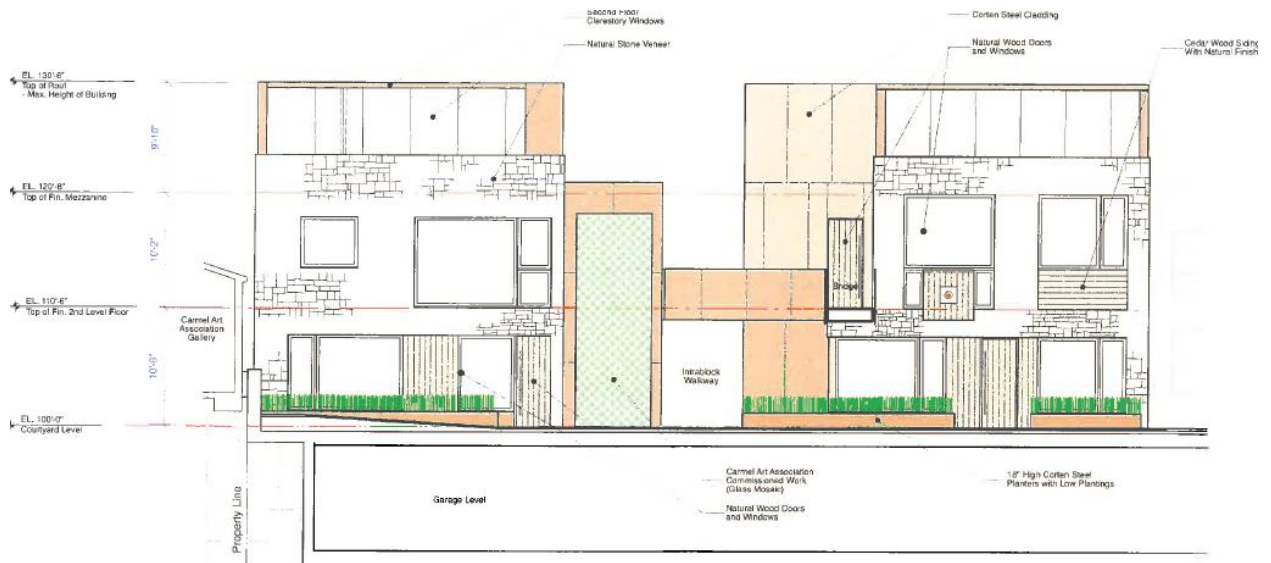
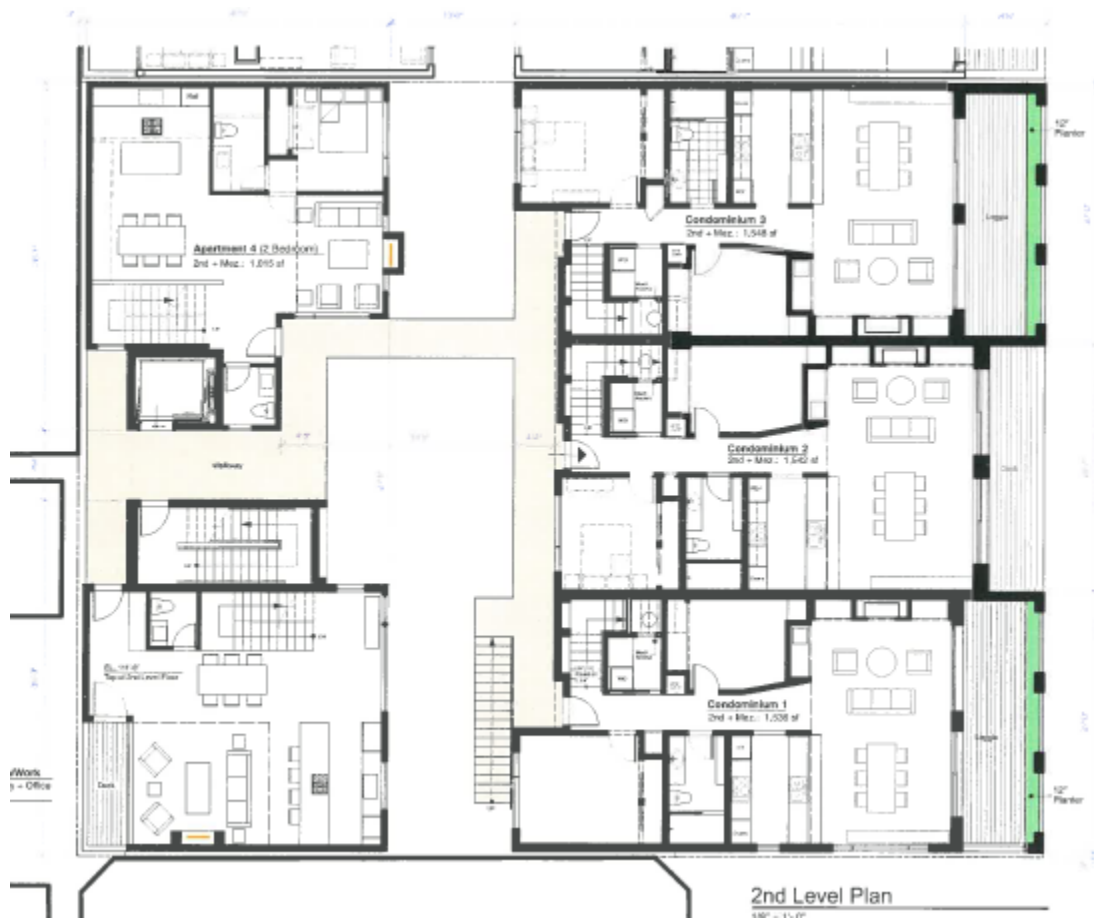




DR 17-482 (Leidig-Draper)

Del Dono II

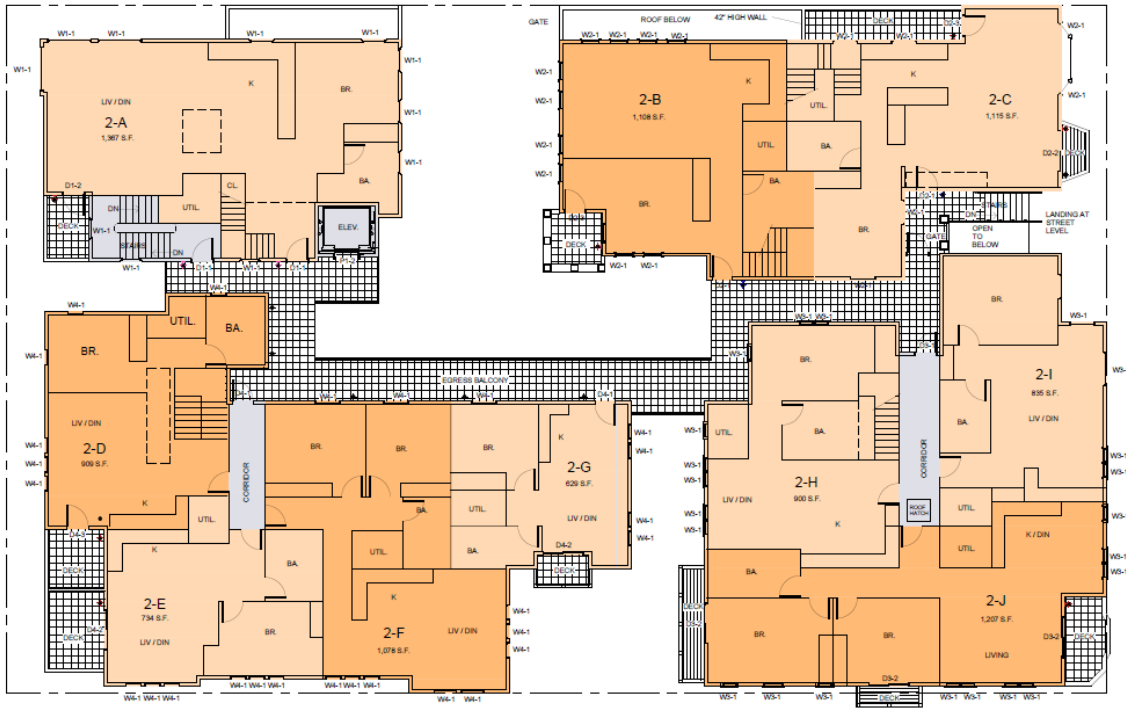
Dolores 2 SW 5th



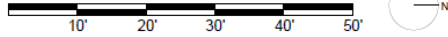
DR 20-350 (Ulrika Plaza)

Ulrika Plaza

SWC Dolores and 5th



SECOND FLOOR PLAN





Attachment 2 – Supplemental Categorical Exemption Findings

Esperanza Carmel Commercial – JB Pastor Building – DR 23-140/UP 21-113/LM 20-394
Dolores Street 2 southeast of 7th Avenue
Planning Commission Agenda: April 9, 2025

This document provides supplemental information supporting the Categorical Exemption of the "JB Pastor" project (DR 23-140/UP 21-113/LM 20-394) from the California Environmental Quality Act (CEQA), State CEQA guidelines and local environmental regulations, pursuant to Section 15332 (Class 32) – In-Fill Developments. This exemption is intended to promote infill development within urbanized areas which are consistent with local general plan and zoning requirements. This class is not intended to be applied to projects which would result in any significant traffic, noise, air quality, or water quality effects. Such projects must meet Part 1 conditions (a) through (e) described in the analysis below and must not trigger exceptions to the exemption in Part 2.

Part 1: Qualifications

The proposed project meets the following thresholds:

- 1. *The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.***

The subject property has a General Plan land use designation of Core Commercial and is zoned SC, Service Commercial, which allows mixed-use development. The residential density, underfloor areas, participation in the in-lieu parking program, and the proposed increase in commercial floor area for the project both require a Conditional Use Permit issued by the Planning Commission. A lot merger application is associated with the project to merge the three underlying lots into a single lot of record. The project also includes a Coastal Development Permit to allow construction of the mixed-use building. The project conforms to General Plan policies and zoning regulations.

- 2. *The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.***

The project site is located within the city limits, is 12,000 square feet (.275 acres) in size and is surrounded on all sides by urban uses, specifically commercial and residential development, including other mixed use developments.

- 3. *The project site has no value as habitat for endangered, rare or threatened species.***

The project site is not located within one of the city's Environmentally Sensitive Habitat Area (ESHA) Overlays. The Coastal Resource Management Element of the General Plan/Local Coastal Program describes that a 1995 study of the City's ESHA areas, prepared by Jones & Stokes, identified the following endangered, rare or threatened species:

- Mission Trail Nature Preserve: Hickman's onion; Monterey ducky footed wood rat – state and/or federal species of concern; as well as potential habitats for other special-status species.
- Carmel Beach: Tidestom's lupine –state and federal listed endangered species; black legless lizard – state species of special concern; as well as potential habitat for other special-status species.
- Pescadero Canyon: Pescadero Canyon is described as providing watershed protection and an important wildlife corridor but is not expressly identified as a habitat for protected species.

Additionally, the project site is currently developed with a mix of a surface parking lot, and commercial and residential structures. The site does not contain trees, vegetation, wetlands/waters/riparian habitat that can support other Special Status Species.

4. *Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.*

a. Traffic

- i. The applicant has provided a Traffic Analysis of the proposed project (refer to Attachment 8 of the associated Staff Report). The Traffic Analysis was prepared ahead of the July 10, 2024 hearing for the same project, however, the findings, conclusions, and analysis remain unchanged based on the modifications to the project between the July 10, 2024 hearing and the April 9, 2025 hearing. The traffic analysis was prepared by Keith Higgins, PE, TE. The Traffic Analysis uses vehicle-miles-travelled (VMT) in the evaluation of environmental impacts under CEQA as required by SB 743. For the purposes of determining the significance of transportation impacts, "vehicle miles traveled" refers to the amount and distance of automobile travel attributable to a project. The City has not adopted a VMT policy which would include a methodology for performing this analysis, therefore the analysis was based on the "Technical Advisory on Evaluating Transportation Impacts in CEQA," published by the State of California Governor's Office of Planning and Research, which provides implementation guidance for SB 743 for evaluating development proposals.

As suggested by the OPR Technical Advisory for mixed-use projects, the two main components of the project, residential and commercial (retail), are analyzed separately.

Traffic Report Summary:

Residential Significance Criterion - In accordance with the OPR Technical Advisory on Evaluation Transportation Impacts in CEQA, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact.

Residential VMT Analysis - The 8 multi-family housing units are estimated to generate about 54 gross daily trips, which is below the 110 trips per day significance threshold. This component of the Project will not have a significant effect relative VMT impact.

Retail Significance Criterion - In accordance with the OPR Technical Advisory on Evaluation Transportation Impacts in CEQA, retail development including stores larger than 50,000 square feet might be considered regional serving, and so lead agencies should undertake an analysis to determine whether the project might increase or decrease VMT.

Retail VMT Analysis – The retail component of the Project will include a total 9,000 net square feet of floor area with up to 7 separate units, which corresponds with a gross floor area of about 5,882 square feet. The overall floor area is far below the 50,000 square-foot threshold considered to be regional serving that would potentially result in a significant VMT impact. The types of uses anticipated in the Project will serve local clientele and visitors. The retail component of the Project will not have a significant effect relative to VMT impact.

During construction of the project, there will be additional vehicles near the project site, including construction equipment vehicles, deliveries and contractor personal vehicles. This would be a temporary condition and would not be part of the operational component of the project. In addition, the city's Standard Conditions of Approval require implementation of a construction management plan to manage truck routes, construction vehicle circulation and parking, and potential sidewalk closures. With implementation of the construction management plan over the course of construction, traffic impacts during construction are anticipated to not have a significant effect on the environment.

b. Noise

- i. Most of the Commercial neighborhoods experience a daily average of well below 65 dB which is the upper threshold for multi-family uses for being considered a “Normally Acceptable” range as described in the General Plan. The upper limit for commercial uses at a normally acceptable range is 70 dB. The additional 8 residential apartments nor the additional commercial spaces would substantially result in exceeding noise levels in the area and would be consistent with the normally acceptable noise levels, required by General Plan policies and the Carmel Noise Ordinance. The project does not result in the addition of any new stationary noise sources outside of associated mechanical equipment, all of which would be required to comply with the city’s noise ordinance prescribed in CMC section 17.28.020.

Section 21085 of the CEQA Guidelines further finds that *“for residential projects, the effects of noise generated by project occupants and their guests on human beings is not a significant effect on the environment.”*

Furthermore, all projects in the City are required to comply with General Plan Policy P9-4, which ensures that construction activities are managed to minimize overall noise impacts on surrounding land uses, and Policy P9-17, which enforces state laws regarding unmuffled or improperly muffled motor vehicles. Additionally, all projects must comply with Carmel Municipal Code Section 15.08.180, which sets forth hours of construction as follows:

For projects requiring a building permit, the permitted hours of construction shall be from 8:00 a.m. to 6:30 p.m. Monday through Saturday unless other specified hours are approved or required by the Building Official or the Director of the Department of Community Planning and Building. These hours apply in all land-use districts. For the purpose of this section, the term “hours of construction” is defined as all times when builders, contractors, work crews, or other persons associated with the project are present on the property and engaged in any Class B noise activities related to or including construction.

CMC Chapter 8.56 defines Class B noise as “noise created or generated within or adjacent to residential property which is necessary and normally associated with property maintenance and construction. Class B noise includes, but is not limited to, noise created by power equipment and tools, appliances, workshops, vehicle repairs, and testing and construction projects.”

CMC section 8.56.040 states, “It shall be unlawful to create and emit Class B noise as defined in this chapter between the hours of 6:30 p.m. of one day and 8:00 a.m. of the following day.”

Adherence to all applicable General Plan policies and regulations of the Carmel Municipal Code will ensure that the project will not have a significant effect resulting from temporary noise increases during construction.

c. Air Quality

- i. The City of Carmel-by-the-Sea is located in the North Central Coast Air Basin, which is under the jurisdiction of the Monterey Bay Air Resources District (MBARD). The District has regulatory authority over stationary sources of air emissions, monitoring air quality within the air basin, providing guidelines for analysis of air quality impacts pursuant to CEQA, and preparing an air quality management plan to maintain or improve air quality in the air basin. The District has developed thresholds of significance for criteria air pollutants, which can be found in the District's CEQA Air Quality Guidelines (2008).

Emissions from construction activities represent temporary impacts that are typically short in duration. Per the Monterey Bay Air Resources District CEQA Air Quality Guidelines (<https://www.mbard.org/ceqa>), construction emissions could potentially impact local air quality if grading and excavation activities disturb more than 2.2 acres per day. Projects above this threshold may have a significant impact on air quality. The project site is approximately .275 acres and is below the 2.2-acres of grading per day threshold and would not result in a significant effect relative to air quality.

The City of Carmel-by-the-Sea requires all projects to adhere to Best Management Practices (BMPs) that include reducing emissions from construction equipment. Adherence to the BMPs has been maintained as part of the Standard Conditions of Approval.

A standard city requirement of all construction projects is the submission of a hazardous materials waste survey in conformance with Monterey Bay Air Resources District. Identification of any hazardous substances such as lead or asbestos are subject to State regulations for handling and disposal during construction.

d. Water Quality

- i. CMC Chapter 17.43, Water Quality Protection Ordinance, intends to protect and enhance the coastal waters in accordance with policies in the City's Local Coastal Plan, the California Coastal Act, and the City's National Pollutant Discharge Elimination System (NPDES) Phase II Permit requirements. Section 17.43.030

requires that during the construction phase of a development project, an erosion and drainage control plan shall be prepared and submitted. The plan shall include a site-specific erosion control plan that includes controls on grading, best management practices (BMPs) for staging, storage, and disposal of construction materials, design specification of sedimentation basins and landscaping/revegetation of graded or disturbed areas. All new development and redevelopment within the City shall comply with the requirements in Chapter 17.43, Water Quality Protection Ordinance.

The applicant/project is required to comply with the NPDES water quality standards identified in the City's Municipal Code and implementation of the City's standard conditions of approval would ensure that applicable water quality standards are met. Therefore, construction activities associated with the project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.

5. *The site can be adequately served by all required utilities and public services.*

The project site is in a heavily developed urban area currently served by all required public utilities and services.

The proposed project consists of 8 residential units, parking, and a commercial shell with up to 7 business spaces, which would be a minor increase in utility and public service use at the site over what exists today. However, these uses will not significantly adversely affect police or fire protection services or result in the construction of new schools or parks and other public facilities and is allowable in the zoning ordinance and General Plan limits set forth for this building site. Utility services including wastewater, sewer, and landfill facilities have adequate capacity for the proposed project, or the project has been conditioned appropriately to verify adequate capacities or supply prior to building permit issuance.

Part 2: Exceptions

Application of this exemption, as all categorical exemptions, is limited by the factors described in CEQA Guidelines Section 15300.2. None of these exceptions apply, as described in the discussion below.

- 1. *Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.***

- a. This possible exception applies only to CEQA exemptions under Classes 3, 4, 5, 6 or 11. Since the project qualifies as a Class 32 Urban Infill exemption, this criterion is not applicable.
- 2. Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.**
 - a. No successive projects on the project site are proposed, known, or expected to occur over time that would result in cumulatively considerable impacts.
- 3. Unusual Circumstances. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.**
 - a. The proposed project would not result in any significant impacts due to unusual circumstances and remains in context and consistent with the existing conditions in the downtown area, General Plan policies, and zoning requirements, all of which supports mixed-use development.
- 4. Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.**
 - a. The three officially designated (adopted) scenic highways in Monterey County are: Highway 1 from the San Luis Obispo county line to the Highway 68 interchange near the Naval Post Graduate School in Monterey, a distance of 78 miles; Highway 68 from Highway 1 to the Salinas River; and Highway 156 from 1 mile east of Castroville to Highway 101 near Prunedale.

The proposed project is not located within, immediately adjacent to, or visible from, a highway officially designated as a state scenic highway.
- 5. Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.**

Government Code Section 65962.5 requires the Department of Toxic Substances Control to submit a list of (1) All hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code. (2) All land designated as hazardous waste property or border zone property pursuant to former Article 11 (commencing with Section 25220) of Chapter 6.5 of Division 20 of the Health and Safety Code. (3) All information received by the Department

of Toxic Substances Control pursuant to Section 25242 of the Health and Safety Code on hazardous waste disposals on public land. (4) All sites listed pursuant to Article 5 (commencing with Section 78760) of Chapter 4 of Part 2 of Division 45 of the Health and Safety Code.

On June 21, 2024, City staff reviewed the California Environmental Protection Agency Cortese List of Data Sources (<https://calepa.ca.gov/sitecleanup/corteselist/>) and confirmed that the project site is not on any of the following lists:

- Hazardous Waste and Substances Site List (<https://www.envirostor.dtsc.ca.gov/public/>).
- State Water Resources Control Board GeoTracker for leaking underground storage tanks (<https://geotracker.waterboards.ca.gov/search>).
- State Water Resources Control Board list of solid waste disposal sites (<https://calepa.ca.gov/wp-content/uploads/sites/6/2016/10/SiteCleanup-CorteseList-CurrentList.pdf>).
- State Water Resources Control Board list of solid waste disposal sites (<https://calepa.ca.gov/wp-content/uploads/sites/6/2016/10/SiteCleanup-CorteseList-CurrentList.pdf>).
- State Water Resources Control Board list of active discharge of waste or hazardous materials (<https://calepa.ca.gov/wp-content/uploads/sites/6/2016/10/SiteCleanup-CorteseList-CDOCAOList.xlsx>).
- Additionally, the project site has not been identified as a hazardous waste facility under Health and Safety Code Section 25187.5 (<https://calepa.ca.gov/sitecleanup/corteselist/section-65962-5a/>).

6. *Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.*

- a.** Section 15064.5(b)(1) of the CEQA Guidelines explains that a “substantial adverse change in the significance of an historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.” Materially impaired is further defined in Section 15064.5(b)(2) and includes the following:

- A) *Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for, inclusion in the California Register of Historical Resources; or*
- B) *Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical*

resources pursuant to section 5020.1(k) of the Public Resources Code or its identification in an historical resources survey meeting the requirements of section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or

- C) *Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the California Register of Historical Resources as determined by a lead agency for purposes of CEQA.*

The Carmel Municipal Code further states that's that a "Substantial adverse change" (also "significant adverse impact or effect") in the significance of an historical resources shall mean "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired" per CEQA Guidelines (2003) Section 15064.5(4)(b)(1) and any subsequent amendments thereto.

Within the immediate vicinity, the only historic resources are the Northern California Saving and Loan Complex, and the Williams Building. The Williams Building is located across the street from the project site on Dolores Steet. The subject project does not result in a substantial adverse change to the Williams Building as the site is located across the street from the project site and no alterations are proposed to the Williams Building.

Lots 6 and 8 of the project site are located on a Historic Resource ("Northern California Saving and Loan Complex", referred to herein as "Complex") and were subject to the Historic Evaluation Process for Major Alterations, as prescribed in CMC section 17.32.160. A qualified professional, PAST Consultants, found the project to be consistent with the Secretary of the Interior's Standards. October 3, 2023, the City Council adopted a resolution issuing a Determination of Consistency with the Secretary of the Interior's Standards (Resolution 2023-099) following a Council Right of Review (CMC section 2.04.160) of the Historic Resources Board issuance of a Determination of Consistency (Resolution 2023-09-HRB).

In accordance with the City's Historic Preservation Ordinance (CMC section 17.32), a "Determination of consistency" shall mean a finding adopted by the City that the proposed new construction, addition, alteration, and/or relocation complies with all of the provisions of this chapter (CMC section 17.32, Historic Preservation) and the Secretary's Standards.

CMC Chapter 17.32 further defines the Secretary's standards as: ""Secretary of the Interior's Standards for Rehabilitation" (also "Secretary's Standards") shall mean the Secretary of the Interior's Standards for Rehabilitation (1990, 36 CFR Section 67.7) and the

publication of the National Park Service, Preservation Assistance Division, Guidelines for Rehabilitating Historic Buildings (1992, NPS) and the Secretary of the Interior's Standard for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings (1995, NPS), and any subsequent publication of the Secretary's Standards by the NPS."

As stated in Section 15064.5(b)(3) of the CEQA Guidelines: *"Generally, a project that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995), Weeks and Grimmer, shall be considered as mitigated to a level of less than a significant impact on the historical resource."*

As stated in CMC section 17.32.160.D, *If the Board issues a determination of consistency, the Director shall determine whether the project is eligible for a categorical exemption consistent with the CEQA Guidelines. Further environmental review may still be required to address other aspects of the project. The Department shall cause to be prepared the appropriate environmental documentation for the project and shall cause the processing of the permit application to continue pursuant to standard City practices.* As such, the project does not cause a substantial adverse change in the significance of a historical resource.

Lot 10 is not part of the Complex site and a Determination of Ineligibility was issued on June 27, 2019, and re-issued on June 27, 2024.

The project does not result in a substantial adverse change in the significance of a historical resource and has been reviewed consistent with the city's Historic Preservation Ordinance (CMC Chapter 17.32).

Conclusion

Based on the evidence provided above, the proposed project would not result in any significant environmental impacts. The proposed project qualifies for a Categorical Exemption under CEQA as it meets the conditions described in Article 19, Section 15332, Class 32, In-fill Development Projects, and none of the exceptions listed in CEQA Guidelines Section 15300.2 are applicable.



Seth A. Bergstein
 415.515.6224
 seth@pastconsultants.com

June 30, 2023

Evan Kort, Associate Planner
 City of Carmel-by-the-Sea
 PO Box CC
 Carmel, CA 93921

Re: SE Corner Dolores St. and 7th Ave., Carmel-by-the-Sea, CA
 APN 010-145-022/023/024; DR 23-140: Northern California Savings & Loan

Dear Mr. Kort:

This letter evaluates the proposed alterations to the property located at the SE corner of Dolores Street and 7th Avenue, in Carmel-by-the-Sea, CA. PAST Consultants, LLC (PAST) completed a site visit to the property on June 20, 2023 to view the property's existing conditions and to evaluate project drawings for proposed alterations to the subject property.

The subject property contains the Northern California Savings & Loan Complex, constructed in 1972 in the Bay Region Modern style. Designed and executed by prominent local architects Walter Burde & Associates and Will Shaw & Associates, the building complex consists of a primary bank building located on the southeast corner of Dolores Street and 7th Avenue and a detached Community Room, whose shed-roofed design complements the larger bank building. An elevated walkway connects the bank building to the Community Room, creating a complex of two buildings integrated within the site. In 2023, the building was listed on the Carmel Historic Resources Inventory as an outstanding example of Modernist design by a prominent architectural team.

Previously, the Northern California Savings & Loan project has been featured in numerous publications, including:

- *Architecture of the Monterey Peninsula*, a book/exhibit at the Monterey Peninsula of Art, 1976;
- *Documentation and Conservation of the Modern Movement – Monterey*: A tour of the Monterey Region's iconic Modernist buildings conducted by DOCOMOMO, 2003;
- *Carmel, A History in Architecture*, Kent Seavey, 2007; and
- *Carmel Modernism*: A museum exhibit by the Monterey Area Architectural Resources Archive (MAARA) held at the Carl Cherry Center for the Arts, Carmel, 2016.

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Proposed project

The property owner proposes the construction a mixed-use, commercial and residential project on the lot containing the Community Room (APN 010-145-023) and the adjacent lot to the south (APN 010-145-024). The proposed design does not include construction on the lot containing the Bank Building (APN 010-145-022). Design drawings by Jun A. Sillano, AIA, of International Design Group and dated 5/11/2023, were the documents reviewed for this historic assessment.

The project will allow retention of the Bank Complex, which includes the Bank Building, the Community Room and the Elevated Walkway connecting the two building masses. However, to facilitate the proposed project, the ornamented concrete wall to the south of the Community Room will be removed.

The following Historic Assessment Report provides a methodology, summarizes the historic status of the subject property, provides a property description and building chronology and an evaluation of the proposed alterations for conformance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties*.

Project Methodology

PAST reviewed all relevant project files located at the City of Carmel-by-the-Sea planning and building departments as part of the project. A review of the relevant sections of the Carmel by-the-Sea Historic Context Statement (Carmel Historic Context Statement) was also conducted. A site visit was completed on June 20, 2023 to assess the building's existing conditions and to understand the proposed building alterations.

In addition, PAST performed research in local and regional repositories to determine the history of the ornamented concrete wall to the south and west of the Community Room.

Summary Property History

The subject property contains the Northern California Savings & Loan building complex. Completed in 1972 by Walter Burde and Associates and Will Shaw and Associates, the subject property was listed on the Carmel Historic Resources Inventory in 2023 under the Historic Context Statement's theme of Architectural Development in Carmel as a rare commercial example of the Bay Region Modern style. All relevant project data, property history and an evaluation of historic significance are presented on the DPR523 forms completed in January 2023.¹

¹ PAST Consultants, LLC. *Northern California Savings and Loan* (DPR523 forms), 1/3/2023. These forms update and replace the DPR523 forms prepared by Richard N. Janick, architectural historian in 2001.

Property Description

The DPR523 forms provide a comprehensive set of photographs of the bank building and the Community Room. The following description focuses on the Community Room, and its surrounding ornamented concrete wall as the project proposes to remove one of the remaining site features dating to the building's period of significance.

The ornamented concrete wall frames the Community Room and runs in an El-shaped pattern along Dolores Street and turns to the east within the lot. Designed by Brad Bowman and completed in 1972 by Ornamented Concrete, Inc. of Carmel-by-the-Sea, the wall was commissioned by Burde and Shaw as part of the overall project. Originally, the south section of the wall returned toward the Community Room. In 2014, the Dolores Street section of the ornamented concrete wall was cut down and the portion of the southern wall that returned toward the building was removed. A small stucco wall was also constructed (**Figures 1 - 3**).



Figures 1 and 2. Left image looks north at the site. Constructed in 2014, the wall in the foreground is not a historic addition to the site. The original ornamented concrete wall is shown with an arrow. Right image details the Community Room looking northwest, with the 2014 stucco wall shown.

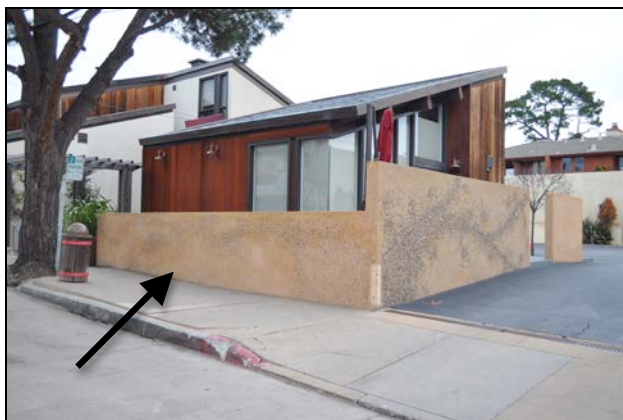


Figure 3. View of Community Room taken from Dolores Street, showing the wall cut down (arrow). The southern section retains its original height.

Community Room and Site Landscape: Building Chronology

1. Permit # 72-80, 10/26/1972: \$250,000 for construction of bank and Community Room. Will Shaw and Associates and Walter Burde, architects; Carl Swenson, Inc., contractor. Landscape walls designed and constructed by Ornamental; Concrete, Inc. of Carmel
2. Permit # 78-132, 8/4/1978: \$30,000 for interior remodel. Holowinski & Blevins, planning architect; Hampshire Construction, contractor.
3. Permit #13-170C, 9/5/2013: Interior remodel. Adam Jeselnick, architect; Hare Construction, contractor. Design review for this permit completed in 2014.
7. Permit #DR 14-23C. As built drawings submitted and design review approved for interior remodel of Community Room and site landscape modifications:
 - Site: Install new asphalt overlay, install two freestanding trellises between Bank Building and Community Room. Remove original wall at southwest corner of site and install new concrete planter. Remove existing wood fence at south property line and install new stucco wall. Install small concrete wall and planter southeast of Community Room. Install new trash bin enclosure at southeast corner of site.
 - Ornamented Concrete Wall: Modify original ornamented concrete wall: cut down section running along Dolores Street; removes section of ornamented concrete wall south of the Community Room where it returns to the building. Construct new stucco wall to the east (**Figure 4**).

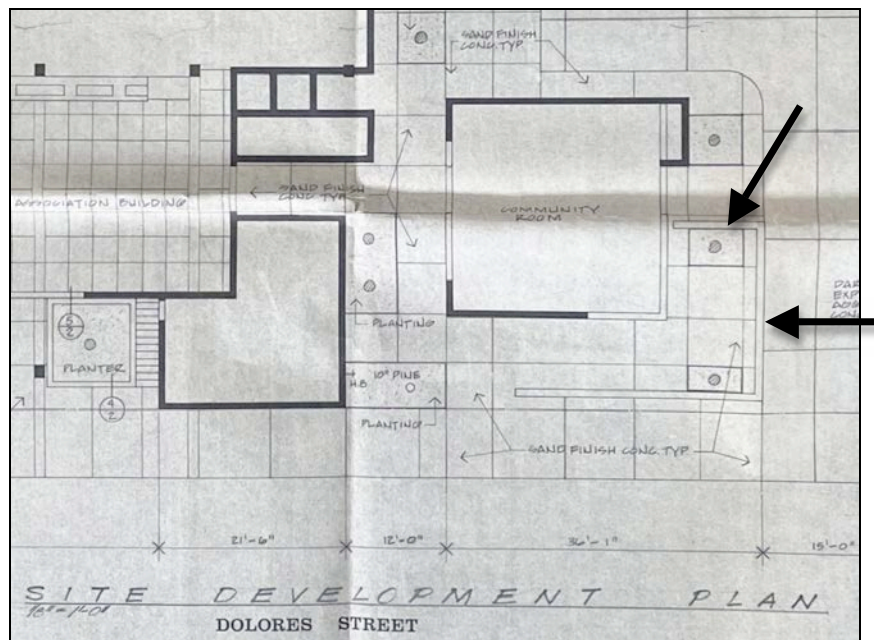


Figure 4. Detail of March 15, 1972 Site Plan showing the original layout of the ornamented concrete wall. The top arrow indicates the section of wall that was removed. Bottom arrow indicates the remaining intact wall section.

Ornamented Concrete Wall: History

Ornamented Concrete, Incorporated was founded by Brad Bowman of Carmel Valley. The company specialized in handmade site alterations rendered in concrete and stucco. Ornamented concrete became popular with Mid-Century architects as Brad Bowman perfected his process in the late 1950s. On the Northern California Savings and Loan complex, the method was applied to the landscape walls framing the Community Room, and to the east wall of the Bank Building. The use of the ornamented concrete method on both the Bank Building and the site originally linked the building to its surroundings (**Figure 5**).



Figure 5. Looking northwest at the east elevation of the Bank Building, the ornamented concrete wall shown.

The Ornamented Concrete firm's work also includes site work and fountains for Edward Durell Stone's Community Hospital of the Monterey Peninsula, as well as ornamented concrete site features and the decorative shell motifs installed on the Shell Gas Station on San Carlos Street and Fifth Avenue, designed by Burde and Shaw and listed on the Carmel-by-the-Sea Historic Resources Inventory.²

A camouflage expert during World War II, Brad Bowman pioneered a process for using exposed aggregate concrete in construction projects, developing a methodology for using various aggregate combinations to create artistic compositions that were used as building walls, concrete paving or landscape walls. Brad Bowman used a simple technique: a V-shaped blade stamped patterns within the concrete, a term he labeled "Ornamented Concrete." Exposed aggregate, rocks or pebbles were inserted into the wet concrete in various patterns. This revolutionary process labeled Brad Bowman the "father of stamped concrete."

Bowman formulated his stamped-concrete idea when he practiced imprinting patterns in wet sand on the beach at the end of Ocean Avenue in Carmel. Early commissions included ornamented concrete driveways for luxury homes in Carmel and Pebble Beach. In 1970 Brad Bowman founded the Bomanite Corporation in Madera, California. He patented his early ornamented concrete process

² See *Carmel Pine Cone*, 4/19/1962, p4; "Brad Bowman," *Carmel Valley Outlook*, 10/18/1962, p8 and "Rustic Atmosphere," *Carmel Pine Cone*, 5/12/1966, p20, courtesy Harrison Memorial Library, Carmel.

as “Bomanite” and developed international licenses in the 1980s and 1990s. The Bomanite Corporation remains in business today. In 2012, Brad Bowman was honored with induction into the Decorative Concrete Hall of Fame.³

For the subject building, a 1972 photograph of the wall’s installation appeared in local newspapers. While Brad Bowman designed these site features, his daughter, Tani Bowman assisted in design and application. Local newspapers indicate that the selection and placement of each rounded stone was meticulous, with each stone’s size and shape being important to the overall pattern (**Figure 6**).



Figure 6. Image of Tani Bowman adding stones to the ornamented concrete wall during project construction in 1972 (Courtesy: Harrison Memorial Library, Carmel)⁴

Historic Integrity of the Site Features

The original parking lot paving, including the indication of individual parking stalls, both of which used contrasting exposed aggregate concrete, has been removed and/or covered with asphalt paving as part of the 2014 site improvements. Sand finish concrete also served as paving around the Bank Building and between the Bank Building and the Community Room. This finish was also replaced in 2014. Original fencing on the south and east property lines and most original tree plantings have been removed.

³ *Polk's City Directories: 1958 – 1970*; “Bowmanite’s Culture of Invention with Concrete,” Joe Maty, *Concrete Décor*, Vol. 16, No. 1, January 2016.

⁴ Image from the *Carmel Valley Outlook*, 10/19/1972, p15, courtesy Harrison Memorial Library, Carmel.

In 2014, the ornamented concrete wall around the Community Room's southeast corner was altered with the Dolores Street-facing wall cut down and the south section removed where it returned toward the Community Room building. A poorly designed stucco wall was placed to the east of the original wall at this time (**Figures 1 and 2**).

Based on the numerous alterations to the site and the original Burde/Shaw landscape design, this report concludes that the original landscape design south and east of the Community Room has lost substantial historic integrity. However the south portion of the ornamented concrete wall remains intact enough to reveal the original stone pattern.

Evaluation of Proposed Alterations

The Secretary of the Interior's Standards

The *Secretary of the Interior's Standards for the Treatment of Historic Properties (Standards)* provides the framework for evaluating the impacts of additions and alterations to historic buildings. The *Standards* describe four treatment approaches: preservation, rehabilitation, restoration and reconstruction. The *Standards* require that the treatment approach be determined first, as a different set of standards apply to each approach. For the proposed project, the treatment approach is rehabilitation. The *Standards* describe rehabilitation as:

In *Rehabilitation*, historic building materials and character-defining features are protected and maintained as they are in the treatment Preservation; however, an assumption is made prior to work that existing historic fabric has become damaged or deteriorated over time and, as a result, more repair and replacement will be required. Thus, latitude is given in the Standards for Rehabilitation and Guidelines for Rehabilitation to replace extensively deteriorated, damaged, or missing features using either traditional or substitute materials. Of the four treatments, only Rehabilitation includes an opportunity to make possible an efficient contemporary use through alterations and additions.⁵

The ten *Standards* for rehabilitation are:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

⁵ *The Secretary of the Interior's Standards for the Treatment of Historic Properties* (accessed via <http://www.nps.gov/hps/tps/standguide/>).

4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Evaluation of Proposed Alterations

Comments on Design Drawings

Based on a review of the design drawings, the following is recommended:

- Sheet A1.0, Site Plan: Elevated walkway between Community Room and Bank Building is not shown. Please indicate the elevated walkway clearly.
- Sheet A1.1, Site Demolition Plan: Elevated walkway appears to be shown as dashed lines. Please add note that the elevated walkway is to remain. Add to note in middle of drawing: "All structures & pavement inside property lines shall be demolished U.O.N. except for existing Community Room Building and Elevated Walkway."
- Sheet A6.0, West Elevation. Recommend the removal of decorative ceramic tile from the west elevation of Building 2 and replace it with the same stucco finish as Building 1. This will allow the proposed west elevation to read like an arcaded block and will allow the Community Room building to stand out.

Evaluation of Proposed Project

The proposed building alterations do not include construction on the lot containing the Bank Building (APN 010-145-022). Proposed alterations to the adjacent southern lot containing the Community Room (APN 010-145-023) include the removal of the ornamented concrete wall south of the Community Room and the proposed project to the south and east of the Community Room.

The following lists the ten *Standards* for rehabilitation in italics, with an evaluation given below each *Standard*.

1. *A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.*

Although the subject property has changed from a commercial bank to a commercial restaurant use, the subject building's current use has required minimal changes to its distinctive exterior materials, features, spaces, and spatial relationships in keeping with this *Standard*.

2. *The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*

The original spatial relationship between the bank building and the Community Room is a primary character-defining feature of the site. The proposed project allows the spatial relationship between the Bank Building and the Community Room to remain, as well as the elevated walkway connecting the two buildings.

The distinctive concrete site features, original paving and fencing have been removed to the south and east of the Community Room, with the exception of the ornamented concrete wall. A recommendation for the ornamented concrete wall's removal is proposed and included at the end of this document.

The proposed project is in conformance with this *Standard*.

3. *Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.*

The proposed project does not add conjectural features or elements from other historic properties that would confuse the remaining character-defining features of the subject property. The project is consistent with this *Standard*.

4. *Changes to a property that have acquired historic significance in their own right will be retained and preserved.*

This *Standard* does not apply because no changes to the property have acquired historic significance.

5. *Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.*

With the exception of the ornamented concrete wall, the original landscape and paving features of the 1972 Burde/Shaw design have been removed or obscured. Maintaining the entirety of the Bank Complex, including the Bank Building, the Community Room and the elevated walkway connecting the buildings, is in conformance with this *Standard*. A recommendation for the removed section of the ornamented concrete wall is included at the end of this document.

6. *Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.*

It is recommended that any deteriorated exterior cladding and roof elements for the Community Room be repaired, rather than replaced, in conformance with this *Standard*.

7. *Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.*

Physical treatments to repair exterior cladding for the Community Room shall use the safest methods for a given substrate, in conformance with this *Standard*.

8. *Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.*

This *Standard* does not apply, as the identification of archaeological features is not within the scope of work for this Phase Two historical report.

9. *New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.*

This *Standard* does not apply as no alterations are proposed for the Bank Complex, with the exception of the removal of the ornamented concrete wall.

10. *New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

This *Standard* does not apply as no alterations are proposed for the Bank Complex, with the exception of the ornamented concrete wall.

Conclusions on Proposed Project

The proposed project is in conformance with the *Standards* because they allow Bank Complex, including the Bank Building, the Community Room and the elevated walkway connecting the buildings to remain. This will retain the original spatial relationships between the separate building masses and provide sufficient historic integrity for the Building Complex to maintain listing on the Carmel Historic Resources Inventory.

However, the proposed project removes the remaining intact section of the ornamented concrete wall south of the Community Room. A recommendation for this loss is proposed below.

Ornamented Concrete Wall: Proposed Recommendation for Project Consistency



Figure 7. Remaining intact section of the ornamented concrete wall.

The remaining intact section of the Bowman-designed ornamented concrete wall is shown above (**Figure 7**). This section still reveals its original stone pattern and sand finish. This report recommends that the removed section of the wall be preserved and replaced at another location on the site. A potential location would be in the parking lot within proximity of the ornamented concrete wall on the east elevation of the Bank Building. This location would allow interpretation of the removed feature on the original site and provide a link to the original Burde/Shaw design.

Conclusion

In conclusion, the proposed project is consistent with the *Secretary of the Interior's Rehabilitation Standards*.

Please contact me if you have any questions about this evaluation.

Sincerely,



Seth A. Bergstein, Principal

**CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL**

RESOLUTION NO. 2023-099

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA OVERTURNING THE JULY 2023 DECISION OF THE HISTORIC RESOURCES BOARD (RESO. 2023-009-HRB) AND ISSUING A DETERMINATION OF CONSISTENCY WITH THE SECRETARY OF THE INTERIOR'S STANDARDS, WITH NEW FINDINGS AND CONDITIONS, FOR THE CONSTRUCTION OF A MIXED-USE BUILDING WITH SUBTERRANEAN GARAGE ON A PORTION OF THE NORTHERN CALIFORNIA SAVINGS & LOAN COMPLEX SITE LOCATED AT DOLORES STREET 2 SOUTHEAST OF 7TH AVENUE IN THE SERVICE COMMERCIAL (SC) ZONING DISTRICT. APNS 010-145-012, 010-145-023, 010-145-024

WHEREAS, on May 11, 2023, Jason Diaz of International Design Group (IDG), ("Applicant") submitted an application (DR 23-140) on behalf of Esperanza Carmel, on May 24, 2022 requesting the construction of a mixed use building located on Lots 6, 8, and 10 of Block 91; and

WHEREAS, the project is partially location on a historic property is known as the Northern California Savings and Loan Complex ("Complex") which is listed on the Carmel Inventory of Historic Resource and Carmel Register of Historic Resources; and

WHEREAS, the Complex consists of Lots 2, 4, 6, and 8 located on Block 91 and is currently comprised of Assessor Parcel Numbers (APNs: 010-145-002, 010-145-023, 010-145-024); and

WHEREAS, APN 010-145-002 is comprised of lots 2 & 4 and is owned by D&K Dolores, LLC ("D&K Dolores"). APN 010-145-023 and 010-145-024 are comprised of lot 6 and 8 respectively. Both lots 6 & 8 are owned by Esperanza Carmel Commercial LLC ("Esperanza Carmel"); and

WHEREAS, the applicant is proposing to construct a portion of a 15,351-square-foot mixed-use building with a 9,805-square-foot subterranean garage on lots 6 and 8 of the Northern California Savings & Loan Complex site; and

WHEREAS, the project qualifies as a Major Alteration to a Historic Resource pursuant to CMC 17.32.160; and

WHEREAS, pursuant to CMC 17.32.120 (Alteration of Historic Resources), a determination of consistency with the Secretary's Standards shall be obtained prior to altering, remodeling, demolishing, grading, relocating, reconstructing or restoring any historic resource; and

WHEREAS, pursuant to CMC 17.32.120.B, determinations of consistency for major alterations shall be prepared by a qualified professional and shall be supported by written documentation that (1) identifies which of the Secretary of the Interior's Standards for Rehabilitation are applicable to the project, (2) reviews the proposed project, and (3) explains the basis of the determination; and

WHEREAS, a Phase II report was prepared by a qualified professional, Seth Bergstein of PAST Consultants, dated June 30, 2023, and found the proposed amendments to be consistent with the Secretary of the Interior's Standards for Rehabilitation provided the recommendations outlined in the report were carried out; and

WHEREAS, on July 17, 2023, the Historic Resources Board held a duly noticed public hearing to receive public testimony regarding the Determination of Consistency for the application, including without limitation, information provided to the Planning Commission by City staff and through public testimony on the application; and

WHEREAS, on July 17, 2023, the Historic Resources Board adopted Resolution 2023-009-HRB issuing a Determination of Consistency for the construction a 15,351-square-foot mixed-use building with a 9,805-square-foot subterranean garage on a portion of the Northern California Savings & Loan Complex site; and

WHEREAS, on August 3, 2023, during the 10-business day appeal period of the Historic Resources Board's decision, two City Council members requested the Council's Right of Review of the Historic Resources Board's decision consistent with CMC 2.04.160; and

WHEREAS, the Right of Review hearing was scheduled for the next available hearing date, September 12, 2023; and

WHEREAS, on September 1, 2023, a notice of the public hearing scheduled for September 12, 2023, was published in the Carmel Pine Cone in compliance with State law (California Government Code 65091) and mailed to owners of real property within a 300-foot radius of the project indicating the date and time of the public hearing; and

WHEREAS, on or before September 1, 2023, the Applicant posted the public notice on the project site and hand-delivered a copy of the public notice to each property within a 100-foot radius of the project site indicating the date and time of the public hearing; and

WHEREAS, on September 12, 2023, the City Council held a de novo public hearing to receive public testimony regarding the Determination of Consistency for the application, including without limitation, information provided to the City Council by City staff and through public testimony on the application; and

WHEREAS, as part of a Right of Review hearing, the City Council may uphold the decision of the board, commission, or committee, amend the decision and/or conditions attached to the decision, overturn the decision, or remand the matter to the board, commission or committee for further consideration (CMC 2.04.160.B); and

WHEREAS, on September 12, 2023 the City Council moved to continue the project with direction to staff to prepare specific findings and conditions based on the Council discussion overturning the previous Historic Resources Board Determination of Consistency (Resolution 2023-009-HRB), with new findings of Consistency and Conditions of Approval for the project to

be brought back for adoption at the October 3, 2023 hearing in accordance with CMC 17.32.160.B.1.a; and

WHEREAS, while the request for the Right of Review was initiated due to concerns surrounding the ornamented concrete wall ("Wall") at the southwest corner of the Community Room, additional concerns were raised regarding the proposed projects siting and spatial relationships to the Northern California Saving and Loan Complex ("Complex") as a whole; and

WHEREAS, on September 22, 2023, a notice of the public hearing scheduled for October 3, 2023, was published in the Carmel Pine Cone in compliance with State law (California Government Code 65091) and mailed to owners of real property within a 300-foot radius of the project indicating the date and time of the public hearing; and

WHEREAS, on or before September 22, 2023, the Applicant posted the public notice on the project site and hand-delivered a copy of the public notice to each property within a 100-foot radius of the project site indicating the date and time of the public hearing; and

WHEREAS, on October 3, 2023, the City Council held a public hearing to receive public testimony regarding the Determination of Consistency for the application, including without limitation, information provided to the City Council by City staff and through public testimony on the application; and

WHEREAS, this Resolution and its findings are made based upon evidence presented to the City Council at the hearing including, without limitation, the staff report and attachments submitted by the Community Planning and Building Department; and

WHEREAS, the City Council hereby finds that to allow the remaining original intact portion of the ornamented concrete wall to be visible from the public right-of-way, a waiver from the build-to-line requirement (CMC 17.14.130) may be granted by the Planning Commission for portions of the proposed building located on Lot 8, for up to 5-feet from the property line. This waiver and creation of a Design Non-Conformity is granted in accordance with CMC 17.32.100.D, Benefits Available to Historic Resources on the Register and is intended to be a benefit to the applicant and not a mandated requirement; and

WHEREAS, the City Council did hear and consider all said reports, attachments, recommendations and testimony herein above set forth and used their independent judgement to evaluate the project; and

WHEREAS, the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA"), together with State Guidelines (14 California Code Regulations §§ 15000, et seq., the "CEQA Guidelines") and City Environmental Regulations (CMC 17.60) require that certain projects be reviewed for environmental impacts and that environmental documents be prepared; and

WHEREAS, adoption of a finding of consistency is “not a project” pursuant to section 15378 of the CEQA Guidelines. Adoption of a finding of consistency does not grant any permits or entitlements approving a project which would result in a direct or indirect physical change in the environment; and

WHEREAS, the facts set forth in the recitals are true and correct and are incorporated herein by reference.

NOW THEREFORE, BE IT RESOLVED, the City Council of the City of Carmel-by-the-Sea makes the following findings regarding the project:

City Council Findings	
No.	
1.	The use of the ornamented concrete method of construction was used on both the Bank Building and the site walls, and originally linked the building to its surroundings.
2.	The south portion of the ornamented concrete wall remains intact enough to reveal the original stone pattern design and retain its historical significance.
3.	The decision to move the concrete wall is a major alteration to a historic resource and affects the entire Northern California Savings and Loan Complex.
4.	Breaking apart or moving portions of a historic resource destroys the integrity of the resource.
5.	The subject concrete wall is considered a work done by a master craftsman, Brad Bowman, with careful and deliberate thought in the placement of the stones and sand finish.
6.	Moving the subject concrete wall, and in turn the project, would violate three of the Secretary of the Interior’s Standards: Standard #2: <i>The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.</i> <u>Council Finding:</u> The ornamented concrete walls are an original landscape element from the 1972 design that still stands substantially intact today. Further, the spatial relationship between the Community Room and Bank Building are character defining features of the site. These spatial relationships extend beyond the building walls and include the ornamented concrete walls which were part of the original design concept and define the functional space of the complex from the parking lot. Standard #5: <i>Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.</i> <u>Council Finding:</u> The wall exhibits distinctive materials, features, finishes and construction techniques and is an outstanding landscape feature of the 1972 design.

	3. Standard #9: <i>New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.</i> a. <u>Council Finding:</u> The proposed new construction will destroy historic materials if the wall is moved from its intended position. The spatial relationships that bring light and space to the entire complex, and are a character defining feature of the resource, will be forever dwarfed by the overly large and looming structure in the adjoining buildings. The Bank Building and Community Room were designed to be viewed from all four sides. Further, the complex exists on a corner in the downtown area and the environment that surrounds that building, including such landscape features, are also important. The ornamented concrete wall is significant for both its spatial significance on the site as well as the artistic value.
7.	The same reasons for not moving the Community Room, which were found by the City Council on May 2, 2023 (Resolution 2023-052), also apply to the relocation of the wall.
8.	The original intent of the architect's (Burde & Shaw, whom are listed in the City's Historic Context Statement) 1972 design must be respected which included the walls as an integral part of the design.
9.	The important spatial relationships of the Northern California Saving and Loan Complex will be altered. The proposed project will loom over the Community Room. Removal of the remaining original concrete wall that shelters the community room on the south side would leave the Community Room windows looking out at the site of a new building instead of the artistic interior of the pebble wall, and eliminate and diminish the character defining spatial relationships of the site.
10.	The ornamented concrete wall is a distinctive feature of the site and a piece of publicly viewed art on private property and is a character defining feature of the site.
11.	The size of the proposed project itself demeans the existing Savings and Loan complex not by changing it, but rather by minimizing it into less significance. The proposed project does not subordinate to the complex but actually overwhelms it and confuses the composition of the entire block.
12.	The proposed project does not respect the space of the environment and the project needs to be modified so that the Bank Building and Community Room maintain their spatial relationships and are not subordinated by the proposed development.
13.	The site is a Historic Resource in the heart of downtown Carmel By the Sea. It is important that the City preserves Historic Resources consistent with municipal code section 17.32.

BE IT FURTHER RESOLVED, that an application to repair the damage to the original ornamented concrete walls as a result of the nails being installed in the wall and used to support the story poles shall be submitted to the Community Planning and Building Department within 30-calendar days of the date of this action. Failure to submit an application within 30-calendar days may result in further enforcement pursuant with CMC 17.32.190.

BE IT FURTHER RESOLVED, based on the above findings and evidence, that the City Council of the City of Carmel-By-The-Sea does hereby **overturn the July 2023 decision of the Historic Resources Board** (Reso. 2023-009-HRB) and **issue a Determination of Consistency with the Secretary of the Interior's Standards** for the construction of a mixed-use building with subterranean garage on a portion of the Northern California Savings & Loan Complex site. This Determination of Consistency is further predicated on the following Recommendations and Draft Conditions of Approval being incorporated into the project, and accepted and approved by the City of Carmel-by-the-sea Planning Commission as part of the discretionary permit and approval for this project:

City Council Conditions	
No.	
Conditions for Consistency with Secretary's Standards	
1.	Ornamented Concrete Wall. Prior to review by the Planning Commission, the Design Review plans shall be revised and submitted to the Community Planning and Building Department, so that the original ornamented concrete walls located adjacent to the Community Room are shown to remain in their original locations and configuration.
2.	Preservation of Spatial Relationships. Prior to review by the Planning Commission, the Design Review plans shall be revised and submitted to the Community Planning and Building Department, to preserve the existing spatial relationship of the Northern California Savings and Loan Complex. At a minimum, all proposed structural elements shall be located outside of the Preservation Buffer as depicted in Exhibit A of this resolution. Walkways, at grade stairways, landscaping, paving, and similar features may be allowed within the Preservation Buffer, however, building elements that are defined as building coverage (CMC 17.14.130) shall not be permitted to encroach. Building eaves shall be limited to an encroachment of 18 inches or less.
3.	Preservation of Site Context. To ensure the Northern California Savings and Loan Complex is not subordinated by the proposed development, prior to review by the Planning Commission, the Design Review plans shall be revised and submitted to the Community Planning and Building Department, to preserve the context of the site so that the Saving and Loan Complex remains a prominent feature as viewed from 7 th Avenue and Dolores Street. Changes to be considered should include but are not limited to: articulation of the front elevation to preserve and open the view from Dolores Street looking north, reducing and minimizing the mass of the structure(s) to maintain to not diminish the character of the complex, and further enhancing the open space around the Northern California Savings and Loan Complex.
Conditions of Approval	
4.	Ornamented Concrete Wall. The original ornamented concrete wall located at the southwest corner of the Community Room shall remain in its existing location and configuration. It shall remain unaltered and protected through construction. Site improvements shall not significantly obstruct the wall from public view and the wall shall remain accessible to the public as a piece of public art as part of a courtyard, interblock-walkway, or other means.
5.	Community Room Repairs. If repairs or alteration of any nature are proposed for the Community Room, the applicant shall submit in writing to the Community Planning and Building Department an application outlining the details of any proposed work for review and approval prior to commencement of work. Any deteriorated exterior elements for the Community Room should be repaired, rather than replaced whenever possible.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-
THE-SEA this 3rd day of October, 2023, by the following vote:**

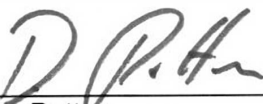
AYES: Councilmembers Baron, Dramov, Ferlito, and Mayor Potter

NOES: None

ABSENT: None

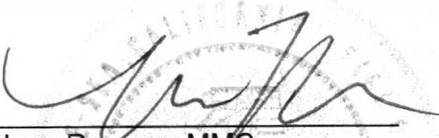
ABSTAIN: Mayor Pro Tem Richards (recused)

APPROVED:

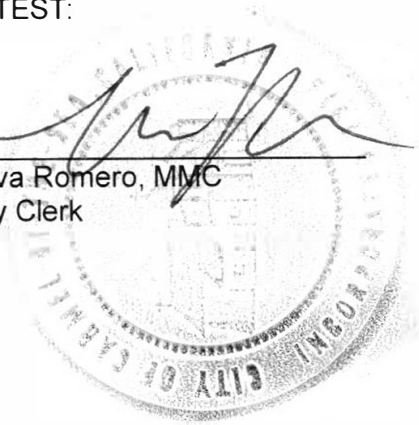


Dave Potter
Mayor

ATTEST:



Nova Romero, MMC
City Clerk



(Exhibit A attached)

Exhibit A Preservation Buffer Area



Figure 1. Preservation Buffer from Condition #2 illustrated in red. Build-to-Line waiver area from recitals is shown in yellow.

The buffer includes:

- A minimum setback of 5' from the exterior of the original of the ornamented concrete wall;
- Maintaining the minimum separation around the community room on the south and east side as measured as the minimum distance from Community Room to the non-original (staff estimates 7'6" is the minimum distance from the Community Room to the non-original wall);
- Maintaining the minimum separation between the community room and the bank building (staff estimates this distance is 8'5"); and
- Keeping a 50% buffer of the minimum separation between the community room and the bank building from the northern property line adjacent to the Bank Building site (approximately 50% of the width of separation between the Bank Building and Community Room; staff estimates this distance is 4'3").

**CITY OF CARMEL-BY-THE-SEA
HISTORIC RESOURCES BOARD**

HISTORIC RESOURCES BOARD RESOLUTION NO. 2023-009-HRB

A RESOLUTION OF THE HISTORIC RESOURCES BOARD OF THE CITY OF CARMEL-BY-THE-SEA ISSUING A DETERMINATION OF CONSISTENCY WITH THE SECRETARY OF THE INTERIOR'S STANDARDS FOR ADOPT A RESOLUTION ISSUING A DETERMINATION OF CONSISTENCY WITH THE SECRETARY OF THE INTERIOR'S STANDARDS FOR THE CONSTRUCTION A 15,351-SQUARE-FOOT MIXED-USE BUILDING WITH A 9,805-SQUARE-FOOT SUBTERRANEAN GARAGE ON A PORTION OF THE NORTHERN CALIFORNIA SAVINGS & LOAN COMPLEX SITE LOCATED AT DOLORES STREET 2 SOUTHEAST OF 7TH AVENUE IN THE SERVICE COMMERCIAL (SC) ZONING DISTRICT. APNS 010-145-012, 010-145-023, 010-145-024

WHEREAS, on May 11, 2023, Jason Diaz of International Design Group (IDG), ("Applicant") submitted an application (DR 23-140) on behalf of Esperanza Carmel, on May 24, 2022 requesting the construction of a mixed use building located on Lots 6, 8, and 10 of Block 91; and

WHEREAS, the project is partially location on a historic property is known as the Northern California Savings and Loan Complex ("Complex"); and; and

WHEREAS, the Complex consists of Lots 2, 4, 6, and 8 located on Block 91 and is currently comprised of Assessor Parcel Numbers (APNs: 010-145-002, 010-145-023, 010-145-024); and

WHEREAS, APN 010-145-002 is comprised of lots 2 & 4 and is owned by D&K Dolores, LLC ("D&K Dolores"). APN 010-145-023 and 010-145-024 are comprised of lot 6 and 8 respectively. Both lots 6 & 8 are owned by Esperanza Carmel Commercial LLC ("Esperanza Carmel"); and

WHEREAS, the applicant is proposing to construct a portion of a 15,351-square-foot mixed-use building with a 9,805-square-foot subterranean garage on lots 6 and 8 of the Northern California Savings & Loan Complex site; and

WHEREAS, the project qualifies as a Major Alteration to a Historic Resource pursuant to CMC 17.32.160; and

WHEREAS, pursuant to CMC 17.32.120 (Alteration of Historic Resources), a determination of consistency with the Secretary's Standards shall be obtained prior to altering, remodeling, demolishing, grading, relocating, reconstructing or restoring any historic resource; and

WHEREAS, pursuant to CMC 17.32.120.B, determinations of consistency for major alterations shall be prepared by a qualified professional and shall be supported by written documentation that (1) identifies which of the Secretary of the Interior's Standards for

Rehabilitation are applicable to the project, (2) reviews the proposed project, and (3) explains the basis of the determination; and

WHEREAS, a Phase II report was prepared by a qualified professional, Seth Bergstein of PAST Consultants, dated June 30, 2023, and found the proposed amendments to be consistent with the Secretary of the Interior's Standards for Rehabilitation provided the recommendations outlined in the report were carried out; and

WHEREAS, on July 7, 2023, a notice of the public hearing scheduled for July 17, 2023, was published in the Carmel Pine Cone in compliance with State law (California Government Code 65091) and mailed to owners of real property within a 300-foot radius of the project indicating the date and time of the public hearing; and

WHEREAS, on or before July 7, 2023, the Applicant posted the public notice on the project site and hand-delivered a copy of the public notice to each property within a 100-foot radius of the project site indicating the date and time of the public hearing; and

WHEREAS, on July 17, 2023, the Historic Resources Board held a public hearing to receive public testimony regarding the Determination of Consistency for the application, including without limitation, information provided to the Planning Commission by City staff and through public testimony on the application; and

WHEREAS, this Resolution and its findings are made based upon evidence presented to the Board at the hearing including, without limitation, the staff report and attachments submitted by the Community Planning and Building Department; and

WHEREAS, the Historic Resources Board did hear and consider all said reports, attachments, recommendations and testimony herein above set forth and used their independent judgement to evaluate the project; and

WHEREAS, the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA"), together with State Guidelines (14 California Code Regulations §§ 15000, et seq., the "CEQA Guidelines") and City Environmental Regulations (CMC 17.60) require that certain projects be reviewed for environmental impacts and that environmental documents be prepared; and

WHEREAS, adoption of a finding of consistency is "not a project" pursuant to section 15378 of the CEQA Guidelines. Adoption of a finding of consistency does not grant any permits or entitlements approving a project which would result in a direct or indirect physical change in the environment; and

WHEREAS, the facts set forth in the recitals are true and correct and are incorporated herein by reference.

NOW THEREFORE, LET IT BE RESOLVED, based on the above findings and evidence, that the Historic Resources Board of the City of Carmel-By-The-Sea does hereby **issue a Determination of Consistency with the Secretary of the Interior's Standards** for the construction a 15,351-square-foot mixed-use building with a 9,805-square-foot subterranean garage on a portion of the Northern California Savings & Loan Complex site being in general conformance with the attached sketches and plans, all being attached hereto and incorporated herein by reference. This Determination of Consistency is further predicated on the following Recommended Condition(s) of Approval being accepted and approved by the City of Carmel-by-the-sea Planning Commission as part of the discretionary permit for this project:

Recommended Conditions of Approval		
No.		
1.	Community Room Repairs. If repairs or alteration of any nature are proposed for the Community Room, the applicant shall submit in writing to the Community Planning and Building Department an application outlining the details of any proposed work for review and approval prior to commencement of work. Any deteriorated exterior elements for the Community Room should be repaired, rather than replaced.	✓
2.	Concrete Wall. Prior to issuance of a demolition permit, the applicant shall seek options to preserve the remaining original intact section of the concrete wall on the south end of the Community Room as detailed in the Historic Resources Board staff report dated July 17th, 2023 ("Wall"). Options for preservation shall be explored in the following order: 1) Make a good faith effort to work with the adjacent property owner (D&K Dolores, LLC, or owner at the time) to find an option for moving the Wall to the 7th & Dolores Restaurant site as detailed in the Historic Resources Board staff report dated July 17th, 2023. This relocation is subject to all separate required City approvals and permits. 2) Make a good faith effort to find an off-site location to place the Wall that is acceptable to the Community Planning and Building Department. This relocation is subject to all separate required City approvals and permits. Prior to exploring this option, the applicant will provide the Community Planning and Building Department with a signed written explanation of the efforts taken to satisfy Option 1, and the reason why an agreement could not be reached with the adjacent property owner. 3) If the applicant is unable to find a suitable location for placement of the Wall after the good faith efforts listed in options 1 and 2 above, the applicant will provide the Community Planning and Building Department with a signed written	✓

	explanation of the efforts taken to satisfy both Options 1 and 2, and the reasons why the wall could not be relocated. The subject wall shall not be demolished or relocated prior to issuance of a demolition permit by the City.	
3.	Conditions of Approval. The Conditions of Approval listed above (HRB Conditions of Approval) shall be incorporated into the Design Review Conditions of Approval and any action taken by the Planning Department or Planning Commission, as necessary.	✓
<u>4.</u>	<u>Concrete Wall Fronting Dolores Street. The portion of the concrete wall fronting (parallel to) Dolores Street is to be preserved up to the southernmost edge of the Community Room.</u>	<u>✓</u>

PASSED AND ADOPTED BY THE HISTORIC RESOURCES BOARD OF THE CITY OF CARMEL-BY-THE-SEA this 17th day of July, 2023, by the following vote:

AYES: Dyar, Pomeroy, Hall

NOES: Goodhue

ABSENT: Chroman

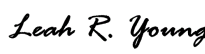
ABSTAIN:

APPROVED:

ATTEST:

DocuSigned by:

 9D4944E1931B44A...
 Karyl Hall
 Vice Chair

DocuSigned by:

 2966DA9DEC1C495...
 Leah Young
 Historic Resources Board Secretary

**CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL**

RESOLUTION NO. 2023-052

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DENYING THE APPEAL BY ESPERANZA CARMEL COMMERCIAL LLC (APP 23-031) AND UPHOLDING THE HISTORIC RESOURCES BOARD'S DECISION TO ISSUE A FINDING OF NONCOMPLIANCE WITH THE SECRETARY OF THE INTERIOR'S STANDARDS FOR THE RELOCATION OF THE NORTHERN CALIFORNIA SAVINGS AND LOAN COMPLEX COMMUNITY ROOM FROM APN 010-145-023 TO APN 010-145-002

WHEREAS, the subject site is known as the Northern California Savings and Loan Complex ("Complex"); and

WHEREAS, the Complex consists of Lots 2, 4, 6, and 8 located on Block 91 and is currently comprised of Assessor Parcel Numbers (APNs: 010-145-002, 010-145-023, 010-145-024); and

WHEREAS, APN 010-145-002 is comprised of lots 2 & 4 and is owned by D&K Dolores, LLC ("D&K Dolores"). APN 010-145-023 and 010-145-024 are comprised of lot 6 and 8, respectively. Both lots 6 & 8 are owned by Esperanza Carmel Commercial LLC ("Esperanza Carmel"); and

WHEREAS, International Design Group (IDG), ("Applicant") submitted an application (DR 22-157) on behalf of Esperanza Carmel on May 24, 2022, requesting the construction of a mixed-use building located on Lots 6, 8, and 10 of Block 91; and

WHEREAS, the Applicant submitted a second application (DR 22-310) on October 3, 2022, on behalf of D&K Dolores for the relocation of the Community Room to Lot 4 from Lot 6 of Block 91, associated with the proposed improvements shown as part of the application, DR 22-157; and

WHEREAS, an intensive survey of the Complex dated December 2022, prepared by PAST Consultants, concluded that the Complex is eligible for listing on the Carmel Inventory of Historic Resources as the property is representative of the theme of Architectural Development in the Context Statement; retains all of its original character-defining features and has retained a high degree of integrity; is greater than 50 years old; and, meets the requirements of Criteria 3 for listing; and

WHEREAS, the survey concluded further that the subject property is eligible for listing in the Carmel Inventory because it is eligible for listing on the California Register of Historic Resources (CRHR) under Criteria #3, Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values for its intact Bay Region Modern-stylistic elements designed by prominent local architects Walter Burde & Associates and Will Shaw & Associates, in addition to meeting the criteria for listing on the local inventory as outlined in CMC 17.32.040; and

WHEREAS, on January 23, 2023, the Historic Resources Board adopted Resolution 2023-001-HRB, listing the Complex on the Carmel Inventory of Historic Resources and Carmel Register of Historic Resources; and

WHEREAS, notwithstanding the adoption of Resolution 2023-001-HRB, in accordance with the California Environmental Quality Act (CEQA), sites determined to be eligible for listing on

the CRHR are a historic resource for the purpose of CEQA and therefore subject to the requirements of the city's historic preservation ordinance (CMC 17.32); and

WHEREAS, the proposed relocation of the Community Room constitutes a major alteration to a historic resource; and

WHEREAS, pursuant to CMC 17.32.160.B, determinations of consistency for major alterations shall be prepared by a qualified professional and shall be supported by written documentation that (1) identifies which of the Secretary of the Interior's Standards for Rehabilitation are applicable to the project, (2) reviews the proposed project, and (3) explains the basis of the determination. If an evaluation concludes that a proposed alteration is not consistent with the Secretary's Standards, the report shall list aspects of the project that are not consistent, along with guidance for modifying the project to comply with the Secretary's Standards; and

WHEREAS, the City retained the services of PAST Consultants ("PAST"), a contracted qualified professional, to prepare a Phase II Evaluation ("Phase II") to determine whether the proposed relocation of the Community Room is consistent with the Secretary of the Interior's Standards; and

WHEREAS, PAST evaluated the project for consistency with the Secretary of the Interior's Ten Standards for Rehabilitation in a Phase II dated January 12, 2023. PAST found that Standards #1, 2, 3, 5, 6, 7, 9, and 10 are applicable to the project. The evaluation concluded that the project, as proposed, is not consistent with Standards #2, 5, 9, and 10 and therefore is not consistent with the Secretary's Standards; and

WHEREAS, the Phase II recommends as part of the conclusion: *The project under consideration proposes the relocation of a primary character-defining feature of the building complex's original design: the spatial relationship between the bank building and the Community Room. To maintain the integrity of the subject historic site and its environment, this report respectfully recommends a new design approach that allows the original Burde/Shaw design and the building complex's corresponding character-defining features to remain in place;* and

WHEREAS, on January 23, 2023, the Historic Resources Board held a public hearing to receive public testimony regarding the Application, including without limitation, information provided to the Historic Resources Board by City staff and public testimony on the project in accordance with CMC 17.58.040.B; and

WHEREAS, on January 23, 2023, the Historic Resources Board adopted Resolution 2023-02-HRB, issuing a Finding of Noncompliance with the Secretary of the Interior's Standards for the relocation of the Northern California Savings and Loan Complex Community Room; and

WHEREAS, on February 6, 2023, a timely appeal (APP 23-031) of the decision to adopt a finding of non-compliance by Esperanza Carmel; and

WHEREAS, on April 21, 2023, notice of the public hearing was published in compliance with State law (California Government Code 65090) indicating the date and time of the public hearing; and

WHEREAS, on May 2, 2023, the City Council held a duly noticed de novo public hearing to receive public testimony regarding the appeal, including without limitation, information provided to the City Council by City staff and through public testimony on the proposed project; and

WHEREAS, this Resolution and its findings are made based upon evidence presented to the Council at the May 2, 2023 hearing including, without limitation, the staff report and attachments submitted by the Community Planning and Building Department; and

WHEREAS, the City Council did hear and consider all said reports, attachments, recommendations and testimony herein above set forth and used their independent judgement to evaluate the project; and

WHEREAS, the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA"), together with State Guidelines (14 California Code Regulations §§ 15000, et seq., the "CEQA Guidelines") and City Environmental Regulations (CMC 17.60) require the review of certain projects for environmental impacts and preparation of environmental documents; and

WHEREAS, the listing of the subject property on the Carmel Inventory is "not a project" pursuant to section 15378 of the CEQA Guidelines. Adopting a Finding of Noncompliance does not grant any permits or entitlements approving a project that would result in a direct or indirect physical change in the environment. However, CEQA requires environmental review for alterations to historic resources that are not consistent with the Secretary of the Interior's Standards. Consistent with CMC 17.32.160.C and CEQA, if the applicant does not choose to modify the project to comply with the Secretary's Standards, the Department shall require preparation of environmental review documents to further analyze and mitigate any impacts to the historic resource. These CEQA documents would be required prior to issuance of any discretionary permits for the project, and could include up to an Environmental Impact Report (EIR); and

WHEREAS, the facts set forth in the recitals are true and correct and are incorporated herein by reference.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Carmel-by-the-Sea does hereby **DENY** the appeal by Esperanza Carmel (APP 23-031) and uphold the Historic Resources Board's decision to issue a Finding of Noncompliance with the Secretary of the Interior's Standards for the relocation of the Northern California Savings and Loan Complex Community Room, as found in Historic Resources Board Resolution: Resolution 2023-02-HRB adopted on January 23, 2023.

Findings for Denial of Appeal	
No.	
1.	The appeal filed by the Appellant (included as Attachment XX to the subject staff report) is without merit as it fails to address why the action taken by the Historic Resources Board is incorrect or should be overturned based on factual evidence that was applicable to the decisions made by the HRB at the subject hearing.
2.	The subject site is determined to be a historic resource. Historic resources are subject to review under the California Environmental Quality Act (CEQA). Generally, under CEQA, a project that follows the Standards for Rehabilitation contained within <i>The Secretary of the Interior's Standards for the Treatment of Historic Properties</i> is considered to have mitigated impacts to a historical resource to a less-than-significant level (CEQA Guidelines §15064.5)

3.	The city's historic preservation ordinance (CMC 17.32) outlines the process for determining project consistency with the secretary's standards. Determinations of consistency for major alterations shall be prepared by a qualified professional and shall be supported by written documentation that (1) identifies which of the Secretary's Standards are applicable to the project, (2) reviews the proposed project, and (3) explains the basis of the determination (CMC 17.32.160.B). The city contracted with PAST Consultant, LLC to prepare the Phase II Evaluation for the associated project. The evaluation concluded the subject project as proposed is not consistent with Standards #2, 5, 9, and 10, and therefore is not consistent with the Secretary's Standards. As outlined in CMC 17.32.160.C.1, an evaluation that concludes that a project is not consistent with the Secretary's Standards shall constitute evidence of substantial adverse impact to an historic resource.
4.	On August 3, 2021, the City Council adopted Resolution 2021-043 that included the following findings: • The Bank building and the Community Room are a historically related unit. Though the room is subordinate to the Bank, it has retained its historic integrity and is an integral component of the original design as approved by the architects' client, the owners of the Palo Alto Savings and Loan Bank. • The Bank complex is eligible for listing on the California Register of Historic Resources for purposes of the California Environmental Quality Act (CEQA). • In the case of the Community Room, despite being an auxiliary use it was still part of the original concept of the building from the beginning. • A new construction project on the site of a demolished Community Room would constitute an adverse effect on the Bank complex and destroy the original concept as designed by two of Monterey County's most respected master architects. • The community room section of the building was designed right along with the rest of the building and contains all the character defining features of the main bank building: shed roof and copper roofing, angular forms and irregular massing, plate glass window walls, traditional materials used within a Modern architecture vocabulary, Integration of the building with its setting, Integration of the outdoors with interior spaces, Redwood siding and beams. • The structural connection in the design of this building was very intentional and strong, and is all part of one piece of significant architecture—one historic resource. • By removing the community room the south elevation of the resource is completely changed and is not the intended design from the public right-of-way on the south side.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-
THE-SEA this 2nd day of May, 2023, by the following vote:**

AYES: Councilmembers Baron, Dramov, Ferlito, Richards, and Mayor Potter

NOES: None

ABSENT: None

ABSTAIN: None

APPROVED:

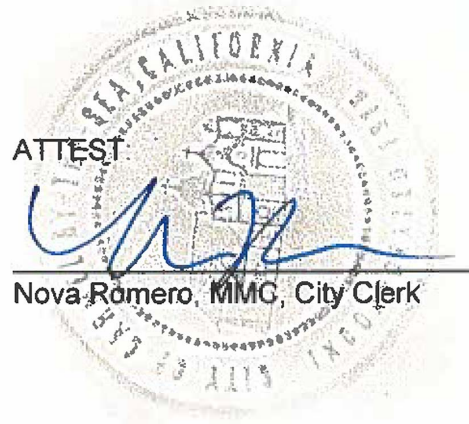


Dave Potter, Mayor

ATTEST:



Nova Romero, MMC, City Clerk



**CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL**

RESOLUTION NO. 2023-051

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DENYING THE APPEAL BY ESPERANZA CARMEL COMMERCIAL LLC (APP 23-031) AND UPHOLDING THE HISTORIC RESOURCES BOARD'S DECISION TO LIST THE NORTHERN CALIFORNIA SAVINGS AND LOAN COMPLEX ON THE CARMEL INVENTORY OF HISTORIC RESOURCES AND CARMEL REGISTER OF HISTORIC RESOURCES LOCATED AT THE SOUTHEAST CORNER OF DOLORES STREET AND 7th AVENUE, IN THE SERVICE COMMERCIAL (SC) ZONING DISTRICT, APNS: 010-145-002, 010-145-023, 010-145-024

WHEREAS, the subject site is known as the Northern California Savings and Loan Complex ("Complex"); and

WHEREAS, the Complex consists of Lots 2, 4, 6, and 8 located on Block 91 and is currently comprised of Assessor Parcel Numbers (APNs: 010-145-002, 010-145-023, 010-145-024); and

WHEREAS, APN 010-145-002 is comprised of lots 2 & 4 and is owned by D&K Dolores, LLC ("D&K Dolores"). APN 010-145-023 and 010-145-024 are comprised of lot 6 and 8, respectively. Both lots 6 & 8 are owned by Esperanza Carmel Commercial LLC ("Esperanza Carmel"); and

WHEREAS, International Design Group (IDG), ("Applicant") submitted an application (DR 22-157) on behalf of Esperanza Carmel on May 24, 2022, requesting the construction of a mixed-use building located on Lots 6, 8, and 10 of Block 91; and

WHEREAS, the Applicant submitted a second application (DR 22-310) on October 3, 2022, on behalf of D&K Dolores for the relocation of the Community Room to Lot 4 from Lot 6 of Block 91, associated with the proposed improvements shown as part of the application, DR 22-157; and

WHEREAS, in accordance with the City's Historic Preservation Ordinance (CMC 17.32), *No application for property development shall be deemed complete unless it includes a determination that the property is either eligible or ineligible for the Carmel Inventory*; and

WHEREAS, the Complex has previously been determined to be ineligible for the Carmel Inventory by the City Council on February 4, 2020, however, the previous determination of ineligibly expired on October 26, 2022, when the Complex reached 50-years old and was required to be re-evaluated for its eligibility for the local inventory; and,

WHEREAS, the City retained the services of PAST Consultants, a contracted qualified professional, to prepare an intensive review of the site to determine whether the Complex meets the criteria for listing on the Carmel Inventory; and

WHEREAS, the intensive survey dated December 30, 2022 identified the Complex as having the following character-defining features: Building integrated with surrounding landscape; Horizontal or Vertical massing with shed roofs; Existing spatial relationship between the bank building and Community Room; Detached Community Room building connected by a wood-clad upper walkway; Projecting shed or boxy volumes; Exposed structural elements; Wide expanses of glass set within wood frames; Wood siding as exterior cladding; Copper sheet roof cladding; and

WHEREAS, in the intensive survey dated December 2022, prepared by PAST Consultants, it is concluded that the Complex is eligible for listing on the Carmel Inventory of Historic Resources as the property is representative of the theme of Architectural Development in the Context Statement; retains all of its original character-defining features and has retained a high degree of integrity; is greater than 50 years old; and, meets the requirements of Criteria 3 for listing; and

WHEREAS, the evaluation concluded further that the subject property is eligible for listing in the Carmel Inventory as a primary resource because it is eligible for listing on the California Register of Historic Resources (CRHR) under Criteria #3, *Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values* for its intact Bay Region Modern-stylistic elements designed by prominent local architects Walter Burde & Associates and Will Shaw & Associates, in addition to meeting the criteria for listing on the local inventory as outlined in CMC 17.32.040; and

WHEREAS, in accordance with CMC 17.32.070.A, Properties determined to be eligible by an administrative determination, or by the Historic Resources Board on appeal, shall become part of the inventory upon completion of an inventory form documenting the resource and issuance of an administrative determination finding by the Department or adoption of a finding by the Board that the property meets the criteria for historic resources; and

WHEREAS, on January 23, 2023, staff referred the decision to list property on the Inventory and Register to the Historic Resources Board consistent with CMC 17.52.030.L, due to the past involvement in the site by the board and as a matter of public interest; and

WHEREAS, on January 23, 2023, the Historic Resources Board held a public hearing to receive public testimony regarding the Application, including without limitation, information provided to the Historic Resources Board by City staff and public testimony on the project in accordance with CMC 17.58.040.B; and

WHEREAS, on January 23, 2023, the Historic Resources Board adopted Resolution 2023-01-HRB, adding a property known as the "Northern California Savings And Loan Complex" located at the southeast corner of Dolores Street and 7th Avenue in the Service Commercial (SC) Zoning District to the Carmel Inventory of Historic Resources and Carmel Register of Historic Resources; and

WHEREAS, on February 6, 2023, a timely appeal (APP 23-031) of the Historic Resources Board's decision to list the property on the local inventory and register was filed with the City Clerk by Esperanza Carmel Commercial LLC; and

WHEREAS, on April 21, 2023, notice of the public hearing was published in compliance with State law (California Government Code 65090) indicating the date and time of the public hearing; and

WHEREAS, on May 2, 2023, the City Council held a duly noticed, de novo public hearing to receive public testimony regarding the appeal, including without limitation, information provided to the City Council by City staff and through public testimony on the proposed project; and

WHEREAS, this Resolution and its findings are made based upon evidence presented to the Council at the May 2, 2023 hearing including, without limitation, the staff report and attachments submitted by the Community Planning and Building Department; and

WHEREAS, the City Council did hear and consider all said reports, attachments, recommendations and testimony herein above set forth and used their independent judgement to evaluate the project; and

WHEREAS, the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA"), together with State Guidelines (14 California Code Regulations §§ 15000, et seq., the "CEQA Guidelines") and City Environmental Regulations (CMC 17.60) require the review of certain projects for environmental impacts and preparation of environmental documents; and

WHEREAS, the listing of the subject property on the Carmel Inventory is "not a project" pursuant to section 15378 of the CEQA Guidelines. Listing the Complex on the Carmel Inventory and Carmel Register does not grant any permits or entitlements approving a project that would result in a direct or indirect physical change in the environment; and

WHEREAS, the facts set forth in the recitals are true and correct and are incorporated herein by reference.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Carmel-by-the-Sea does hereby **DENY** the appeal by Esperanza Carmel (APP 23-031) and uphold the Historic Resources Board's decision to list the Northern California Savings and Loan Complex on the Carmel Inventory of Historic Resources and Carmel Register of Historic Resources, as found in Historic Resources Board Resolution: Resolution 2023-01-HRB adopted on January 23, 2023.

Findings for Denial of Appeal	
No.	
1.	The appeal filed by the Appellant (included as Attachment XX to the subject staff report) is without merit as it fails to address why the action taken by the Historic Resources Board is incorrect or should be overturned based on factual evidence that was applicable to the decisions made by the HRB at the subject hearing.
2.	The city's historic preservation ordinance (CMC 17.32) outlines the process for establishing eligibility for the Carmel inventory. The historic preservation ordinance states, "If the property appears to meet the criteria for the inventory, the Department shall order that an intensive survey of the property be conducted. All intensive surveys shall be performed by a qualified professional under contract to the City." The city contracted with PAST Consultant, LLC to prepare the intensive survey. The survey concluded the subject property meets the criteria for listing on the local inventory, as outlined in CMC 17.32.040: A. Should be representative of at least one theme included in the Historic Context Statement. a. The site is representative of Theme 5: Architectural Development in Carmel in the Context Statement. B. Shall retain substantial integrity.

	a. The site retains all of its original character-defining features and has retained a high degree of integrity. C. Should be a minimum of 50 years of age and shall meet at least one of the four criteria for listing in the California Register at a national or Statewide level of significance or at a regional or local level of significance per CEQA Guidelines Section 15064.5(a)(3) a. The site is 50 years old and meets Criteria 3 of the California Register as an intact Bay Region Modern style complex (style listed in the Historic Context Statement) designed by prominent local architects Walter Burde & Associates and Will Shaw & Associates (both architects noted in Historic Context Statement) (Criteria 3 qualifiers #1 & 3).
3.	The intensive survey (described in Finding #2) also found the site to be eligible for listing in the California Register of Historic Resources (CRHR). Properties eligible for the CRHR are historic resources, as defined, in the city's historic preservation ordinance, as well as considered historic resources for the purpose of the California Environmental Quality Act (CEQA).
4.	While a previous determination of ineligibility had been issued for the site, which has since expired, General Plan Policy P1-93 states, in part, "<i>....Failure to include a property on the Carmel Inventory shall not preclude a future determination that it qualifies as an historic resource based on new evidence. (LUP)</i>" In the time since the previous Determination of Ineligibility has expired, the complex has turned 50-years old, and the city's Historic Context Statement has been updated through 1986.
5.	On August 3, 2021, the City Council adopted Resolution 2021-043 that included the following findings: • The City's Historic Context Statement identifies the Bay Region style and/or Second Bay Region Style as important substyle within the larger theme of Modern architecture -the building is "representative of at least one theme" in the existing Historic Context Statement. • Pertinent testimony from a number of respected architects who opined that the former Palo Alto Savings and Loan Bank was an exceptional example of its architectural style, the work of master architects, retained a high level of integrity and embodied the distinctive characteristics of its type and period. Their professional opinions confirmed that sufficient time had elapsed since the construction of the Bank complex to allow for a scholarly perspective on its significance and its place in Carmel's architectural history. • The Community Room is not required to become significant in its own right. There are no historic preservation rules that would force it to stand on its individual merit in order to qualify for historic status. The Community Room remains a vital part of the architects' original design. While it is subordinate to the former Bank building, it continues to have an important spatial relationship to it. • The Bank building and the Community Room are a historically related unit. Though the room is subordinate to the Bank, it has retained its historic integrity and is an integral component of the original design as approved by the architects' client, the owners of the Palo Alto Savings and Loan Bank. • In the case of the Community Room, despite being an auxiliary use it was still part of the original concept of the building from the beginning. • The Bank complex is eligible for listing on the California Register of Historic Resources for purposes of the California Environmental Quality Act (CEQA).

	- Both buildings are the work of two master architects, Walter Burde and Will Shaw, who are listed in the Carmel Historic Context Statement, whose office was located in downtown Carmel, and whose other individual works include the Christian Science Church in Carmel, the original Monterey Airport Terminal and Tower, the Custom House renovation in Monterey and the Highlands Inn reconstruction. Shaw also collaborated with renowned photographer, Ansel Adams, to create the Foundation for Environmental Design, a group that supported worthy projects that blended into the natural environment. - The community room section of the building was designed right along with the rest of the building and contains all the character defining features of the main bank building: shed roof and copper roofing, angular forms and irregular massing, plate glass window walls, traditional materials used within a Modern architecture vocabulary, Integration of the building with its setting, Integration of the outdoors with interior spaces, Redwood siding and beams. - The structural connection in the design of this building was very intentional and strong, and is all part of one piece of significant architecture—one historic resource.
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**PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-
THE-SEA this 2nd day of May, 2023, by the following vote:**

AYES: Councilmembers Baron, Dramov, Ferlito, Richards, and Mayor Potter

NOES: None

ABSENT: None

ABSTAIN: None

APPROVED:



Dave Potter, Mayor

ATTEST:



Nova Romero, MMC, City Clerk

**CITY OF CARMEL-BY-THE-SEA
HISTORIC RESOURCES BOARD**

HISTORIC RESOURCES BOARD RESOLUTION NO. 2023-002-HRB

**A RESOLUTION OF THE HISTORIC RESOURCES BOARD OF THE CITY OF CARMEL-BY-THE-SEA
ISSUING A FINDING OF NONCOMPLIANCE WITH THE SECRETARY OF THE INTERIOR'S
STANDARDS FOR THE RELOCATION OF THE NORTHERN CALIFORNIA SAVINGS AND LOAN
COMPLEX COMMUNITY ROOM FROM APN 010-145-023 TO APN 010-145-002.**

WHEREAS, the subject site is known as the Northern California Savings and Loan Complex ("Complex"); and

WHEREAS, the Complex consists of Lots 2, 4, 6, and 8 located on Block 91 and is currently comprised of Assessor Parcel Numbers (APNs: 010-145-002, 010-145-023, 010-145-024); and

WHEREAS, APN 010-145-002 is comprised of lots 2 & 4 and is owned by D&K Dolores, LLC ("D&K Dolores"). APN 010-145-023 and 010-145-024 are comprised of lot 6 and 8, respectively. Both lots 6 & 8 are owned by Esperanza Carmel Commercial LLC ("Esperanza Carmel"); and

WHEREAS, International Design Group (IDG), ("Applicant") submitted an application (DR 22-157) on behalf of Esperanza Carmel on May 24, 2022, requesting the construction of a mixed-use building located on Lots 6, 8, and 10 of Block 91; and

WHEREAS, the Applicant submitted a second application (DR 22-310) on October 3, 2022, on behalf of D&K Dolores for the relocation of the Community Room to Lot 4 from Lot 6 of Block 91, associated with the proposed improvements shown as part of the application, DR 22-157; and

WHEREAS, an intensive survey of the Complex dated December 2022, prepared by PAST Consultants, concluded that the Complex is eligible for listing on the Carmel Inventory of Historic Resources as the property is representative of the theme of Architectural Development in the Context Statement; retains all of its original character-defining features and has retained a high degree of integrity; is greater than 50 years old; and, meets the requirements of Criteria 3 for listing; and

WHEREAS, the survey concluded further that the subject property is eligible for listing in the Carmel Inventory as a primary resource because it is eligible for listing on the California Register of Historic Resources (CRHR) under Criteria #3, *Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values* for its intact Bay Region Modern-stylistic elements designed by

Resolution No. 2023-002-HRB

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prominent local architects Walter Burde & Associates and Will Shaw & Associates, in addition to meeting the criteria for listing on the local inventory as outlined in CMC 17.32.040; and

WHEREAS, on January 23, 2023, the Historic Resources Board adopted Resolution 2023-001-HRB, listing the Complex on the Carmel Inventory of Historic Resources and Carmel Register of Historic Resources; and

WHEREAS, notwithstanding the adoption of Resolution 2023-001-HRB, in accordance with the California Environmental Quality Act (CEQA), sites determined to be eligible for listing on the CRHR are a historic resource for the purpose of CEQA and therefore subject to the requirements of the city's historic preservation ordinance (CMC 17.32); and

WHEREAS, the relocation of the Community Room constitutes a major alteration to a historic resource; and

WHEREAS, pursuant to CMC 17.32.160.B, determinations of consistency for major alterations shall be prepared by a qualified professional and shall be supported by written documentation that (1) identifies which of the Secretary of the Interior's Standards for Rehabilitation are applicable to the project, (2) reviews the proposed project, and (3) explains the basis of the determination. If an evaluation concludes that a proposed alteration is not consistent with the Secretary's Standards, the report shall list aspects of the project that are not consistent, along with guidance for modifying the project to comply with the Secretary's Standards; and

WHEREAS, staff retained the services of PAST Consultants ("PAST"), a contracted qualified professional retained by the city, to prepare a Phase II Evaluation ("Phase II") to determine whether the proposed relocation of the Community Room is consistent with the Secretary of the Interior's Standards; and

WHEREAS, PAST evaluated the project for consistency with the Secretary of the Interior's Ten Standards for Rehabilitation in a Phase II dated January 12, 2023. PAST found that Standards #1, 2, 3, 5, 6, 7, 9, and 10 are applicable to the project. The evaluation concluded that the project, as proposed, is not consistent with Standards #2, 5, 9, and 10 and therefore is not consistent with the Secretary's Standards; and

WHEREAS, the Phase II recommends as part of the conclusion: *The project under consideration proposes the relocation of a primary character-defining feature of the building complex's original design: the spatial relationship between the bank building and the Community Room. To maintain the integrity of the subject historic site and its environment, this report respectfully recommends a new design approach that allows the original Burde/Shaw design and the building complex's corresponding character-defining features to remain in place; and*

Resolution No. 2023-002-HRB

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WHEREAS, notice of the public hearing was published on January 13, 2023, in compliance with State law (California Government Code 54956); and

WHEREAS, on January 23, 2023, the Historic Resources Board held a public hearing to receive public testimony regarding the Application, including, without limitation, the information provided to the Historic Resources Board by City staff and public testimony on the project in accordance with CMC 17.58.040.B; and

WHEREAS, this Resolution and its findings are made based upon the evidence presented to the Historic Resources Board at its January 23, 2023, hearing, including, without limitation, the staff report and attachments submitted by the Community Planning and Building Department; and

WHEREAS, the Historic Resources Board did hear and consider all said reports, attachments, recommendations, and testimony herein above set forth and used their independent judgment to evaluate the project; and

WHEREAS, the facts set forth in the recitals are true and correct and are incorporated herein by reference.

NOW THEREFORE, BE IT RESOLVED, that the Historic Resources Board of the City of Carmel-by-the-Sea does hereby find the project inconsistent with the Secretary's Standards as follows:

1. Relocating the Community Room from its original location would substantially alter the south elevation of the building complex and result in the removal of the elevated walkway, which is an important character-defining feature. (Standard 2)
2. Relocating the Community Room removes the spatial relationship between the bank building and the Community Room, which is a primary character-defining feature of the original design concept. (Standard 5)
3. Relocating the Community Room destroys historic materials of the covered walkway, removes the original landscape walls and raised pavement areas surrounding the Community Room, and alters the original design concept by relocating the Community Room elsewhere on the site. (Standard 9)
4. Relocating the Community Room is not reversible and will destroy the integrity of the setting of the historic resource. (Standard 10)

BE IT FURTHER RESOLVED that the Historic Resources Board of the City of Carmel-by-the-Sea issues a Finding of Noncompliance with the Secretary of the Interior's Standards for the relocation of the Northern California Savings and Loan Complex Community Room located at the southeast corner of Dolores Street and 7th Avenue in the Service Commercial (SC) Zoning district; APNs: 010-145-002, 010-145-023, 010-145-024.

Resolution No. 2023-002-HRB

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PASSED, APPROVED, AND ADOPTED BY THE HISTORIC RESOURCES BOARD OF THE CITY OF CARMEL-BY-THE-SEA THIS 23rd DAY OF JANUARY 2023, BY THE FOLLOWING VOTE:

AYES: Goodhue, Hall, Pomeroy, Chroman

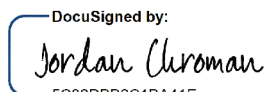
NOES:

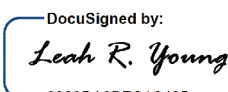
ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

DocuSigned by:

5C02DBB2C1BA41E...
Jordan Chroman
Chair

DocuSigned by:

2960DA9BEC1C495...
Leah Young
Historic Resources Board Secretary

**CITY OF CARMEL-BY-THE-SEA
HISTORIC RESOURCES BOARD**

HISTORIC RESOURCES BOARD RESOLUTION NO. 2023-001-HRB

**A RESOLUTION OF THE HISTORIC RESOURCES BOARD OF THE CITY OF CARMEL-BY-THE-SEA
ADDING A PROPERTY KNOWN AS THE “NORTHERN CALIFORNIA SAVINGS AND LOAN
COMPLEX” LOCATED AT THE SOUTHEAST CORNER OF DOLORES STREET AND 7TH AVENUE IN
THE SERVICE COMMERCIAL (SC) ZONING DISTRICT TO THE CARMEL INVENTORY OF HISTORIC
RESOURCES AND CARMEL REGISTER OF HISTORIC RESOURCES; APNS: 010-145-002, 010-145-
023, 010-145-024**

WHEREAS, the subject site is known as the Northern California Savings and Loan Complex (“Complex”); and

WHEREAS, the Complex consists of Lots 2, 4, 6, and 8 located on Block 91 and is currently comprised of Assessor Parcel Numbers (APNs: 010-145-002, 010-145-023, 010-145-024); and

WHEREAS, APN 010-145-002 is comprised of lots 2 & 4 and is owned by D&K Dolores, LLC (“D&K Dolores”). APN 010-145-023 and 010-145-024 are comprised of lot 6 and 8, respectively. Both lots 6 & 8 are owned by Esperanza Carmel Commercial LLC (“Esperanza Carmel”); and

WHEREAS, International Design Group (IDG), (“Applicant”) submitted an application (DR 22-157) on behalf of Esperanza Carmel on May 24, 2022, requesting the construction of a mixed-use building located on Lots 6, 8, and 10 of Block 91; and

WHEREAS, the Applicant submitted a second application (DR 22-310) on October 3, 2022, on behalf of D&K Dolores for the relocation of the Community Room to Lot 4 from Lot 6 of Block 91, associated with the proposed improvements shown as part of the application, DR 22-157; and

WHEREAS, in accordance with the City’s Historic Preservation Ordinance (CMC 17.32), *No application for property development shall be deemed complete unless it includes a determination that the property is either eligible or ineligible for the Carmel Inventory*; and

WHEREAS, the Complex has previously been determined to be ineligible for the Carmel Inventory by the City Council on February 4, 2020, however, the previous determination of ineligibly expired on October 26, 2022, when the Complex reached 50-years old and was required to be re-evaluated for its eligibility for the local inventory; and,

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WHEREAS, staff retained the services of PAST Consultants, a contracted qualified professional retained by the city, to prepare an intensive review of the site to determine whether the Complex meets the criteria for listing on the Carmel Inventory; and

WHEREAS, the intensive survey identified the Complex as having the following character-defining features: Building integrated with surrounding landscape; Horizontal or Vertical massing with shed roofs; Existing spatial relationship between the bank building and Community Room; Detached Community Room building connected by a wood-clad upper walkway; Projecting shed or boxy volumes; Exposed structural elements; Wide expanses of glass set within wood frames; Wood siding as exterior cladding; Copper sheet roof cladding; and

WHEREAS, in the intensive survey dated December 2022, prepared by PAST Consultants, it is concluded that the Complex is eligible for listing on the Carmel Inventory of Historic Resources as the property is representative of the theme of Architectural Development in the Context Statement; retains all of its original character-defining features and has retained a high degree of integrity; is greater than 50 years old; and, meets the requirements of Criteria 3 for listing; and

WHEREAS, the evaluation concluded further that the subject property is eligible for listing in the Carmel Inventory as a primary resource because it is eligible for listing on the California Register of Historic Resources (CRHR) under Criteria #3, *Embodies the distinctive characteristics of a type, period, region or method of construction or represents the work of a master or possesses high artistic values* for its intact Bay Region Modern-stylistic elements designed by prominent local architects Walter Burde & Associates and Will Shaw & Associates, in addition to meeting the criteria for listing on the local inventory as outlined in CMC 17.32.040; and

WHEREAS, the Complex is a Primary Historic Resource, as defined in CMC 17.32.230.N.6; and

WHEREAS, Primary Historic Resources shall mean a historic resource eligible for listing in the California Register due to its national or Statewide significance; and

WHEREAS, in accordance with CMC 17.32.230.N.6, all primary resources are included in the Carmel Inventory and the Carmel Register of Historic Resources;

WHEREAS, in accordance with CMC 17.32.070.A, Properties determined to be eligible by an administrative determination, or by the Historic Resources Board on appeal, shall become part of the inventory upon completion of an inventory form documenting the resource and issuance of an administrative determination finding by the Department or adoption of a finding by the Board that the property meets the criteria for historic resources; and

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WHEREAS, staff has referred decision to list property on the Inventory and Register to the Historic Resources Board consistent with CMC 17.52.030.L, due to the past involvement in the site by the board and as a matter of public interest; and

WHEREAS, notice of the public hearing was published on January 13, 2023 in compliance with State law (California Government Code 54956); and

WHEREAS, on January 23, 2023, the Historic Resources Board held a public hearing to receive public testimony regarding the Application, including without limitation, information provided to the Historic Resources Board by City staff and public testimony on the project in accordance with CMC 17.58.040.B; and

WHEREAS, this Resolution and its findings are made based upon the evidence presented to the Historic Resources Board at its January 23, 2023, hearing including, without limitation, the staff report and attachments submitted by the Community Planning and Building Department; and

WHEREAS, the Historic Resources Board did hear and consider all said reports, attachments, recommendations, and testimony herein above set forth and used their independent judgment to evaluate the project; and

WHEREAS, the California Environmental Quality Act (California Public Resources Code §§ 21000, et seq., "CEQA"), together with State Guidelines (14 California Code Regulations §§ 15000, et seq., the "CEQA Guidelines") and City Environmental Regulations (CMC 17.60) require the review of certain projects for environmental impacts and preparation of environmental documents; and

WHEREAS, the listing of the subject property on the Carmel Inventory is "not a project" pursuant to section 15378 of the CEQA Guidelines. Listing the Complex on the Carmel Inventory and Carmel Register does not grant any permits or entitlements approving a project that would result in a direct or indirect physical change in the environment; and

WHEREAS, the facts set forth in the recitals are true and correct and are incorporated herein by reference.

NOW THEREFORE, BE IT RESOLVED, that the Historic Resources Board of the City of Carmel-by-the-Sea does hereby add the property known as the "Northern California Savings and Loan Complex" located at the southeast corner of Dolores Street and 7th Avenue (Block 91, Lots 2, 4, 6, & 8) in the Service Commercial (SC) Zoning district to the Carmel Inventory of Historic Resources and Carmel Register of Historic Resources; APNs: 010-145-002, 010-145-023, 010-145-024.

PASSED, APPROVED, AND ADOPTED BY THE HISTORIC RESOURCES BOARD OF THE CITY OF

Resolution No. 2023-001-HRB

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CARMEL-BY-THE-SEA THIS 23rd DAY OF JANUARY 2023, BY THE FOLLOWING VOTE:

AYES: Goodhue, Hall, Pomeroy, Chroman

NOES:

ABSENT:

ABSTAIN:

APPROVED:

ATTEST:

DocuSigned by:
Jordan Chroman
5C02DBB2C1BA41E...
Jordan Chroman
Chair

DocuSigned by:
Leah R. Young
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Leah Young
Historic Resources Board Secretary

**CITY OF CARMEL-BY-THE-SEA
CITY COUNCIL**

RESOLUTION NO. 2021-043

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DENYING THE APPEAL BY CHRISTOPHER MITCHELL (APP 21-197) AND UPHOLDING THE HISTORIC RESOURCES BOARD'S DECISION TO ISSUE A FINDING OF NONCOMPLIANCE WITH THE SECRETARY OF THE INTERIOR'S STANDARDS FOR THE DEMOLITION OF THE PALO ALTO SAVINGS AND LOAN BANK COMMUNITY ROOM LOCATED AT DOLORES 2 SOUTHEAST OF 7TH AVENUE, IN THE SERVICE COMMERCIAL (SC) ZONING DISTRICT, APN: 010-101-017.

WHEREAS, the owner of the subject property is Esperanza Carmel Commercial, LLC ("Owner"); and

WHEREAS, Alem Dermicek of International Design Group, submitted an application on behalf of the owner requesting the approval of a Design Review "DR 20-395" ("project"); and

WHEREAS, the project is proposed to be located on a 12,000 square foot site located at Dolores 2 SE 7th, in the Service Commercial (SC) Zoning District (Block 91, Lot 6, 8, 10); and

WHEREAS, the project consists of the demolition of all improvements across the three lots and construction of a 16,898 square foot two story mixed-use development with a 11,371 square foot basement garage. Two-thirds of the project site (lots 6 & 8) are located on part of the Palo Alto Savings and Loan Bank complex (comprised of a bank building and a community room) which currently occupies Lots 2, 4, 6, and 8 of Block 91; and

WHEREAS, on April 19, 2021, the Historic Resources Board held a duly noticed public hearing to receive public testimony regarding the project, including without limitation, information provided to the Historic Resources Board by City staff and through public testimony on the proposed use; and

WHEREAS, the complex is not eligible for listing on the nation or local inventory as it fails to meet the 50-year old age requirement, however, the complex is eligible for listing on the California Register of Historic Resources (CRHR); and

WHEREAS, in 2019, a Determination of Ineligibility for listing on the City's Historic Inventory was issued for the complex and will expire on October 26, 2022; and

WHEREAS, in accordance with the California Environmental Quality Act (CEQA) Guideline §15064.5(a)(1), a structure must be treated as a historic resource if it is listed in, or determined to be eligible for listing in, the California Register of Historic Resources; and

WHEREAS, the project qualifies as a Major Alteration to a Historic Resource pursuant to CMC 17.32.160; and

WHEREAS, pursuant to CMC 17.32.120 (Alteration of Historic Resources), a determination of consistency with the Secretary's Standards shall be obtained prior to altering, remodeling, demolishing, grading, relocating, reconstructing or restoring any historic resource; and

WHEREAS, pursuant to CMC 17.32.160.B, determinations of consistency for major alterations shall be prepared by a qualified professional and shall be supported by written documentation that (1) identifies which of the Secretary of the Interior's Standards for Rehabilitation are applicable to the project, (2) reviews the proposed project, and (3) explains the basis of the determination; and

WHEREAS, pursuant to CMC 17.32.160.B.1.b, if the Board does not concur, the Board may request additional information prior to issuance of a determination of consistency, or may issue a finding of noncompliance with the Secretary's Standards. Any finding of noncompliance by the Board shall be supported by substantial evidence; and

WHEREAS, the project was considered by the Historic Resources Board at the April 19, 2021 hearing and the board voted to continue the item with direction to Staff to prepare a resolution for adoption for the issuance of a Finding on Noncompliance; and

WHEREAS, on May 17, 2021, the Historic Resources Board adopted Resolution 2021-03-HRB, issuing a Finding of Noncompliance; and

WHEREAS, on May 19, 2021, a timely appeal (APP 21-179) of the Finding of Noncompliance of DR 20-395 was filed with the City Clerk by Christopher Mitchell ("Applicant"); and

WHEREAS, on August 3, 2021, the City Council held a duly noticed public hearing to receive public testimony regarding the appeal, including without limitation, information provided to the City Council by City staff and through public testimony on the proposed project; and

WHEREAS, on August 3, 2021, the City Council held a de novo hearing to consider the appeal; and

WHEREAS, this Resolution and its findings are made based upon evidence presented to the Council at the August 3, 2021 hearing including, without limitation, the staff report and attachments submitted by the Community Planning and Building Department; and

WHEREAS, notice of the public hearing was published on July 23, 2021, in compliance with State law (California Government Code 65090) indicating the date and time of the public hearing; and

WHEREAS, the City Council did hear and consider all said reports, attachments, recommendations and testimony herein above set forth and used their independent judgement to evaluate the project; and

WHEREAS, the facts set forth in the recitals are true and correct and are incorporated herein by reference.

NOW THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA DOES HEREBY:

Deny the appeal by Christopher Mitchell, on behalf of Esperanza Carmel Commercial, LLC, (APP 21-184) and uphold the Historic Resources Board's decision to issue a Finding of Noncompliance with the Secretary of the Interior's Standards for the demolition of the Palo Alto Savings and Loan Bank Community Room located at Dolores 2 southeast of 7th Avenue, in the Service Commercial (SC) Zoning District, APN: 010-101-017, as found in Historic Resources Board Resolution: Resolution 2021-03-HRB adopted on May 17, 2021.

Findings for Denial of Appeal	
No.	
1.	The purposes of historic preservation and the city's historic preservation ordinance is to preserve the best pieces of the historic development of a place/city through its significant architecture to preserve these buildings which represent important periods in a City's heritage. The Palo Alto Savings and Loan building can be considered one of the most exceptional and significant buildings to be constructed in the commercial district of Carmel during the entire decade of the 1970's.
2.	The City's Historic Context Statement identifies the Bay Region style and/or Second Bay Region Style as important substyle within the larger theme of Modern architecture -the building is "representative of at least one theme" in the existing Historic Context Statement.
3.	The building is acknowledged as exceptionally significant and is 49 years old. In less than one year, it will only need to be of normal significance for inclusion on the inventory.
4.	Together, the bank building and community room creates a spatial relationships on the property which are in themselves character defining, uses the same character defining elements of construction and detail, are built at the same time, designed and built by the same master architects.
5.	Pertinent testimony from a number of respected architects who opined that the former Palo Alto Savings and Loan Bank was an exceptional example of its architectural style, the work of master architects, retained a high level of integrity and embodied the distinctive characteristics of its type and period. Their professional opinions confirmed that sufficient time had elapsed since the construction of the Bank complex to allow for a scholarly perspective on its significance and its place in Carmel's architectural history.
6.	Following the Bank president's mandate, bank staff in each city where a branch was to be located, were directed to become more involved in local improvement projects and to provide meeting space for the community as part of the Bank's public relations strategy. Burde and Shaw, the architects of the Bank complex, were tasked to design a small building separated from the Bank that would be used for this express purpose. The view contained in the Phase II Report for this project that the Community Room was simply "a postscript to the architects' intentions" is false.
7.	The Community Room is not required to become significant in its own right. There are no historic preservation rules that would force it to stand on its individual merit in order to qualify for historic status. The Community Room remains a vital part of the architects' original design. While it is subordinate to the former Bank building, it continues to have an important spatial relationship to it.
8.	The Bank building and the Community Room are a historically related unit. Though the room is subordinate to the Bank, it has retained its historic integrity and is an integral component of the original design as approved by the architects' client, the owners of the Palo Alto Savings and Loan Bank.
9.	In the case of the Community Room, despite being an auxiliary use it was still part of the original concept of the building from the beginning.
10.	Simply because an element of a building is smaller or "subordinate" to other parts does not make them less important to the whole as a piece of architecture.

11.	The Bank complex is eligible for listing on the California Register of Historic Resources for purposes of the California Environmental Quality Act (CEQA).
12.	Both buildings are the work of two master architects, Walter Burde and Will Shaw, who are listed in the Carmel Historic Context Statement, whose office was located in downtown Carmel, and whose other individual works include the Christian Science Church in Carmel, the original Monterey Airport Terminal and Tower, the Custom House renovation in Monterey and the Highlands Inn reconstruction. Shaw also collaborated with renowned photographer, Ansel Adams, to create the Foundation for Environmental Design, a group that supported worthy projects that blended into the natural environment.
13.	A new construction project on the site of a demolished Community Room would constitute an adverse effect on the Bank complex and destroy the original concept as designed by two of Monterey County's most respected master architects.
14.	The community room section of the building was designed right along with the rest of the building and contains all the character defining features of the main bank building: shed roof and copper roofing, angular forms and irregular massing, plate glass window walls, traditional materials used within a Modern architecture vocabulary, Integration of the building with its setting, Integration of the outdoors with interior spaces, Redwood siding and beams.
15.	The community room was constructed at the same time by the same builder. It's materials, detailing, composition are all at the same level of quality as the main bank building.
16.	The Community Room element of the building adds to the complexity and richness of the overall resource which, if taken away, would significantly negatively impact the quality of architecture of the bank building.
17.	The structural connection in the design of this building was very intentional and strong, and is all part of one piece of significant architecture—one historic resource.
18.	By removing the community room the south elevation of the resource is completely changed and is not the intended design from the public right-of-way on the south side.

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF CARMEL-BY-THE-SEA this 3rd day of August, 2021, by the following vote:

AYES: COUNCIL MEMBERS BARON, FERLITO, THEIS, MAYOR PRO TEM RICHARDS, MAYOR POTTER

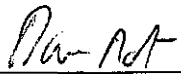
NOES: NONE

ABSENT: NONE

ABSTAIN: NONE

APPROVED:

ATTEST:



Dave Potter
Mayor



Britt Avrit, MMC
City Clerk

**CITY OF CARMEL-BY-THE-SEA
HISTORIC RESOURCES BOARD**

HISTORIC RESOURCES BOARD RESOLUTION NO. 2021-03-HRB

A RESOLUTION OF THE HISTORIC RESOURCES BOARD OF THE CITY OF CARMEL-BY-THE-SEA ISSUING A FINDING OF NONCOMPLIANCE WITH THE SECRETARY OF THE INTERIOR'S STANDARDS FOR THE DEMOLITION OF THE PALO ALTO SAVINGS AND LOAN BANK COMMUNITY ROOM. APN: 010-101-017

WHEREAS, Alem Dermicek, on behalf of International Design Group, ("Applicant") submitted an application requesting the approval of a Design Review "DR 20-395" described herein ("Application"); and

WHEREAS, the application has been submitted for the 12,000 square foot property located at Dolores 2 southeast of 7th Avenue, in the Service Commercial (SC) Zoning District (Block 91, Lot 6, 8, 10, APN 010-101-017-000); and

WHEREAS, the applicant is proposing to demolish all improvements across the three lots and construct a 16,898 square foot two story mixed-use development with a 11,371 square foot basement garage. Two-thirds of the project site (lots 6 & 8) are located on part of the Palo Alto Savings and Loan Bank complex (comprised of a bank building and a community room) which currently occupies Lots 2, 4, 6, and 8 of Block 91; and

WHEREAS, the Historic Resources Board determined on November 18, 2019 the resource is eligible for listing on the City's Historic Inventory in accordance with CMC 17.32.040.H which states, "A resource less than 50 years old may be eligible if it is of exceptional importance to the City, State, or nation based on its unusually strong contribution to history, architecture, engineering or culture, or because it is an integral part of an historic district"; and

WHEREAS, the complex is not eligible for listing on the national or local inventory as it fails to meet the 50-year old age requirement, however, the complex is eligible for listing on the California Register of Historic Resources (CRHR); and

WHEREAS, in 2019, a Determination of Ineligibility for listing on the City's Historic Inventory was issued for the complex and will expire on October 26, 2022; and

WHEREAS, on April 19, 2021, the Historic Resources Board reviewed the project, DR 20-395, and considered the issuance a Determination of Consistency with the Secretary of the Interior's Standards for the demolition of the Palo Alto Savings and Loan Bank Community Room; and

WHEREAS, pursuant to CMC 17.32.160.B, determinations of consistency for major alterations shall be prepared by a qualified professional and shall be supported by written documentation that (1) identifies which of the Secretary of the Interior's Standards for Rehabilitation are applicable to the project, (2) reviews the proposed project, and (3) explains the basis of the determination; and

WHEREAS, a Phase II report was prepared by a qualified professional, Margaret Clovis, dated March 1, 2021, and found the proposed amendments to be consistent with the Secretary of the Interior's Standards for Rehabilitation provided the recommendations outlined in the report were carried out; and

WHEREAS, pursuant to CMC 17.32.160.B.1.a, if the Board concurs with the evaluation, the Board shall issue a determination of consistency and adopt any appropriate conditions of approval. Any finding of compliance by the Board shall be supported by substantial evidence.; and

WHEREAS, pursuant to CMC 17.32.160.B.1.b, if the Board does not concur, the Board may request additional information prior to issuance of a determination of consistency, or may issue a finding of noncompliance with the Secretary's Standards. Any finding of noncompliance by the Board shall be supported by substantial evidence; and

WHEREAS, at the April 19, 2021 hearing, the Historic Resources Board voted 2-1 (2 board members absent) to continue the application with direction to staff to return with a resolution issuing a Finding of Noncompliance with the Secretary of the Interior's Standards; and

WHEREAS, notice of the public hearing was published in compliance with State law (California Government Code 54954.2.); and

WHEREAS, on May 17, 2021, the Historic Resources Board held a public hearing to receive public testimony regarding the Application, including without limitation, information provided to the Historic Resources Board by City staff and public testimony on the project; and

WHEREAS, this Resolution and its findings are made based upon evidence presented to the Historic Resources Board at its May 17, 2021 hearing including but not limited to, the staff report and attachments submitted by the Community Planning and Building Department; and

WHEREAS, the Historic Resources Board did hear and consider all said reports, attachments, recommendations and testimony herein above set forth and used their independent judgement to evaluate the project; and

WHEREAS, the facts set forth in the recitals are true and correct and are incorporated herein by reference; and

NOW THEREFORE, BE IT RESOLVED, based on the findings and evidence contained in this resolution, that the Historic Resources Board of the City of Carmel-By-The-Sea does hereby issue a **Finding of Noncompliance with the Secretary of the Interior's Standards** for the proposed demolition of the Palo Alto Savings and Loan Bank Community Room (Design Review DR 20-395) located at Dolores 2 southeast of 7th Avenue, in the Service Commercial (SC) Zoning District (Block 91, Lot 6, 8, 10, APN 010-101-017-000).

Findings of Noncompliance	
No.	
1.	The purposes of historic preservation and the city's historic preservation ordinance is to preserve the best pieces of the historic development of a place/city through its significant architecture to preserve these buildings which represent important periods in a City's heritage. The Palo Alto Savings and Loan building can be considered one of the most exceptional and significant buildings to be constructed in the commercial district of Carmel during the entire decade of the 1970's.

2.	The City's Historic Context Statement identifies the Bay Region style and/or Second Bay Region Style as important substyle within the larger theme of Modern architecture -the building is "representative of at least one theme" in the existing Historic Context Statement.
3.	The building is acknowledged as exceptionally significant and is 49 years old. In less than one year, it will only need to be of normal significance for inclusion on the inventory.
4.	Together, the bank building and community room creates a spatial relationships on the property which are in themselves character defining, uses the same character defining elements of construction and detail, are built at the same time, designed and built by the same master architects.
5.	Pertinent testimony from a number of respected architects who opined that the former Palo Alto Savings and Loan Bank was an exceptional example of its architectural style, the work of master architects, retained a high level of integrity and embodied the distinctive characteristics of its type and period. Their professional opinions confirmed that sufficient time had elapsed since the construction of the Bank complex to allow for a scholarly perspective on its significance and its place in Carmel's architectural history.
6.	Following the Bank president's mandate, bank staff in each city where a branch was to be located, were directed to become more involved in local improvement projects and to provide meeting space for the community as part of the Bank's public relations strategy. Burde and Shaw, the architects of the Bank complex, were tasked to design a small building separated from the Bank that would be used for this express purpose. The view contained in the Phase II Report for this project that the Community Room was simply "a postscript to the architects' intentions" is false.
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18.	By removing the community room the south elevation of the resource is completely changed and is not the intended design from the public right-of-way on the south side.

PASSED AND ADOPTED BY THE HISTORIC RESOURCES BOARD OF THE CITY OF CARMEL-BY-THE-SEA this 17th day of May, 2021, by the following vote:

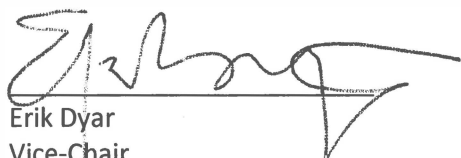
AYES: Board Member: Gualtieri, Dyar, Chroman

NOES: Board Member: Hall

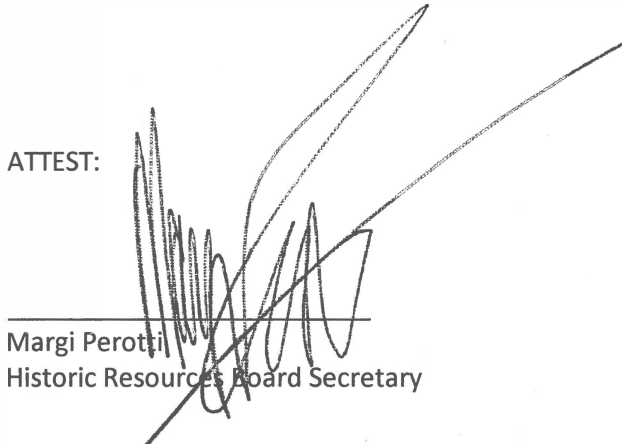
ABSENT: Board Member: None

ABSTAIN: Board Member: None

APPROVED:


Erik Dyar
Vice-Chair

ATTEST:


Margi Perotti
Historic Resources Board Secretary

JB Pastor Building: Recommended Evidence for Participation in the Parking in-lieu Fee Program

On behalf of the applicant, EMC Planning Group staff conducted a review and evaluation of the project, and conducted research regarding the applicability of participation in the parking in-lieu fee program and presents the following:

On Site Parking and Parking In-Lieu Fee Program

Required On-Site Parking

A total of twelve on-site parking spaces will be provided via (1) ADA accessible van space, one (1) standard parking space, and ten (10) compact spaces that utilize a parking lift system split between five (5) lifts. A total of seventeen parking space are required per CMC 17.14.200:

- 8 residential units / 1 space per unit = 8 spaces
- $5,339.14 \text{ sf of commercial space} / 1 \text{ parking space per } 600 \text{ sf of commercial floor area} = 8.9 \text{ parking spaces required}$

Per CMC 17.38.010 the purpose of the off-street parking requirements is to “lessen the parking congestion on the public streets and to leave street parking available to persons making short-term visits to the commercial district for shopping, business or related activities”.

The applicant has met all of the long-term parking needs of the residential units; however, due to constraints resulting from historical attributes of the site identified in the record, the project is deficient five spaces required for short-term visits to the proposed commercial spaces.

Parking In-Lieu Fee Program

City of Carmel Municipal Code (CMC) allows for exceptions to parking requirements for properties facing challenges such as limited space, irregular shape, topography, or existing buildings, enabling more flexible solutions like reduced parking, shared parking, or alternative methods while maintaining accessibility and functionality.

Protection of the historically ornamented wall requires the imposition of a ‘preservation buffer,’ and excavation of underground parking would subject the structure to damage as noted in the report by ESA Structural Engineering. This restriction limits the applicant’s ability to construct all of the required short-term parking on-site. The Planning Commission may allow the use of in-lieu fees to

fulfill parking requirements through a use permit when on-site parking is impractical or prohibited by City policies (CMC 17.38.030C). Practicality in this instance is evaluated based on peculiar conditions of the site related to historical resources (CMC 17.38.030.B.4) referenced herein. Criteria for participation in the in-lieu fee program, is as follows:

1. *The parking adjustment does not apply to hotel or motel uses; and*
2. *The applicant has diligently pursued meeting the parking requirements both on-site and off-site, but has been unsuccessful in meeting the requirement...”, ... (17.38.030.C and 17.38.040040 Ord. 2004-02 § 1, 2004; Ord. 2004-01 § 1, 2004).*

The proposed project is not designated for hotel or motel use, thus meeting the first criterion of the in-lieu fee provision. The applicant has diligently pursued meeting parking requirements on site and is restricted by the preservation buffer of the historic resources. The general findings for the use permit can also be made as follows:

1. *That the proposed use will not be in conflict with the City’s General Plan.*

The increase in commercial floor area, residential density, the use of the basement level, and participation in the in-lieu parking program are fully aligned with the City’s General Plan, as described in this memo, and do not create any conflicts.

2. *That the proposed use will comply with all zoning standards applicable to the use and zoning district.*

The project, which includes additional commercial space, residential units, basement use, and participation in the in-lieu parking program, meets all applicable zoning requirements as outlined in this memo.

3. *That granting the use permit will not set a precedent for the approval of similar uses whose incremental effect will be detrimental to the City, or will be in conflict with the General Plan.*

This proposed development, which includes increased commercial floor area, residential density, basement use, and in-lieu parking, will not set a precedent. The project fits within the existing context of the commercial districts and complies with the municipal code, General Plan, and Local Coastal Plan.

4. *That the proposed use will not make excessive demands on the provision of public services, including water supply, sewer capacity, energy supply, communication facilities, police protection, and fire protection.*

The proposed project, which consists of 8 residential units, parking, and up to 7 commercial spaces, will not put a strain on public services. The local utility infrastructure, including wastewater, sewer, and waste management, has sufficient capacity to support the project. Additionally, the project will be conditioned to ensure the necessary service capacities are confirmed prior to the issuance of building permits.

5. That the proposed use will not be injurious to public health, safety, or welfare.

The proposed development, which includes an increase in commercial space, residential units, basement use, and the in-lieu parking program, will not harm public health, safety, or welfare. These uses align with the established land use context in the commercial districts.

6. That the proposed use will be compatible with surrounding land uses and will not conflict with the purpose established for the district within which it will be located.

The increase in commercial floor area, residential density, use of the basement level, and participation in the in-lieu parking program are compatible with surrounding land uses. These changes are in line with the zoning code and General Plan, supporting the intended purpose of the district.

7. That the proposed use will not generate adverse impacts affecting health, safety, or welfare of neighboring properties or uses.

The proposed increases in commercial space, residential density, basement use, and participation in the in-lieu parking program will not cause adverse impacts on neighboring properties. The zoning code is designed to minimize potential effects, ensuring neighboring uses remain unaffected.



March 26, 2025

RE: **JB PASTOR BUILDING**

Dolores, 2nd SE of 7th

Carmel, CA 93921

Dear Jun and Ryan,

Nice meeting you at the site on September 20, 2024, regarding the proposed underground or basement parking structure and the effect or disturbance to the adjacent community building and ornamental wall. As I mentioned to you on the site to avoid disturbance to the existing community building and ornamental wall is to adopt theoretical approach based on the Morh's principle. Please refer to the next page FIGURE A. In the figure it shows the minimum distance from the building where no shoring is required, or a shoring is required when the excavation is within the minimum distance from the existing building. Excavation away of more than the minimum distance is considered the soil can withstand, otherwise the failure of soil is possible if the excavation distance is less than the minimum. Another consideration is if the excavation distance is less than the minimum, disturbance due to the construction activity is higher than the excavation distance Is farther away or more than the minimum distance.

Based on my observation, the existing structure is susceptible to damage by disturbance. The disturbance includes but is not limited to the vibration created during the excavation. Another consideration is the soil's shearing capacity. Based on the soil report attached to this letter the classification of soil is sandy and comprised mostly of fine sands with inclusion of gravels, clay, silt and miscellaneous debris. With this classification shoring is highly recommended when excavating is less than the minimum distance from the existing structure as indicated on the next page FIGURE A.

Lastly, I hope this letter of observation will give you some insight into the basement or underground construction adjacent to a historic building and structure and the extra care in excavation of the structure using best construction practices for foundation excavation work. Again, nice meeting you on the site.

Sincerely,
ESA structural engineering inc.

Efren S. Abarado, P.E.
President



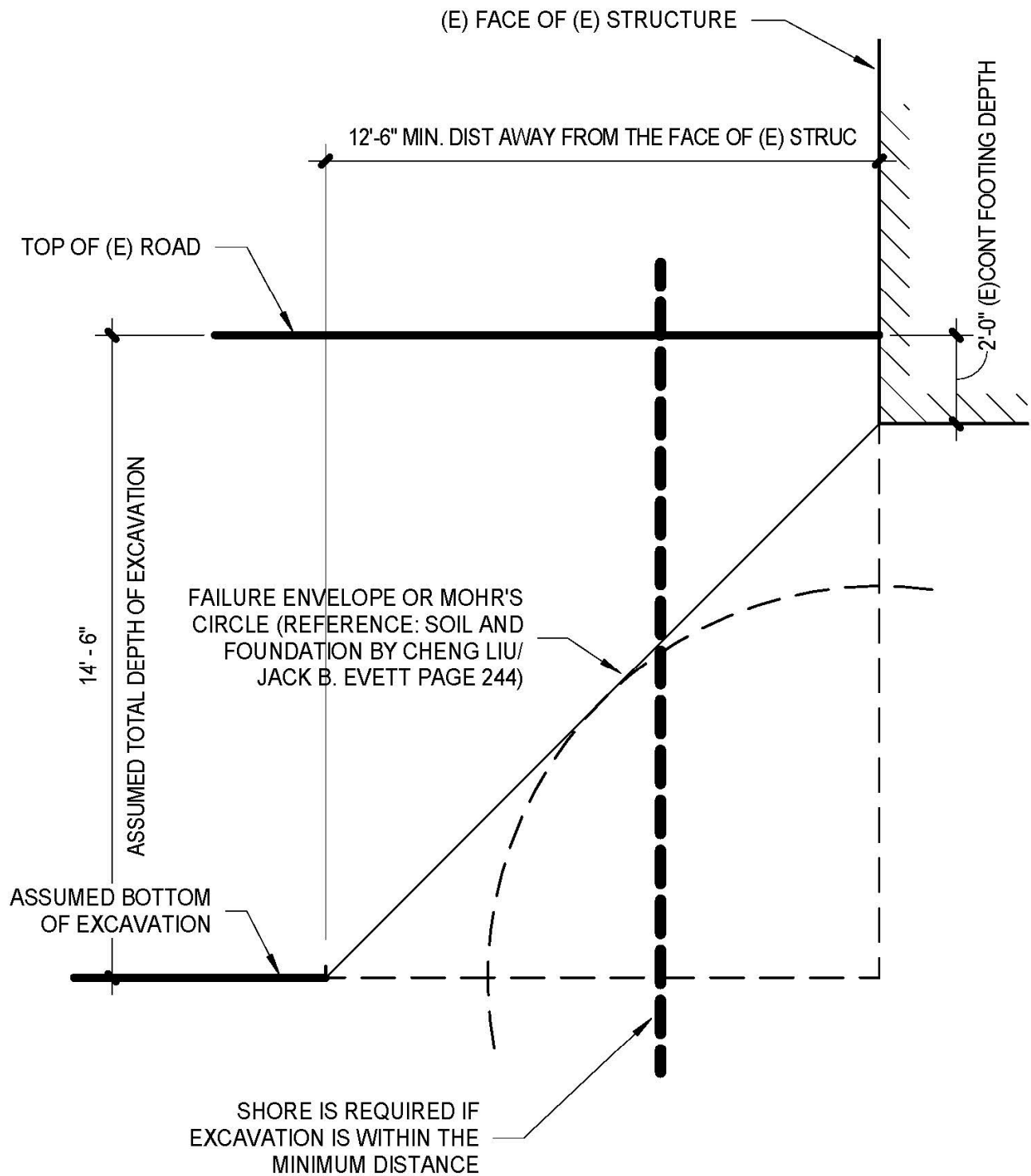


FIGURE A

Site Soil Profile

As found in the exploratory drilling, the site soils are generally consistent between each of the bores.

The shallow horizon is a fill comprised mostly of fine sands with inclusions of gravels, clay, silt and miscellaneous debris. This generally loose deposit was observed mostly on the two northern parcels to depths as great as 3.5 feet.

The native soils were observed near to grade on the southern parcel and below the fill on the northern. These fine sands were observed to have nil to trace amounts of silt and occasional clots of light cementation however below approximately 38 feet contained few amounts of clay. They were observed to be disturbed at grade, medium dense below approximately 3 feet and dense below approximately 15 feet. As encountered they were slightly moist to moist.

Complete soil characteristics and comments are reported on the boring logs at the depths observed. The logs are located in Appendix B.

Groundwater

No groundwater was encountered at this site to the maximum depth of exploration, approximately 44 feet below grade.

(Grice Engineering Geotechnical Report for the proposed JB Pastor Building, 2020, Page 3)



INTERNATIONAL DESIGN GROUP ARCHITECTURE ■ INTERIOR DESIGN

Best construction practices for foundation excavation. Adjacent to existing historic buildings.

For safe and effective foundation excavation adjacent to existing buildings, prioritize thorough site assessment, implement controlled excavation techniques, and use appropriate support systems like shoring or underpinning, while ensuring compliance with local regulations and clear communication with stakeholders.

1. Pre-Excavation Planning & Assessment:

- **Thorough Site Assessment:**

Conduct a detailed survey of the site, including soil composition, topography, and the location of existing structures, utilities, and any potential hazards.

- **Permitting and Regulations:**

Ensure all necessary permits and approvals are obtained and adhere to local building codes and safety regulations.

- **Communication:**

Establish clear lines of communication with property owners, engineers, and other stakeholders to address any concerns and ensure a smooth process.

- **Soil Testing:**

Conduct soil testing to determine soil type and stability, which is crucial for determining appropriate excavation methods and support systems.

2. Excavation Techniques & Safety:

- **Controlled Excavation:**

Use precise excavation methods, such as hand digging or controlled mechanical equipment, to minimize disturbance to adjacent structures.

- **Sloping and Benching:**

Follow OSHA guidelines for sloping and benching to prevent cave-ins and ensure worker safety.

- **Sheet Piling or Retaining Walls:**

Implement temporary support systems like sheet piles or retaining walls to prevent soil movement and protect adjacent structures.

- **Underpinning:**

Consider underpinning or shoring techniques for additional support if needed, especially for shallow foundations of adjacent buildings.

- **Vibration Monitoring:**

Install vibration monitors and crack gauges to track ground movement and ensure that vibrations don't damage adjacent structures.

- **Water Management:**

Implement proper drainage and water management systems to prevent water from accumulating near the excavation site and causing instability.

3. Post-Excavation:

- **Grading and Leveling:**

Level and grade the excavated area as needed, creating a smooth and even surface for the foundation construction.

- **Compaction:**

Ensure proper compaction of the excavated soil to prevent future settlement and ensure stability.

- **Documentation:**

Maintain detailed records of the excavation process, including soil conditions, excavation depths, and any support systems used.

JUN A. SILLANO, AIA



ARCHITECTURE • PLANNING • INTERIOR DESIGN

721 LIGHTHOUSE AVE
PACIFIC GROVE CA.
93950

PH ■ (831) 646-1261
 FAX ■ (831) 646-1260
 EMAIL ■ idg@idg-inc.net
 WEB ■ idg-inc.net

DISCLAIMER:

ALL IDEAS, DESIGNS, ARRANGEMENTS AND PLANS INDICATED BY THIS DRAWING ARE OWNED BY, AND THE PROPERTY OF, THIS OFFICE AND WERE CREATED, EVOLVED AND DEVELOPED FOR USE ON, AND IN CONNECTION WITH, THE SPECIFIED PROJECT. NONE OF SUCH IDEAS, DESIGNS, ARRANGEMENTS OR PLANS SHALL BE USED BY OR DISCLOSED TO ANY PERSON, FIRM OR CORPORATION FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN PERMISSION OF INTERNATIONAL DESIGN GROUP. WRITTEN DIMENSIONS ON THESE DRAWINGS SHALL HAVE PRECEDENCE OVER SCALE DIMENSIONS. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THIS OFFICE MUST BE NOTIFIED OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN BY THESE DRAWINGS. SHOP DETAILS OF ADEQUATE SCALE MUST BE SUBMITTED TO THIS OFFICE FOR APPROVAL BEFORE PROCEEDING WITH FABRICATION ON ITEMS SO NOTED.

STAMPS:

PROJECT/CLIENT:

JB PASTOR
BUILDING

PROJECT ADDRESS:

DOLORES, 2ND SE
OF 7TH
CARMEL, CA
93921APN: 010-145-012
022, & 023

DATE: NOVEMBER 21, 2024

P.C. SUBMITTAL

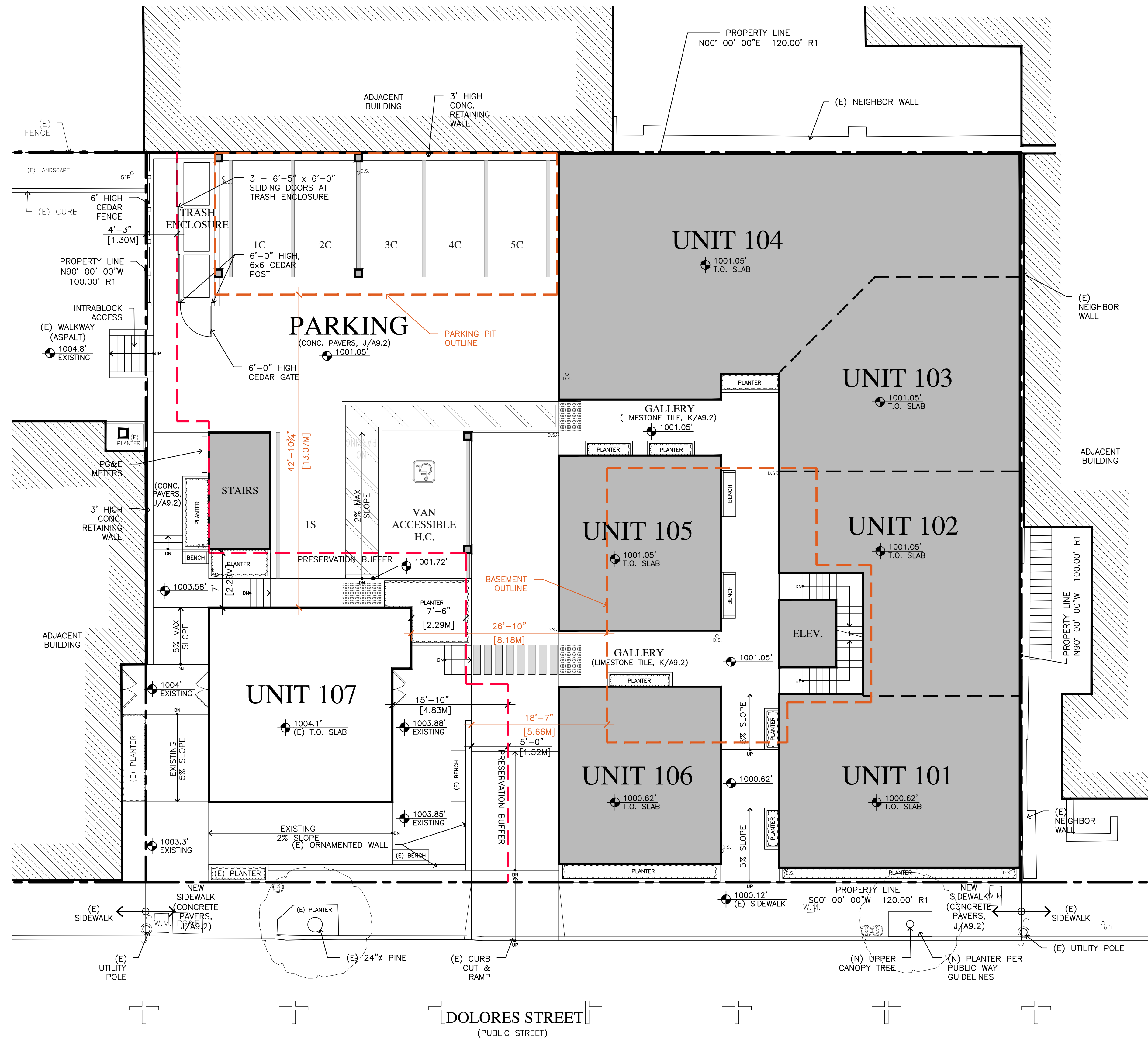
REVISIONS:

△ 12/19/24
 △ PLAN UPDATE
 △ 2/7/25
 △ REV. PER PLANNER COMMENTS
 △
 △
 △
 △

SITE PLAN W/
BASEMENT OVERLAY

SHEET NO.

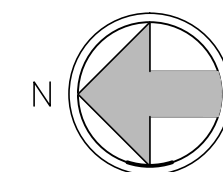
A1.4



SITE PLAN W/ BASEMENT & PARKING PIT OVERLAY

0' 4' 8' 16'
 0 1.25M 2.5M 5M

1/8"=1'-0"



JUN A. SILLANO, AIA



ARCHITECTURE • PLANNING • INTERIOR DESIGN

721 LIGHTHOUSE AVE
PACIFIC GROVE CA
93950

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WEB idg-inc.net

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PROJECT/CLIENT:

JB PASTOR
BUILDING

PROJECT ADDRESS:

DOLORES, 2ND SE
OF 7TH
CARMEL, CA
93921

APN: 010-145-012
022, & 023

DATE: NOVEMBER 21, 2024

P.C. SUBMITTAL

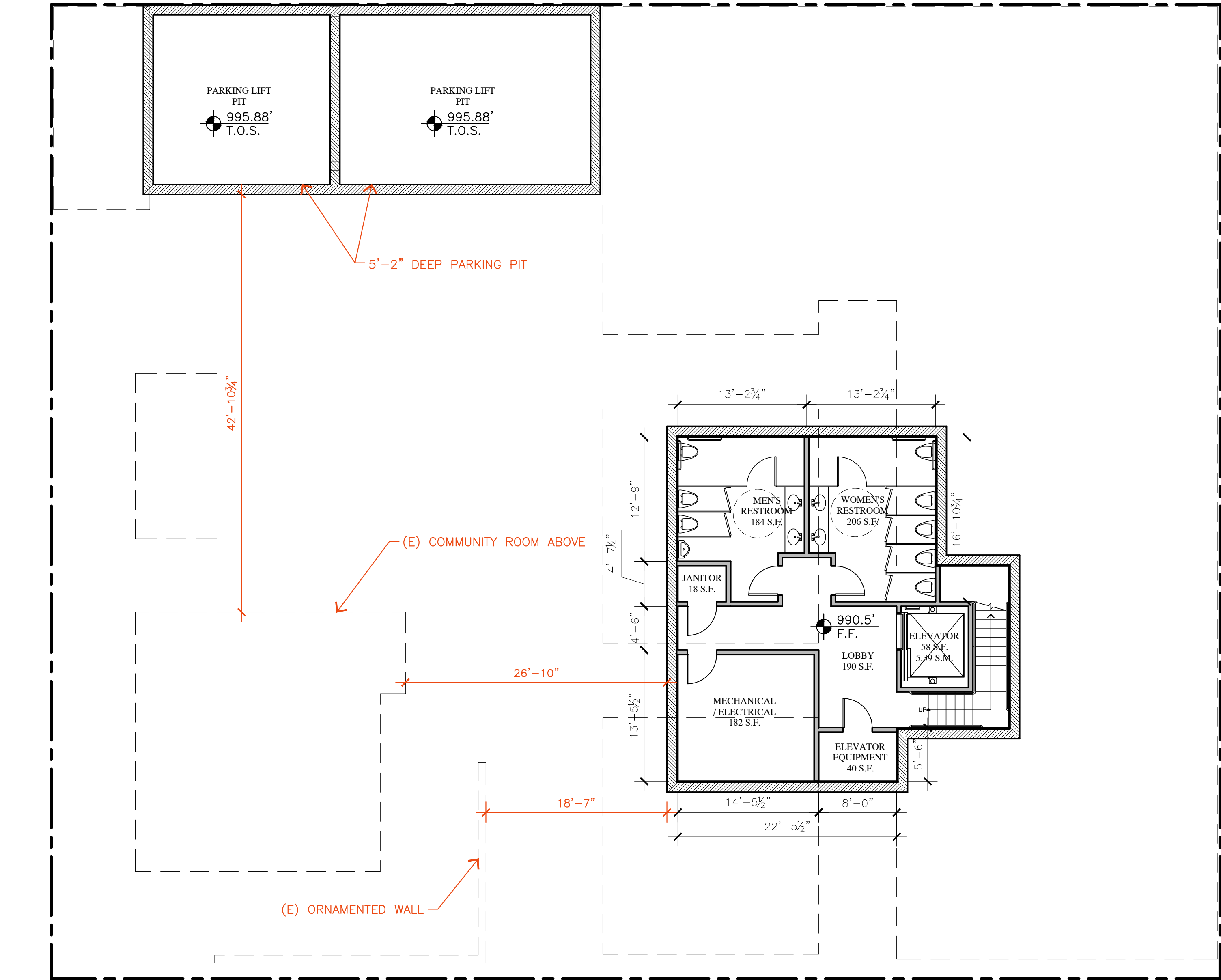
REVISIONS:

1	12/19/24	PLAN UPDATE
2	2/7/25	REV. PER PLANNER COMMENTS
3		
4		
5		
6		

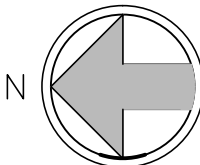
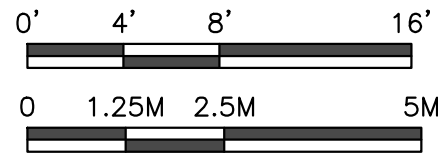
BASEMENT
PLAN

SHEET NO.

A2.0



BASEMENT PLAN



WALL LEGEND

	2X6 EXTERIOR STUD FRAMED WALL
	2X4 INTERIOR STUD FRAMED WALL, U.O.N.
	2X4 INTERIOR STUD FRAMED WALL, U.O.N.

Keith Higgins

Traffic Engineer

July 3, 2024

Ryan Aeschliman
Project Manager
Esperanza Carmel
7th Ave 2 NW of Lincoln
Carmel-by-the-Sea, CA 93923

Re: JB Pastor Building Trip Generation and Vehicle-Miles-Traveled Study, Dolores, 2nd SE of 7th, Carmel-by-the-Sea, California

Dear Ryan,

Per your request, this is a traffic study for the proposed JB Pastor Building (Project), located at Dolores Street, 2nd Southeast, Carmel-by-the-Sea, California (City). The Project site is currently occupied by a total of about 2,292 gross square feet of commercial floor area and one residential unit. The Project will have a total of about 6,541 gross square feet of commercial floor area including the existing 692 net square-foot fine dining restaurant floor space in Unit 107 and 8 multifamily dwelling units.

The currently proposed site and floor plans are provided in **Attachment A**, which also includes a Project location map is included on the first page. A demolition plan is provided as **Attachment B**, which indicates the existing community building, which is the location of the existing wine tasting room that will remain. It also depicts the two existing buildings along the south property line that will be removed. A tabular summary of Project components is included as **Attachment C**.

This study includes the following.

1. An estimate of Project trip generation and qualitative discussion of its effect on nearby traffic operations. Trip generation is estimated for the proposed project based on trip generation rates in the ITE Manual. The ITE Manual is the standard source of trip generation data used throughout the traffic engineering and transportation planning industry.
2. A Vehicle-Miles-Traveled (VMT) evaluation is included as well, which is required per the latest California Environmental Quality Act (CEQA) regulations.

A. PROJECT TRIP GENERATION

Attachment D provides a tabular summary of the traffic anticipated to be generated by each component of the Project, as summarized in the following discussion. These are based on trip generation rates

Ryan Aeschliman
July 3, 2024

provided in "Trip Generation Manual," Institute of Transportation Engineers (ITE), 11th Edition, 2021, tabulated on Attachment

1. Proposed Project trip generation is estimated to include the following, as tabulated on **Attachment D, Section B.**
 - a. Retail Commercial - The Project's retail spaces, which are assumed to include Units 101 through 106, will generate about 366 gross daily trips with 17 during the AM peak hour and 39 during the PM peak hour. According to the "Trip Generation Manual," Institute of Transportation Engineers (ITE), 11th Edition, 2021, an average of about 34% of retail trips are captured from traffic already passing the Project to and from a primary destination. The resulting net retail trips represent an increase in traffic on the nearby street system of about 242 daily trips with 11 during the AM peak hour and 26 during the PM peak hour.
 - b. Fine Dining Restaurant - The existing fine dining restaurant floor area will remain as Unit 107. It is estimated to continue to generate about 66 gross daily trips with 1 during the AM peak hour and 6 during the PM peak hour. According to the "Trip Generation Manual," Institute of Transportation Engineers (ITE), 11th Edition, 2021, an average of about 44% of fine dining restaurant trips are captured from traffic already passing the Project. The Fine Dining Restaurant net trip generation is therefore estimated to total about 37 daily trips with 1 during the AM peak hour and 3 during the PM peak hour.
 - c. Multi-family Housing - The eight multi-family housing units in Units 2A through 2H will generate a total of about 54 daily trips with 53 during the AM peak hour and 4 during the PM peak hour. An internal trip allowance of 10% is applied to the residential component of the Project because a portion of the Project will offer on-site residential trip attractions such as retail and food service. Residents will also walk to and from the large variety of other commercial uses within walking distance in downtown Carmel. The net residential trip generation estimate includes about 49 daily trips with 2 during the AM peak hour and 5 during the PM peak hour.
 - d. The entire proposed Project is expected to generate a gross total of about 486 daily trips with 21 during the AM peak hour and 49 during the PM peak hour. The net increase in traffic on the nearby street system is expected to total about 328 daily trips with 15 during the AM peak hour and 33 during the PM peak hour.
2. Existing development on the Project site is estimated to generate about 112 daily trips with 6 in the AM peak hour and 11 during the PM peak hour, as tabulated on **Attachment D, Section C.**
3. As tabulated on **Attachment D, Section D**, the Project will generate about 374 more gross daily trips including about 15 AM peak hour trips and 38 PM peak hour trips than the previous use. Its increase in net trips, when accounting for trips to and from the Project

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July 3, 2024

already on the adjacent street system, is estimated to total about 216 daily trips with 9 in the AM peak hour and 22 in the PM peak hour.

B. PROJECT EFFECT ON NEARBY TRAFFIC OPERATIONS

Net Project trips represent a frequency of about one vehicle every six minutes in the AM peak hour and less than one vehicle every two minutes in the PM peak hour. The low frequency of Project trips will have a minimal effect on traffic operations in downtown Carmel.

The above estimates may be conservative. The Project's net increase in traffic on the nearby streets in greater downtown Carmel is likely to be much less. This is because the Project's location is conducive to walking to and from nearby residential areas and complementary commercial and employment uses in downtown Carmel. The "Trip Generation Handbook," Institute of Transportation Engineers, 3rd Edition, September 2017, Chapter 7, Trip Generation for Urban Infill/Redevelopment, page 65, recognizes this. It states, "The current *Trip Generation Manual* data volumes do not reflect trip generation at urban infill sites. Redevelopment in built out areas and new development in areas that are almost fully built out often results in fewer vehicle trips generated than would result in suburban and outlying locations. These effects may be the result of modal shifts:

- More walking (because of closer proximity of complementary uses).
- More transit ridership (because of convenient, frequent transit service).
- More bicycling (because of bicycle facilities that improve safety or reduce travel time).
- Higher vehicle occupancy (because of more carpooling that results from overall traffic congestion, preferential treatments along roadway network, or parking pricing-or limited parking supply)."

Most of the above characteristics are present in downtown Carmel and therefore applicable to this project.

C. PROJECT VEHICLE-MILES-TRAVELED

As required by California SB 743, vehicle-miles-travelled (VMT) has recently replaced level of service in the evaluation of environmental impacts under CEQA. Carmel-by-the-Sea has not adopted a VMT policy which would include a methodology for performing this analysis. This analysis is therefore based on the "Technical Advisory on Evaluating Transportation Impacts in CEQA," State of California Governor's Office of Planning and Research, December 2018 (OPR Guidelines), which provides implementation guidance for SB 743 for evaluating development proposals. This is consistent with the policies adopted by other nearby agencies including the City of Monterey, Santa Cruz County, and Caltrans. Monterey County is in the process of adopting a VMT policy and evaluation methodology nearly identical to these other agencies.

The OPR Guidelines include criteria for determining if development proposals will require further VMT analysis or if the proposal is below significance thresholds and exempt from additional analysis. The OPR Guidelines, page 17, states, "Lead agencies can evaluate each component of a mixed-use project independently and apply the significance threshold for each project type included (e.g., residential and

Ryan Aeschliman
July 3, 2024

retail). Alternatively, a lead agency may consider only the project's dominant use. In the analysis of each use, a project should take credit for internal capture. Combining different land uses and applying one threshold to those land uses may result in an inaccurate impact assessment." The two main components of the project, residential and commercial (retail), are therefore analyzed separately, as described below.

1. Multi-Family Housing

- a. Residential Significance Criterion - The OPR Guidelines, page 12, states, "Many local agencies have developed screening thresholds to indicate when detailed analysis is needed. Absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy (SCS) or general plan, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact.
- b. Residential VMT Analysis - The 8 multi-family housing units are estimated to generate about 54 gross daily trips, which is below the 110 trips per day significance threshold. This component of the Project will have a less-than-significant VMT impact.

2. Retail Uses (Variety Stores and Restaurant)

- a. Retail Significance Criterion - The OPR Guidelines, pages 16-17, states, "Many cities and counties define local-serving and regional-serving retail in their zoning codes. Lead agencies may refer to those local definitions when available, but should also consider any project-specific information, such as market studies or economic impacts analyses that might bear on customers' travel behavior. Because lead agencies will best understand their own communities and the likely travel behaviors of future project users, they are likely in the best position to decide when a project will likely be local-serving. Generally, however, retail development including stores larger than 50,000 square feet might be considered regional-serving, and so lead agencies should undertake an analysis to determine whether the project might increase or decrease VMT."
- b. Retail VMT Analysis – The retail component of the Project will include a total increase of about 6,541 net square feet of floor area. The overall floor area is far below the 50,000 square-foot threshold considered to be regional serving that would potentially result in a significant VMT impact. The types of uses anticipated in the Project will serve local clientele and visitors. The retail component of the Project will have a less-than-significant VMT impact.

If you have any questions regarding this analysis or need additional information, please do not hesitate to contact me at your convenience. Thank you for the opportunity to assist you.

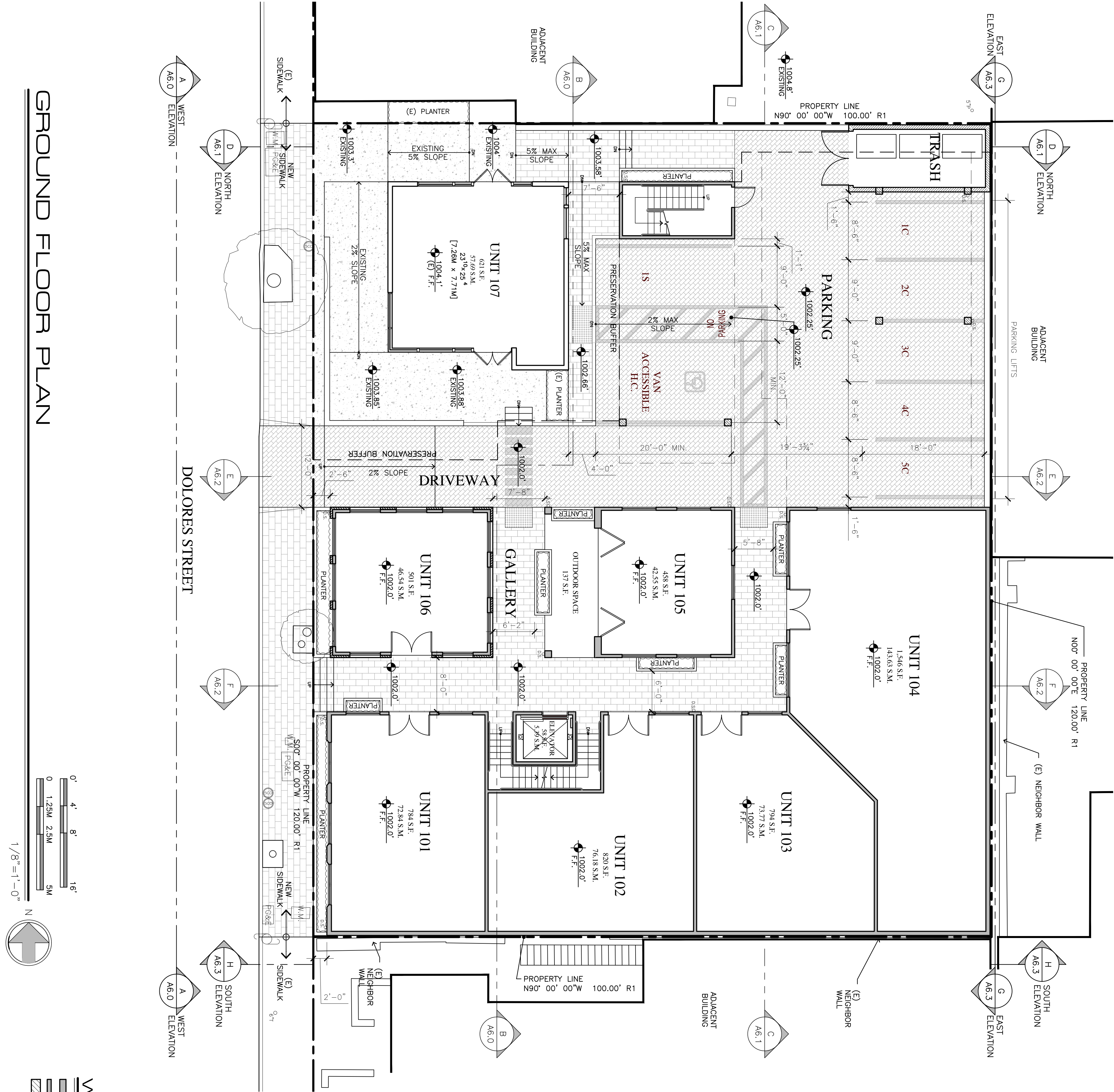
Respectfully submitted,

Keith Higgins

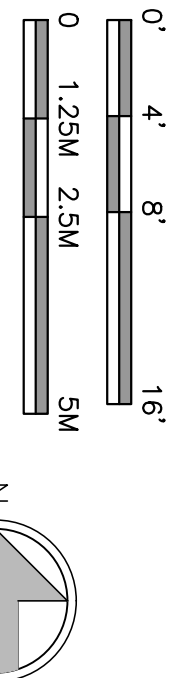
Keith B. Higgins, PE, TE
Attachments

Attachment A

Project Site and Floor Plans



GROUND FLOOR PLAN



WALL LEGEND	
	2X6 EXTERIOR STUD FRAMED WALL
	2X4 INTERIOR STUD FRAMED WALL, U.O.N.
	2X4 INTERIOR STUD FRAMED WALL, U.O.N.

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STAMPS:

PROJECT/CLIENT:

JB PASTOR
BUILDING

PROJECT ADDRESS:

DOLORES, 2ND SE
OF 7TH
CARMEL, CA
93921

APN: 010-145-012
022, & 023

DATE: MARCH 29, 2024

HRB SUBMITTAL

REVISIONS:

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△	
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GROUND
FLOOR PLAN

SHEET NO.

A3.0



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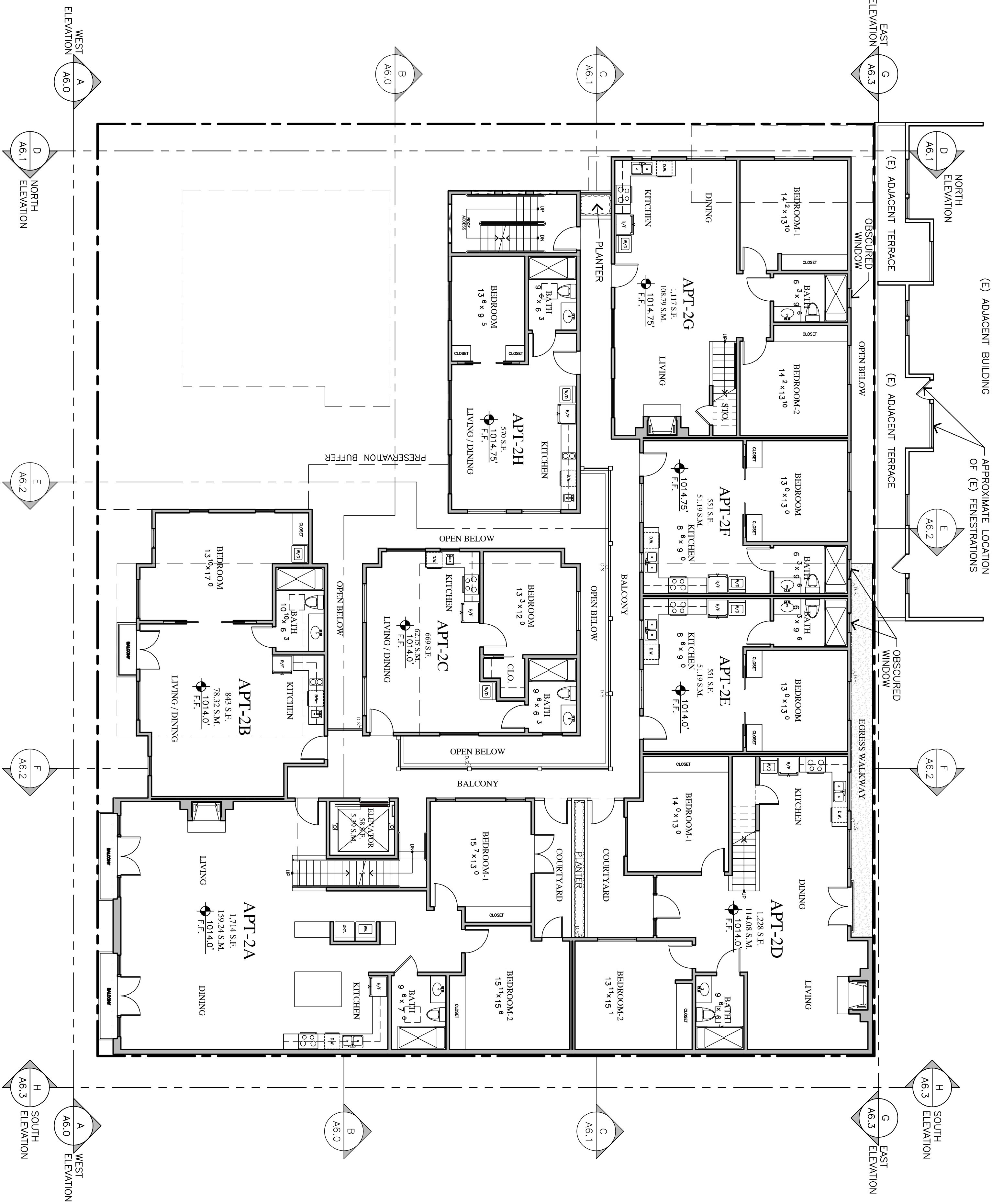
SECOND
FLOOR PLAN

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WALL LEGEND

- 2X6 EXTERIOR STUD FRAMED WALL, U.O.N.
- 2X4 INTERIOR STUD FRAMED WALL, U.O.N.
- 2X4 INTERIOR STUD FRAMED WALL, U.O.N.



SECOND FLOOR PLAN

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JB PASTOR
BUILDING

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DOLORES, 2ND SE
OF 7TH
CARMEL, CA
93921

APN: 010-145-012
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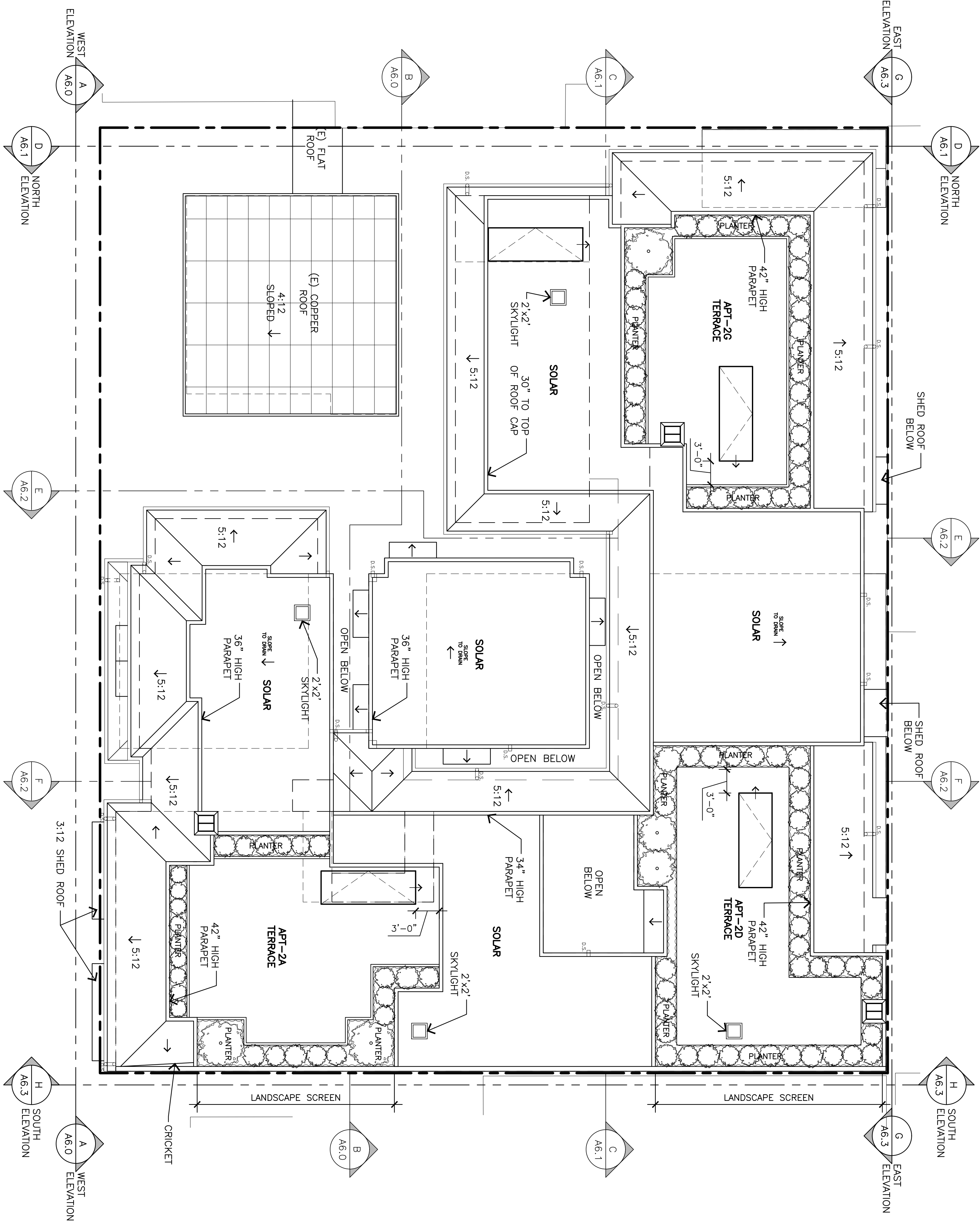
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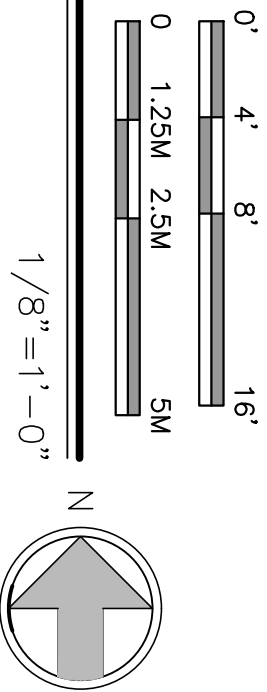
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ROOF PLAN

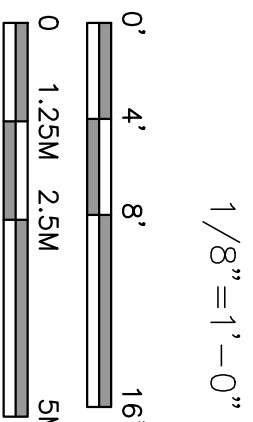


Attachment B

Project Demolition Plan

HISTORIC BLDG. PROTECTION PLAN KEYNOTES

1. CONSTRUCT BARRICADE WALL TO CLOSE OPENING OF (E) BUILDING PRIOR TO ANY DEMOLITION WORK.
2. PROVIDE FULL HEIGHT VINYL SHEET TO WALL FOR DUST PROTECTION. ALSO IT SHALL SEAL DOORS, WINDOWS & OTHER OPENINGS PRIOR TO ANY DEMOLITION WORK.
3. CONSTRUCT 6" HIGH SELF-SUPPORTING PLWOOD BARRICADE WALL
4. ITEM 3 OVER ITEM 2. DEVELOPMENT TEAM SHALL DESIGN THIS WALL W/O ANY ATTACHMENTS TO (E) BUILDING.



DEMO. SITE PLAN

DOLORES STREET

A1.1

SITE DEMO & HISTORIC BLDG. PROTECTION PLAN

Attachment C
Project Land Use
Tabular Summary

JB Pastor - Unit Matrix

Commercial Unit Matrix		
Unit	SF	Notes
101	784	
102	820	
103	794	
104	1,546	
105	595	458 SF of enclosed space, 137 outdoor patio.
106	501	
107	692	This is an existing building & it will remain. Currently used for by the 7th and Dolores restaurant.
Total	5,732	

Basement (MEP and Restrooms)		
Unit	SF	Notes
basement	167	Men's Restroom
basement	189	Women's Restroom
basement	58	Elevator
basement	40	Elevator Machine Room
basement	156	MEP
basement	181	Lobby
basement	18	Janitor
Total	809	

Residential Matrix					
Unit	SF	Notes	Terrace?	Bed	Bath
2A	1,714		Yes	2	1
2B	843		No	1	1
2C	669		No	1	1
2D	1,228		Yes	2	1
2E	551		No	1	1
2F	551		No	1	1
2G	1,117		Yes	2	1
2H	570		No	1	1
Total	7,243				

Currently existing onsite and will be demolished		
Unit	SF	Notes
Unit A	600	Bureau Vintage Property Management - 1-Story Building
Unit B	1600	Signature Day Spa - 1st Floor
Unit C	1600	Residential Tenant - 2nd Floor

*Note - Commercial Unit 107 above is an existing building which will remain.

A. TRIP GENERATION RATES											
Institute of Transportation Engineers (ITE) Land Uses	ITE LAND USE CODE	WEEKDAY									
		AM PEAK HOUR					PM PEAK HOUR				
		DAILY TRIP RATE	PEAK HOUR RATE	% OF ADT	% IN	% OUT	PEAK HOUR RATE	% OF ADT	% IN	% OUT	
1. Multi-Family Housing (per dwelling unit)	220	6.74	0.40	6%	24%	76%	0.51	8%	63%	37%	
2. Small Office (per 1,000 sq. ft.)	712	14.39	1.67	12%	82%	18%	2.16	15%	34%	66%	
3. Variety Store (per 1,000 sq. ft.)	814	63.66	3.04	5%	55%	45%	6.70	11%	51%	49%	
4. Hair Salon	918	15.125	1.21	8%	83%	17%	1.45	10%	17%	83%	
5. Fine Dining Restaurant	931	83.84	0.73	1%	70%	30%	7.80	9%	67%	33%	
6. Basement Storage Areas - Prorated to Variety Store and Restaurant	N.A.										

B. PROPOSED PROJECT TRIP GENERATION												
B1. Proposed Non-Residential Land Use Summary												
Unit	Land Use	Net Floor Area	Gross Floor Area									
101	Variety Store	784 sq. ft.	895 sq. ft.									
102	Variety Store	820 sq. ft.	936 sq. ft.									
103	Variety Store	794 sq. ft.	906 sq. ft.									
104	Variety Store	1,546 sq. ft.	1,764 sq. ft.									
105	Variety Store	595 sq. ft.	679 sq. ft.									
106	Variety Store	501 sq. ft.	572 sq. ft.									
107	Fine Dining Restaurant	692 sq. ft.	790 sq. ft.									
Total Net Floor Area		5,732 sq. ft.										
Basement		809 sq. ft.										
Total Gross Floor Area			6,541 sq. ft.									
B2. Proposed Non-Residential Trip Generation												
10t through 106	Variety Store - Gross Trips	5,751 sq. ft.	366	17	5%	9	8	39	11%	20	19	
- Net Trips (34% Pass-by)			242	11	5%	6	5	26	11%	13	13	
107	Fine Dining Restaurant - Gross Trips	790 sq. ft.	66	1	2%	1	0	6	9%	4	2	
- Net Trips (44% Pass-by)			37	1	3%	1	0	3	8%	2	1	
a. Proposed Project Non-Residential Gross Trips		6,541 sq. ft.	432	18	4%	10	8	45	10%	24	21	
b. Proposed Project Non-Residential Net Trips			279	12	4%	7	5	29	10%	15	14	
B3. Proposed Residential Trip Generation												
2A thru 2H	Multi-Family Residential - Gross Trips	8 Units	54	3	6%	1	2	4	7%	3	1	
- Net Trips (10% Internal)			49	3	6%	1	2	4	8%	2	1	
B4. PROPOSED PROJECT TOTAL TRIP GENERATION												
a. Gross Trips			486	21	4%	11	10	49	10%	27	22	
b. Net Trips			328	15	4%	8	7	33	10%	17	15	

C. EXISTING SITE TRIP GENERATION												
EXISTING USES	LAND USE CODE	PROJECT SIZE	WEEKDAY									
			AM PEAK HOUR					PM PEAK HOUR				
			DAILY TRIPS	PEAK	%	TRIPS IN	TRIPS OUT	PEAK TRIPS	%	TRIPS IN	TRIPS OUT	
				HOUR TRIPS	OF ADT				HOUR OF			ADT
1. Unit 107 - Existing Fine Dining Restaurant	931	692 sq. ft.	58	1	2%	1	0	5	9%	3	2	
2. Unit A - Bureau Vintage Property Management (Small Office)	712	1,600 sq. ft.	23	3	13%	2	1	3	13%	1	2	
3. Unit B - Signature Day Spa - 1st Floor (Hair Salon)	918	1,600 sq. ft.	24	2	8%	2	0	2	8%	0	2	
4. Unit C - Residential Tenant - 2nd Floor	1 Unit		7	0	0%	0	0	1	14%	1	0	
Existing Project Non-Residential Gross and Net Trips		2,292 sq. ft.	112	6	5%	5	1	11	10%	5	6	

D. PROJECT TRIP GENERATION INCREASE ABOVE EXISTING											
Total Proposed Trips minus Existing Trips											
a. Gross Trips			374	15	4%	6	9	38	10%	22	16
b. Net Trips			216	9	4%	3	6	22	10%	12	9

Notes:

1. Trip generation rates are referenced from "Trip Generation Manual," Institute of Transportation Engineers (ITE), 11th Edition, 2021.
2. Trip generation rates are based on gross floor area, including storage, halls, restrooms, mechanical spaces, etc.
3. Gross Trips are total driveway trips including vehicles already passing by the site. Net trips are new trips on adjacent streets.
4. Passby rates are referenced from "Trip Generation Handbook," Institute of Transportation Engineers (ITE), 3rd Edition, 2017.
5. sq. ft. = square feet
6. Basement Storage Area - Prorated and added to Variety Stores Indoor Space to estimate gross floor areas.

JUN A. SILLANO, AIA


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STAMPS:

PROJECT/CLIENT:

 JB PASTOR
 BUILDING

PROJECT ADDRESS:

 DOLORES, 2ND SE
 OF 7TH
 CARMEL, CA
 93921

 APN: 010-145-012
 022, & 023

DATE: NOVEMBER 21, 2024

P.C. SUBMITTAL

REVISIONS:

12/19/24	PLAN UPDATE
2/7/25	REV. PER PLANNER COMMENTS

 SITE
 PLAN

SHEET NO.

A1.0

PLANNING INFO.

- **PROPERTY OWNER:**
 ESPERANZA CARMEL COMMERCIAL, LLC
 ATTN: RYAN AESCHLIMAN
 7TH NW OF LINCOLN
 CARMEL-BY-THE-SEA, CA 93921
- **ARCHITECT**
 INTERNATIONAL DESIGN GROUP LLC
 JUN A. SILLANO, AIA
 JUN@IDG-INC.NET
 PHONE: (831) 646-1261
- **PROJECT ADDRESS:**
 DOLORES ST.
 2 SE OF 7TH AVE.
 CARMEL-BY-THE-SEA, CA 93921
- **PROJECT SCOPE:**
 DEMOLITION OF 2 EXISTING BUILDINGS. NEW CONSTRUCTION FOR GROUND FLOOR PARKING GARAGE, COMMERCIAL SPACES ON GROUND FLOOR, & 8 RESIDENTIAL APARTMENTS ON 2ND FLOOR; 3 BEDROOM UNITS W/ ROOF TOP DECK
- **OCCUPANCY:** A-2, B, M, R-2, S-2
- **CONST. TYPE:** V-B, TYPE I-GARAGE
- **A.P.N.** 010-145-012, 023, & 024
- **LEGAL DESC.:** LOTS: 6, 8, & 10 BLOCK: 91
- **ZONE:** SC (SERVICE COMMERCIAL)
- **STORIES:** 2 + BASEMENT
- **MAX BLDG. HT:** 30 FT ALLOWED
- **CUT/FILL:** SEE CIVIL DRAWINGS
- **TREE REMOVAL:** SEE A1.1
- **TOPOGRAPHY:** SEE TOPOGRAPHIC MAP, SHEET 1 OF 1
- **PROJECT CODE COMPLIANCE:**
 2023 CBC, CMC, CPC, CFC, CEC, CALIFORNIA GREEN BUILDING CODE & 2023 CALIFORNIA ENERGY CODE
- **LOT AREA:** 12,000 S.F. (0.276 AC.)
- **BUILDING COVERAGE ALLOWED:**
 17.14.130
 A. EXCEPTIONS MAY BE GRANTED UP TO A MAXIMUM BUILDING COVERAGE OF 95 PERCENT = 95% (11,400 SF)
- **BUILDING COVERAGE CALCULATIONS**
- | | EXISTING TO BE REMOVED | EXISTING TO REMAIN | PROPOSED |
|-------|------------------------|--------------------|------------|
| TOTAL | -2,269 S.F. | 692 S.F. | 9,433 S.F. |
- TOTAL: EXISTING TO REMAIN + PROPOSED = 9,433 SF (78.61%)
- **FLOOR AREA RATIO (FAR) ALLOWED:**
 FOR 2 STORIES = 135% (16,200 S.F.)
- **FAR CALCULATIONS**
- | | EXISTING TO BE REMOVED | EXISTING TO REMAIN | PROPOSED |
|--------------|------------------------|--------------------|-------------|
| GROUND FLOOR | -2,269 S.F. | 691 S.F. | 6,046 S.F. |
| SECOND FLOOR | -1,597 S.F. | | 7,546 S.F. |
| TOTAL | -3,866 S.F. | 691 S.F. | 13,592 S.F. |
- TOTAL: EXISTING TO REMAIN + PROPOSED = 13,592 (113.26%)
- **NOT INCLUDED IN FAR CALCULATIONS**
- | | EXISTING | PROPOSED |
|----------|----------|----------|
| BASEMENT | 0 | 852 S.F. |

- **PARKING REQUIREMENTS**
COMMERCIAL RETAIL REQ. 1 PER 600 SQ. FT.
 $5339.14 / 600 \text{ S.F.} = 8.9 = 9 \text{ SPACES}$
RESIDENTIAL REQUIRES 1 PER UNIT
 $8 \text{ UNITS} = 8 \text{ SPACES}$
TOTAL REQ. = 17 SPACES
- ACCESSIBILITY REQ.**
 VAN PARKING REQ. = 1 PER 25 SPACES
- TOTAL REQ. =**
 9 COMPACT PARKING SPACES
 8 STANDARD PARKING SPACES
 1 ACCESSIBLE VAN PARKING SPACES
 18 SPACES
- TOTAL PROVIDED =**
 10 COMPACT PARKING SPACES
 1 STANDARD PARKING SPACES
 1 ACCESSIBLE VAN PARKING SPACES
 12 SPACES

SHEET INDEX

- ARCHITECTURAL**
 A1.0 SITE PLAN
 A1.1 TOPOGRAPHICAL SURVEY
 A1.2 SITE DEMO & HISTORIC BLDG. PROTECTION PLAN
 A1.3 EXISTING, F.A.R. & BUILDING COVERAGE DIAGRAMS
 A1.4 HISTORIC PRESERVATION CONDITIONS
 A2.0 BASEMENT PLAN
 A3.0 GROUND FLOOR PLAN
 A4.0 2ND FLOOR PLAN
 A5.0 ROOF PLAN
 A6.0 ELEVATIONS
 A6.1 ELEVATIONS & SECTIONS
 A6.2 ELEVATIONS & SECTIONS
 A6.3 ELEVATIONS & SECTIONS
 A6.4 ELEVATIONS & SECTIONS
 A6.5 ADJACENT BUILDING SECTION
 A8.1 STREETSCAPES
 A8.2 MASSING STUDY
 A9.2 COLOR & MATERIAL BOARD
 A10.1 INSPIRATION IMAGES
 A10.2 INSPIRATION IMAGES
- CIVIL**
 C1 COVER SHEET
 C2 GRADING & DRAINAGE PLAN - GROUND LEVEL
 C3 GRADING SECTIONS A-C
 C4 GRADING SECTIONS D-F
 C5 UTILITY PLAN - GROUND LEVEL
 C6 GRADING, DRAINAGE, & UTILITY PLAN - BASEMENT LEVEL
 C7 STORM WATER CONTROL PLAN
 C8 EROSION & SEDIMENT CONTROL PLAN
 C9 CONSTRUCTION MANAGEMENT PLAN
- LANDSCAPE**
 L1.0 STREET LEVEL LANDSCAPE PLAN
 L1.1 ROOF & 2ND LEVEL LANDSCAPE PLAN
 L1.2 LANDSCAPE DETAILS & PLANT PICTURES
 L1.3 LANDSCAPE DETAILS & PLANT PICTURES
- ELECTRICAL**
 E0.1 SYMBOLS, ABBREVS., LIGHT FIXTURE SCHEDULE, CODES, & SHEET INDEX
 E0.2 CALIFORNIA ENERGY COMPLIANCE TITLE 24
 E2.1 ELECTRICAL SITE PLAN
 E5.1 LIGHTING PLAN
 E5.2 PHOTOMETRIC STUDY

FOREST & BEACH COMMISSION NOTES:

 TOTAL SIZE OF OPEN SPACE:
 AREA: 2,578 S.F.

 LANDSCAPING AREA REQUIRED:
 50% OF OPEN SPACE = $2,578 / 2 = 1,289 \text{ S.F.}$

 PLANT ALTERNATIVES ALLOWED:
 $1,289 \times 0.25 = 322.25 \text{ S.F.}$

 LANDSCAPE AREA REQUIRED W/ 25% PLANT ALTERNATIVES:
 $1,289 - 322.25 = 966.75 \text{ S.F.}$

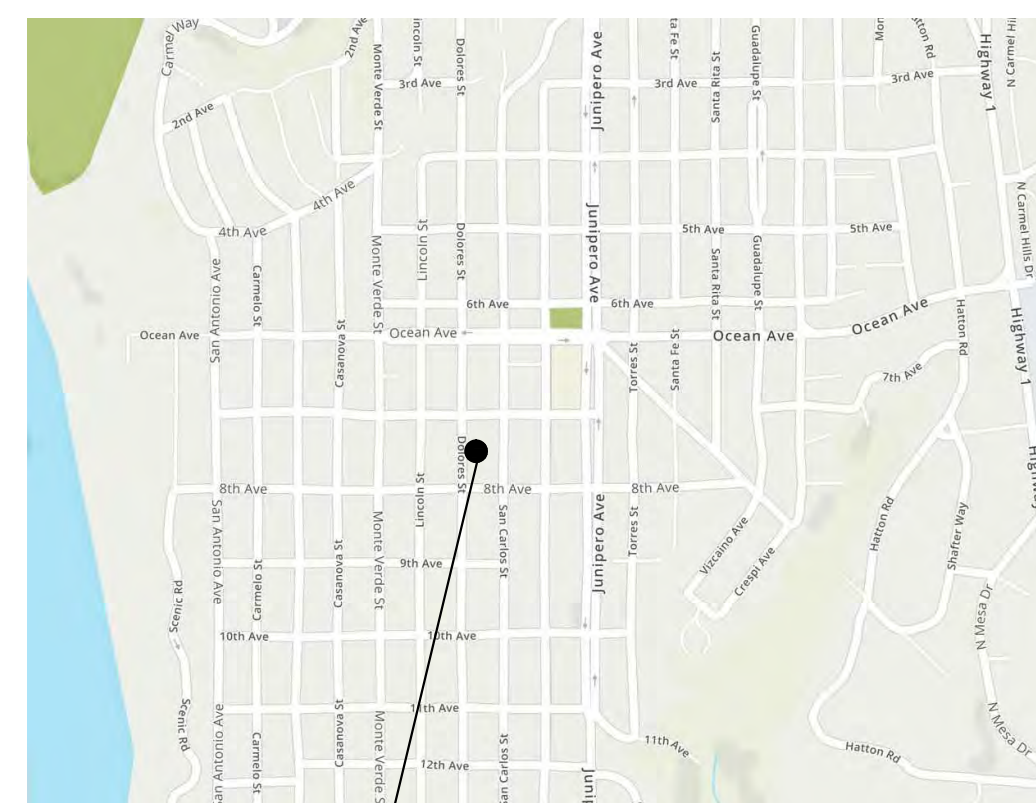
 PLANT LANDSCAPE AREAS PROVIDED:
 GROUND FLOOR: 388.4 S.F.
 2ND LEVEL: 171.6 S.F.
 GREEN ROOF: 935.6 S.F.
 TOTAL: 1,495.6 S.F.

 PLANT ALTERNATIVE AREAS PROVIDED:
 GARDEN BENCHES: 56.5 SF

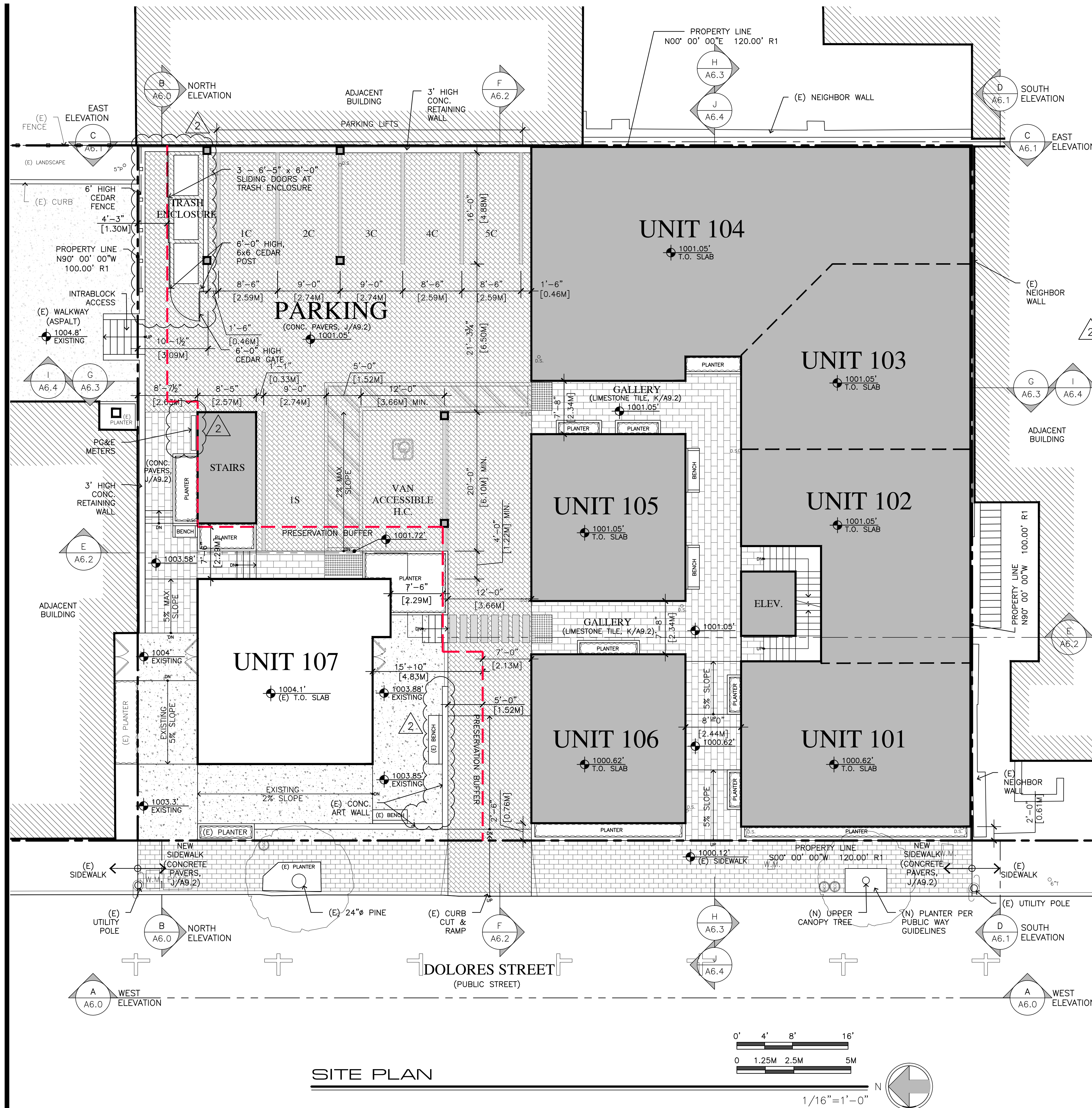
 TREE SUMMARY:
 (E) UPPER CANOPY TREE ON PUBLIC PROPERTY: 1
 NEW UPPER CANOPY ON PUBLIC PROPERTY: 2
 TOTAL: 3

 LOWER CANOPY TREES ON ROOF: 4
 (SEE SHEET A5.0)

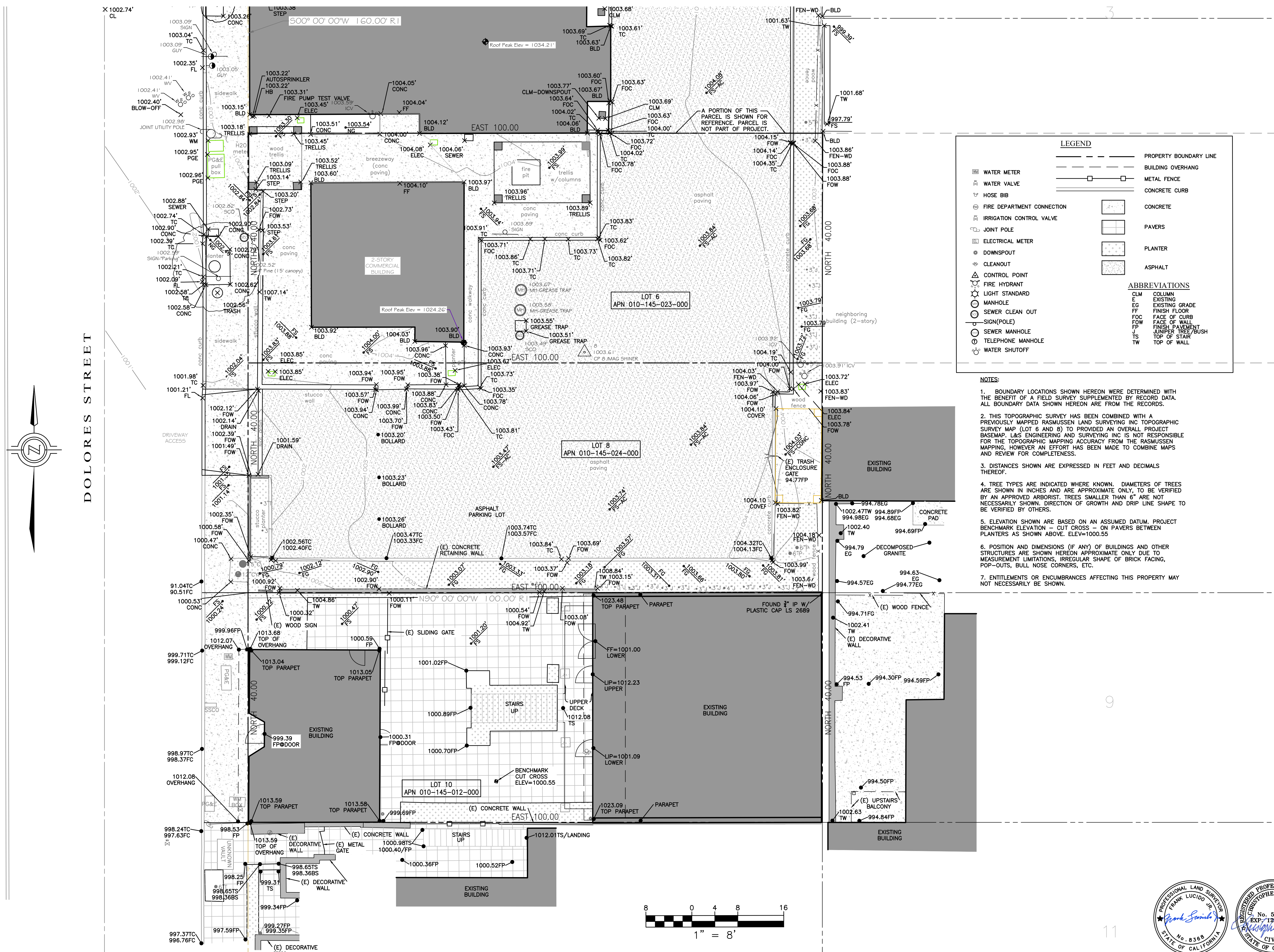
VICINITY MAP



LOCATION OF PROJECT



SITE PLAN

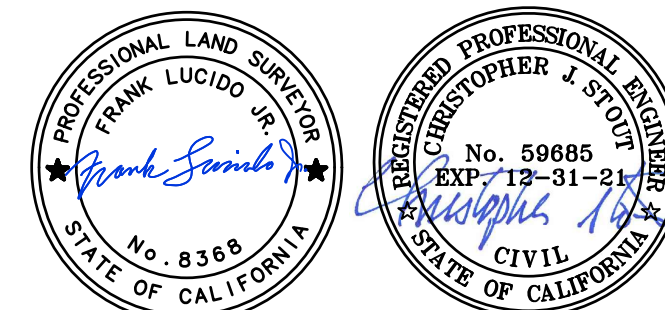


DRAWN BY: PIM
 DESIGNED BY: N/A
 DATE: 12/21/18
 SCALE: 1" = 8'
 JOB NUMBER: 19-47
 LAST REVISED: 7/27/20
 REVISED BY: CJS

PREPARED FOR:
 INTERNATIONAL DESIGN GROUP, INC.
 721 LIGHTHOUSE AVE
 PACIFIC GROVE, CA

TOPOGRAPHIC SURVEY
 DOLORES, 2SE OF 7TH
 LOTS 6, 8, & 10
 CARMEL-BY-THE-SEA

SHEET 1
 OF
 1 SHEET



JUN A. SILLANO, AIA



721 LIGHTHOUSE AVE
PACIFIC GROVE CA.
93950

PH ■ (831) 646-1261
FAX ■ (831) 646-1290
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WEB ■ idg-inc.net

DISCLAIMER:
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STAMPS:

PROJECT/CLIENT:

JB PASTOR
BUILDING

PROJECT ADDRESS:

DOLORES, 2ND SE
OF 7TH
CARMEL, CA
93921

APN: 010-145-012
022, & 023

DATE: NOVEMBER 21, 2024

P.C. SUBMITTAL

REVISIONS:

12/19/24
PLAN UPDATE
2/7/25
REV. PER PLANNER COMMENTS

EXITING, F.A.R. &
BUILDING COVERAGE
DIAGRAMS

SHEET NO.

A1.2

EXIT ANALYSIS

BASEMENT

TYPE S-3 OCCUPANCY	
LOBBY	= 189.73 SF
JANITOR CLOSET	= 18.28 SF
MEN'S RESTROOM	= 183.54 SF
WOMEN'S RESTROOM	= 206.00 SF
ELEVATOR	= 57.64 SF
ELEVATOR MECHANICAL	= 40.33 SF
MECHANICAL/ELECTRICAL	= 156.00 SF
TOTAL	= 851.52 SF/300 GROSS = 2.84 = 3 OCCUPANTS

S-3 OCCUPANT LOAD = 3 OCCUPANTS > 1 EXITS REQUIRED

EXIT WIDTH REQUIRED:
3 X 0.2" = 0.6" @ DOOR > 72" PROVIDED
3 X 0.3" = 0.9" @ STAIR > 88" PROVIDED

GROUND FLOOR

TYPE M OCCUPANCY (MERCANTILE) 60 SF GROSS = OCCUPANTS

CALCULATED FOR TYPE M	
UNIT-101	= 722.78 SF
UNIT-102	= 768.5 SF
UNIT-103	= 754.31 SF
UNIT-104	= 1,543.77 SF
UNIT-105	= 461.43 SF
UNIT-106	= 467.43 SF
TOTAL	= 4,718.22 SF/60 GROSS = 78.64 = 79 OCCUPANTS

TYPE A-2 OCCUPANCY (ASSEMBLY) 15 SF GROSS = OCCUPANTS

UNIT-107	= 621 SF
TOTAL	= 621 SF/15 GROSS = 41.39 = 42 OCCUPANTS

A-2 + M OCCUPANT LOAD = 121 OCCUPANTS > 2 EXITS REQUIRED > 61 OCCUPANTS EACH

EXIT WIDTH REQUIRED:
61 X 0.2" = 12.2" @ DOOR > 72" PROVIDED
61 X 0.3" = 18.3" @ STAIR > 88" PROVIDED

2ND FLOOR

TYPE R-2 OCCUPANCY	
APARTMENT-2A	= 1,660.8 SF
APARTMENT-2B	= 1,322.8 SF
APARTMENT-2C	= 1,188.09 SF
APARTMENT-2D	= 576.6 SF
APARTMENT-2E	= 476.63 SF
APARTMENT-2F	= 476.63 SF
APARTMENT-2G	= 476.63 SF
APARTMENT-2H	= 626.37 SF
TOTAL	= 6,804 SF/200 GROSS = 34.02 = 35 OCCUPANTS

R-2 OCCUPANT LOAD = 35 OCCUPANTS > 2 EXITS REQUIRED > 18 OCCUPANTS EACH

EXIT WIDTH REQUIRED:
18 X 0.2" = 3.6" @ DOOR > 72" PROVIDED
18 X 0.3" = 5.4" @ STAIR > 88" PROVIDED

F.A.R. CALCULATIONS

GROUND FLOOR		FAR BY BUILDING:	
BUILDING 1	= 4,212 SF	BUILDING 1:	
BUILDING 2	= 1,213 SF	BUILDING 2:	
BUILDING 3 (EXISTING)	= 621 SF	BUILDING 3 (EXISTING):	
TOTAL	= 6,046 SF		
2ND FLOOR			
BUILDING 1	= 5,332 SF		
BUILDING 2	= 2,214 SF		
TOTAL	= 7,546 SF		

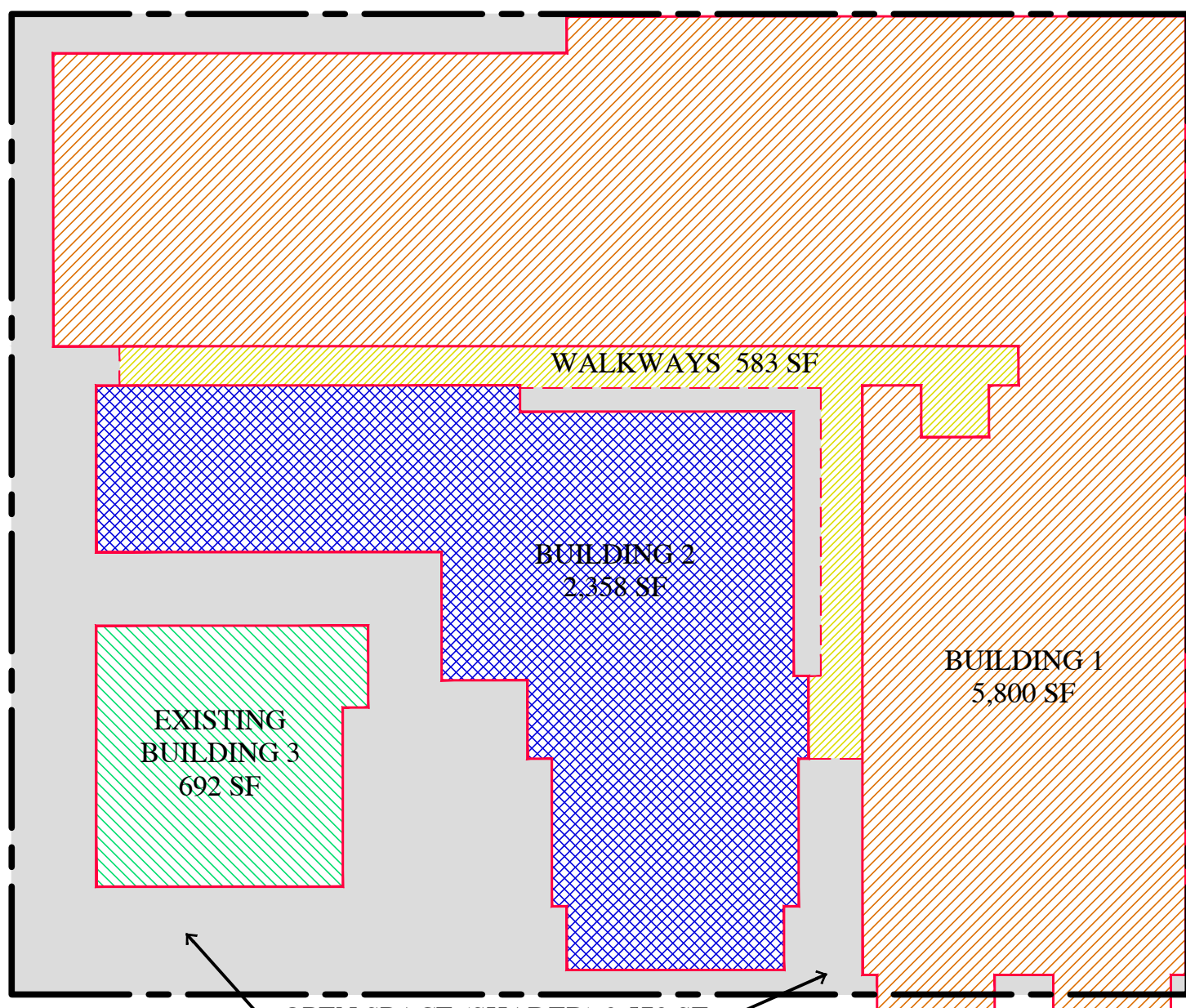
GROUND FLOOR + 2ND FLOOR (6,046 + 7,546) = 13,592 SF

13,592 / 12,000 = 113.27%

BUILDING COVERAGE SUMMARY

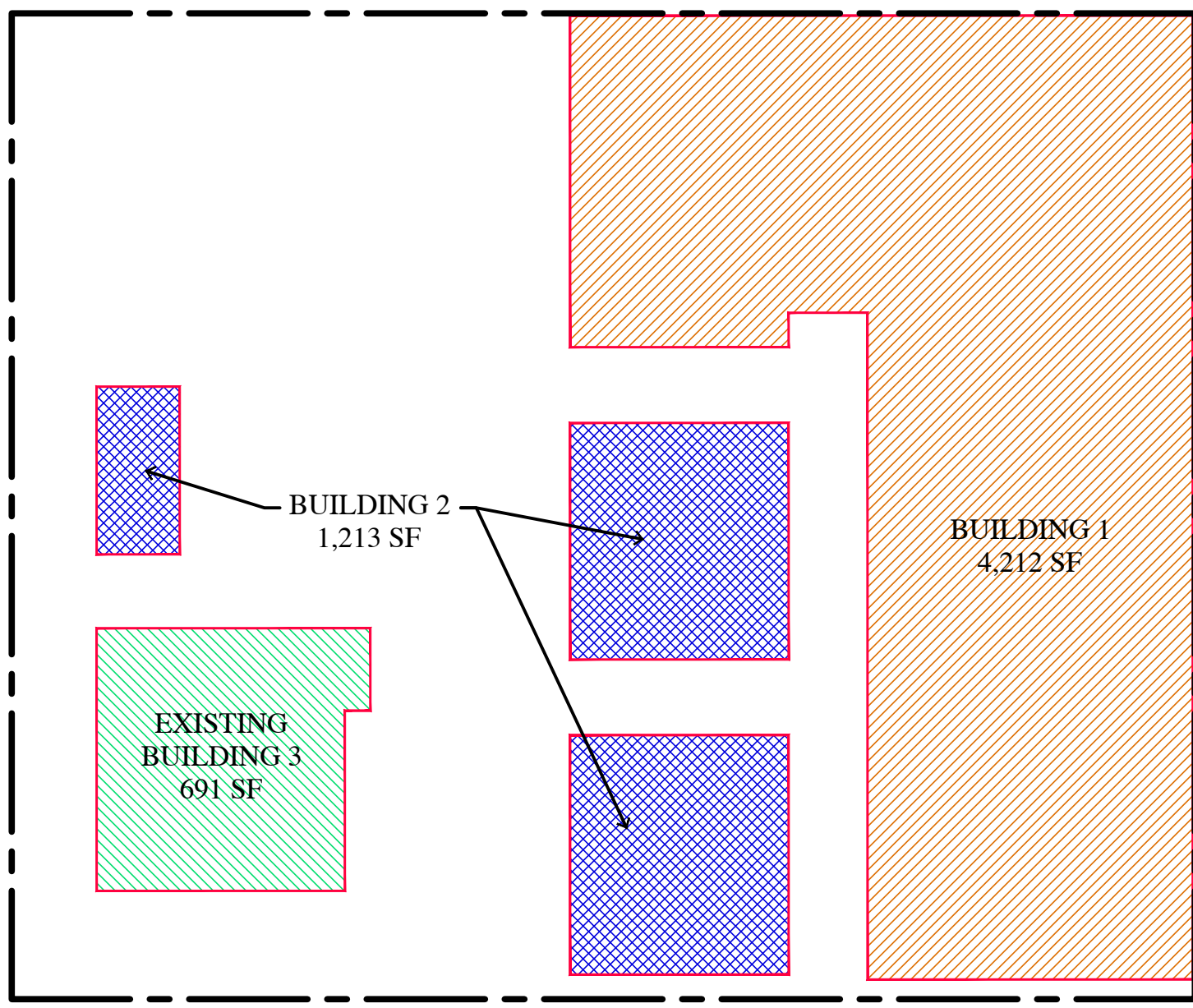
BUILDING COVERAGE	
BUILDING 1	= 5,800 SF
BUILDING 2	= 2,358 SF
BUILDING 3 (EXISTING)	= 692 SF
WALKWAYS	= 583 SF
TOTAL	= 9,433 SF

9,242 / 12,000 = 78.61%



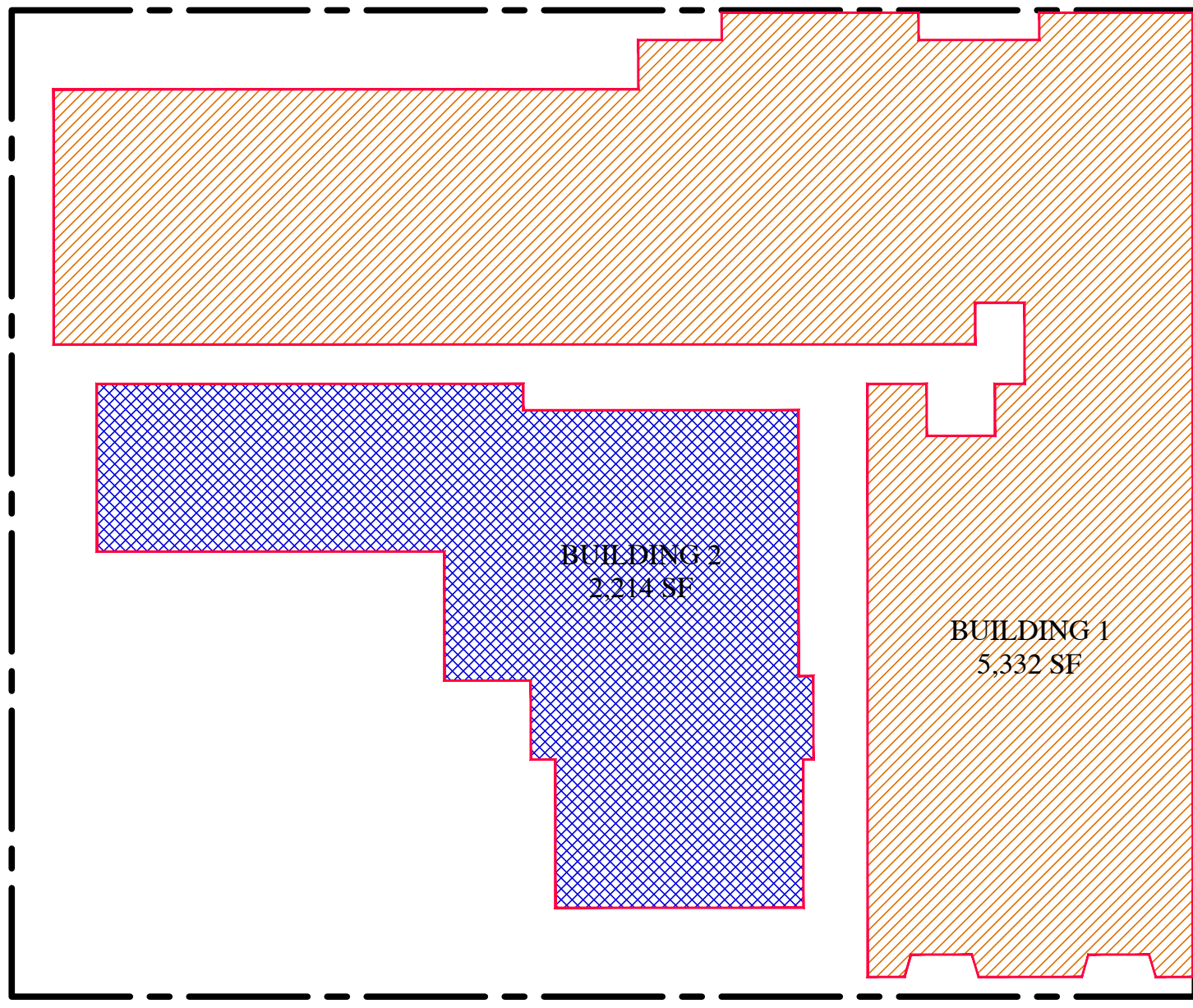
BUILDING COVERAGE

1/16"=1'-0"



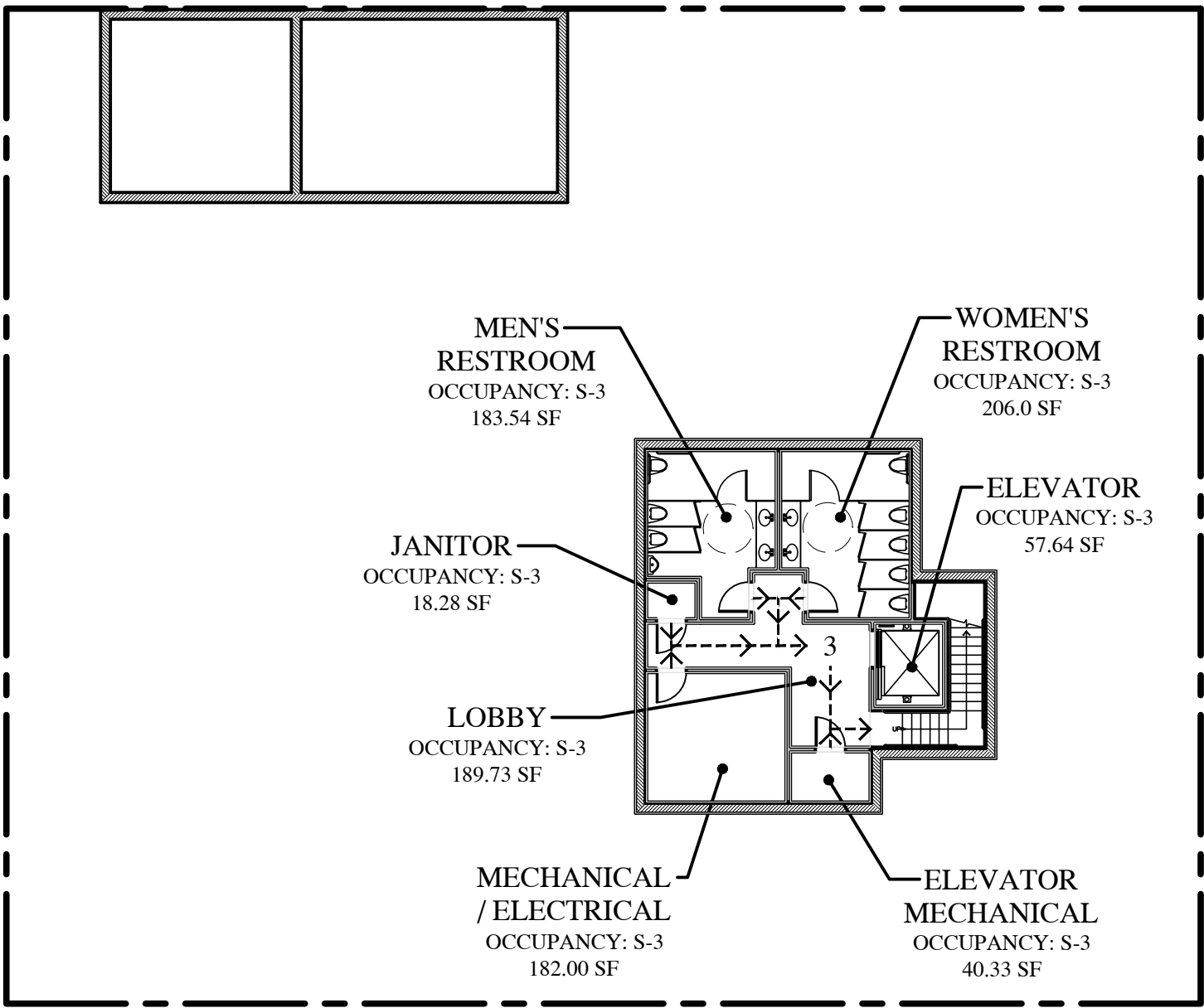
F.A.R. - GROUND FLOOR

1/16"=1'-0"



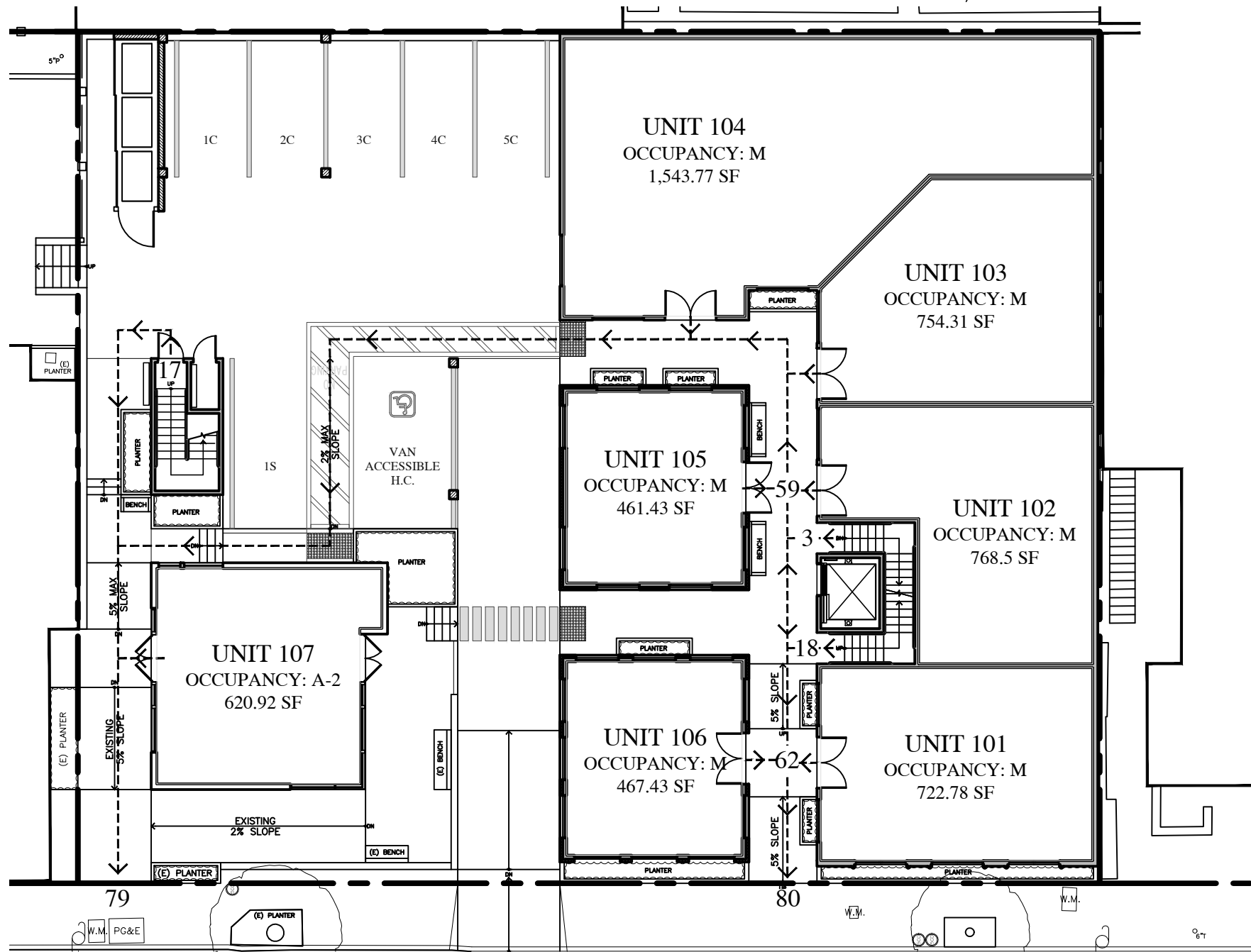
F.A.R. - 2ND FLOOR

1/16"=1'-0"



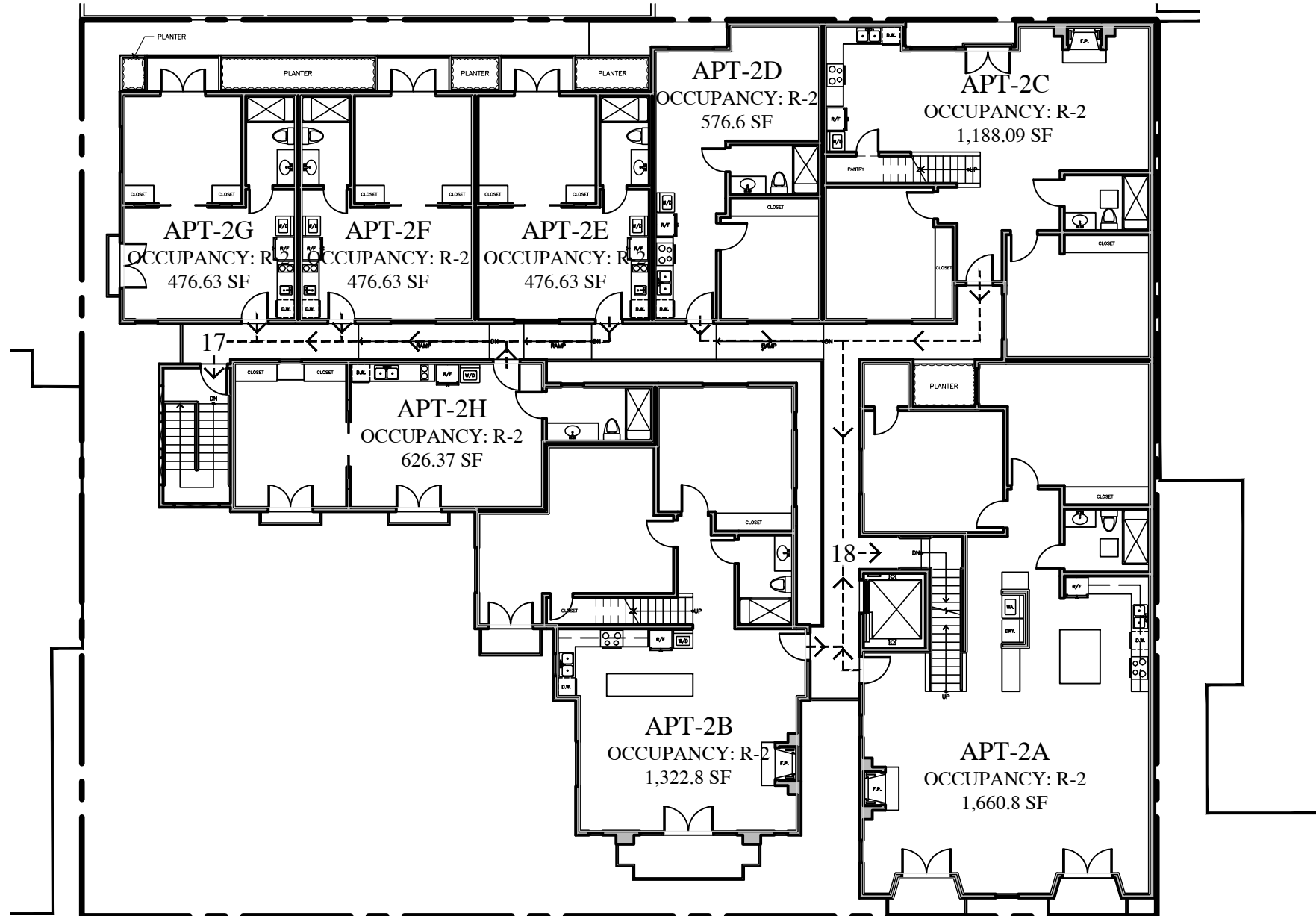
EXITING - BASEMENT PLAN

1/16"=1'-0"



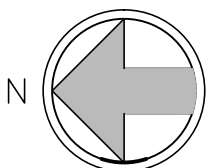
EXITING - GROUND FLOOR

1/16"=1'-0"



EXITING - 2ND FLOOR

1/16"=1'-0"





IDENTIFYING AND AVOIDING RISKS FROM ADJACENT CONSTRUCTION

Valued for their ability to convey the past through existing materials and features, historic buildings must also survive in an ever-changing present. That change is often characterized by new building construction and demolition activities on neighboring sites. Whether it is the modest renovation of an existing building or the demolition of an existing structure and construction of a new high rise, physical damage to an adjacent historic building may occur. It is important for both the historic property owner and those responsible for the neighboring work to give careful consideration to the potential risks. Early planning offers the opportunity to identify these risks and determine successful ways to avoid them.

Problem

The forces that contribute to the deterioration of a historic building, from atmospheric pollutants to the footsteps of visitors, often take decades and even centuries to exact their toll. Demolition activities and new construction on neighboring sites, however, can cause immediate harm to the physical integrity of a historic structure. In the instant it takes an improperly planned excavation blast to crack the foundation of an adjacent historic structure, or for a

steel beam to be dropped from a construction crane onto its roof, significant damage may occur. Additionally, adjacent construction work can expose the neighboring historic building to concentrations of dust, vibration and fire hazards that would normally be experienced only over the course of many years.

These concerns are often overlooked when a project is undertaken next to historic resources. In some situations, the historic property manager may be unaware of the nature and extent of work at an neighboring site. In other cases, the new construction team is not familiar with the particularly fragile character of the neighboring historic structure or decides to repair any damage after the fact rather than avoiding it from the beginning.

Solution

Effective planning and protective measures initiated before construction takes place can prevent most of the damage that may occur to adjacent historic buildings. Depending upon the nature of the project, protective measures may be limited to documenting and monitoring the historic structure or may encompass a broader plan that includes encasing windows, indepen-

dent review of excavation procedures and a range of other precautions. Cooperation between all parties can help to ensure that construction activity continues without interruption and that the neighboring historic building is preserved unharmed.

The information provided in this *Tech Note* can serve as a basis for discussions between the historic property manager and the developer of the adjacent site aimed at ensuring the protection of the historic building in a cost-effective manner. This guidance is also applicable where new construction is undertaken on the same site as the historic structure.

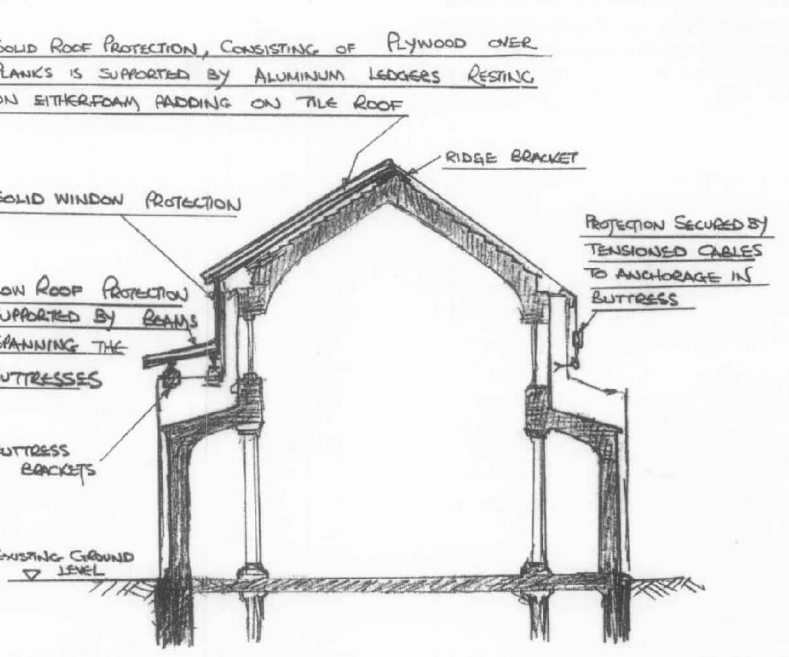
Although adjacent construction work often poses a more direct threat than the incremental impacts of weather or pollution, the best defense for both situations is that buildings be in good condition. A well maintained structure with tight mortar joints, strong connections between interior and exterior walls, solid foundations and sound plaster is at less risk from neighboring activity than a neglected structure.

Providing adequate protection involves the following steps: 1. consultation between the historic building owner and development team to identify potential risks, negotiate changes and agree upon protective measures; 2. documentation of the condition of the historic building prior to adjacent work; 3. implementation of protective measures at both the construction site and the historic site; and 4. regular monitoring during construction to identify damage, to evaluate the efficacy of protective measures already in place, and to identify and implement additional corrective steps.

Consultation

Early consultation between the historic property owner and the developer of the neighboring construction site is the first and often most important step. Establishing such contact has many advantages. Consultation provides the foundation for a mutually beneficial relationship that is cooperative rather than adversarial. The consultation gives the historic site owner an opportunity to become familiar with the scope of the impending project and for the development team to understand the historic structure's vulnerabilities. Consultation permits all parties a chance to propose, discuss, and negotiate changes to the construction plan that reduce the risk of damaging adjacent historic

Figure 1. Before new construction was undertaken on the left of this church, a subcontractor was hired to design a protective system for the tile roof and clerestory windows. Drawing: Alan Shadler, Universal Builders Supply, Inc.



PRESERVATION Tech Notes

TEMPORARY PROTECTION NUMBER 3

Protecting a Historic Structure during Adjacent Construction

Chad Randl
Technical Varying Risks
National Park Service

When historic structures are exposed to adjacent construction or demolition work, a protective plan including documentation, monitoring and specific safeguards should be implemented to prevent damage and loss of historic fabric.

tractor should be discussed and arranged to minimize disruptions to the historic site.

Documentation

A crucial step following consultation with the developer is to document the existing condition of the historic structure. Such an investigation provides a "baseline" from which changes to the building during the adjacent construction can be identified, monitored and assessed. Like the consultation process, thorough documentation benefits both the historic property owner and the developer. For the former, it may be used to substantiate claims that damage occurred as a result of the neighboring construction work by illustrating the previously sound condition of the historic building. If the damage existed prior to construction work, the record can show that it was not caused by the developer's negligence. In the case of future litigation, the documentation record can serve as evidence along with the testimony of the professional who undertook the assessment.

Both parties should ensure that the documentation is objective and accurate. Joint surveys, in which both the developer and the historic property owner participate or sign off on noted conditions, are most likely to ensure that the resulting data are not in dispute. When the developer pays for the assessment, it is advisable that an independent professional be hired and that the survey results be accessible.

Information obtained through documentation can also be used in formulating a protection plan for the historic building. By characterizing existing damage and exposing potential weaknesses, the documentation process identifies areas of the structure that may require additional protection as well as appropriate locations for monitoring equipment. Features that should receive particular attention during visual inspections would also be highlighted. Although a formal building condition survey including analysis, repair proposals and cost estimates is not necessary, the property owner may find that the disruptive period during adjacent work provides an opportune time for a thorough survey program.

Documentation of existing conditions should take the form of written descriptions, 35mm color photographs and/or a videotape recording. Photographs should show both the interior and exterior of the building, with

close-up images of cracks, staining, indications of settlement or other fragile conditions. A complete interior and exterior crack survey should be undertaken to identify and characterize existing cracks (see Figure 2). Their locations can then be plotted on a drawing of each wall or ceiling surface. While identifying every hairline crack may be impractical in a large building or one that exhibits a great deal of preexisting damage, the more thorough the documentation records the better. The condition of features such as arches, chimney stacks and parapet walls determined by the engineer to be particularly susceptible to distress should also be recorded even when no damage is apparent.

Common Risks and Measures

Each instance of new construction or demolition next to an existing historic structure will involve varying risks to that structure. The proximity of the historic site to the project and the scope of the project are two of the most significant variables. Construction of a high rise building with deep foundations is more likely to affect a neighbor's historic structure than the rehabilitation of a nearby rowhouse. However, the converse may be true if the rowhouse is

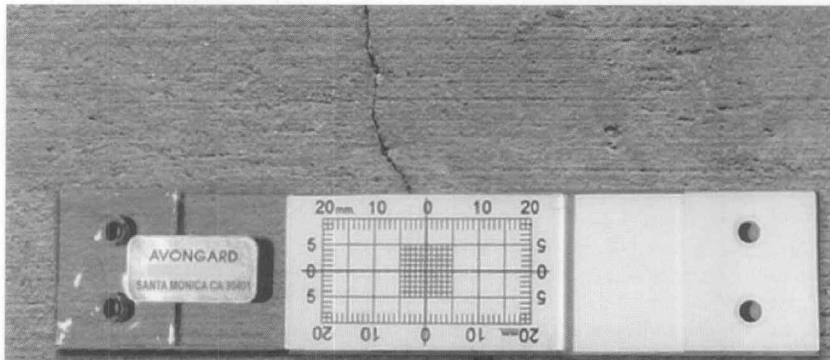


Figure 2. With advanced notice of adjacent construction activity, a crack monitor can be used to determine whether existing cracks in the historic building are stable or still experiencing movement. Compared with measurements taken during the monitoring phase, such information can help determine if subsequent movement resulted from work on the neighboring site. Photo: Avangard Products U.S.A., Ltd.

building. New construction almost invariably calls for digging a foundation that is much deeper than the foundations of neighboring historic buildings. This is especially true for projects that include underground parking facilities. A historic street, with a shallow masonry or stone foundation and wall footings, may experience corresponding displacement that can result in major structural damage.

Efforts to control movement should begin during the consultation phase. Whether the developer selects underpinning or strengthened excavation walls with tie backs as the means to resist movement of the adjacent structure, the historic building owner should retain its own engineer to review the plans (see Figure 3). The consulting engineer should ensure that the selected approach addresses the unique characteristics and vulnerabilities of the historic structure and that even incidental movement is restricted.

Water

A well functioning water drainage system is essential to the protection of any historic structure. This system can easily be rendered ineffective by neighboring construction or demolition work. Debris originating at the construction site often finds its way to the gutters, downspouts and drains of an



Figure 3. Concrete pier underpinning to an existing building may be necessary when adjacent construction occurs. In this example, piles are hand dug beneath the foundation of the historic building to provide support for new concrete. After the concrete is poured into the holes, the top of the pier and the bottom of the original foundation is packed with a quicksetting grout. The historic building owner should retain an independent engineer to ensure that the underpinning plan adequately protects the historic structure. Photo: Professor Arpad Horvath, Department of Civil and Environmental Engineering, University of California, Berkeley.

Movement

Excavation and foundation work can also cause ground displacement and movement of an adjacent historic

information passed on to the appropriate contractors. Final landscaping and grading patterns on adjacent construction sites should be examined to ensure that rainwater is not routed towards the historic building.

In some cases, the lack of water beneath an historic structure can lead to damage. Buildings located in areas with a high water table were often constructed upon timber piles. When groundwater or storm water is removed from a neighboring site during foundation excavations (a process known as "dewatering"), the groundwater level beneath the historic site may also drop. Previously submerged timber piles that are exposed to air can quickly begin to undergo dryrot. If there is reason to suspect that the structure was built on such a foundation, the property manager should work with the neighboring construction team to maintain the existing water table. This can be done using watertight excavation support systems such as slurry walls which ensure that most of the water pumped out of the construction site does not come from adjacent properties.

Dewatering of soft clay ground may also result in settlement of a neighboring building, as ground water pressure is reduced and the soil consolidates.

Fire and Security Concerns

The heightened possibility of fire accompanies many demolition and new construction activities. Temporary heating devices, torches, sparks, molten metal and undersized electrical utility panels are some of the most common sources of fire at construction sites. Additionally, the improper storage of fuels, cloth rags and brushes also presents opportunities for fire to ignite and spread. The *Tech Note*, "Specifying Temporary Protection of Historic Interiors during Construction and Repair," provides detailed information on reducing the likelihood of fire in situations involving work near historic structures.

The security of a historic building can be threatened when adjacent construction provides opportunities for illegal entry. Newly constructed floor levels at the building site may enclose the neighboring historic structure's ledges, windows and rooftops accessible to trespassers. Window openings on the historic building should be fastened and all doors from the roof to the interior should be locked. Where a historic structure is protected by an intruder

alarm system, that system should be upgraded to protect rooms that are rendered accessible from the outside. In cases where the historic structure does not directly abut new construction or demolition activity, attention should still be paid to the possibility that incidents of vandalism and theft will carry over to the historic site.

Physical Impact Construction or demolition can cause direct physical damage to neighboring historic features and materials. Cranes, hoists and workers on upper floors of a construction site can drop building supplies and tools onto an adjacent historic structure. Misdirected debris chutes and backing vehicles may also leave their mark.

Generally, to counter these occurrences, protective barriers are placed over the roof to distribute the force of dropped materials (see Figure 4). Plywood covers should also be placed over decorative roof embellishments such as finials and balustrades. Alternately, horizontal netting can be rigged to shield vulnerable rooftop features.

Facades that are directly exposed to adjacent construction sites should receive close attention. To avoid damage, windows should be covered with plywood. Layers of cushioning material can be placed between the plywood covering and particularly fragile windows, such as stained glass. If entrance walls and surfaces are vulnerable, scaffolding should be erected against the facade and debris netting placed on the outside of the scaffolding. Plastic sheeting can provide added protection in areas where acidic cleaning solutions may splash onto historic facades, windows and other surfaces.

The best means of protecting a historic structure from physical impact, however, is often to have adequate horizontal and vertical netting and barriers in place at the construction site. When adjacent buildings are adequately considered in the construction site netting and scaffolding plans, protective measures at the historic site can be less intrusive, and the likelihood of damage reduced even further.

Additional Dangers Other products of new construction and demolition, such as dirt and dust, can also pose threats to an adjacent historic structure. Dust suppression measures including the installation of fabric enclosure systems should first be employed at the building site (see Figure 5). Despite these efforts, historic building owners will undoubtedly have to deal with raised levels of dust infiltration. Accordingly, vulnerable interior

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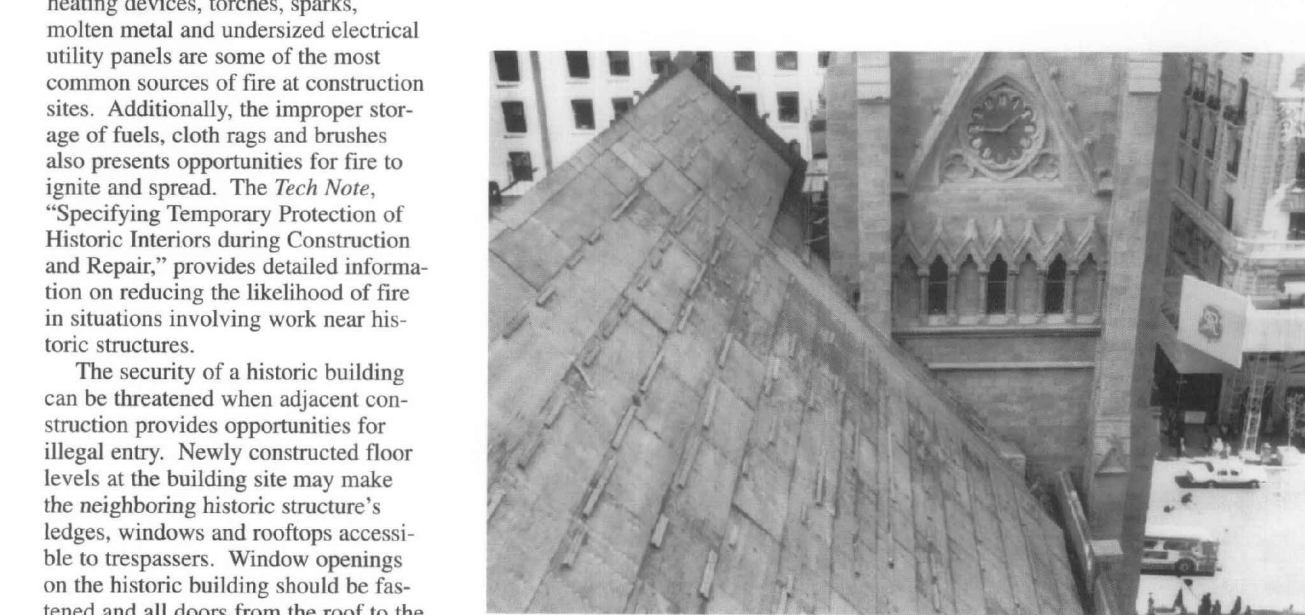


Figure 4. Dropped equipment, tools, and material all present risks when new construction rises above neighboring historic structures. In this case, the historic slate roof was completely covered with sheets of exterior grade plywood. Photo: National Park Service files.



Figure 5. The historic building on the left is partially protected from debris and dust generated by the renovation of the structure to the right. Such temporary enclosure systems consist of a polyethylene or other fabric shell stretched between an aluminum frame. Photo: Walton Technology, Inc.

Monitoring

A monitoring program should be established during the consultation and documentation phases and continued until adjacent work is finished. It is undertaken to detect, gauge, record and interpret structural movement, the effects of vibration and other changes to the historic building that result from neighboring construction or demolition work. Data collected during the monitoring program can serve as a baseline for any subsequent movement or changes to site drainage patterns that arise within the first years after construction is completed. Ultimately, monitoring shows the degree to which steps taken to protect an historic structure from adjacent construction are sufficient and successful.

Because of liability concerns, those responsible for a new development will promptly sealed. The construction or demolition site rodent control plan should include provisions for protecting adjacent historic resources. Concurrently, the historic property owner should consider securing a contract with an independent extermination company. Plans should be formulated in the historic building, and that fire and hazardous material protection provisions are being upheld. A checklist can be drawn up during the consulting and documentation phases for use during

the preceding section is detected and recorded using a number of different tools. Electronic monitors that feed precise movement measurements to laptop computers can be placed across existing cracks (see Figure 7). When budgets are tight or a large number of cracks are involved, inexpensive tell-tales made from two sheets of overlaid plastic with a grid can be used to track changes.

Optical survey instruments provide another means of detecting vertical and lateral movement within a historic building. Control points are established and marked by targets or reflectors on the historic structure facade and interior walls before adjacent construction begins. The location of each of these markers is precisely measured at regular intervals. Engineers then use the resulting information to determine whether the markers have shifted from their original positions and, if so, the rate and direction of movement.

Optical Survey Instruments

A program of visual inspections undertaken by a qualified conservator or engineer is an important adjunct to technical monitoring procedures. Inspectors should look for newly opened cracks, other signs of settlement and movement, and evidence of increased dampness or water infiltration. Additionally, visual inspections should ensure that temporary protective coverings are secure, that dust and dirt are not accumulating in the historic building, and that fire and hazardous material protection provisions are being upheld. A checklist can be drawn up during the consulting and documentation phases for use during

each visual inspection. Such a systematic written record may also prove useful if disputes arise over the timing of and responsibility for damage.

Conclusion

Protecting a historic building from adjacent construction or demolition activity requires thoughtful planning and cooperation between the developer and the historic property owner.

Thorough pre-construction documentation of the historic structure ensures a common understanding of present conditions and suggests appropriate damage prevention measures that can be taken at both the historic site and the construction site. A routine program of visual inspection and vibration and movement monitoring helps insure early detection of the effects neighboring construction work is having on the historic building. Early consideration of these issues, before damage takes place or worsens, can allow for the adoption of safeguards that protect the developer's schedule and budget and the physical integrity of the historic structure.

Disclaimer

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PLAN UPDATE

2/7/25

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July 2001

SHEET NO.

HISTORIC PRESERVATION CONDITIONS

A1.3

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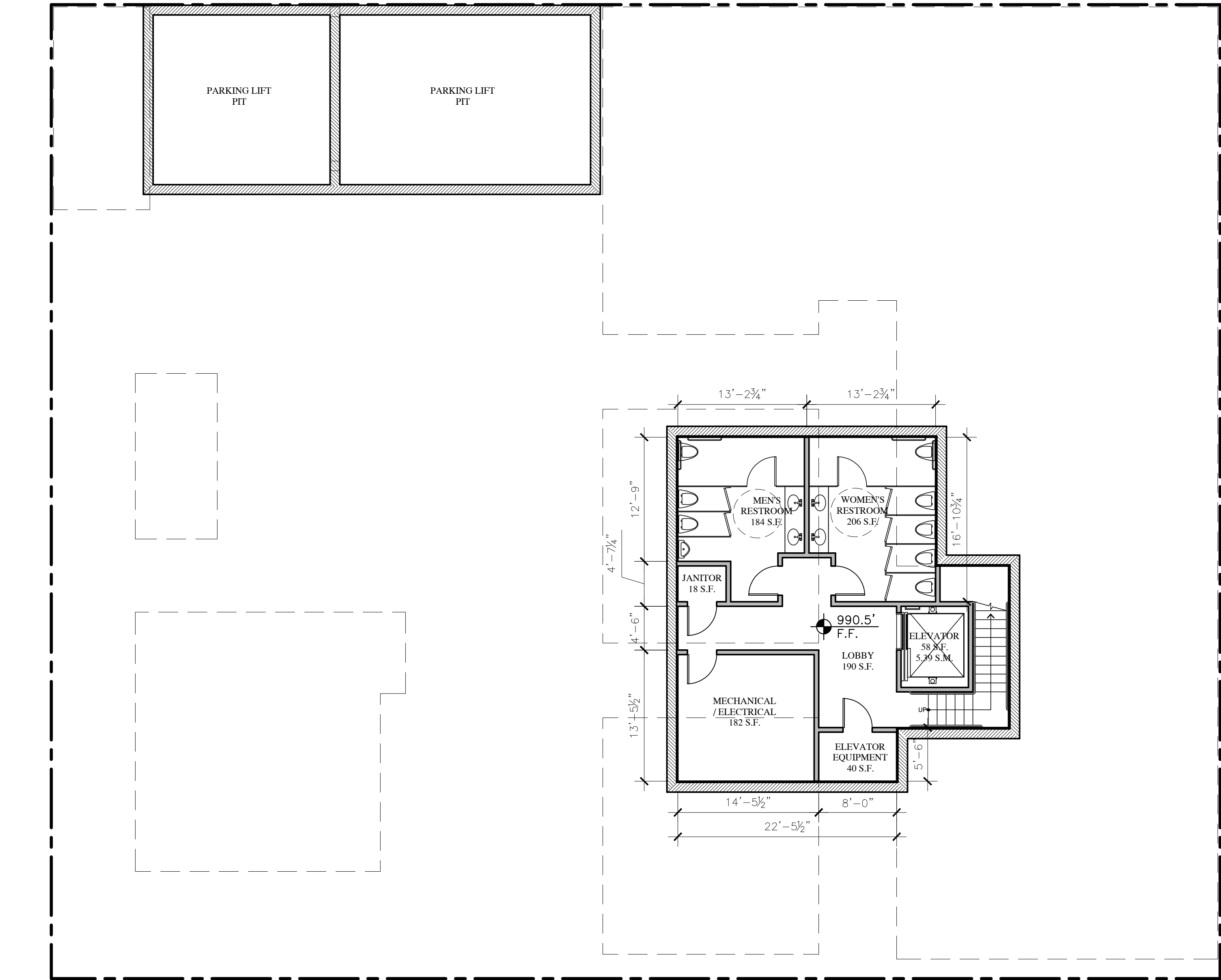
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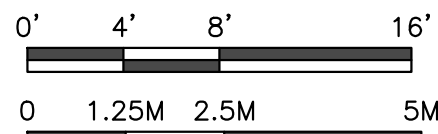
BASEMENT
PLAN

SHEET NO.

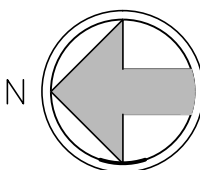
A2.0



BASEMENT PLAN



1/8"=1'-0"



WALL LEGEND

- 2X6 EXTERIOR STUD FRAMED WALL
- 2X4 INTERIOR STUD FRAMED WALL, U.O.N.
- 2X4 INTERIOR STUD FRAMED WALL, U.O.N.

- | | |
|---|---------------------------------------|
| | 2X6 EXTERIOR STUD FRAMED WALL |
| | 2X4 INTERIOR STUD FRAMED WALL, U.O.N. |
| | 2X4 INTERIOR STUD FRAMED WALL, U.O.N. |

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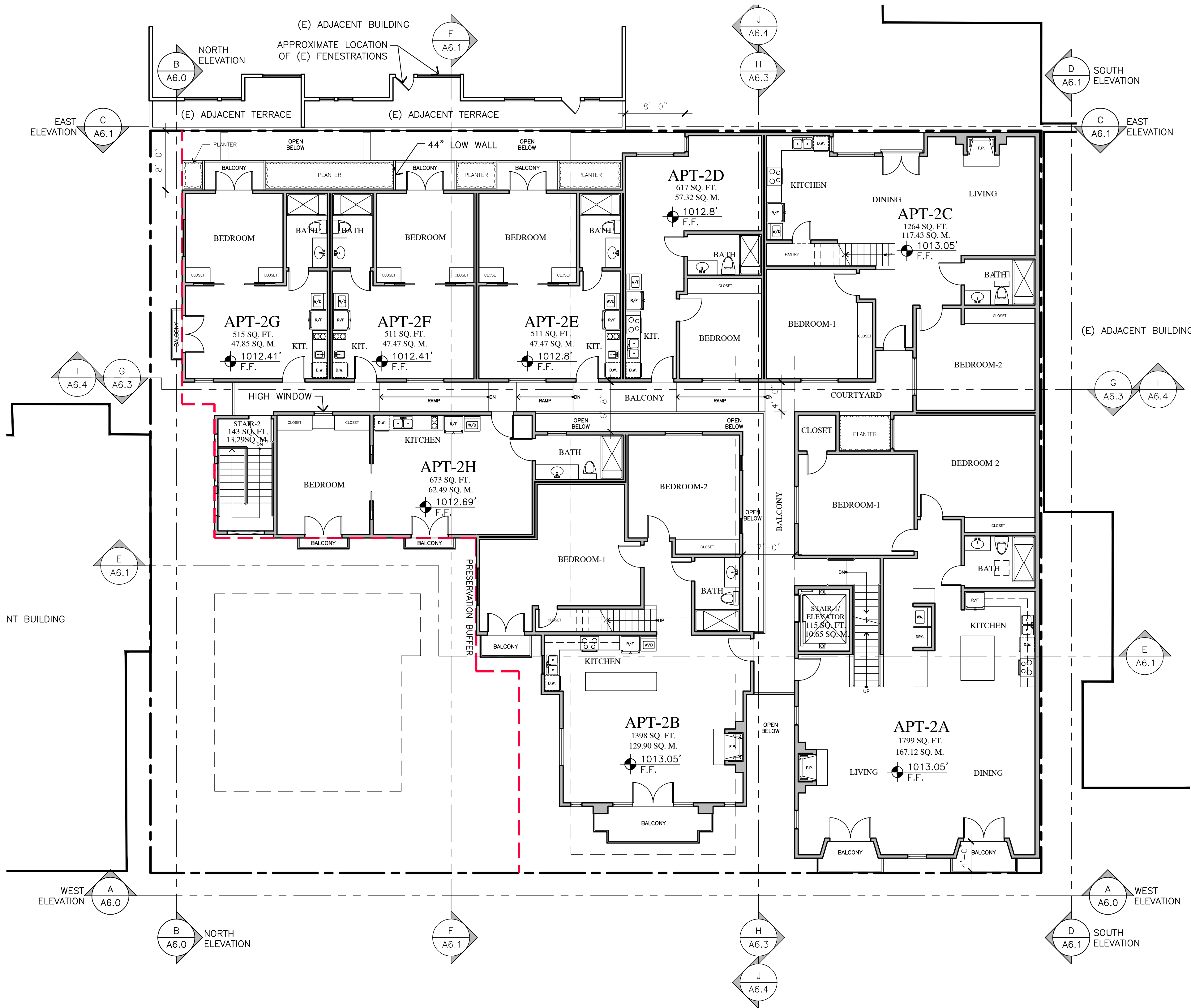
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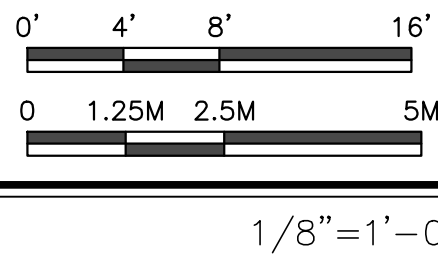
SECOND
FLOOR PLAN

SHEET NO.

A4.0



PROPOSED SECOND FLOOR PLAN
7,546 SQUARE FEET / 701.05 SQUARE METERS



WALL LEGEND

	2X6 EXTERIOR STUD FRAMED WALL
	2X4 INTERIOR STUD FRAMED WALL, U.O.N.
	2X4 INTERIOR STUD FRAMED WALL, U.O.N.

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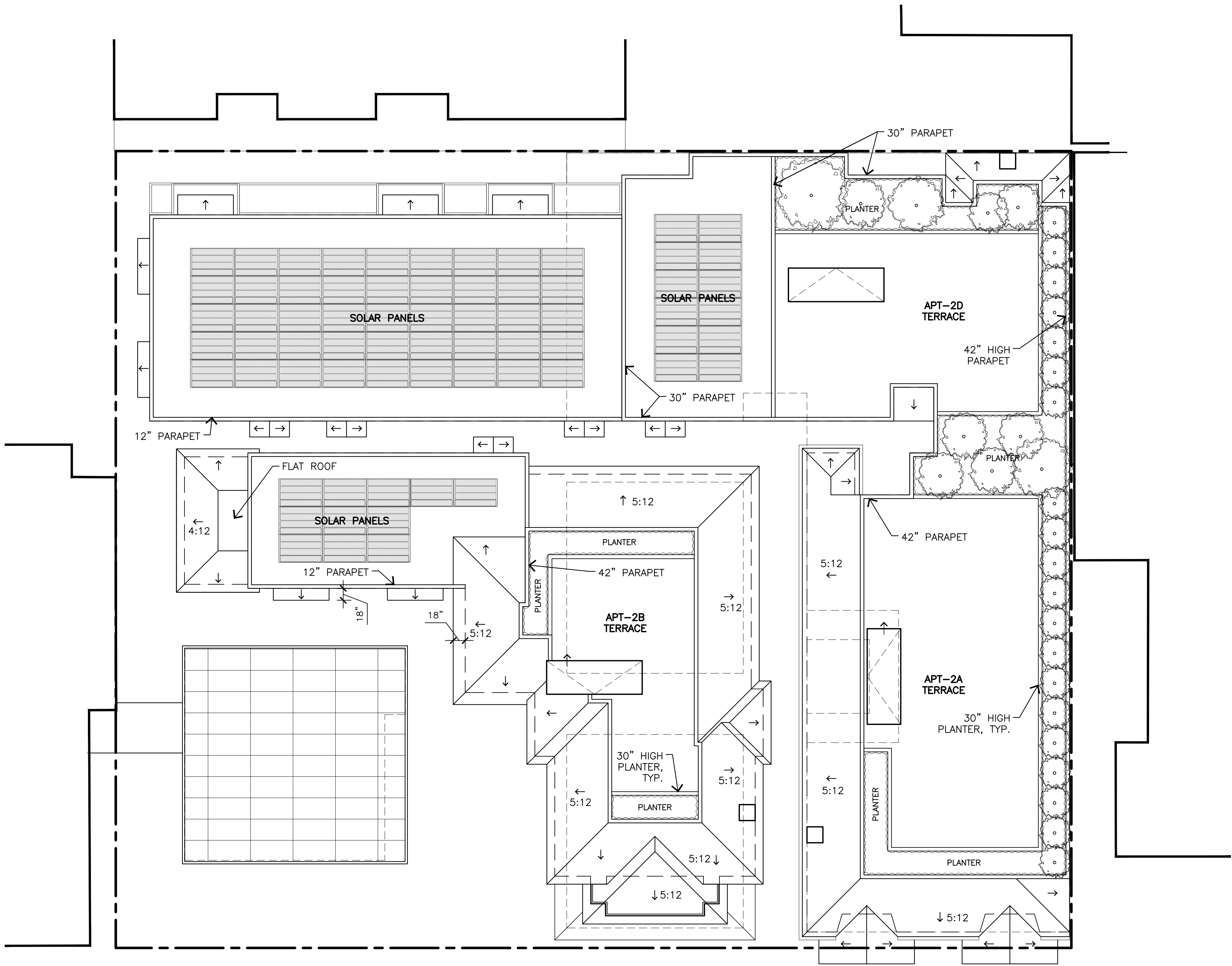
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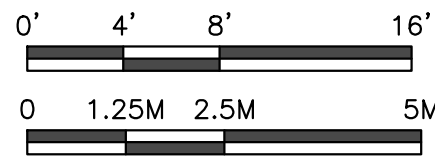
ROOF
PLAN

SHEET NO.

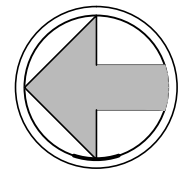
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ROOF PLAN



1/8"=1'-0"



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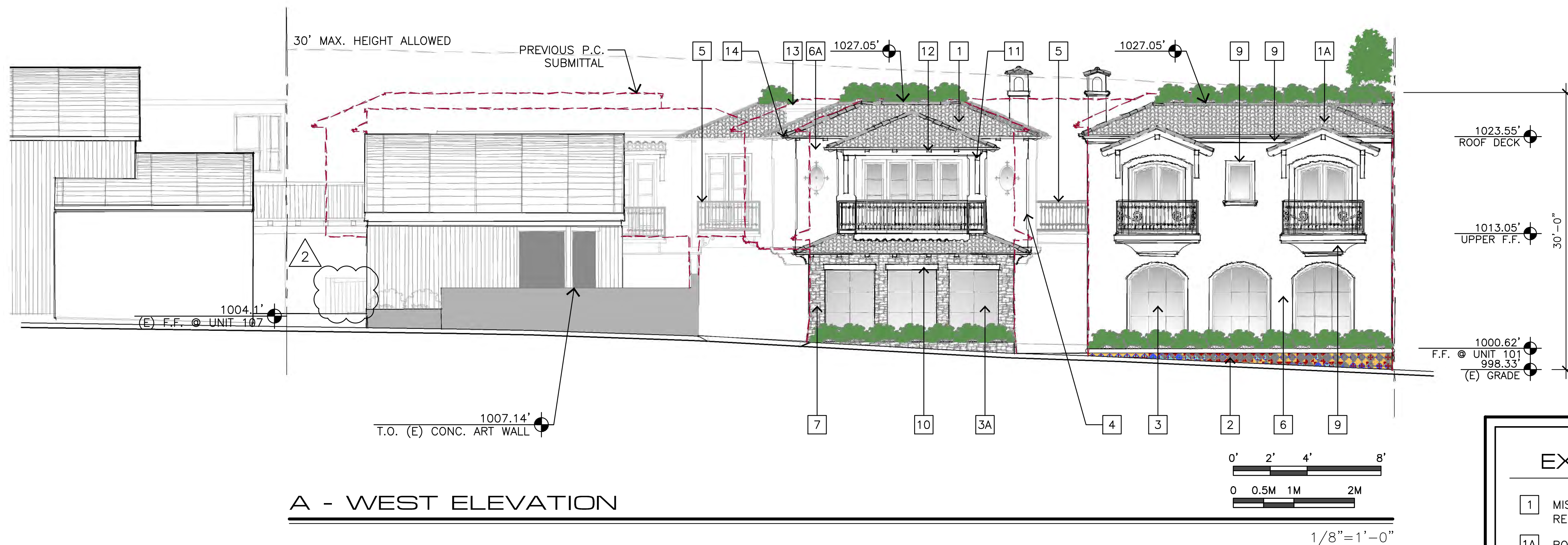
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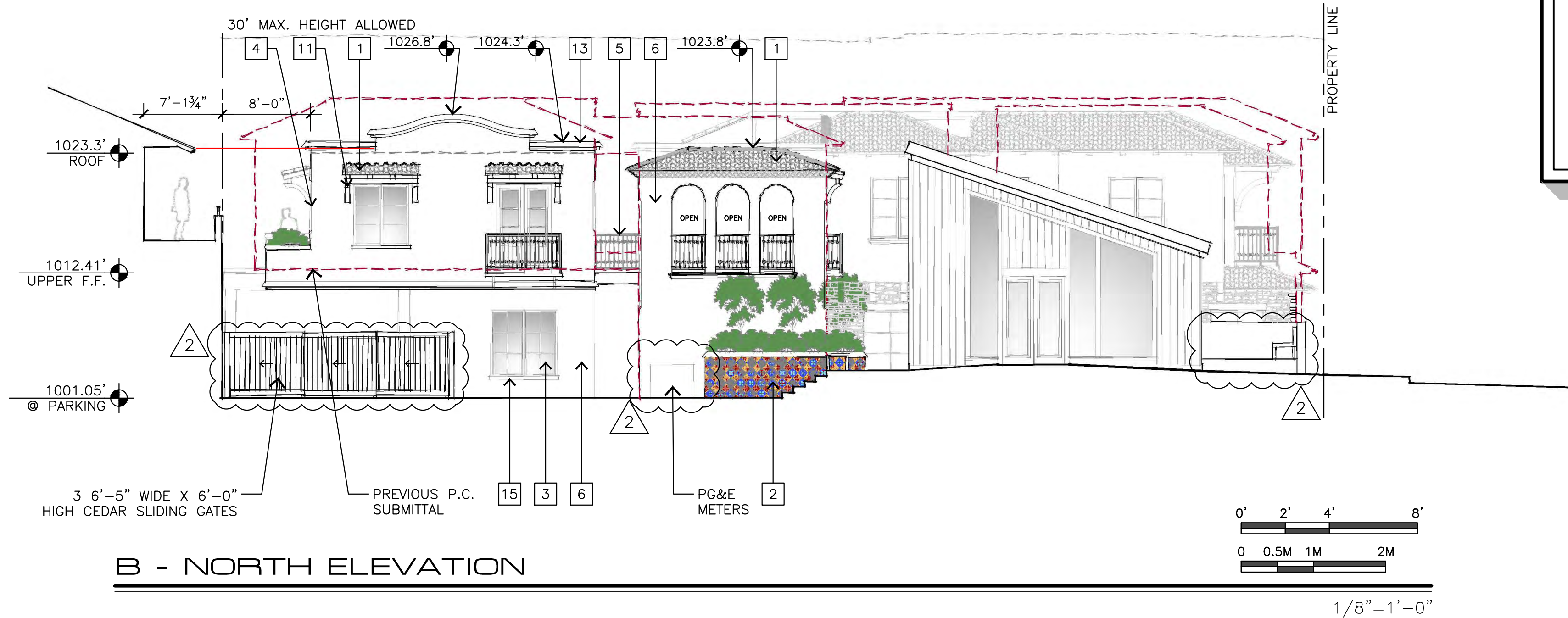
ELEVATIONS

SHEET NO.

A6.0



A - WEST ELEVATION



B - NORTH ELEVATION

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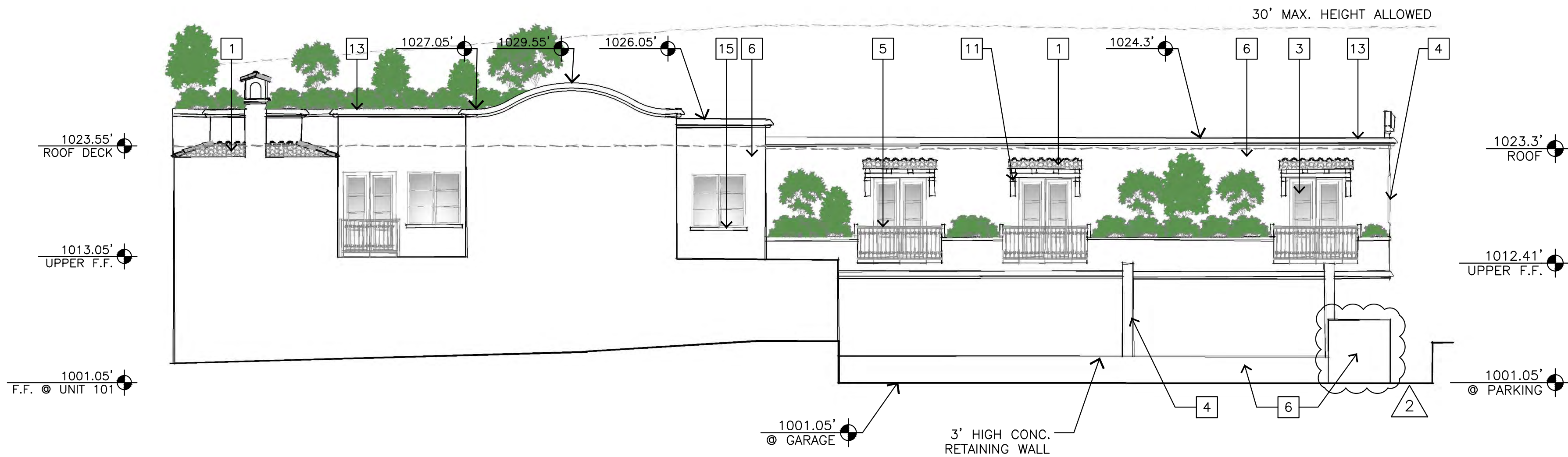
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ELEVATIONS

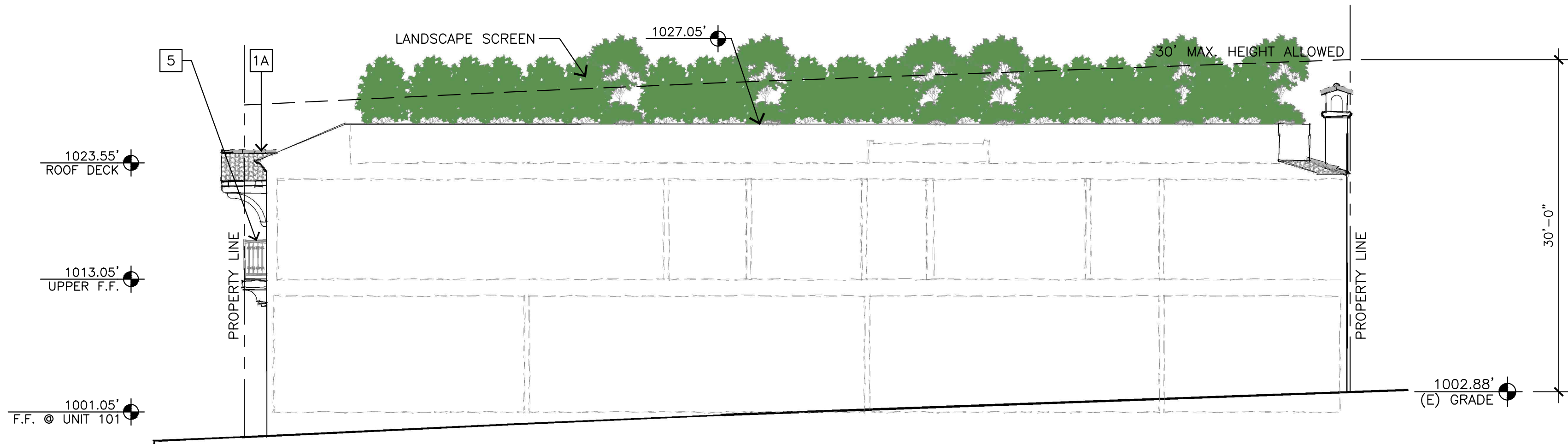
SHEET NO.

A6.1



C - EAST ELEVATION

1/8"=1'-0"



D - SOUTH ELEVATION

1/8"=1'-0"

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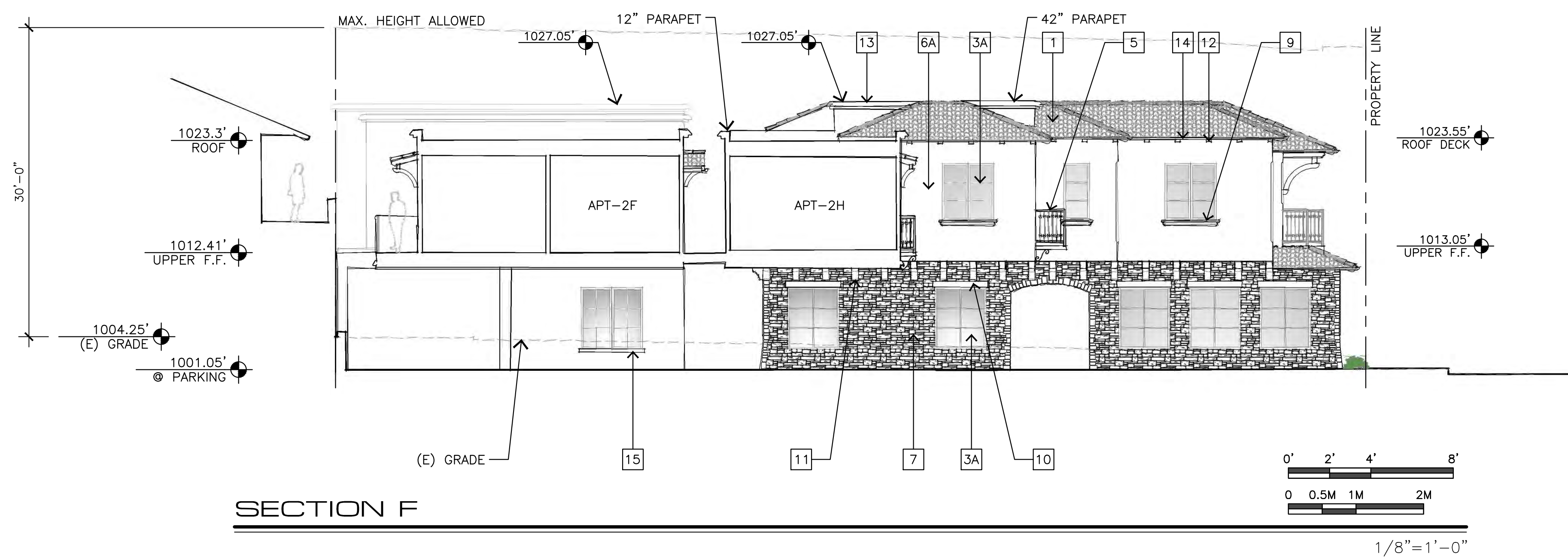
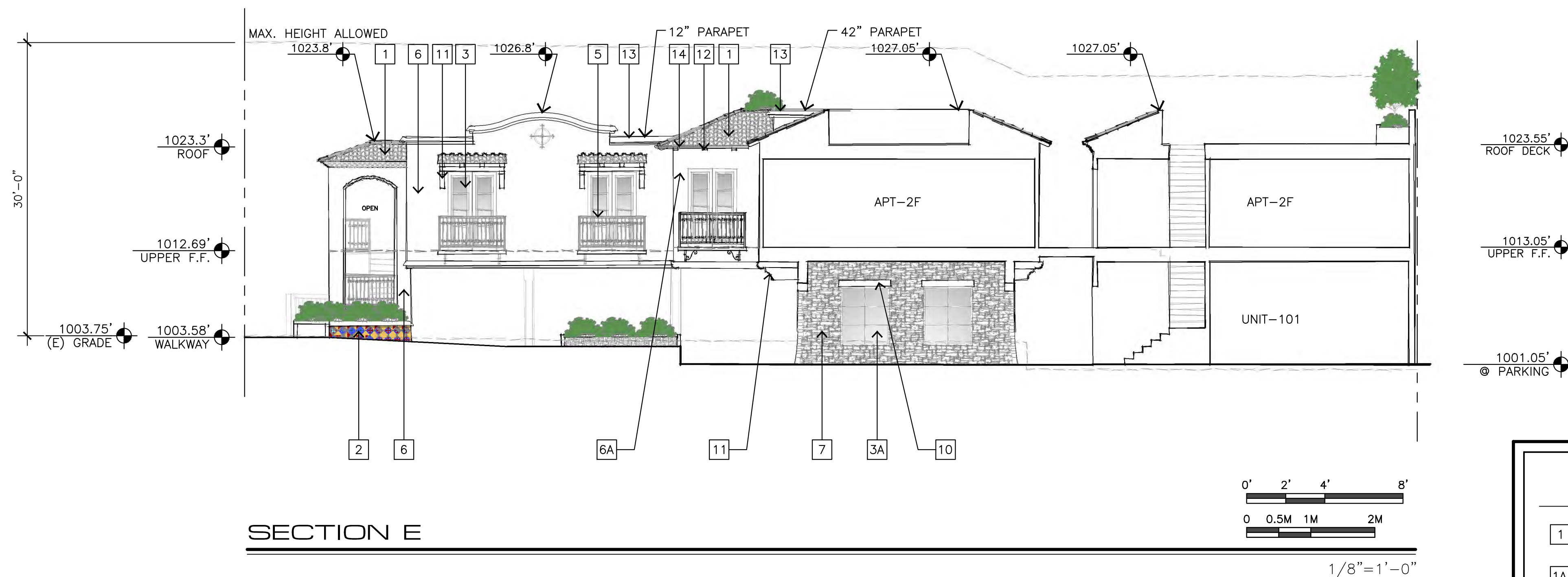
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ELEVATIONS

SHEET NO.

A6.2



EXTERIOR FINISH LEGEND

- 1 MISSION STYLE CAP & PAN CLAY TILE ROOF, REDLANDS OR EQUAL, (F/A9.2)
- 1A ROMAN PAN & MISSION SANDCAST CAP CLAY TILE ROOF, REDLANDS OR EQUAL (O/A9.2)
- 2 DECORATIVE CERAMIC TILE (I/A9.2)
- 3 METAL-CLAD EXTERIOR WOOD DOORS & WINDOWS, (B/A9.2)(D/A9.2)
- 3A METAL-CLAD EXTERIOR WOOD DOORS & WINDOWS (B/A9.2)(L/A9.2)
- 4 CHAMFERED STUCCO CORNERS
- 5 PAINTED GALVANIZED WROUGHT IRON RAILING & DECORATIVE FEATURE (C/A9.2)
- 6 PAINTED STUCCO SMOOTH FINISH (G/A9.2)
- 6A PAINTED STUCCO SMOOTH FINISH (M/A9.2)
- 7 RANDOM EXTERIOR STONE (N/A9.2)
- 9 SIMULATED LIMESTONE SILL, SURROUND & HORIZONTAL BAND (A/A9.2)
- 10 4X REDWOOD HEADER
- 11 REDWOOD BEAMS, CORBELS, & HEADERS
- 12 6X4 REDWOOD RAFTER TAILS
- 13 SIMULATED LIMESTONE PARAPET CAP (A/A9.2)
- 14 5" PAINTED GALVANIZED GUTTERS, LEADER BOX & DOWNSPOUTS (E/A9.2)
- 15 4X4 SHAPED REDWOOD SILL

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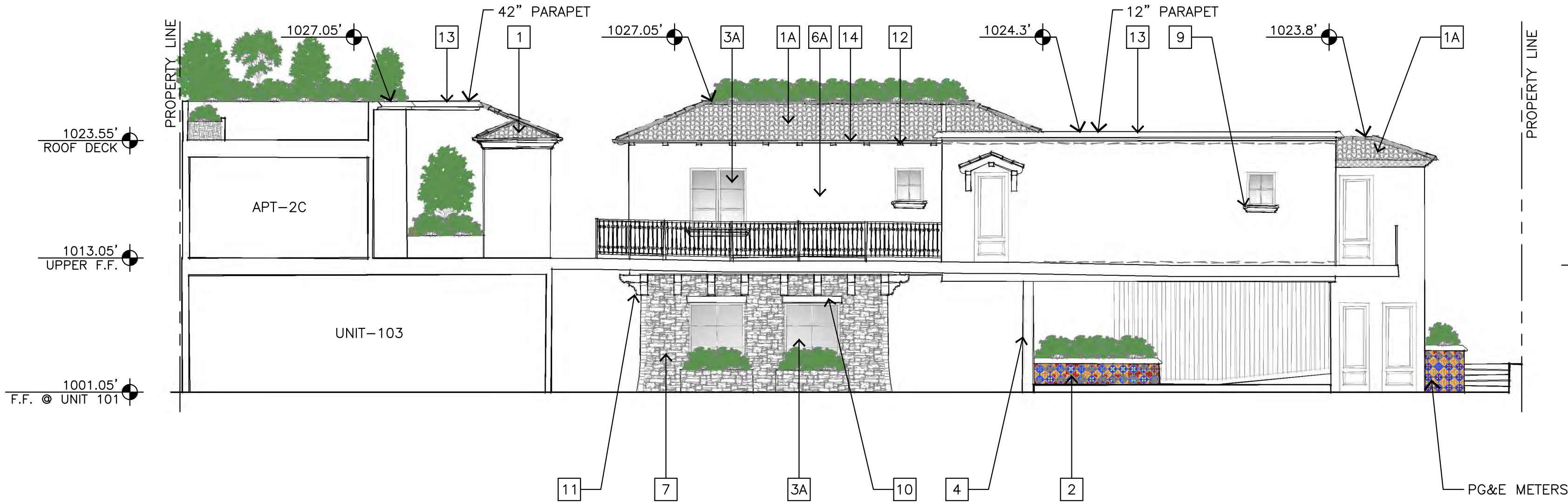
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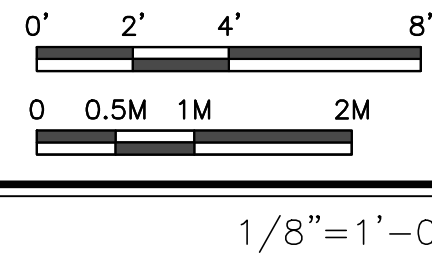
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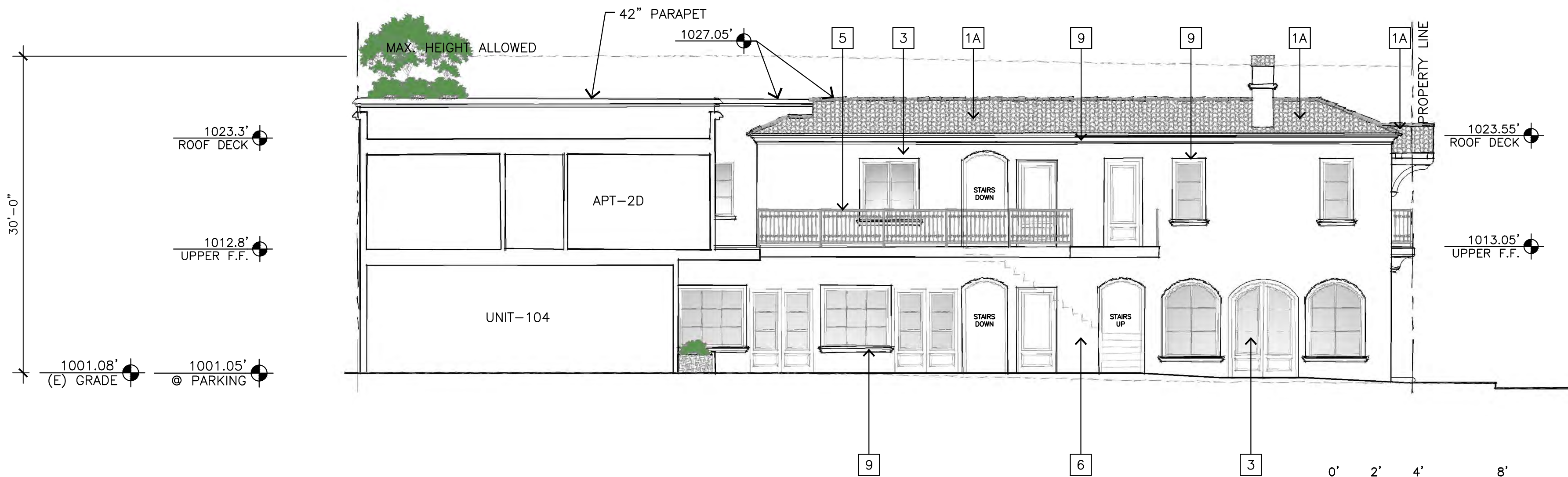


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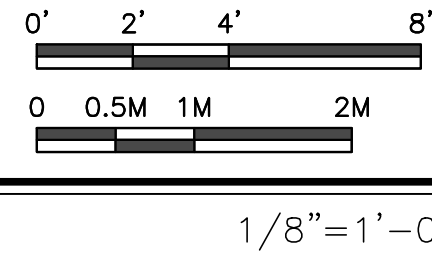


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- 14 5" PAINTED GALVANIZED GUTTERS, LEADER BOX & DOWNSPOUTS (E/A9.2)
- 15 4X4 SHAPED REDWOOD SILL



SECTION H



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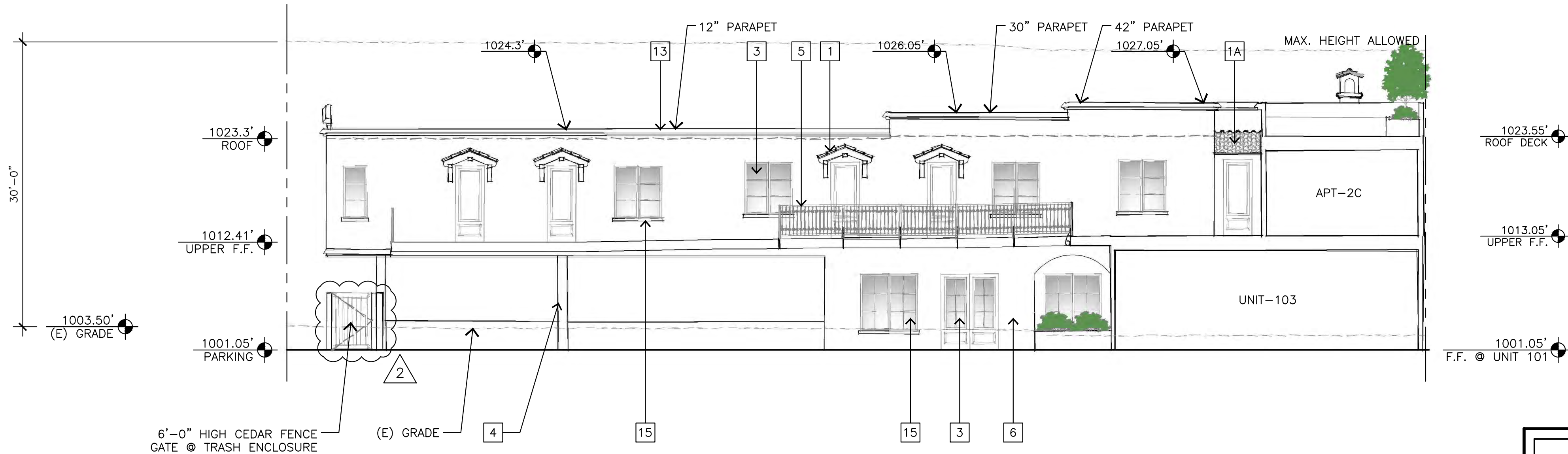
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2/7/25
REV. PER PLANNER COMMENTS

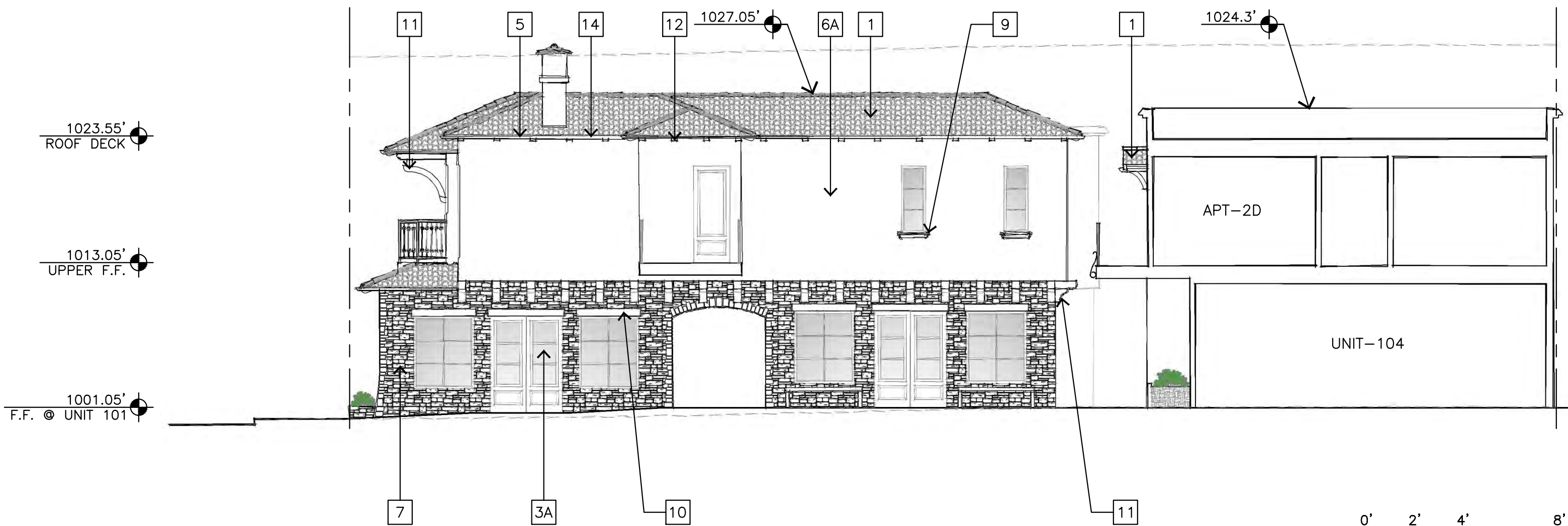
ELEVATIONS

SHEET NO.

A6.4



SECTION I



SECTION J

EXTERIOR FINISH LEGEND

- 1 MISSION STYLE CAP & PAN CLAY TILE ROOF, REDLANDS OR EQUAL, (F/A9.2)
- 1A ROMAN PAN & MISSION SANDCAST CAP CLAY TILE ROOF, REDLANDS OR EQUAL (O/A9.2)
- 2 DECORATIVE CERAMIC TILE (I/A9.2)
- 3 METAL-CLAD EXTERIOR WOOD DOORS & WINDOWS, (B/A9.2)(D/A9.2)
- 3A METAL-CLAD EXTERIOR WOOD DOORS & WINDOWS (B/A9.2)(L/A9.2)
- 4 CHAMFERED STUCCO CORNERS
- 5 PAINTED GALVANIZED WROUGHT IRON RAILING & DECORATIVE FEATURE (C/A9.2)
- 6 PAINTED STUCCO SMOOTH FINISH (G/A9.2)
- 6A PAINTED STUCCO SMOOTH FINISH (M/A9.2)
- 7 RANDOM EXTERIOR STONE (N/A9.2)
- 9 SIMULATED LIMESTONE SILL, SURROUND & HORIZONTAL BAND (A/A9.2)
- 10 4X REDWOOD HEADER
- 11 REDWOOD BEAMS, CORBELS, & HEADERS
- 12 6X4 REDWOOD RAFTER TAILS
- 13 SIMULATED LIMESTONE PARAPET CAP (A/A9.2)
- 14 5" PAINTED GALVANIZED GUTTERS, LEADER BOX & DOWNSPOUTS (E/A9.2)
- 15 4X4 SHAPED REDWOOD SILL



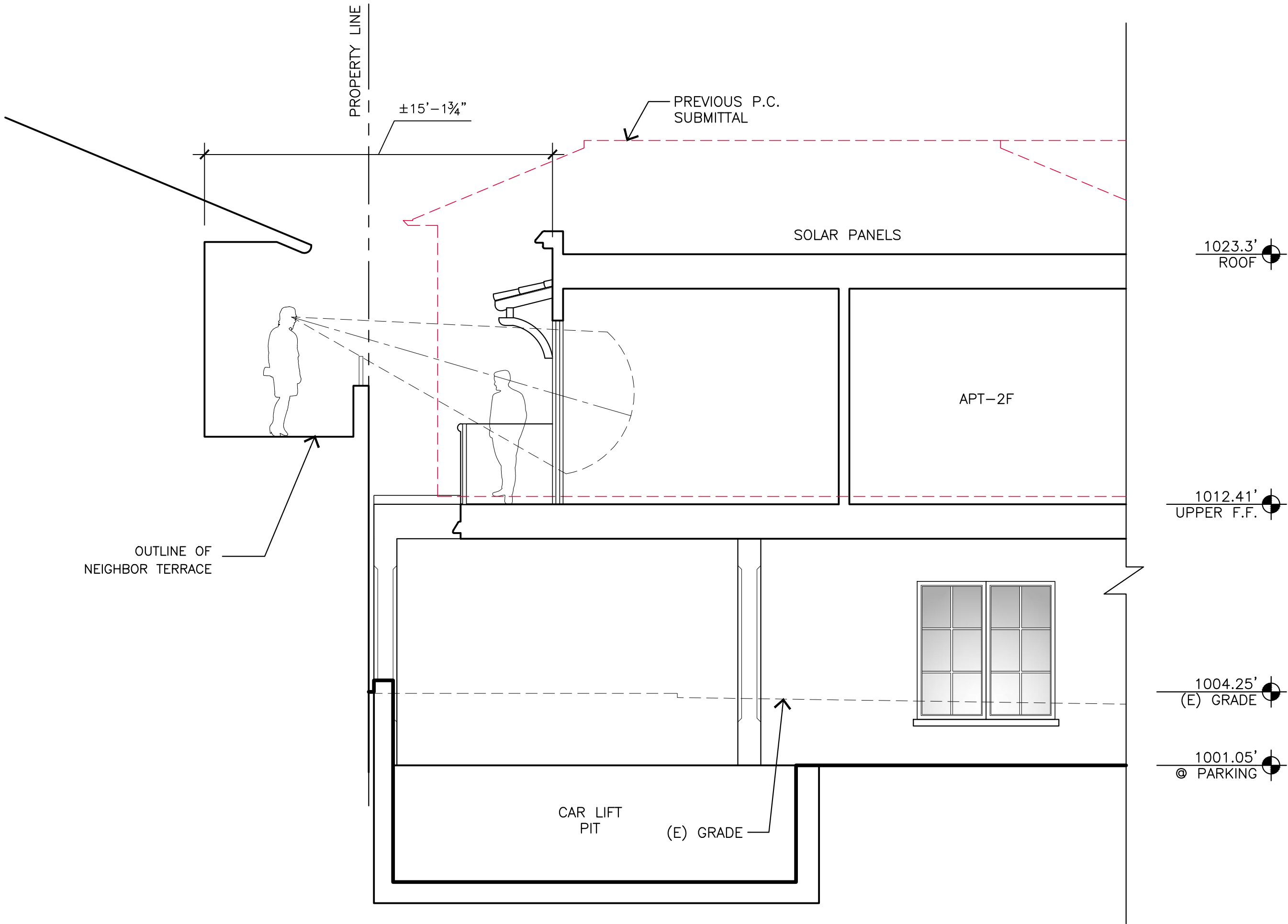
ADJACENT BUILDING

N.T.S.



ADJACENT BUILDING

N.T.S.



SECTION F - THROUGH ADJACENT BUILDING

1/4"=1'-0"

JUN A. SILLANO, AIA



721 LIGHTHOUSE AVE
PACIFIC GROVE CA.
93950

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STAMPS:

PROJECT/CLIENT:

JB PASTOR
BUILDING

PROJECT ADDRESS:

DOLORES, 2ND SE
OF 7TH
CARMEL, CA
93921

APN: 010-145-012
022, & 023

DATE: NOVEMBER 21, 2024

P.C. SUBMITTAL

REVISIONS:

- 12/19/24 PLAN UPDATE
- 2/7/25 REV. PER PLANNER COMMENTS
-
-
-
-
-
-

ADJACENT
BUILDING SECTION

SHEET NO.

A6.7

JUN A. SILLANO, AIA



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STREETSCAPE
ELEVATIONS

SHEET NO.

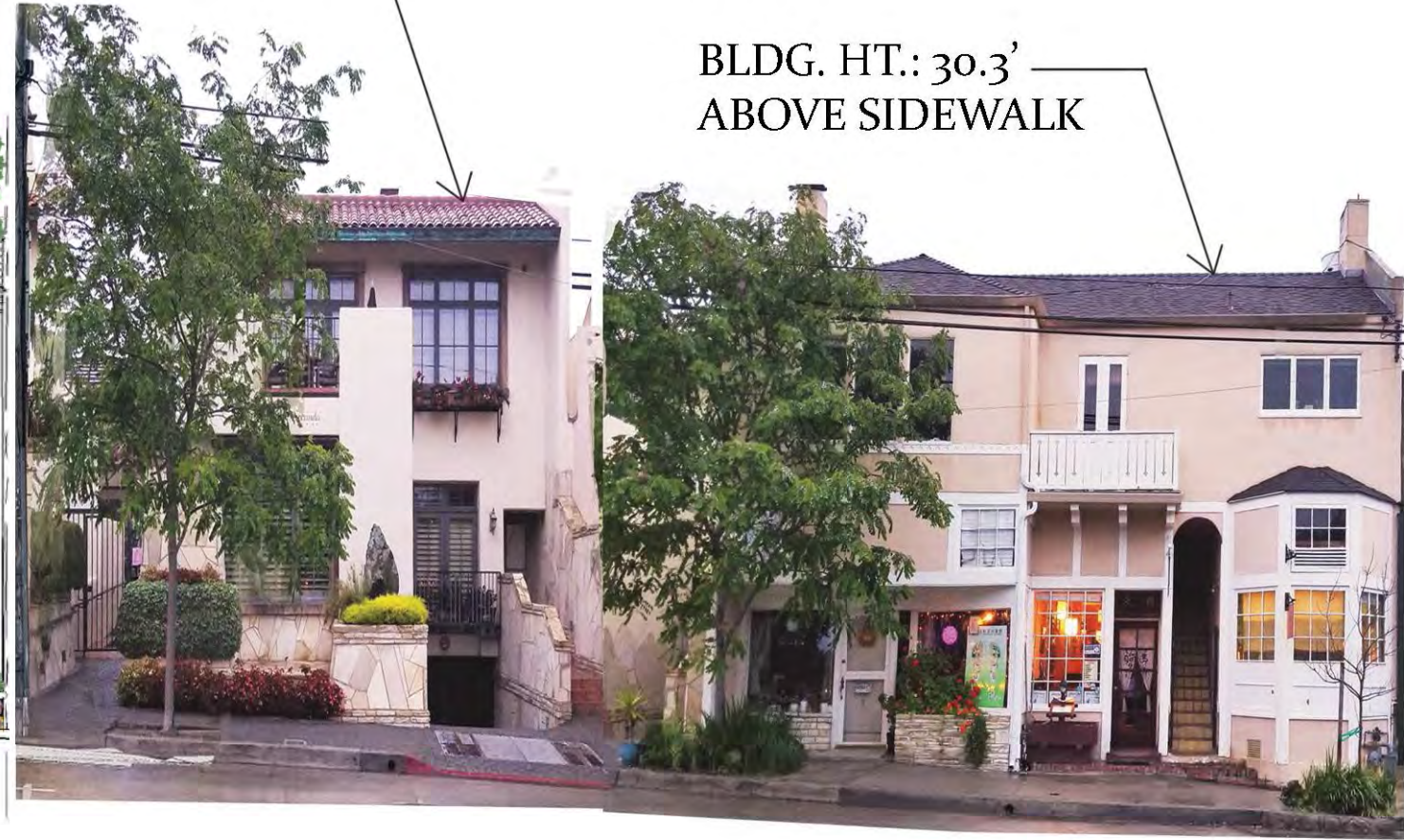
A8.1



30' MAX. HEIGHT ALLOWED



BLDG. HT.: 32.0' ABOVE SIDEWALK



BLDG. HT.: 30.3' ABOVE SIDEWALK

DOLORES STREETSCAPE - EAST SIDE



BLDG. HT.: 30.85' ABOVE SIDEWALK

BLDG. HT.: 31.2' ABOVE SIDEWALK



DOLORES STREETSCAPE - WEST SIDE



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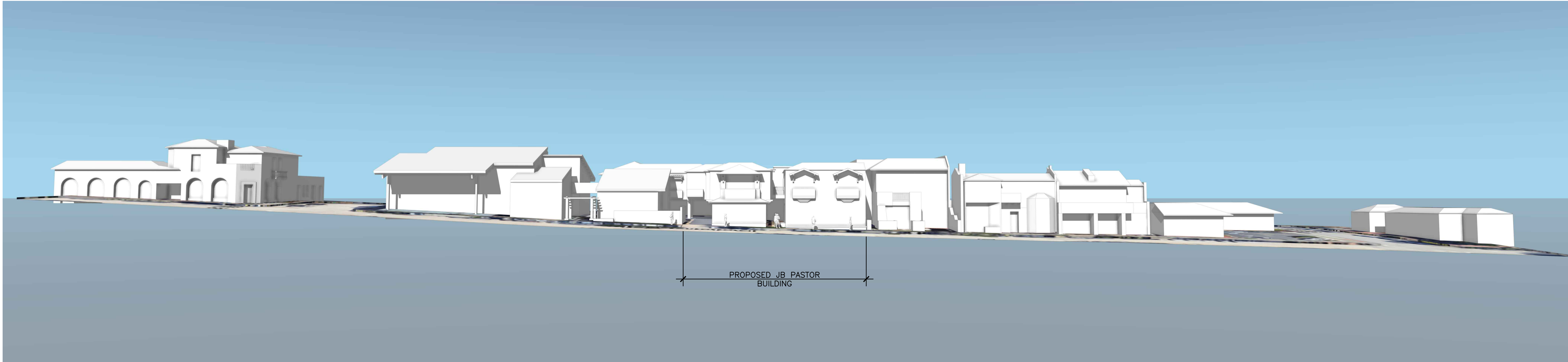
REVISIONS:

△	12/19/24	PLAN UPDATE
△	2/7/25	REV. PER PLANNER COMMENTS
△		
△		
△		
△		

MASSING
STUDY

SHEET NO.

A8.2



STREET ELEVATION VIEW BETWEEN 7TH AND 8TH AVENUE



STREET PERSPECTIVE BETWEEN 7TH AND 8TH AVENUE LOOKING FROM NORTH TO SOUTH

THIS VIEW DEMONSTRATES THAT THE NEIGHBORING BUILDINGS HAVE A HIGHER ROOF LINE THAN THE PROPOSED JB PASTOR BUILDING



STREET PERSPECTIVE BETWEEN 7TH AND 8TH AVENUE LOOKING FROM SOUTH TO NORTH

THIS VIEW DEMONSTRATES THAT THE NEIGHBORING BUILDINGS HAVE A HIGHER ROOF LINE THAN THE PROPOSED JB PASTOR BUILDING

JUN A. SILLANO, AIA



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△		

COLOR & MATERIAL
SAMPLES

SHEET NO.

A9.2



F - MISSION STYLE CAP & PAN CLAY TILE ROOF, TYP.



43171
Sandstone Flash
Sandcast Blend



C - PAINTED IRON RAILINGS BRONZE COLOR - TYP.



A - SIMULATED LIMESTONE SURROUNDS & ACCENTS



H - LIGHT FIXTURES - TYP.



D - DOOR & WINDOW COLOR - TYP.



HLS4212 Windsor Toffee

G - PAINT SWATCH - TYP.



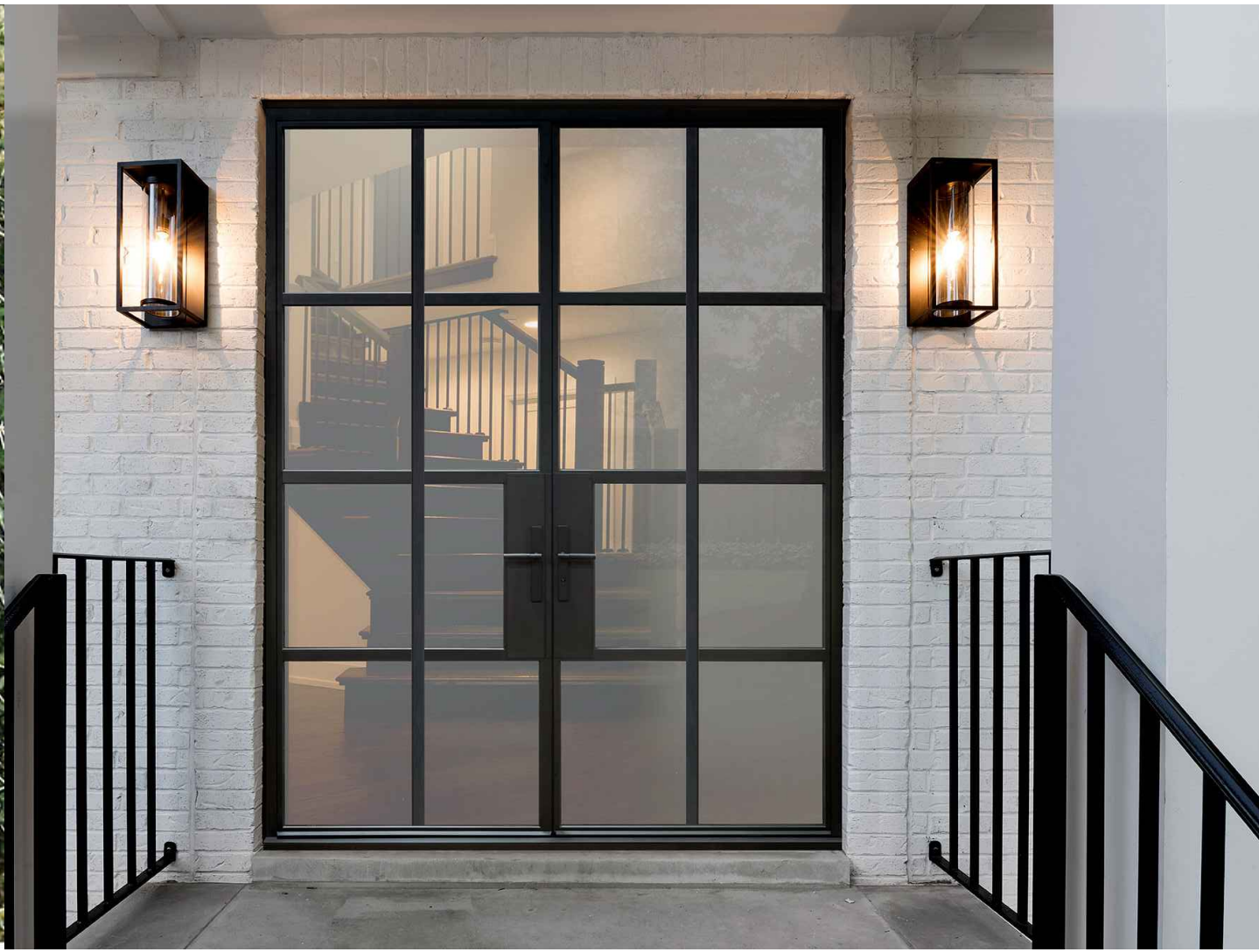
E - 5" HALF-ROUND PAINTED GALVANIZED GUTTERS & DOWNSPOUTS



I - PLANTER CERAMIC TILE



B - METAL CLAD EXTERIOR DOORS & WINDOWS -TYP.



K - LIMESTONE TILE



J - TOSCANA CAMBRIDGE COBBLE STONE CONCRETE PAVERS BY BELGARD OR EQUAL*

*NOTE:
1. CONCRETE PAVERS TO BE SET IN SAND
2. INSTALLATION SHALL COMPLY WITH "POLICY & STANDARDS FOR PUBLIC WAY DESIGN"

BUILDING-2 ACCENTS



O - ROMAN STYLE CAP & PAN CLAY TILE ROOF, BUILDING-2



2251
Old Sedona Blend

6050
Old Sedona Blend



N - EXTERIOR RANDOM STONE VENEER BUILDING-2



HLS4201 Adobe White

M - PAINT SWATCH - BUILDING-2

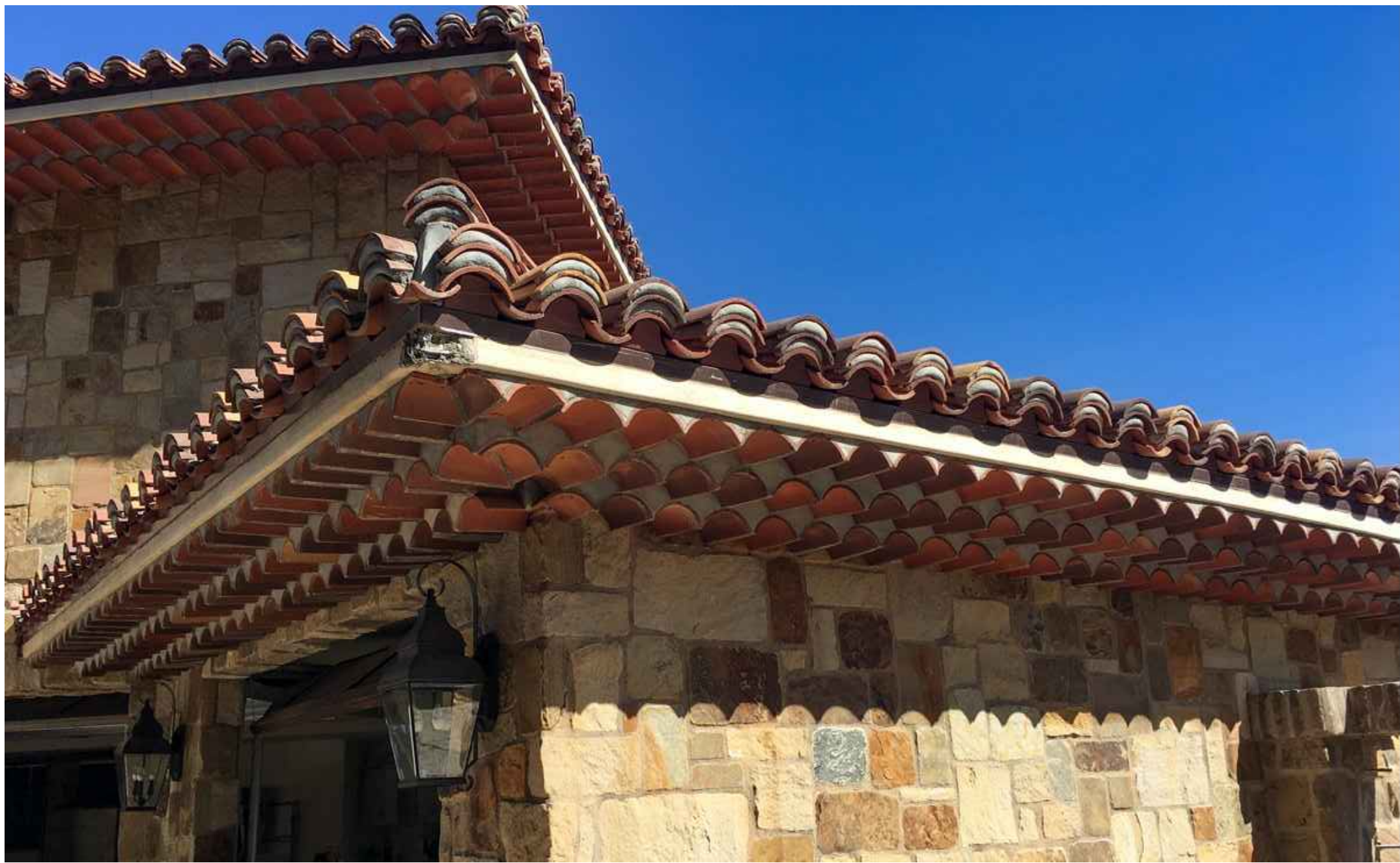


Green Tea Leaf

L - DOOR & WINDOW COLOR - BUILDING-2



PARAPET INSPIRATION



ROOF INSPIRATION



BALCONY INSPIRATIONS

ATTACHMENT 11a

JUN A. SILLANO, AIA



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2/7/25

REV. PER PLANNER COMMENTS

1

2

3

4

5

6

INSPIRATION IMAGES

SHEET NO.

A10.1

Page 330 of 359



INSPIRATION IMAGES



STONE INSPIRATION

STAIR INSPIRATION

ATTACHMENT 11a

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INSPIRATION
IMAGES

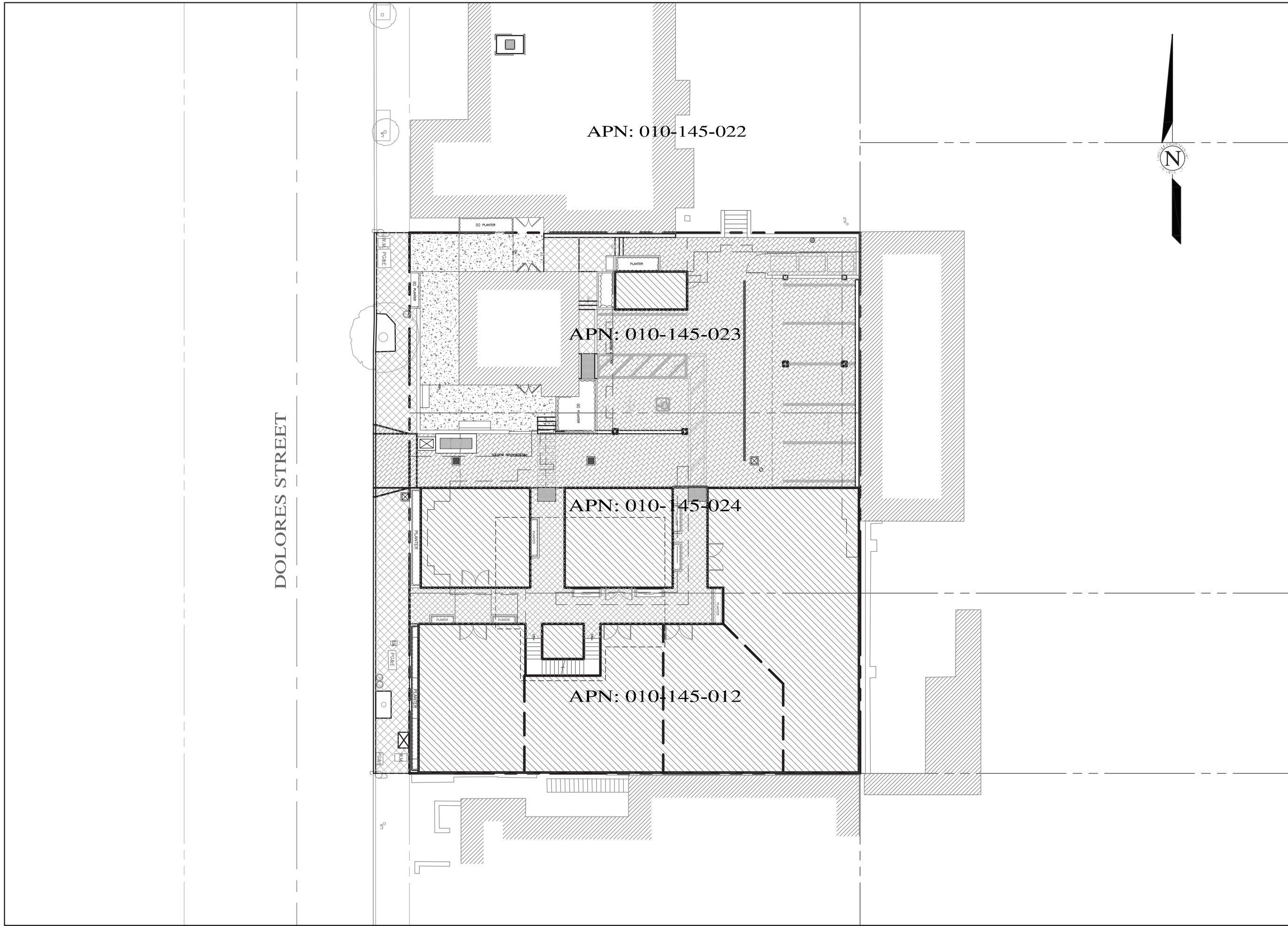
SHEET NO.

A10.2

CONCEPTUAL GRADING, DRAINAGE & EROSION CONTROL PLAN
OF
JB PASTOR BUILDING
APNs: 010-145-012, 023 & 024
CARMEL BY-THE-SEA, MONTEREY COUNTY, CALIFORNIA



VICINITY MAP
NOT TO SCALE



LOT OVERVIEW
SCALE: 1"=10'

TOTAL LOT AREA = 12,000 SQ.FT.
TOTAL IMPERVIOUS AREA = 11,029 SQ.FT.
NEW/REPLACE IMPERVIOUS AREA = 9,445 SQ.FT.
TOTAL AREA OF DISTURBANCE = 10,420 SQ.FT.

GRADING QUANTITIES:
CUT = 1,445 C.Y.
FILL = 5 C.Y.
NET = 1,440 C.Y. EXPORT

NO AREAS WITH SLOPE EQUAL TO
OR GREATER THAN 10%

STORM WATER CONTROL NOTES:

- 1) THE PROJECT IS NOT LOCATED WITHIN THE MUNICIPAL GENERAL PERMIT BOUNDARY AS DEFINED BY THE CALIFORNIA STATE WATER QUALITY CONTROL BOARD ORDER NO. 2013-0001-DWQ; THEREFORE, THE POST-CONSTRUCTION STORM WATER MANAGEMENT REQUIREMENTS (PCRs) FOR DEVELOPMENT PROJECTS IN THE CENTRAL COAST REGION DO NOT APPLY.
- 2) ALL DRAINAGE SHALL CONFORM TO THE STANDARD OPERATING GUIDANCE FOR 17-07 PRIVATE STORM WATER SYSTEMS PER THE CITY OF CARMEL-BY-THE-SEA.

INDEX TO SHEETS

SHEET C1	COVER SHEET
SHEET C2	GRADING & DRAINAGE PLAN - GROUND LEVEL
SHEET C3	GRADING SECTIONS A-C
SHEET C4	GRADING SECTIONS D-F
SHEET C5	UTILITY PLAN - GROUND LEVEL
SHEET C6	GRADING, DRAINAGE & UTILITY PLAN - BASEMENT LEVEL
SHEET C7	STORM WATER CONTROL PLAN
SHEET C8	EROSION & SEDIMENT CONTROL PLAN
SHEET C9	CONSTRUCTION MANAGEMENT PLAN

CONTACT INFORMATION:

PRIMARY: OWNER
ESPERANZA CARMEL COMMERCIAL, LLC

SECONDARY: ARCHITECT
INTERNATIONAL DESIGN GROUP
ATTN: MR. JASON DIAZ
721 LIGHT HOUSE AVE.
PEBBLE BEACH, CA 93950
PH: (831)846-1261

SITE LOCATION:
DOLORES STREET
2 SE OF 7TH AVENUE
CARMEL-BY-THE-SEA, CA 93921

02/10/25	AMS	SITE PLAN UPDATE-SWCP	
12/18/24	AMS	SITE PLAN/FINISH FLOORS UPDATE	
06/04/24	AMS	C.O.C. DESIGN REVIEW LETTER	
03/28/24	AMS	RELEASED TO CLIENT	
03/22/24	AMS	RELEASED TO CLIENT	
No.	DATE	BY	REVISION

GRADING, DRAINAGE & EROSION CONTROL PLAN
OF
JB PASTOR BUILDING
A.P.N.s.: 010-145-012, 023, & 024
CITY OF CARMEL, MONTEREY COUNTY, CALIFORNIA
FOR
ESPERANZA CARMEL COMMERCIAL, LLC

" COVER SHEET "

SCALE: AS SHOWN
DATE: MARCH 2024
JOB NO. 2746-01

SHEET
C1
OF 9 SHEETS

APPROVED BY:  21225

GUY R. GIRAUD



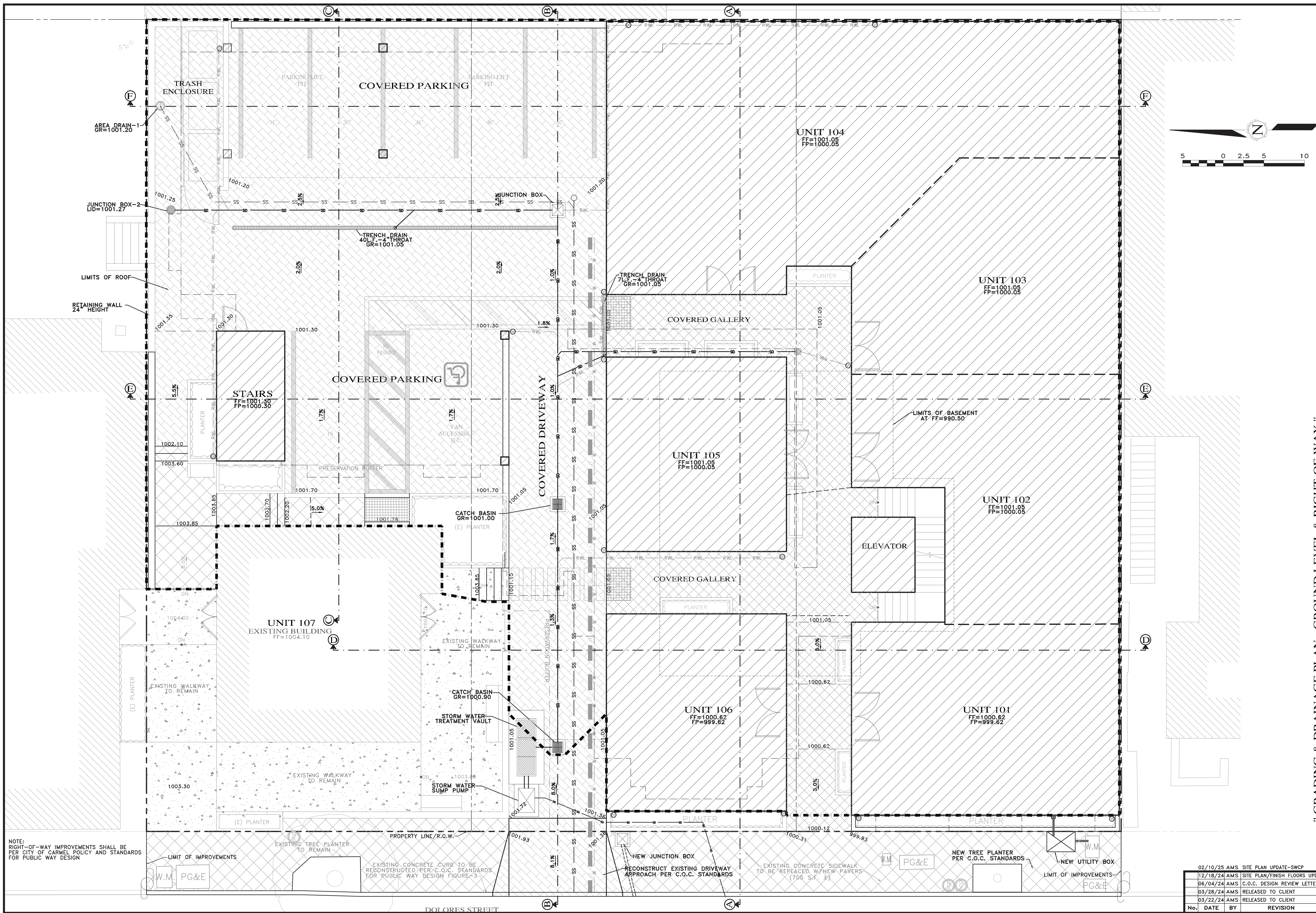
GRADING, DRAINAGE & EROSION CONTROL PLAN

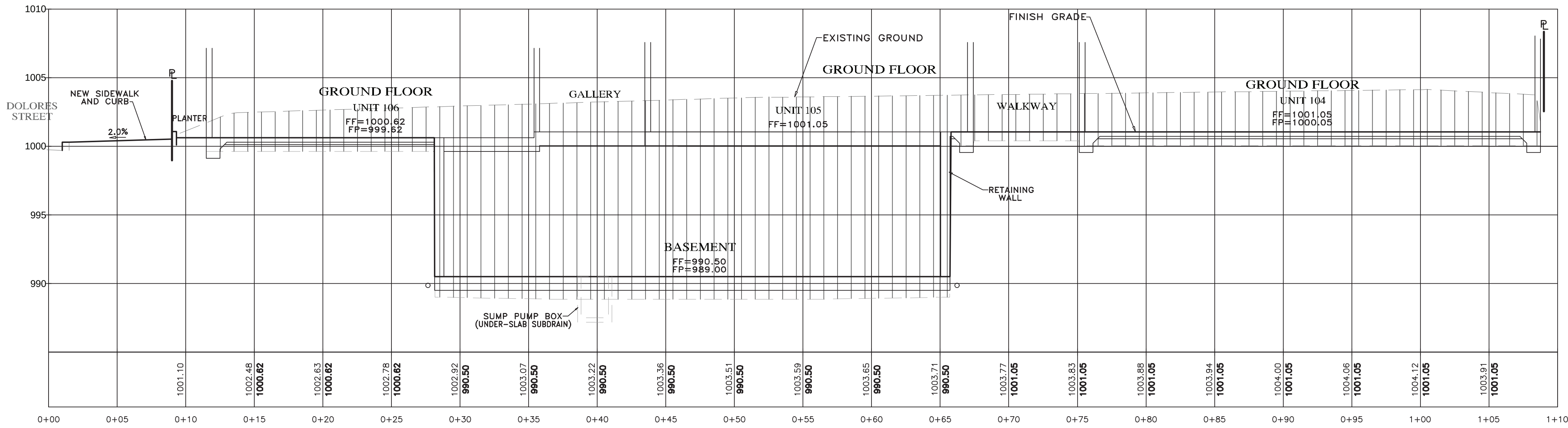
JB PASTOR BUILDING
OF
A.P.N.s.: 010-145-012, 023, & 024
FOR
CITY OF CARMEL, MONTEREY COUNTY, CALIFORNIA
ESPERANZA CARMEL COMMERCIAL, LLC

FOR
ESPERANZA CARMEL COMMERCIAL, LLC

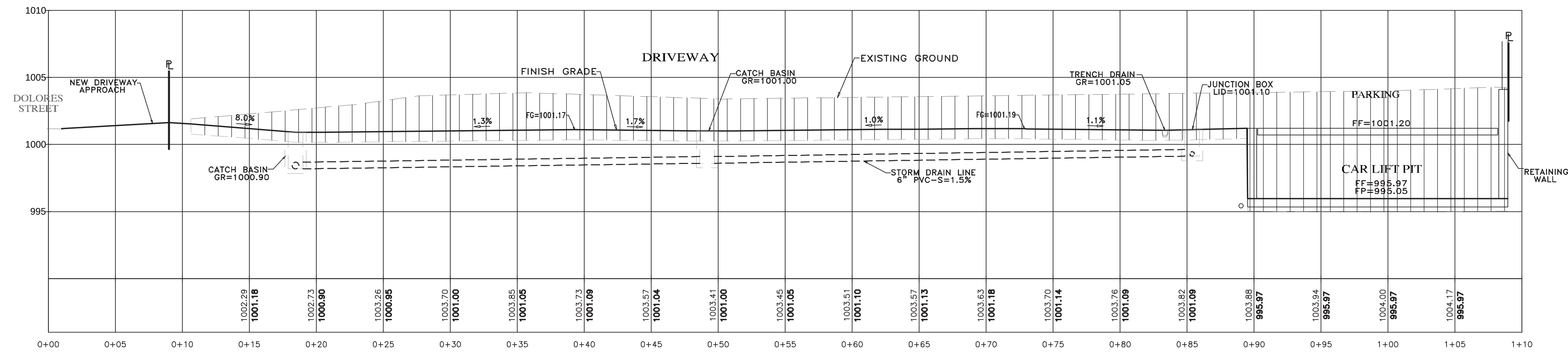
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DATE: MARCH 2024
JOB NO. 2746-01

SHEET C2
OF 9 SHEETS

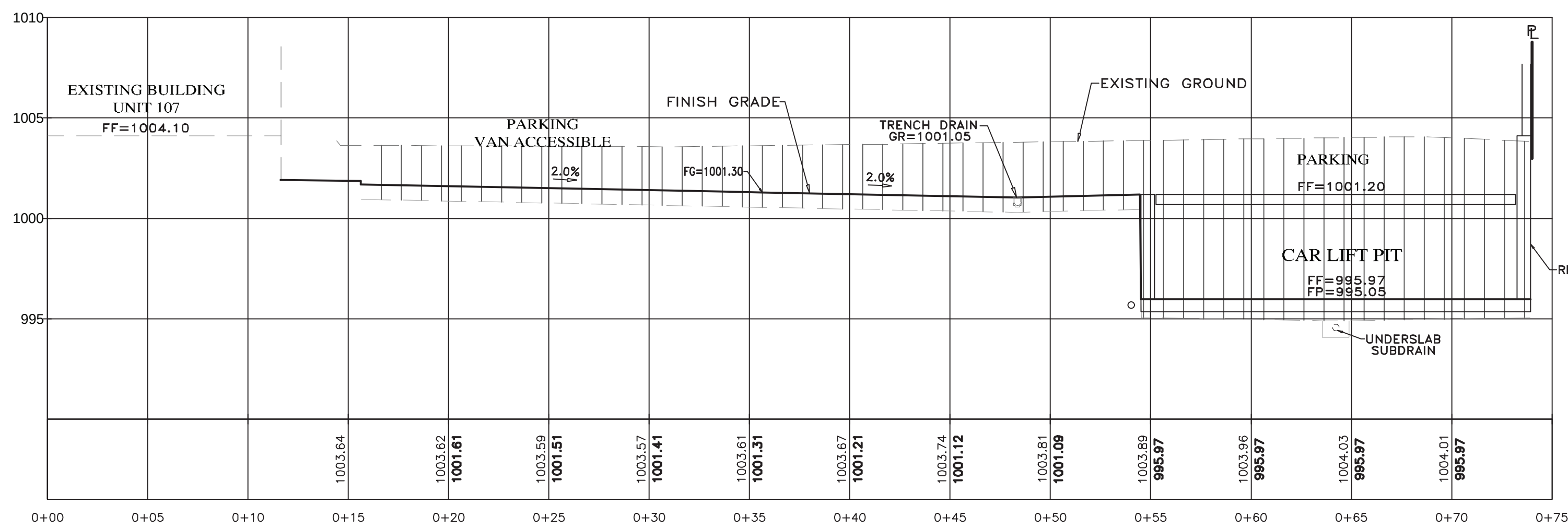




SECTION A-A
SCALE: 1"=5' H&V

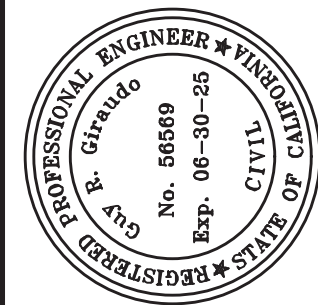


SECTION B-B
SCALE: 1"=5' H&V



SECTION C-C
SCALE: 1"=5' H&V

- NOTES:
- ALL FILL MATERIAL SHALL BE STRUCTURAL FILL PER SOIL'S ENGINEERING INVESTIGATION REPORT
 - SEE ARCHITECTURAL AND STRUCTURAL PLANS FOR LAYOUT OF FOUNDATION COMPONENTS
 - OVEREXCAVATION ON BUILDING AREAS PER SOILS ENGINEERING INVESTIGATION REPORT
 - THE ENTIRE BUILDING FOUNDATION FOR THE BUILDINGS AND THE PARKING MUST BEAR ON A UNIFORM LAYER (MIN. 2") OF COMPACTED FILL, NO MORE THAN A 50% DIFFERENTIAL FILL THICKNESS SHALL EXIST.
 - FOR SECTION LOCATIONS, SEE SHEET C2 "GRADING, DRAINAGE & UTILITY PLAN"



APPROVED BY:

GUY R. GIRARDO
212725

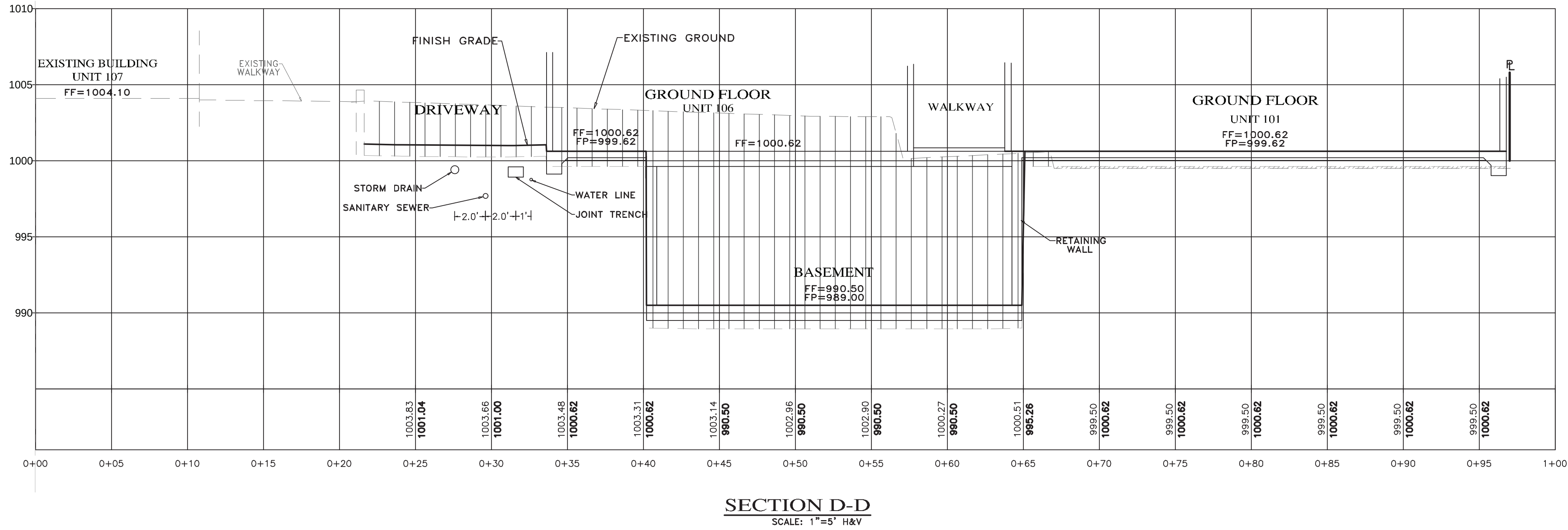


GRADING, DRAINAGE & EROSION CONTROL PLAN
OF
JB PASTOR BUILDING
A.P.N.S.: 010-145-012, 023, & 024
FOR
CITY OF CARMEL, MONTEREY COUNTY, CALIFORNIA
ESPERANZA CARMEL COMMERCIAL, LLC

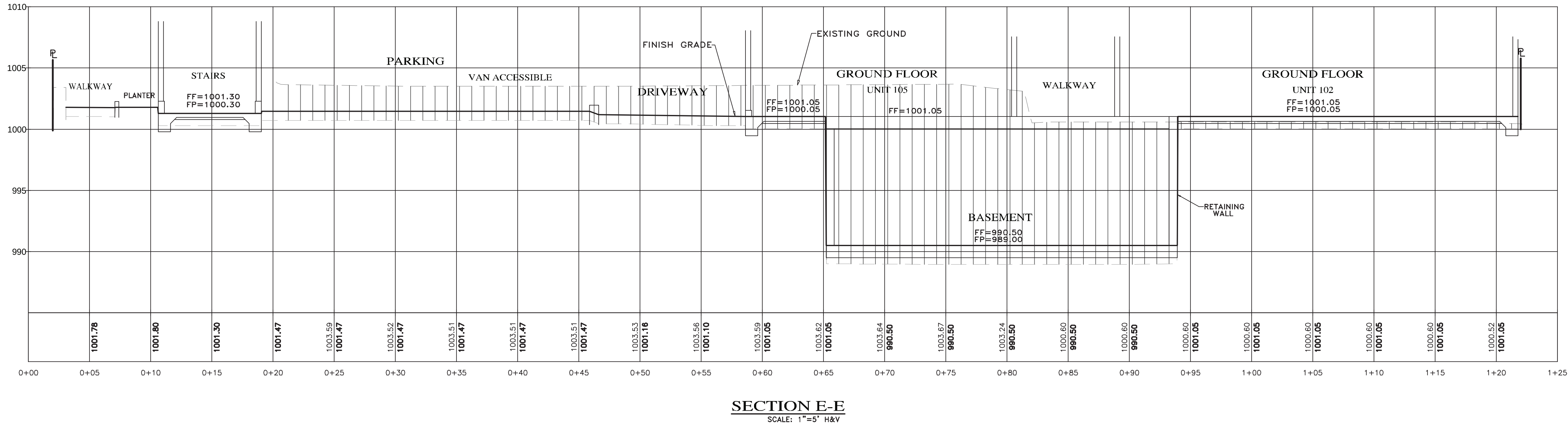
SCALE: 1"=5' H&V
DATE: MARCH 2024
JOB NO. 2746-01

02/10/25 AMS SITE PLAN UPDATE-SWCP			
12/18/24	AMS	SITE PLAN/FINISH FLOORS UPDATE	
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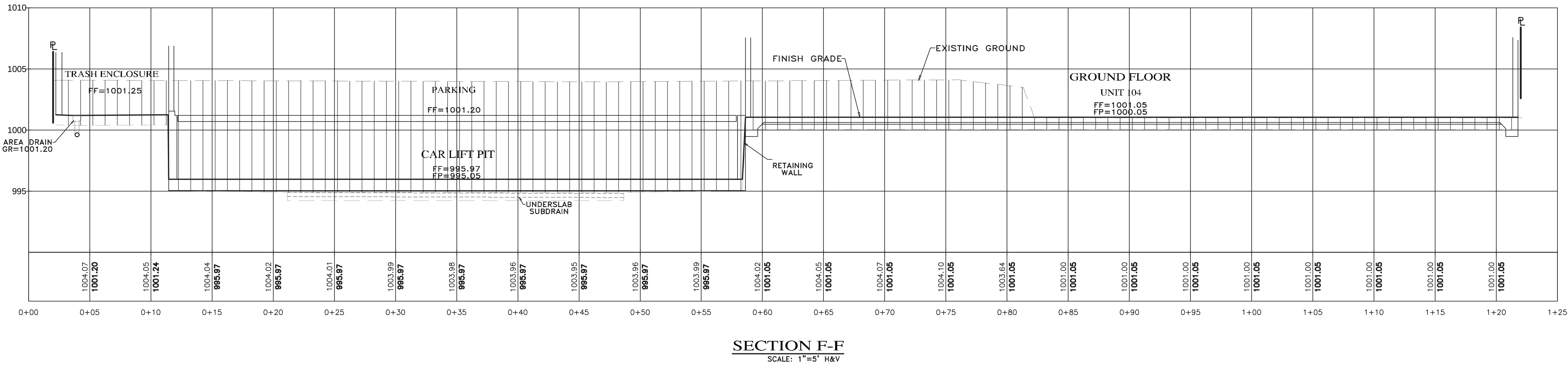
SHEET C3
OF 9 SHEETS



SECTION D-D
SCALE: 1"=5' H&V

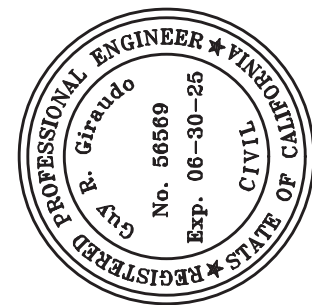


SECTION E-E
SCALE: 1"=5' H&V



SECTION F-F
SCALE: 1"=5' H&V

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 - FOR SECTION LOCATIONS, SEE SHEET C2 "GRADING, DRAINAGE & UTILITY PLAN".



APPROVED BY:

GUY R. GIRARDO
21225



" GRADING SECTIONS - D-F "

GRADING, DRAINAGE & EROSION CONTROL PLAN

OF

JB PASTOR BUILDING

A.P.N.S.: 010-145-012, 023, & 024

CITY OF CARMEL, MONTEREY COUNTY, CALIFORNIA

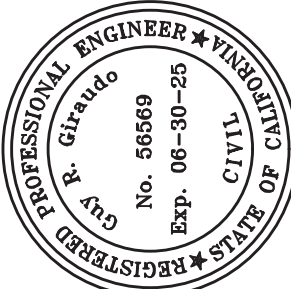
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SHEET C4
OF 9 SHEETS



APPROVED BY:

GUY R. GIRARDO



UTILITY PLAN - GROUND LEVEL "

GRADING, DRAINAGE & EROSION CONTROL PLAN

OF

JB PASTOR BUILDING

A.P.N.s.: 010-145-012, 023, & 024

CITY OF CARMEL, MONTEREY COUNTY, CALIFORNIA

FOR

ESPERANZA CARMEL COMMERCIAL, LLC

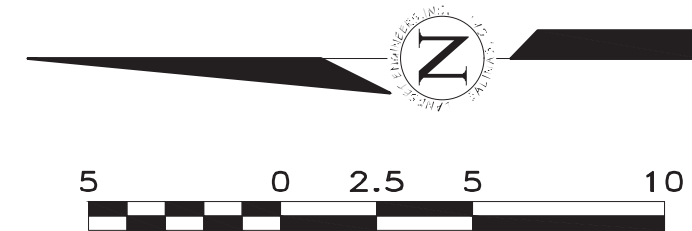
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DATE: MARCH 2024

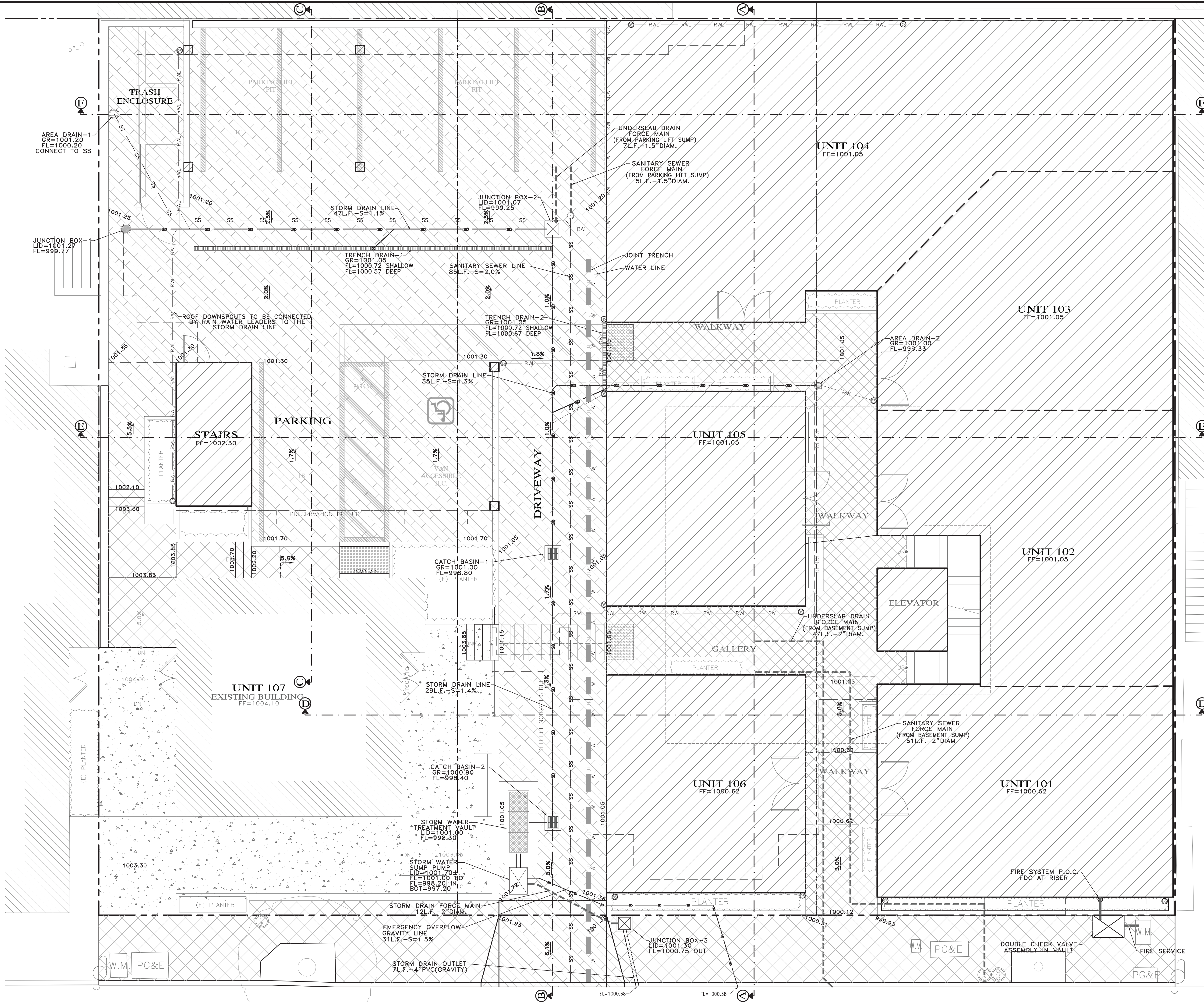
JOB NO. 2746-01

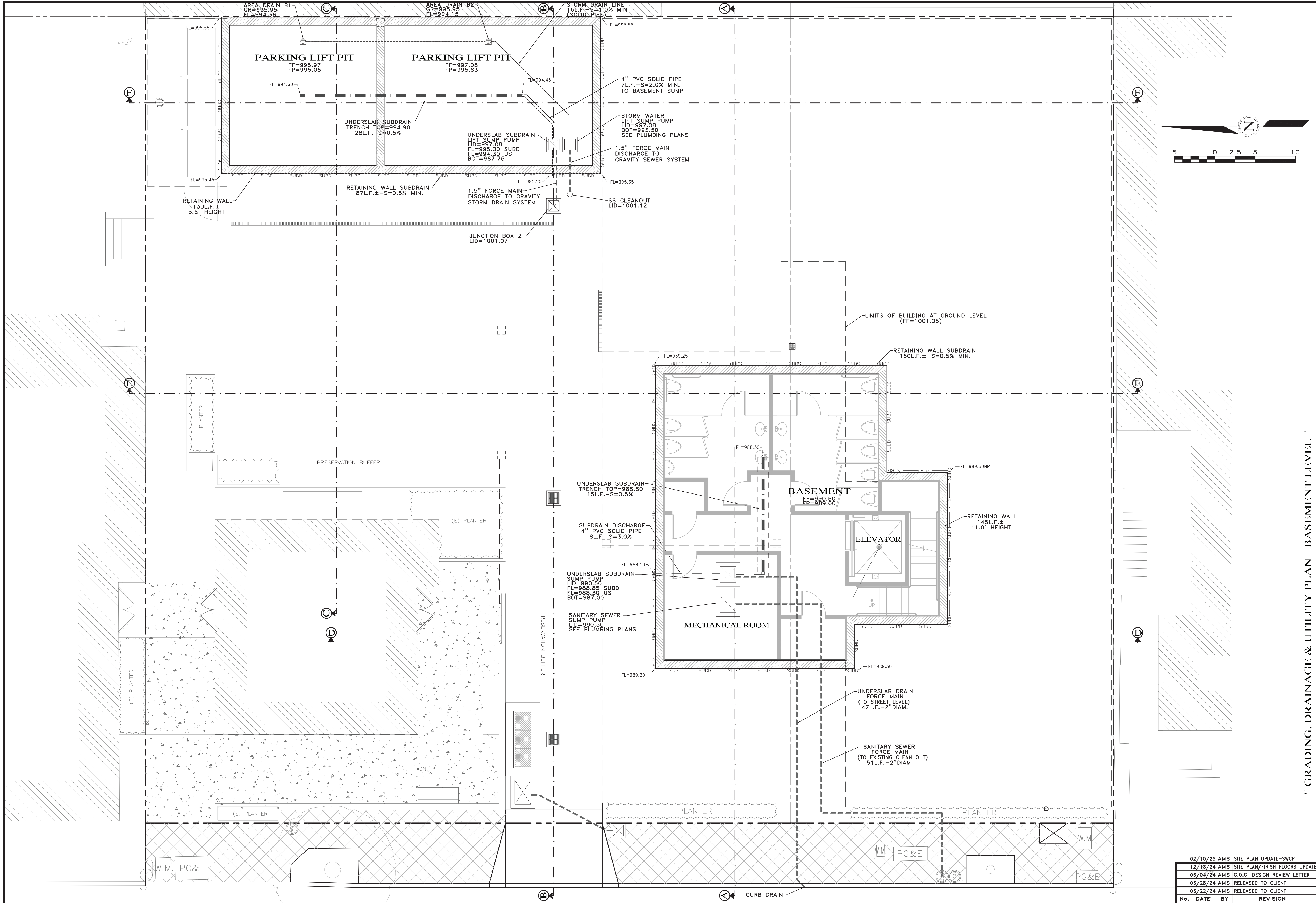
SHEET C5

OF 9 SHEETS



02/10/25 AMS SITE PLAN UPDATE-SWCP			
12/18/24 AMS	SITE PLAN/FINISH FLOORS UPDATE		
06/04/24 AMS	C.O.C. DESIGN REVIEW LETTER		
03/28/24 AMS	RELEASED TO CLIENT		
03/22/24 AMS	RELEASED TO CLIENT		
No.	DATE	BY	REVISION





" GRADING, DRAINAGE & UTILITY PLAN - BASEMENT LEVEL "

GRADING, DRAINAGE & EROSION CONTROL PLAN

JB PASTOR BUILDING
A.P.N.s: 010-145-012, 023, & 024
CITY OF CARMEL, MONTEREY COUNTY, CALIFORNIA
FOR
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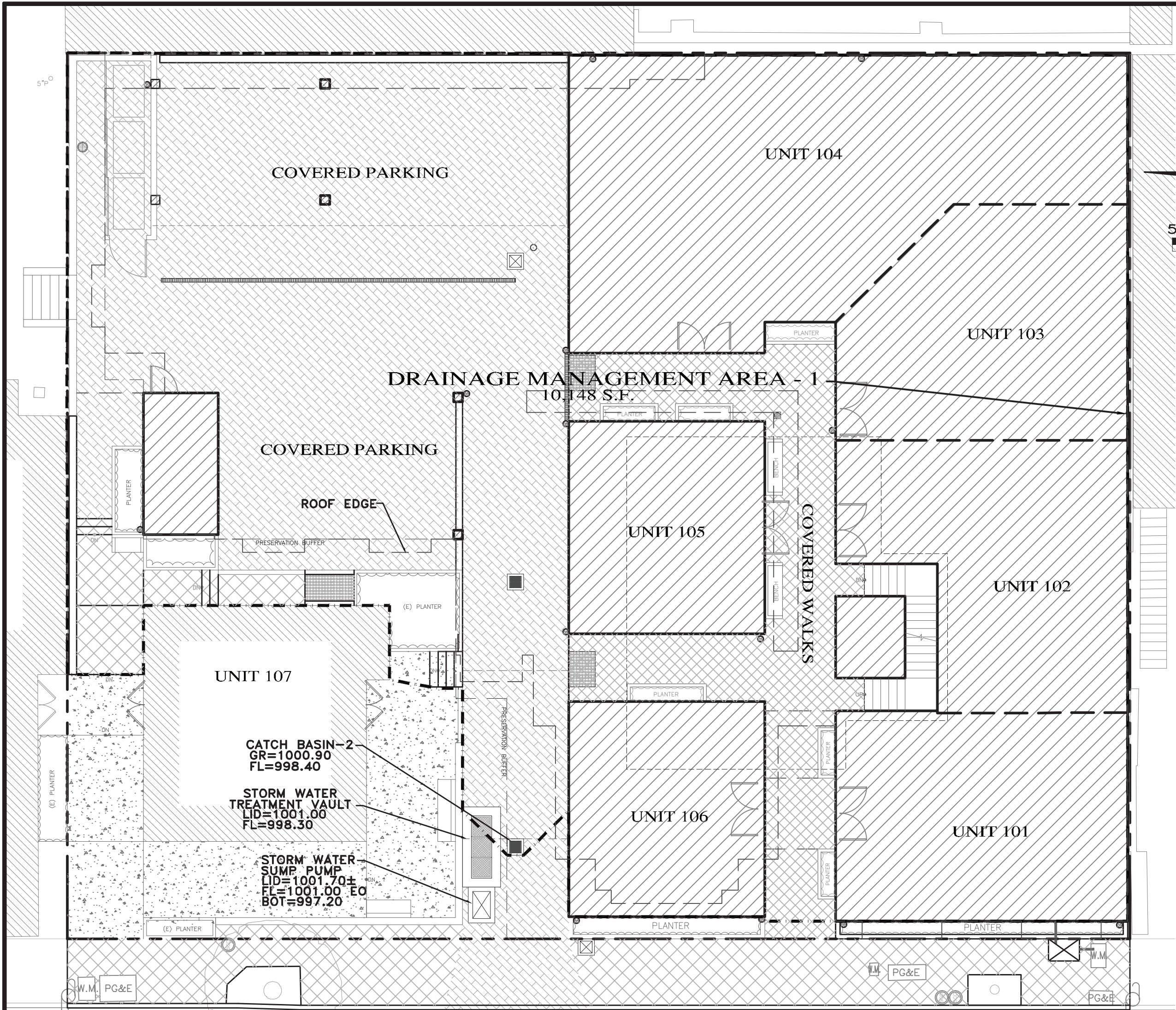
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DATE: MARCH 2024	
JOB NO. 2746-01	
SHEET C6	
OF 9 SHEETS	

02/10/25 AMS SITE PLAN UPDATE-SWCP			
12/18/24 AMS SITE PLAN/FINISH FLOORS UPDATE			
06/04/24 AMS C.O.C. DESIGN REVIEW LETTER			
03/28/24 AMS RELEASED TO CLIENT			
03/22/24 AMS RELEASED TO CLIENT			
No.	DATE	BY	REVISION

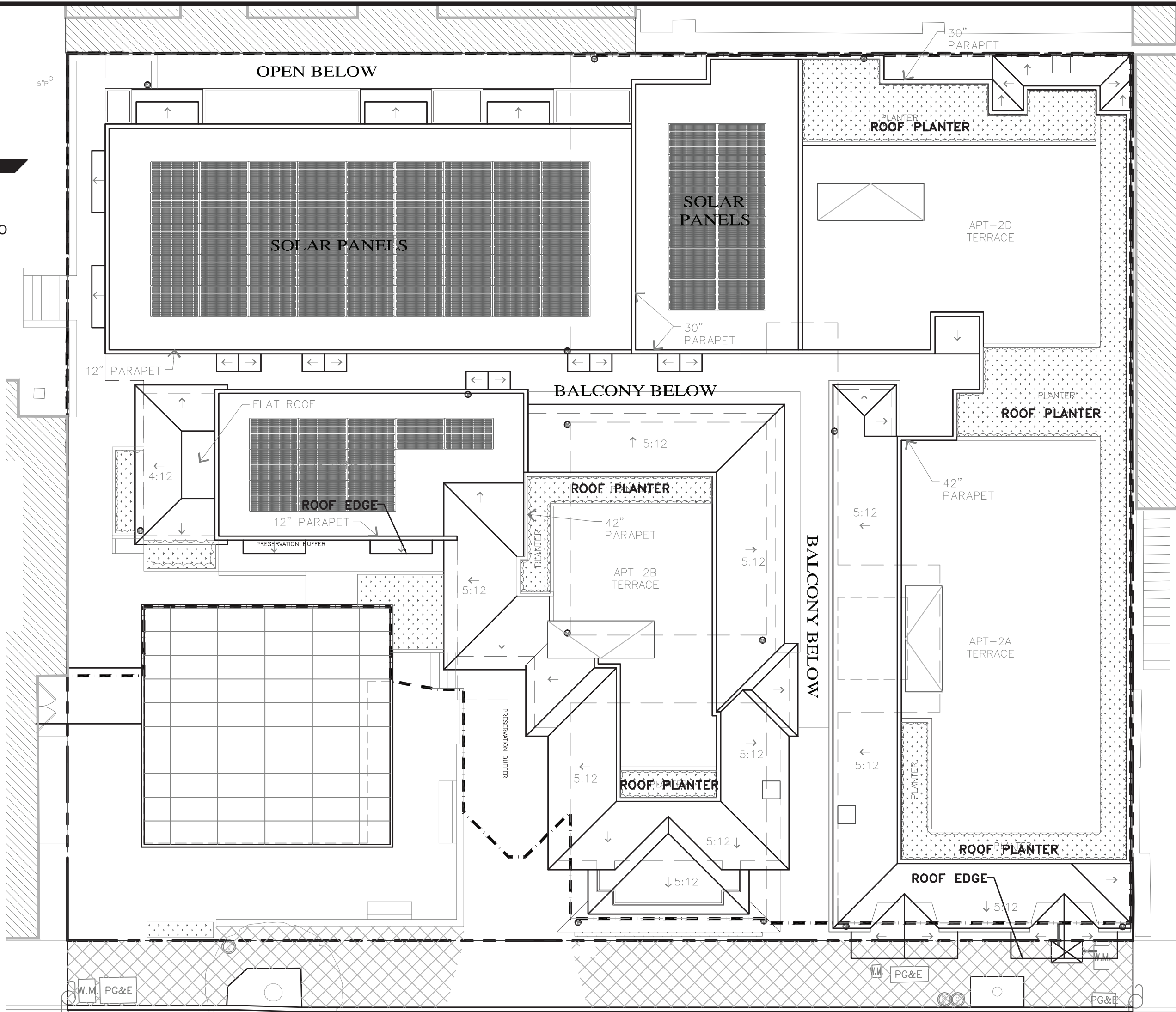
LANDSET
ENGINEERS, INC.
520-B Crazy Horse Canyon Road
Salinas, California 93807
Office (831) 443-3801
www.landseteng.com

APPROVED BY:

GUY R. GIRARDO



MAIN FLOOR (GROUND)
SCALE: 1"=10'



ROOF PLAN
SCALE: 1"=10'

TOTAL LOT AREA
12,000 sq.ft. = 0.2755 Ac.

IMPERVIOUS AREA SUMMARY

PROJECT DEVELOPMENT	
PRE-DEVELOPMENT	10,942 SQ.FT.
POST-DEVELOPMENT	11,029 SQ.FT.

IMPERVIOUS POST-DEVELOPED AREA SUMMARY

PROJECT DEVELOPMENT	
CONVENTIONAL ROOF	8,246 SQ.FT.
MISC. CONCRETE/WALLS	1,203 SQ.FT.
EXISTING TO REMAIN	1,580 SQ.FT.
TOTAL	11,029 SQ.FT.
5,000 sq.ft. < 11,029 < 15,000 sq.ft. : Requirements 1 & 2	

DRAINAGE MANAGEMENT AREA-1	
IMPERVIOUS	9,200 SQ.FT.
PERVIOUS	948 SQ.FT.
TOTAL	10,148 SQ.FT.

HYDRAULIC SIZING:

FLOW HYDRAULIC DESIGN BASIS

SQUARE FOOTAGE OF NEW IMPERVIOUS:
AREA = 9,200 SF

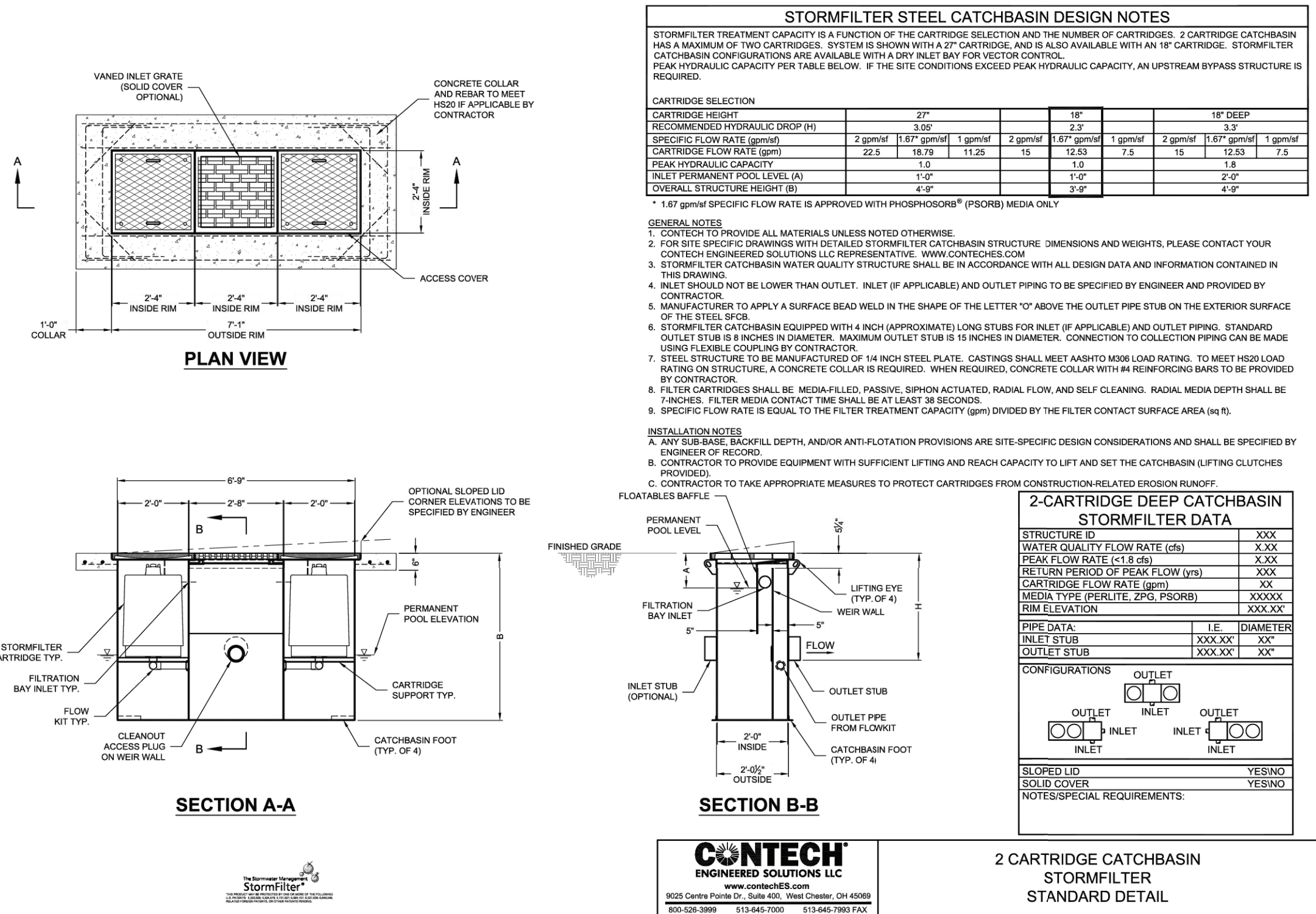
COEFFICIENT 'C'
C=1.0

INTENSITY
0.2 IN/HR = 0.017 FT/HR

RUNOFF
Q=CIA
 $Q=(1.0)(0.017\text{FT})(9,200\text{ SF})/(3600) = 0.0434\text{ CFS}$
 $Q = 0.0521\text{ CFS} = 19.463\text{ GPM}$

TREATMENT FACILITY

CONTECH STORM FILTER CATCH BASIN 2 CARTRIDGE
CARTRIDGE FLOW RATE 18" = 12.53 GPM (PSORB)
USING 2 CARTRIDGES = 25.1 GPM
TREATMENT FLOW PROVIDED = 25.1 GPM > 19.5 GPM



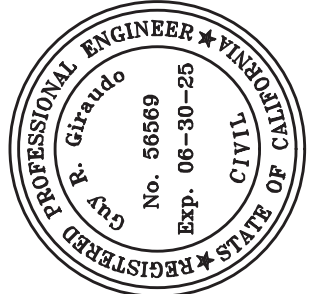
" STORM WATER CONTROL PLAN "

GRADING, DRAINAGE & EROSION CONTROL PLAN

OF
JB PASTOR BUILDING
A.P.N.s: 010-145-012, 023, & 024
CITY OF CARMEL, MONTEREY COUNTY, CALIFORNIA
FOR
ESPERANZA CARMEL COMMERCIAL, LLC

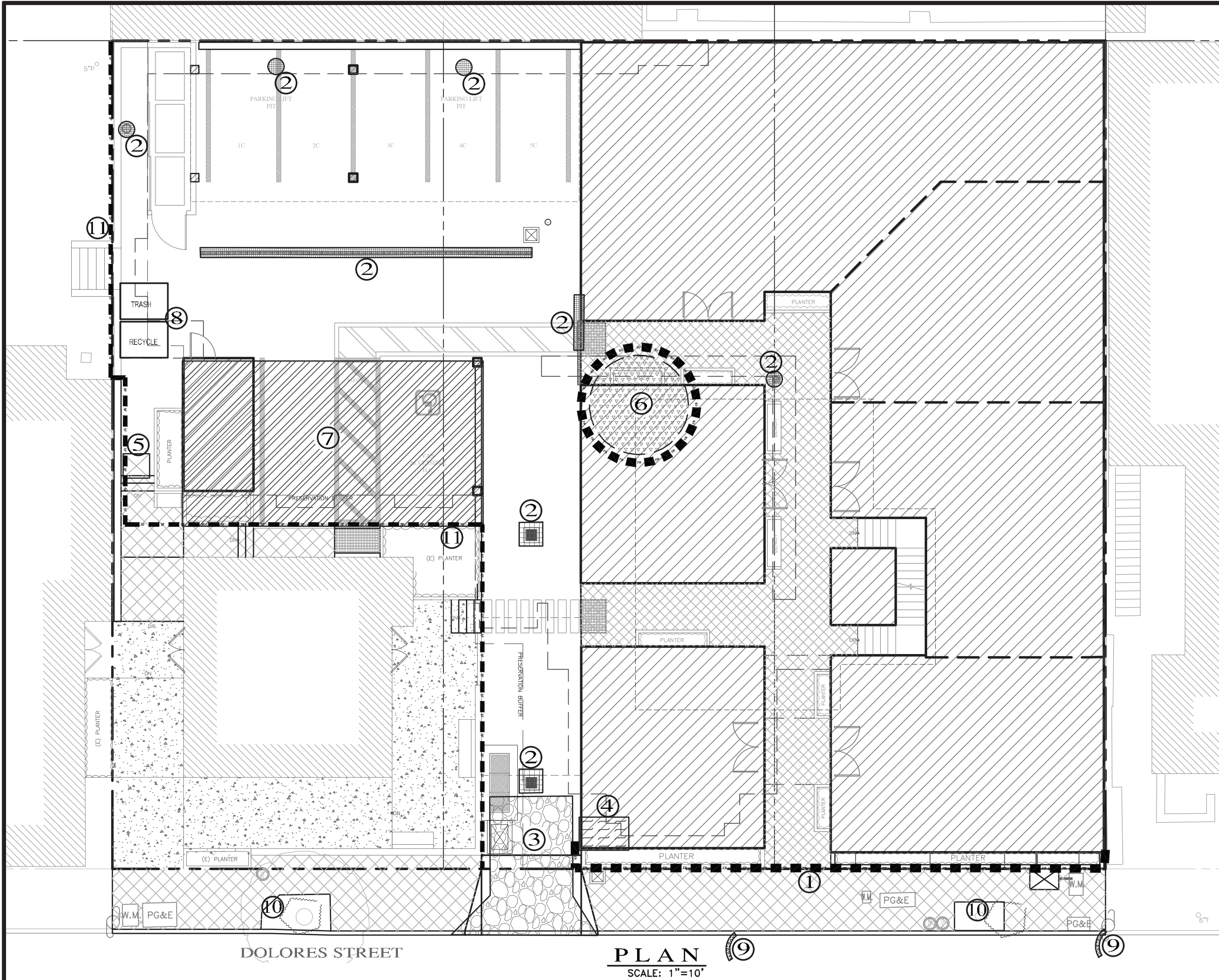
SCALE: 1"=5'
DATE: MARCH 2024
JOB NO. 2746-01

SHEET C7
OF 9 SHEETS



APPROVED BY:
GUY R. GIRARDO
Professional Engineer
No. 56569
Exp. 06-30-25





LEGEND:

- 1 FR
- 2
- 3
- 4
- 5
- 6
- 7
- 8 TRASH RECYCLE
- 9
- 10
- 11 SF

FIBER ROLLS: THE CONTRACTOR SHALL MAINTAIN A STOCKPILE OF FIBER ROLLS ONSITE. AS THEY CAN BE USED ALONG ERODIBLE SLOPES, PERIMETERS, PERIMETERS, SLOPES, SLOPES OF EXPOSED SOIL, AREAS, AND TO DELINEATE/PROTECT STAGING AREAS. FIBER ROLLS MUST BE TRENCHED INTO THE SOIL AND STAKED (STAKES SPACED MAX. 4' ON CENTER), SEE DETAIL. INSTALL FIBER ROLLS ALONG LEVEL CONTOURS, AND TURN THE ENDS UPHILL. INSPECT WEEKLY AND REMOVE ACCUMULATED SEDIMENT REGULARLY.

DRAIN INLET PROTECTION: PLACE GEOTEXTILE FILTER FABRIC BENEATH INLET GRATE AND SURROUND ENTIRE INLET WITH GRAVEL BAGS (OVERLAP THE BAGS AND PACK THEM TIGHTLY TOGETHER - SEE DETAIL). INSPECT ALL INLET PROTECTION WEEKLY. REMOVE ACCUMULATED SEDIMENT REGULARLY.

STABILIZED CONSTRUCTION ACCESS: INSTALL STABILIZED CONSTRUCTION ACCESS PRIOR TO COMMENCEMENT OF EARTH MOVING OPERATIONS (SEE DETAIL). INSPECT ENTRANCE DAILY, AND ADD ADDITIONAL STONE AS TOP-DRESSING WHEN REQUIRED. USE FENCING OR BARRICADES TO PREVENT VEHICLE TRAFFIC FROM DRIVING AROUND THE STABILIZED ACCESS.

CONCRETE WASHOUT: WASHOUT MUST BE LOCATED A MINIMUM OF 50 FEET FROM STORM DRAINS, OPEN DITCHES, OR WATER BODIES. DISCONTINUE USE WHEN WASHOUT WASTES REACH 75% OF THE WASHOUT CAPACITY. ALLOW WASHOUT WASTES TO HARDEN, BE BROKEN UP, AND THEN DISPOSED OF PROPERLY.

SANITARY/SEPTIC WASTE MANAGEMENT: PORTABLE TOILETS WILL BE PROVIDED AND MAINTAINED ONSITE FOR THE DURATION OF THE PROJECT. ALL PORTABLE TOILETS WILL BE EQUIPPED WITH A SECONDARY CONTAINMENT TRAY, AND SHALL BE LOCATED A MINIMUM OF 50' FROM ALL OPERATIONAL STORM DRAIN INLETS. WEEKLY MAINTENANCE SHALL BE PROVIDED AND WASTES LEGALLY DISPOSED OF OFF-SITE.

STOCKPILE MANAGEMENT: SOIL STOCKPILES MUST BE COVERED OR STABILIZED (I.E. WITH SOIL BINDERS) IMMEDIATELY IF THEY ARE NOT SCHEDULED TO BE USED WITHIN 14 DAYS. ACTIVE SOIL STOCKPILES SHALL BE WATERED TWICE DAILY TO AVOID WIND EROSION. SURROUND ALL STOCKPILES WITH FIBER ROLLS OR SILT FENCE. STOCKPILES OF "COLD MIX", TREATED WOOD, AND BASIC CONSTRUCTION MATERIALS SHOULD BE PLACED ON AND COVERED WITH PLASTIC SHEETING OR COMPARABLE MATERIAL AND SURROUNDED BY A BERM.

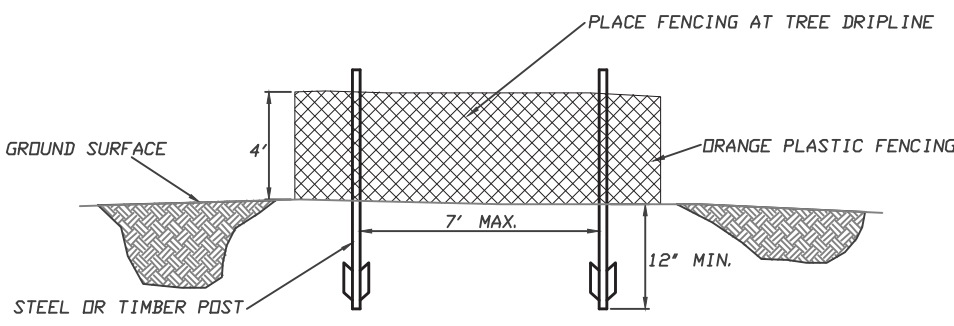
CONTRACTOR'S STAGING AREA: THE CONTRACTOR'S STAGING AREA SHALL BE SURROUNDED BY FIBER ROLLS. THE STAGING AREA WILL BE USED TO STORE DELIVERED MATERIALS, AND FOR OVERNIGHT EQUIPMENT PARKING/FUELING. STORED CONSTRUCTION MATERIALS SHALL BE MAINTAINED IN THEIR ORIGINAL CONTAINERS, AND COVERED AT ALL TIMES. PETROLEUM PRODUCTS AND HAZARDOUS MATERIALS SHALL BE STORED WITHIN SECONDARY CONTAINMENT STRUCTURES OR A STORAGE SHED. EQUIPMENT FUELING AND MAINTENANCE WILL ONLY OCCUR WITHIN THE DESIGNATED STAGING AREA. DRIP PANS OR ABSORBENT PADS MUST BE USED DURING ALL FUELING OR MAINTENANCE ACTIVITIES. AN AMPLI SUPPLY OF SPILL CLEANUP MATERIALS SHALL BE MAINTAINED IN THE STAGING AREA AT ALL TIMES.

WASTE MANAGEMENT: SOLID WASTES WILL BE LOADED DIRECTLY ONTO TRUCKS FOR OFF-SITE DISPOSAL. WHEN ON-SITE STORAGE IS NECESSARY, SOLID WASTES WILL BE STORED IN WATERTIGHT DUMPSTERS IN THE GENERAL STORAGE AREA OF THE CONTRACTOR'S YARD. DUMPSTERS AND/OR TRASH BINS SHALL BE COVERED AT THE END OF EACH WORK DAY. HAZARDOUS WASTES SHALL NOT BE STORED ONSITE. CONSTRUCTION DEBRIS AND GENERAL LITTER WILL BE COLLECTED DAILY AND WILL NOT BE ALLOWED NEAR DRAINAGE INLETS OR DRAINAGE SYSTEMS.

GRAVEL BAG CHECK DAM: GRAVEL BAGS SHALL CONSIST OF WOVEN POLYPROPYLENE, POLYETHYLENE OR POLYAMIDE FABRIC, MIN. UNIT WEIGHT OF 40Z/SY. BAGS SHALL BE A MINIMUM OF 18" LONG X 12" WIDE X 3" THICK, FILLED WITH 3/4" - 1" CRUSHED ROCK. TIGHTLY ABUT BAGS AND CONSTRUCT CHECK DAM AT LEAST 3 BAGS WIDE X 2 BAGS HIGH. INSPECT CHECK DAM REGULARLY AND REMOVE ACCUMULATED SEDIMENT.

TREE PROTECTION: TREE PROTECTION SHALL CONSIST OF ORANGE PLASTIC MESH FENCING, AND SHALL BE INSTALLED PRIOR TO COMMENCEMENT OF EARTH-MOVING OPERATIONS (SEE DETAIL). INSTALL FENCING ALONG THE DRIP LINE OF TREES, AND INSTRUCT EMPLOYEES AND SUBCONTRACTORS TO HONOR PROTECTIVE DEVICES. TREE INJURIES SHALL BE ATTENDED TO BE A LICENSED AND CERTIFIED ARBORIST.

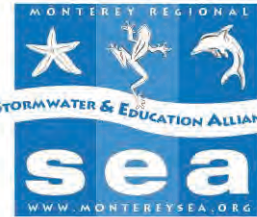
SILT FENCE: SILT FENCE SHALL CONSIST OF WOVEN GEOTEXTILE FABRIC WITH A MINIMUM WIDTH OF 36 INCHES. WOOD STAKES SHALL BE COMMERCIAL QUALITY LUMBER, SPACED A MAXIMUM OF 6' APART AND DRIVEN SECURELY INTO THE GROUND (SEE DETAIL). FENCING FABRIC SHALL BE KEYED INTO THE SOIL AS PER MANUFACTURER'S RECOMMENDATIONS. INSTALL SILT FENCE ALONG LEVEL CONTOURS. TURN THE ENDS OF THE SILT FENCE UPHILL TO PREVENT WATER FROM FLOWING AROUND THE FENCE. INSPECT SILT FENCE DAILY, AND MAKE REPAIRS IMMEDIATELY.



TREE FENCING (ESA) DETAIL
Scale: NTS

EROSION & SEDIMENT CONTROL NOTES:

- 1) ALL EROSION CONTROL MEASURES SHALL CONFORM WITH THE CITY OF CARMEL-BY-THE-SEA EROSION CONTROL ORDINANCE.
- 2) EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IN EFFECT FOR ANY CONSTRUCTION DURING THE RAINY SEASON, APPROX. OCTOBER 15 TO APRIL 15. EROSION CONTROL PLAN SHALL BE PREPARED AND SUBMITTED FOR APPROVAL BY SEPT. 15 OF ANY OR EACH CALENDAR YEAR THAT CONSTRUCTION MAY EXTEND BEYOND OCTOBER 15.
- 3) ALL SLOPES SHALL BE PROTECTED WITH STRAW MULCH OR SIMILAR MEASURES TO PROTECT AGAINST EROSION UNTIL SUCH SLOPES ARE PERMANENTLY STABILIZED.
- 4) RUNOFF SHALL BE DETAINED OR FILTERED BY BERMS, VEGETATED FILTER STRIPS, AND/OR CATCH BASINS TO PREVENT THE ESCAPE OF SEDIMENT FROM THE SITE.
- 5) EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IN PLACE AT THE END OF EACH DAY'S WORK.
- 6) EROSION CONTROL PLANTINGS AND MULCH SHALL BE CLOSELY MONITORED THROUGHOUT THE WINTER AND ANY RUNOFF PROBLEMS CORRECTED PROMPTLY. SEE LANDSCAPE ARCHITECT'S PLAN FOR PERMANENT PLANTINGS AND TREE SCHEDULES.
- 7) DISTURBED SURFACES NOT INVOLVED IN THE IMMEDIATE GRADING OPERATIONS MUST BE PROTECTED BY MULCHING AND/OR OTHER EFFECTIVE MEANS OF SOIL PROTECTION.
- 8) ALL ROADS AND DRIVEWAYS SHALL HAVE DRAINAGE FACILITIES SUFFICIENT TO PREVENT EROSION ON OR ADJACENT TO THE ROADWAY OR ON THE DOWNHILL PROPERTIES.
- 9) DRAINAGE CONTROL MEASURES SHALL BE MAINTAINED AND IN PLACE AT THE END OF EACH DAY AND CONTINUOUSLY THROUGHOUT THE LIFE OF THE PROJECT DURING WINTER OPERATIONS.
- 10) REVEGETATION SHALL CONSIST OF A MECHANICALLY APPLIED HYDROMULCH SLURRY OR HAND SEEDED WITH A STRAW MULCH COVER. MULCH SHALL BE ANCHORED BY AN APPROVED METHOD SUCH AS PUNCHING, TACKING, OR THE USE OF JUTE NETTING, AS DEEMED NECESSARY FOR THE SITE CONDITIONS TO ALLOW FOR GERMINATION AND ENABLE ADEQUATE GROWTH TO BE ESTABLISHED.
- 11) CHECK DAMS, SILT FENCES, FIBER ROLLS OR OTHER DESIGNS SHALL BE INCORPORATED TO CATCH ANY SEDIMENT UNTIL AFTER THE NEWLY EXPOSED AREAS ARE REVEGETATED SUFFICIENTLY TO CONTROL EROSION. EROSION CONTROL PLANTINGS AND MULCH SHALL BE CLOSELY MONITORED THROUGHOUT THE WINTER AND ANY RUNOFF PROBLEMS SHALL BE CORRECTED PROMPTLY. ALL EROSION AND/OR SLIPPAGE OF THE NEWLY EXPOSED AREAS SHALL BE REPAIRED BY THE PERMITTEE AT THEIR EXPENSE.
- 12) THE GRASS SEED SHALL BE PROPERLY IRRIGATED UNTIL ADEQUATE GROWTH IS ESTABLISHED AND MAINTAINED TO PROTECT THE SITE FROM FUTURE EROSION DAMAGE. ALL NEWLY EXPOSED (DISTURBED) AREAS SHALL BE SEEDED WITH THE FOLLOWING EROSION CONTROL MIX: BROMUS CARINATUS (CALIFORNIA BROME), VULPIA MICROSTACHYS (NUTTALL'S FESCUE), ELYMUS GLAUCUS (BLUE WILD RYE), HORDEUM BRACHYANTHERUM (MEADOW BARLEY), FESTUCA RUNRMOLATE BLUE AND A MIXTURE OF LOCALLY NATIVE WILDFLOWERS.
- 13) THE DIRECTOR OF BUILDING INSPECTION (BUILDING OFFICIAL) SHALL STOP OPERATIONS DURING PERIODS OF INCLEMENT WEATHER IF HE OR SHE DETERMINES THAT EROSION PROBLEMS ARE NOT BEING CONTROLLED ADEQUATELY.
- 14) GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR EROSION AND SEDIMENT CONTROL BMP INSTALLATION AND MAINTENANCE AND SHALL PROVIDE FULL PARTICULARS TO THE CITY OF CARMEL-BY-THE-SEA PRIOR TO BEG. WORK.



CONSTRUCTION BEST MANAGEMENT PRACTICES (BMPs)

Construction Projects Are Required to Implement the Stormwater Best Management Practices (BMPs) on this Page, as they Apply to Your Project, All Year Long.

MATERIALS & WASTE MANAGEMENT

Non-Hazardous Materials

- Berm and securely cover stockpiles of sand, dirt, or other construction materials with tarps when rain is forecast or if stockpiles are not actively being used. For best results, this should be done at the end of the work day throughout construction when feasible.
- Use (but don't overuse) reclaimed water for dust control.

Hazardous Materials

- Label all hazardous materials and hazardous wastes (such as pesticides, paints, thinners, solvents, fuel, oil, and antifreeze) in accordance with city, county, state and federal regulations.
- Store hazardous materials and wastes in water tight containers, store in appropriate secondary containment, and cover them at the end of every work day during wet weather or when rain is forecast.
- Follow manufacturer's application instructions for hazardous materials and be careful not to use more than necessary. Do not apply chemicals outdoors when rain is forecast within 24 hours.
- Arrange for appropriate disposal of all hazardous wastes.

Construction Entrances and Perimeter

- Establish and maintain effective perimeter controls and stabilize all construction entrances and exits to sufficiently control erosion and sediment discharges from site and tracking off site.

EQUIPMENT MANAGEMENT & SPILL CONTROL

Maintenance and Parking

- Designate an area, fitted with appropriate BMPs, for vehicle and equipment parking and storage.
- Perform major maintenance, repair jobs, and vehicle and equipment washing off site.
- If refueling or vehicle maintenance must be done onsite, work in a bermed area away from storm drains and over a drip pan big enough to collect fluids. Recycle or dispose of fluids as hazardous waste.
- If vehicle or equipment cleaning must be done onsite, clean with water only in a bermed area that will not allow rinse water to run into gutters, streets, storm drains, or surface waters.
- Do not clean vehicle or equipment onsite using soaps, solvents, degreasers, steam cleaning equipment, etc.
- Inlet protection is the last line of spill defense. Drains/inlets that receive storm water must be covered or otherwise protected from receiving sediment/dirt/mud, other debris, or illicit discharges, and include gutter controls and filtration where applicable in a manner not impeding traffic or safety.

EARTHWORK & CONTAMINATED SOILS

Spill Prevention and Control

- Keep spill cleanup materials (rags, absorbents, etc.) available at the construction site at all times.
- Inspect vehicles and equipment frequently for and repair leaks promptly. Use drip pans to catch leaks until repairs are made.
- Clean up spills or leaks immediately and dispose of cleanup materials properly (see the Monterey Regional Waste Management District's guidelines for accepting hazardous waste materials).
- Do not hose down surfaces where fluids have spilled. Use dry cleanup methods (absorbent materials, cat litter, and/or rags).
- Sweep up spilled dry materials immediately. Do not try to wash them away with water, or bury them.
- Clean up spills on dirt areas by digging up and properly disposing of contaminated soil (see the Monterey Regional Waste Management District's Contaminated Soil Acceptance Criteria).
- Report significant spills immediately. You are required by law to report all significant releases of hazardous materials, including oil. To report a spill: Dial 911.

PAVING/ASPHALT WORK

Erosion Control

- Schedule grading and excavation work for dry weather only.
- Stabilize all denuded areas, install and maintain temporary erosion controls (such as erosion control fabric or bonded fiber matrix) until vegetation is established.
- Seed or plant vegetation for erosion control on slopes or where construction is not immediately planned.

Sediment Control

- Protect storm drain inlets, gutters, ditches, and drainage courses with appropriate BMPs, such as gravel bags, inlet filter, berms, etc.
- Prevent sediment from migrating offsite by installing and maintaining sediment controls, such as fiber rolls, silt fences, or sediment basins.
- Keep excavated soil on the site where it will not collect into the street.
- Transfer excavated materials to dump trucks on the site, not in the street.
- If any of the following conditions are observed, test for contamination and contact the Monterey County Environmental Health Department, Regional Water Quality Control Board, and local municipal inspector:
 - Unusual soil conditions, discoloration, or odor
 - Abandoned underground tanks
 - Buried barrels, debris, or trash.

CONCRETE, GROUT & MORTAR APPLICATION

- Store concrete, grout and mortar under cover, on pallets and away from drainage areas. These materials must never reach a storm drain.
- Wash out concrete equipment/materials offsite or in a contained area, so there is no discharge into the underlying soil or onto surrounding areas. Let concrete harden and dispose of as garbage.
- Collect the wash water from washing exposed aggregate concrete and remove it for appropriate disposal offsite.

PAINTING & PAINT REMOVAL

Painting cleanup

- Never clean brushes or rinse paint containers into a street, gutter, storm drain, or surface waters.
- For water-based paints, paint out brushes to the extent possible. Rinse to the sanitary sewer once you have gained permission from the local wastewater treatment authority. Never pour paint down a drain.
- For oil-based paints, paint out brushes to the extent possible and clean with thinner or solvent in a proper container. Filter and reuse thinners and solvents. Dispose of residue and unusable thinner/solvents as hazardous waste.

Paint Removal

- Chemical paint stripping residue and chips and dust from marine paints or paints containing lead or tributyltin must be disposed of as hazardous waste.
- Paint chips and dust from non-hazardous dry stripping and sand blasting may be swept up or collected in plastic drop cloths and disposed of as trash.

DEWATERING

- Effectively manage all run-on, all runoff within the site, and all runoff that discharges from the site.
- Divert run-on water from offsite away from all disturbed areas or otherwise ensure protection of its water quality for compliance.
- When dewatering, notify and obtain approval from the local municipality before discharging water to a street gutter or storm drain. Filtration or diversion through a basin, tank, or sediment trap, and/or disposal in sanitary sewer may be required.
- In areas of known contamination, testing is required prior to reuse or discharge of groundwater. Consult with the Engineer and municipal staff to determine whether testing is required and how to interpret results. Contaminated groundwater must be treated or handled off-site for proper disposal.

LANDSCAPE MATERIALS

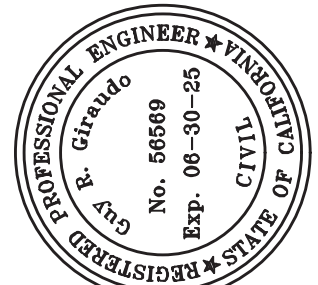
- Contain stockpiled landscaping materials by storing them under tarps when they are not actively being used.
- Stack erodible landscape material on pallets. Cover or store these materials when they are not actively being used or applied.
- Discontinue application of any erodible landscape material within 2 days before a forecast rain event or during wet weather.

STORM DRAIN POLLUTERS MAY BE LIABLE FOR FINES OF UP TO \$10,000 PER DAY!

" EROSION & SEDIMENT CONTROL PLAN "

GRADING, DRAINAGE & EROSION CONTROL PLAN

JB PASTOR BUILDING
OF
A.P.N.s.: 010-145-012, 023, & 024
CITY OF CARMEL, MONTEREY COUNTY, CALIFORNIA
FOR
ESTERANZA CARMEL COMMERCIAL, LLC



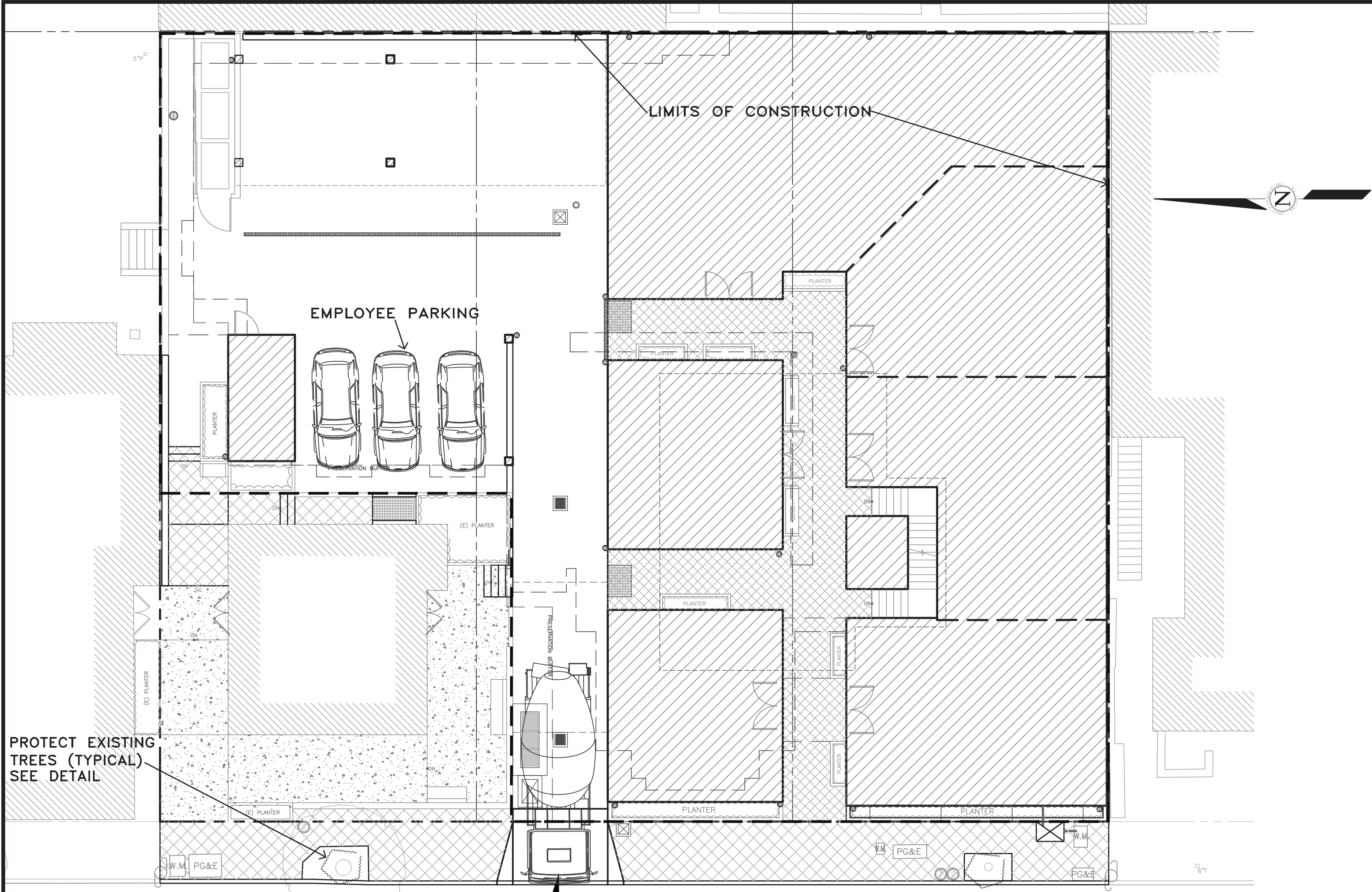
APPROVED BY:

GUY R. GIRARDO
CIVIL
2/2/25

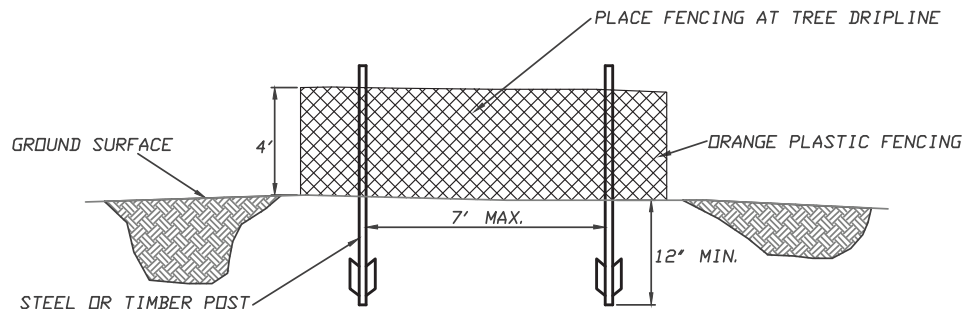


SCALE: AS SHOWN	
DATE: MARCH 2024	
JOB NO. 2746-01	
SHEET C8	
OF 9 SHEETS	

12/18/24 AMS SITE PLAN/UPDATE-SWCP			
12/18/24 AMS	12/18/24 AMS	12/18/24 AMS	12/18/24 AMS
06/04/24 AMS	06/04/24 AMS	06/04/24 AMS	06/04/24 AMS
03/28/24 AMS	03/28/24 AMS	03/28/24 AMS	03/28/24 AMS
03/22/24 AMS	03/22/24 AMS	03/22/24 AMS	03/22/24 AMS
No.	DATE	BY	REVISION



PLAN
SCALE: 1"=10'



FENCING (ESA) DETAIL
Scale: NTS

EARTHWORK QUANTITIES PER CIVIL ENGINEERING PLANS BY LANDSET ENGINEERS, INC.:
1,445 CY CUT
5 CY FILL

CONSTRUCTION STAGING:
DEMOLISH EXISTING HARDSCAPE AND OFFHAUL DEBRIS. EXISTING DRIVEWAY TO BE USED FOR EQUIPMENT STAGING AND TEMPORARY STOCKPILE AREA.

PERFORM GRADING, CONSTRUCT STRUCTURES, AND INSTALL UNDERGROUND UTILITIES. PROPOSED PARKING AREA TO BE USED FOR MATERIAL AND EQUIPMENT STAGING.

INSTALL NEW PAVERS DRIVEWAY AND LANDSCAPING.

SEE ARCHITECTURAL AND CIVIL PLANS FOR EROSION CONTROL AND DEMOLITION NOTES.

CONSTRUCTION EQUIPMENT AND MATERIALS SHALL NOT BE STAGED ON DOLORES STREET AT ANY TIME DURING CONSTRUCTION. MATERIAL DELIVERIES SHALL BE SCHEDULED SUCH THAT THEY ARE USED PROMPTLY, AND MATERIAL STORAGE IS MINIMIZED. ALL CONSTRUCTION EQUIPMENT AND MATERIALS SHALL BE STORED IN A DESIGNATED AREA ON THE SUBJECT PROPERTY.

HAUL ROUTES:
THE HAUL ROUTE TO THE SITE IS FROM HIGHWAY 1 TO OCEAN AVENUE TO DOLORES STREET. (HAUL TRUCKS EXIT IN THE SAME FASHION.) VEHICLES SHALL NOT BE LEFT UNATTENDED WHILE IN QUEUE (IF NECESSARY) ON DOLORES STREET. CONTRACTOR TO ENSURE THAT HEIGHT RESTRICTIONS WITHIN THE DRIVEWAY AREA SHALL BE ADDRESSED BEFORE CONSTRUCTION VEHICLES ENTER THE SITE. SEE DETAILS B AND C, TRUCK ROUTING PLANS.

MATERIAL DELIVERIES:
IN THE EVENT THAT MATERIAL DELIVERIES CAUSE ANY STREETS ALONG THE HAUL ROUTE TO BE PARTIALLY BLOCKED BY DELIVERY TRUCKS OR LOADING/UNLOADING OPERATIONS, A FLAGMAN SHALL BE PRESENT TO DIRECT TRAFFIC AROUND THE LANE OBSTRUCTION. THE FLAGMAN SHALL BE PRESENT AT ALL TIMES DURING WHICH DELIVERY/ CONSTRUCTION OPERATIONS MAY IMPACT TRAFFIC ON THE HAUL ROUTE AND SURROUNDING STREETS.

EMPLOYEE PARKING:
LIMITED EMPLOYEE PARKING ON-SITE. EMPLOYEES SHALL USE PUBLIC PARKING LOTS (SEE LOCATION DETAIL) AND CARPOOL TO JOBSITE IF POSSIBLE. ON-SITE PARKING SHALL BE IN LEGAL SPACES ALONG DOLORES STREET, OBEYING ALL PARKING LAWS. PARKING IS PROHIBITED IN ALL NATURAL AREAS WHICH ARE NOT CURRENTLY PAVED OR GRAVEL.

LIMITS OF CONSTRUCTION: ALL CONSTRUCTION SHALL TAKE PLACE WITHIN THE BORDER AS SHOWN. EXISTING CYPRESS, PINE, AND OAK TREES LOCATED WITHIN THE LIMITS SHOWN SHALL BE SURROUNDED BY ORANGE PROTECTIVE FENCING (SEE DETAIL).

TRUCK TRIP GENERATION CHART:

CATEGORY	NO. OF TRUCK TRIPS	TOTAL DAYS
DEMOLITION/CLKEARING	5	4
GRADING & SOIL REMOVAL (EXPORT)	72	9
ENGINEERING MATERIALS (IMPORT)	4	2
TOTALS	81	15

TRUCK TRIP GENERATION NOTES:

1. TRUCK TRIPS FOR THE GRADING/SOIL REMOVAL IS BASED UPON 20 CUBIC YARDS PER TRUCKLOAD WITH AN AVERAGE OF 8 TRUCK LOADS PER DAY.
2. THERE ARE 1,440 C.Y. OF SURPLUS SOIL MATERIAL THAT WILL BE EXPORTED OFF THE SITE.
3. GRADING OPERATIONS SHALL TAKE APPROXIMATELY 10 WORKING DAYS TO COMPLETE.
4. THE AMOUNT OF GRADING PER DAY WILL VARY, THE AVERAGE BETWEEN 120 & 180 CUBIC YARDS.

NUMBER OF EMPLOYEES/DAY: 6-10

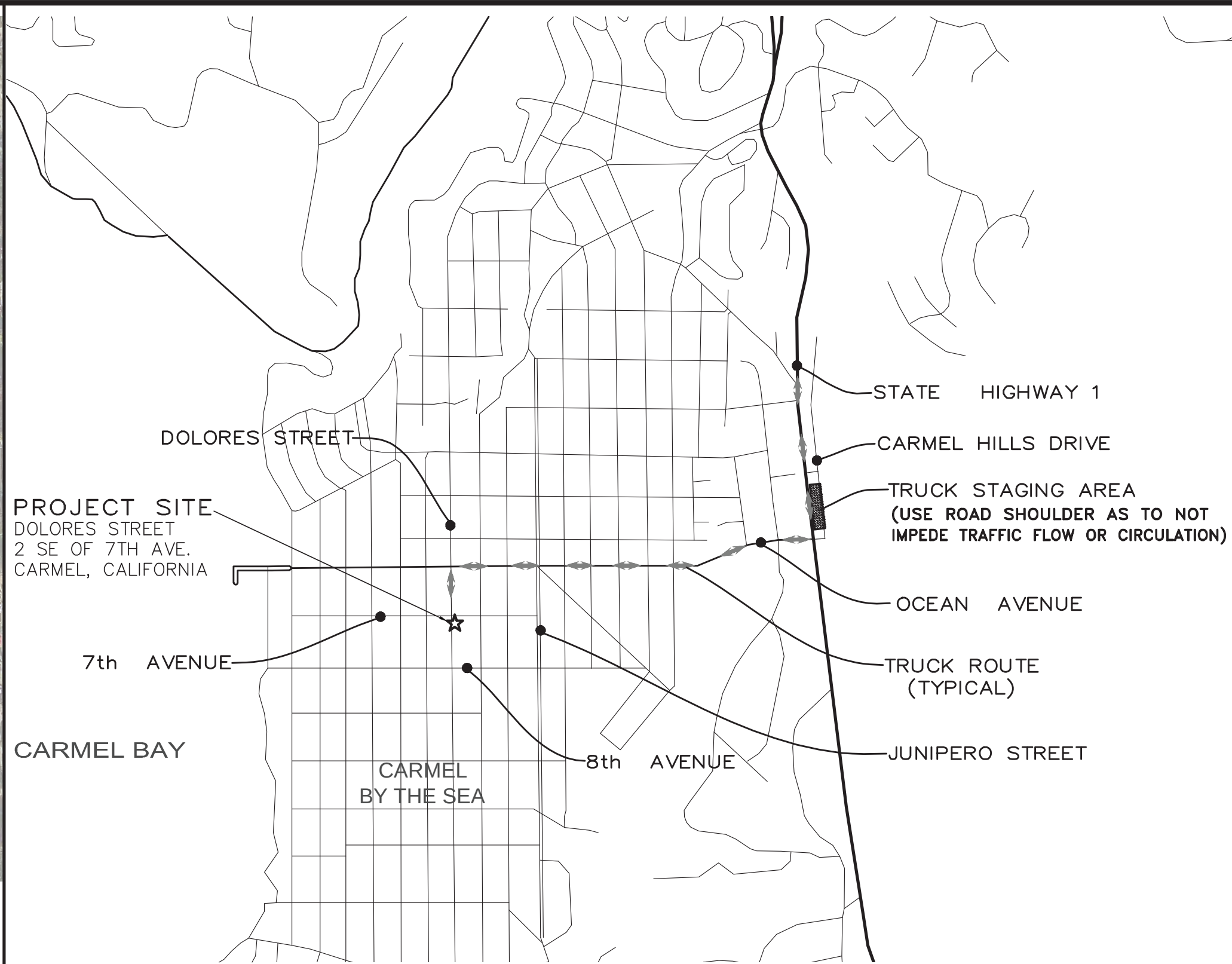
HOURS OF OPERATION/DAY: 8

PROJECT SCHEDULING: PROJECTED START DATE 20 MARCH 2024, 10 WORKING DAYS TO COMPLETE GRADING, MONDAY THRU FRIDAY, 8:00 A.M. - 4:30 P.M. TOTAL PROJECT DURATION IS APPROXIMATELY 20 MONTHS.

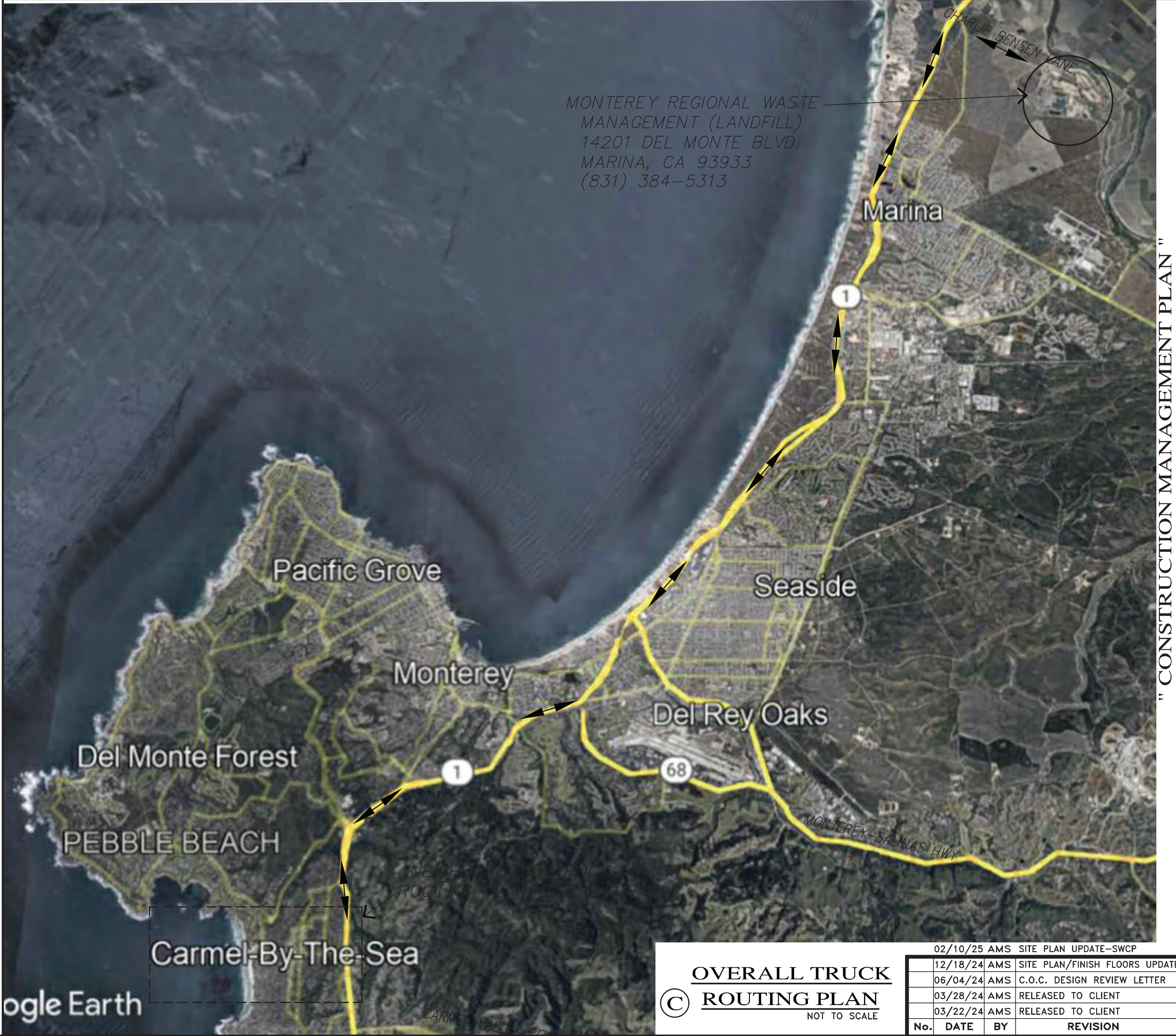
A CONSTRUCTION STAGING PLAN



PUBLIC PARKING



B NEIGHBORHOOD TRUCK ROUTING PLAN



OVERALL TRUCK ROUTING PLAN
NOT TO SCALE

No.	DATE	BY	REVISION
02/10/25	AMS		SITE PLAN UPDATE-SWCP
12/18/24	AMS		SITE PLAN/FINISH FLOORS UPDATE
06/04/24	AMS		C.O.C. DESIGN REVIEW LETTER
03/28/24	AMS		RELEASED TO CLIENT
03/22/24	AMS		RELEASED TO CLIENT

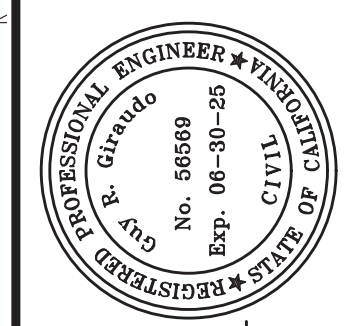
CONSTRUCTION MANAGEMENT PLAN "

GRADING, DRAINAGE & EROSION CONTROL PLAN

OF
JB PASTOR BUILDING
A.P.N.s.: 010-145-012, 023, & 024
CITY OF CARMEL, MONTEREY COUNTY, CALIFORNIA
ESPERANZA CARMEL COMMERCIAL, LLC

SCALE: AS SHOWN
DATE: MARCH 2024
JOB NO. 2746-01

SHEET C9
OF 9 SHEETS



APPROVED BY:
GUY R. GIRARDO
Professional Engineer
State of California
License No. 56680
Exp. 08-30-25



IRRIGATION NOTES:

VALVE SIZES ON PLAN ARE SCHEMATIC AND NOT ACTUAL SIZE OF BOXES

SYSTEM DESIGNED TO PREVENT LOW HEAD DRAINAGE AND NO OVERSPRAY OR RUNOFF

IRRIGATION LAID OUT TO CONFORM TO HYDROZONES INDICATED ON LANDSCAPE PLAN

SYSTEM DESIGNED TO ACHIEVE MINIMUM IRRIGATION EFFICIENCY OF .75 FOR OVERHEAD SPRAY AND .81 FOR DRIP ZONES

SYSTEM USES LOW VOLUME IRRIGATION IN MULCHED PLANTING AREAS

SYSTEM HAS MATCHED PRECIPITATION RATES FOR HEAD AND EMISSION DEVICES

THE IRRIGATION HEADS ARE LAID OUT FOR OPTIMAL SPACING

SWING JOINTS ARE USED ON ALL SPRINKLER HEADS

SYSTEM USES CHECK OR ANTI-DRAIN VALVES

SUBSURFACE IRRIGATION OR OTHER MEANS THAT PRODUCES NO RUNOFF OR OVERSPRAY FOR TURF OR OTHER AREAS LESS THAN 10 FEET IN WIDTH

WHERE SPRINKLER HEADS ARE CLOSER THAN 24" TO HARDSCAPE, HARDSCAPE IS DESIGNED TO DRAIN ENTIRELY INTO LANDSCAPE

EACH VALVE IRRIGATES HYDROZONE WITH SIMILAR CONDITIONS WITH SPRINKLER HEADS AND EMISSION DEVICES THAT ARE APPROPRIATE FOR THE PLANT TYPE WITHIN THE HYDROZONE

TREES WILL BE PLACED ON SEPARATE VAVLES FROM SHRUBS, GROUNDCOVERS, AND TURF WHERE FEASIBLE

DRIP EMITTERS TO BE 1 GPH UNLESS OTHERWISE NOTED

ALL IRRIGATION MAIN LINE TRENCHING SHALL BE A MINIMUM OF 18" MIN. BELOW FINISH AT PLANTER BEDS AND 24" MIN. BELOW PAVED SURFACES. LATERAL LINES TO BE 12" BELOW FINISH AND DRIP LINES TO BE 5" BELOW FINISH.

CONNECT IRRIGATION WATER LINE TO DOMESTIC MAIN SUPPLY VIA BACKFLOW PREVENTION DEVICE. (SEE DETAIL.)

ALL BANKS OF IRRIGATION VALVES TO BE CONNECTED TO IRRIGATION MAINLINE AFTER A GATE VALVE FOR SERVICING OF INDIVIDUAL BANKS.

IRRIGATION DEMAND:

14GPM AT 55 PSI STATIC UPSTREAM OF BACKFLOW PREVENTOR. VERIFY EXACT PRESSURE PRIOR TO COMMENCEMENT OF WORK.

ALL TRENCHES FOR IRRIGATION WORK TO BE LAID OUT ONSITE TO AVOID DAMAGE TO ANY EXISTING TREE ROOTS

AUTOMATIC CONTROLLER DEVICE:

SHALL BE WALL MOUNTED AS DIRECTED BY LANDSCAPE CONTRACTOR. SERVICE TO BE 120 VOLT AC HARDWIRED PER ELECTRICAL CONTRACTOR.

LOW VOLTAGE LIGHTING:

TO BE INSTALLED IN ELECTRICAL CONDUIT. RUN ADDITIONAL 2" CHASES AND EXTRA WIRES AS NEEDED. LOCATE BEOW MAIN IRRIGATION LINES. SEE ELECTRICAL PLAN.

HOSE BIBS:

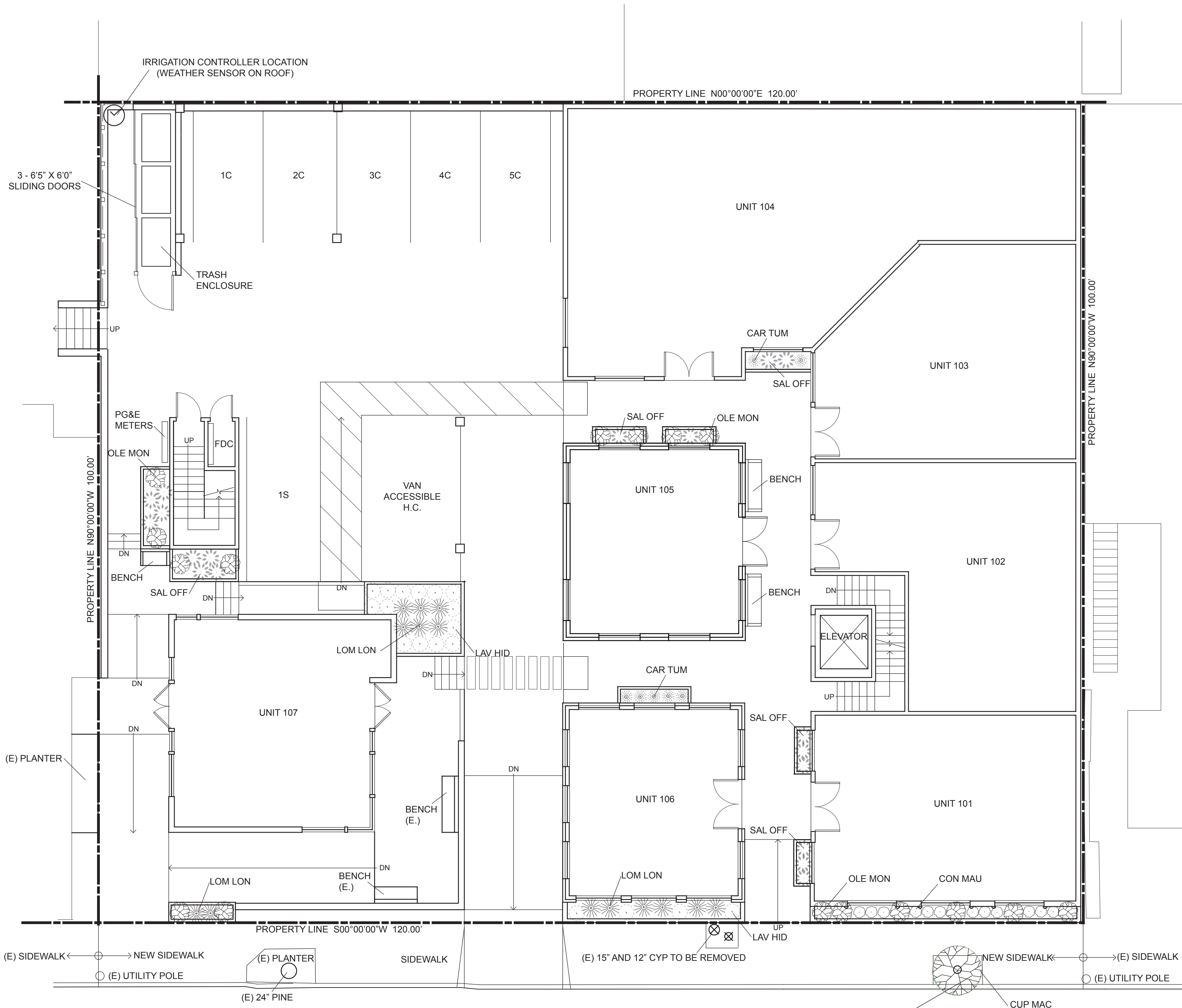
TO BE BRASS AND INSTALLED ON A 4"x4" PRESSURE TREATED POST.

VALVE BOXES, PIPE, AND HOSE BIBS:
ALL EXPOSED COMPONENTS OF IRRIGATION SYSTEM TO BE PURPLE IN COLOR TO SHOW IT IS RECLAIMED WATER IF NECESSARY..

IRRIGATION SCHEDULE:
FOR ESTABLISHMENT PERIOD - ONE YEAR
1 AND 2 GALLON PLANTS 15 MINS X 2 TIMES PER WEEK
5 AND 15 GALLON PLANTS 20 MINS X 2 TIMES PER WEEK
24" BOX TREES 30 MINS X 2 TIMES PER WEEK

FOR MATURE PERIOD - AFTER ONE YEAR OR DETERMINE ON PLANT TO PLANT BASIS
1 AND 2 GALLON PLANTS 15 MINS X 1 TIMES PER WEEK
5 AND 15 GALLON PLANTS 20 MINS X 1 TIMES PER WEEK
24" BOX TREES 30 MINS X 1 TIMES PER WEEK

AS PLANTS MATURE AND BECOME MORE ESTABLISHED, THE IRRIGATION CAN BEGIN TO TAPER OFF AS MUCH AS THE PLANTS WILL ALLOW.



PLANTING LEGEND

SYMBOL	BOTANICAL NAME	COMMON NAME	QUANTITY	SIZE	WUCOLS
CAR TUM	Carex tumulicola	Foothill Sedge	7	1 gal	Low
CON MAU	Convolvulus mauritanicus	Ground Morning Glory	12	1 gal	Low
CUP MAC	Cupressus macrocarpa	Monterey Cypress	1	5 gal	Low
LAV HID	Lavandula 'Hidcote Superior'	Hidcote Supereor	55	1 gal	Low
LOM LON	Lomandra longifolia 'Breeze'	Dwarf Mat Rush	49	5 gal	Low
OLE EUR	Olea europea 'Majestic Beauty'	Majestic Beauty Fruitless Olive	3	15 gal	Low
OLE MON	Olea europea 'Montra'	Little Ollie	22	5 gal	Low
OLE SWA	Olea europea 'Swan Hill'	Swan Hill Fruitless Olive - columnar	22	15 gal	Low
SAL OFF	Salvia officinalis	Garden Sage	37	5 gal	Low

SCOPE OF WORK:

THIS PROJECT INVOLVES LANDSCAPE INSTALLATION IN PLANTERS WITH NEW LOW FLOW DRIP IRRIGATION SYSTEM. THE LANDSCAPE IS DESIGNED TO USE ALL NATIVE AND/OR DROUGHT TOLERANT PLANTING.

PROJECT INFORMATION:

OWNER	ESPERANZA CARMEL COMMERCIAL, LLC ATTN: RYAN AESCHLIMAN
SITE	DOLORES ST 2 SE OF 7TH AVE. CARMEL-BY-THE-SEA, CA LOTS: 6,8,10 BLOCK 91
APN	010-145-012, 023, 024
TOPOGRAPHY	FLAT
TREE REMOVAL	NONE
GRADING	SEE CIVIL SHEET

LANDSCAPING STATEMENT:

I PATRICK WILSON CERTIFY THAT THIS LANDSCAPING AND IRRIGATION PLAN COMPLIES WITH ALL CITY OF CARMEL'S LANDSCAPING REQUIREMENTS INCLUDING USE OF NATIVE, DROUGHT TOLERANT, NON-INVASIVE SPECIES; LIMITED TURF; AND LOW-FLOW, WATER CONSERVING IRRIGATION FIXTURES

I HAVE COMPLIED WITH THE CRITERIA OF THE ORDINANCE AND APPLIED THEM FOR THE EFFICIENT USE OF WATER IN THE LANDSCAPE DESIGN PLAN.

XERISCAPE PRACTICES:

1. LOW WATER USE, DROUGHT TOLERANT PLANTS
2. WATER CONSERVING IRRIGATION TECHNIQUES AND SYSTEMS
3. DRIP IRRIGATE ALL PLANT MATERIAL
4. INSTALLATION OF RAIN SENSOR

PLANTING NOTES:

ALL LANDSCAPE AREAS SHALL BE CONTINUOUSLY MAINTAINED IN A LITTER FREE, WEED FREE CONDITION AND ALL PLANT MATERIAL SHALL BE CONTINUOUSLY MAINTAINED IN A HEALTHY GROWING CONDITION.

STAKING:
STAKING SHALL BE PROVIDED FOR TREES AND SHRUBS AS NEEDED. TIES TO BE LOCATED AND SIZED TO ALLOW FOR EXPANSION AND GROWTH.

MULCHING:
SPREAD 3" OF MULCH OVER ALL EXPOSED PLANTING AREAS

COMPOST MINIMUM OF 4 CUBIC YARDS PER 1,000SQFT OF PERMEABLE AREA TO A DEPTH OF 6"

STAGING:
WHEN STAGING PLANT MATERIAL ON SITE INSTALL A TEMPORARY DRIP LINE AS NEEDED.

SOIL AMENDMENT TO BE ADDED TO PLANTED ARE AS NEEDED FOR PLANT MATERIAL.

BUILDING DEPARTMENT NOTES:

PERMITS & INSPECTIONS:

THE CONTRACTOR SHALL OBTAIN ALL REQUIRED INSPECTIONS FOR THE WORK AND GIVE THE OWNER TIMELY NOTICE OF INTENT TO EACH INSPECTION.

CODES:

ALL MATERIAL, WORKMANSHIP AND METHODS OF CONSTRUCTION SHALL CONFORM TO THE APPLICABLE REQUIREMENTS OF THE UBC AND LOCAL BUILDING CODES.

NO POTABLE WATER MAY BE USED FOR COMPACTION OR DUST CONTROL PURPOSES IN CONSTRUCTION ACTIVITIES WHERE THERE IS A REASONABLY AVAILABLE SOURCE OF RECLAIMED WATER.

CONTRACTOR TO USE AUTO SHUT-OFF NOZZLES ON ANY WATER HOSES USED ON THE PROJECT.

LAYOUT NOTES:
ANNOTATED DIMENSIONS TO TAKE PRECEDENCE OVER SCALED DRAWINGS.

FIRE SAFETY NOTES:
ALL NON IRRIGATED BRUSH TO BE KEPT AT GROUND LEVEL FOR AN AREA OF 50' SURROUNDING THE PROPOSED RESIDENCE.

TREES TO BE CLEARED OF DEAD LIMBS WITHIN A 50' RADIUS OF THE PROPOSED RESIDENCE. ANY TREE LIMBS WITHIN 10' OF A CHIMNEY WILL BE REMOVED.



MISSION
LANDSCAPING

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PACIFIC GROVE
CALIFORNIA 93950

P 831 373 8293
F 831 373 2283

www.missionlandscaping.com
email:
missionlandscaping@me.com

Landscape & General
Contractors C27 & B 392291
Landscape Architecture
CA Lic #5806

Project:

JB Pastor Building
Dolores St.

2 SE of 7th Ave.
Carmel By-The-Sea,
CA 93921

APN: 010-145-012, 023, 024

Revisions:



Drawing Title:

Street Level Landscape
Plan

Date: 02/10/25

Scale: 1/8" = 1'0"

Drawn By: pW

Page Number:

L1.0



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APN: 010-145-012, 023, 024
Revisions:



Drawing Title:

Roof and 2nd Level
Landscape Plan

Date: 02/10/25

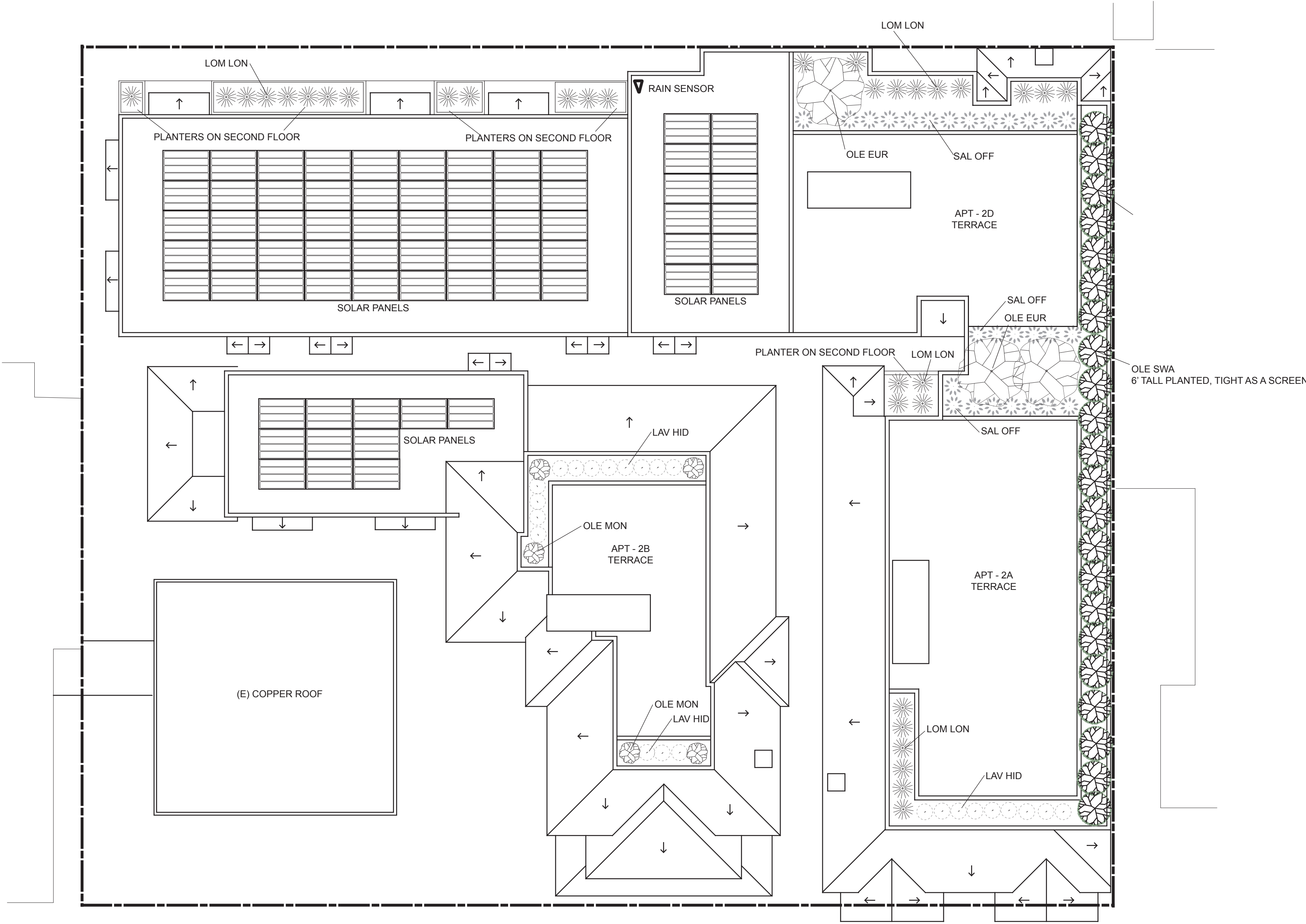
Scale: 1/8" = 1'0"

Drawn By: pW

Page Number:

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NORTH
0' 2' 4' 8' 16'
PLANTING PLAN AT ROOF LEVEL
1/8"=1'0"



Olea europea 'Majestic Beauty'



Convolvulus mauritanicus



Olea europea 'Montra'



Carex tumulicola



Salvia officinalis



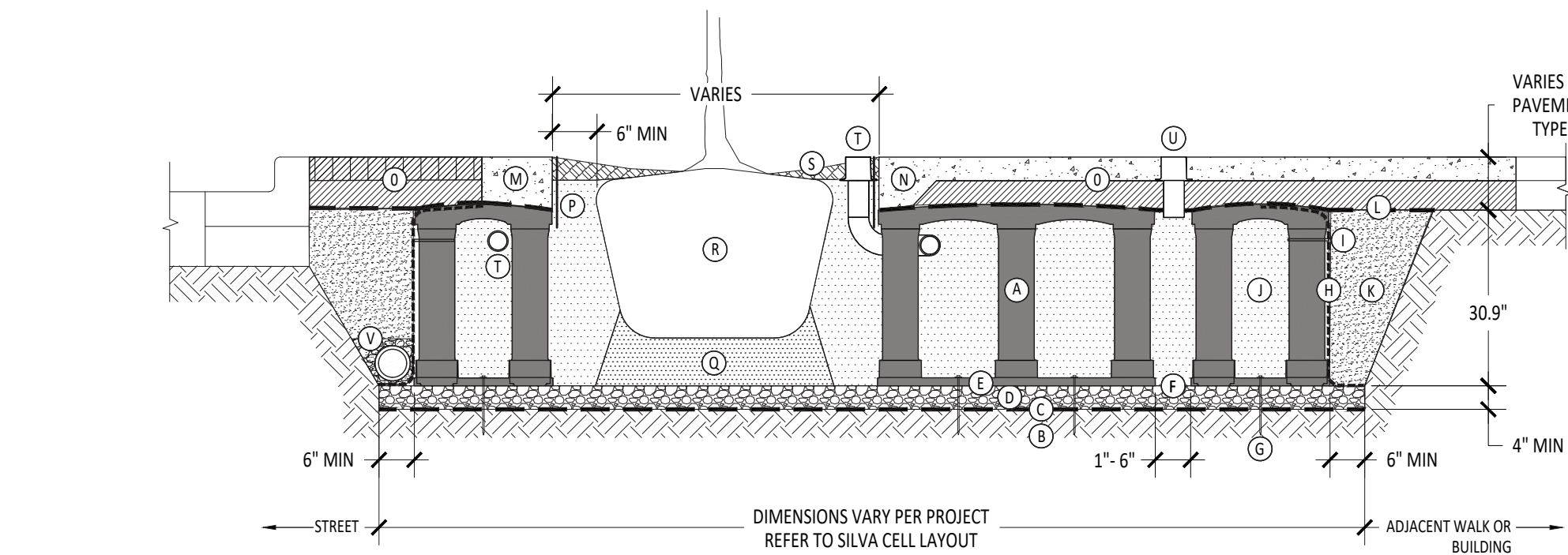
Lavandula 'Hidcote Superior'



Lomandra longifolia 'Breeze'



Olea europea 'Swan Hill' - screen



A

L1.2

SILVA CELL SYSTEM 2X

NOT TO SCALE

KEY PLAN

(A) SILVA CELL SYSTEM (DECK, BASE, AND POSTS)

(B) SUBGRADE, COMPACTED

(C) GEOTEXTILE FABRIC, PLACED ABOVE SUBGRADE

(D) 4" MIN AGGREGATE SUB BASE, COMPACTED TO 95% PROCTOR

(E) SILVA CELL BASE SLOPE, 10% MAX

(F) 1" TO 6" SPACING BETWEEN SILVA CELLS AT BASE

(G) ANCHORING SPIKES, CONTACT DEEPROOT FOR ALTERNATIVE

(H) GEOGRID, WRAPPED AROUND PERIMETER OF SYSTEM, WITH 6" TOE (OUTWARD FROM BASE) AND 12" EXCESS (OVER TOP OF DECK)

(I) CABLE TIE, ATTACHING GEOGRID TO SILVA CELL AT BASE OF UPPER LEG FLARE, AS NEEDED

(J) PLANTING SOIL, PER PROJECT SPECIFICATIONS, PLACED IN LIFTS AND WALK-IN COMPACTED TO 75-85% PROCTOR

(K) COMPACTED BACKFILL, PER PROJECT SPECIFICATIONS

(L) GEOTEXTILE FABRIC TO EDGE OF EXCAVATION

(M) RIBBON CURB AT TREE OPENING (TO BE USED WITH PAVERS OR ASPHALT)

(N) THICKENED EDGE AT TREE OPENING (TO BE USED WITH CONCRETE)

(O) PAVEMENT AND AGGREGATE BASE PER PROJECT *

(P) DEEPROOT ROOT BARRIER, 12" OR 18", DEPTH DETERMINED BY THICKNESS OF PAVEMENT SECTION, INSTALL DIRECTLY ADJACENT TO CONCRETE EDGE RESTRAINT

(Q) PLANTING SOIL BELOW ROOT BALL, COMPACTED WELL TO PREVENT SETTLING

(R) ROOT BALL

(S) TREE OPENING TREATMENT, PER PROJECT SPECIFICATIONS

(T) DEEPROOT WATER AND AIR VENT, ROOTBALL, WHEN REQUIRED

(U) DEEPROOT WATER AND AIR VENT, WHEN REQUIRED

(V) UNDERDRAIN SYSTEM, WHEN REQUIRED (LOCATION AND DETAILS BY OTHERS)

NOTES

1. EXCAVATION SHALL BE DONE IN ACCORDANCE WITH ALL APPLICABLE HEALTH AND SAFETY REGULATIONS

2. INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS

3. PROVIDE SUPPLEMENTAL IRRIGATION

4. DO NOT SCALE DRAWINGS

*MINIMUM PAVEMENT PROFILE OPTIONS TO MEET H-20 LOADING

PAVEMENT

+ AGGREGATE BASE COURSE

4" CONCRETE + 4" AGGREGATE

3" PAVEMENT + 12" AGGREGATE

4" ASPHALT + 12" AGGREGATE

2.5" PAVEMENT + 5" CONCRETE

TREES SHALL HAVE AT LEAST 100 CUBIC FEET OF UNCOMPACTED SOIL.

deeproot

Deeproot Green Infrastructure

www.deeproot.com

T 415 781 9700

F 415 781 0191

SILVA CELL SYSTEM 2X

NOT TO SCALE
FEET

ATTACHMENT 11b

MISSION LANDSCAPING

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www.missionlandscaping.com

email: missionlandscaping@me.com

Landscape & General Contractors C27 & B 392291

Landscape Architecture

CA Lic #5806

Project:

Esperanza Carmel Commercial, LLC
Dolores St.
2 SE of 7th Ave.
Carmel By-The-Sea,
CA 93921

APN: 010-145-012, 023, 024

Revisions:

Drawing Title:

Landscape Details
and Plant Pictures

Date: 02/10/25

Scale:

Drawn By: pw

Page Number:

L1.2

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Page 343 of 359

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Project:

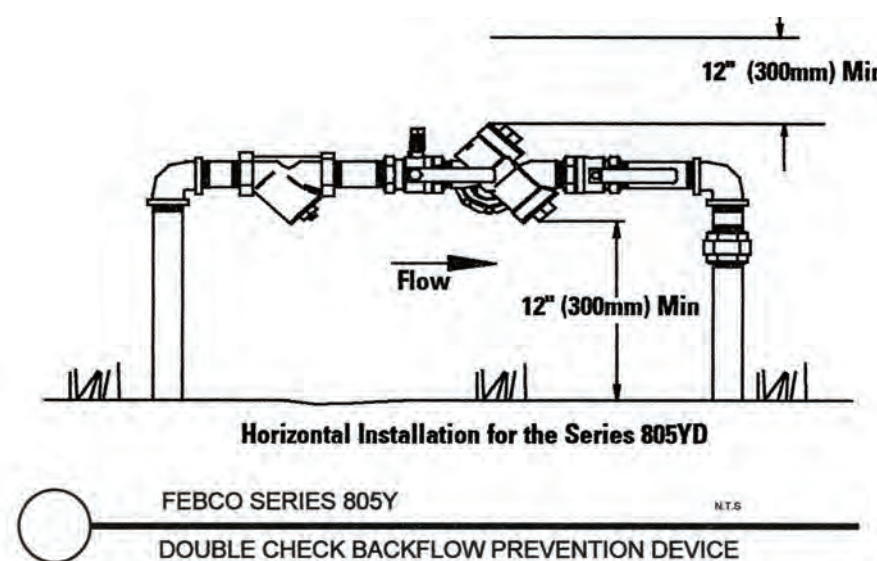
APN: 010-145-012, 023, 024
Revisions:



Landscape Details and Plant Pictures

Page Number:

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ESTIMATED TOTAL WATER USE =	3,984 GALLONS PER YEAR
MAXIMUM ALLOWED WATER ALLOWANCE =	7,261 GALLONS PER YEAR
ETWU IS LESS THAN MAWA	

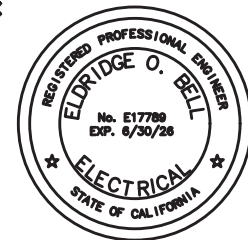
JUN A. SILLANO, AIA

721 LIGHTHOUSE AVE
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STAMPS:



Project No. 24-510.00

404 W. Franklin St. • Suite 100 • Monterey, CA 93940
T: 831.646.3330 • F: 831.646.3335 • www.auremb.com

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PROJECT/CLIENT:

JB PASTOR
BUILDING

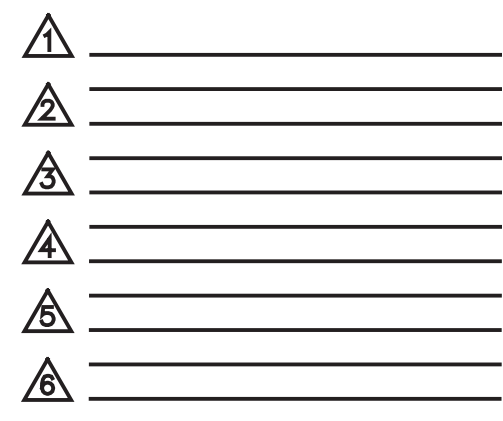
PROJECT ADDRESS:

DOLORES, 2ND SE
OF 7TH
CARMEL, CA
93921APN: 010-145-012
022, & 023SYMBOLS, ABBREVS.,
LIGHT FIXTURE
SCHEDULE, CODES &
SHEET INDEX

DATE: NOVEMBER 21, 2024

P.C. SUBMITTAL

REVISIONS:



SHEET NO.

E0.1

ELECTRICAL SYMBOLS & ABBREVIATIONS

SYMBOLS & ABBREVIATIONS SHOWN ARE FOR GENERAL USE. DISREGARD THOSE WHICH DO NOT APPEAR ON THE PLANS.

	FLUORESCENT OR LED LUMINAIRE - SEE SCHEDULE		SECURITY DOOR CONTACTS		PANELBOARD - FLUSH MOUNTED		DETAIL NOTE REFERENCE SYMBOL. SEE ASSOCIATED NOTE ON SAME DETAIL.
	EMERGENCY OR NIGHT LIGHT		SECURITY MOTION DETECTOR		EQUIPMENT PANEL - FLUSH MOUNTED		DETAIL NUMBER DETAIL OR SECTION REFERENCE SHEET NUMBER
	STRIP FLUORESCENT OR LED LUMINAIRE - SEE SCHEDULE		CCTV CAMERA		PANELBOARD - SURFACE MOUNTED		FEEDER DESIGNATION. SEE ASSOCIATED NOTE ON SAME DETAIL.
	RECESSED WALL WASHER		SECURITY SYSTEM KEYPAD		EQUIPMENT PANEL - SURFACE MOUNTED		
	LUMINAIRE - RECESSED - SEE SCHEDULE		DOOR BELL PUSHBUTTON		METER W/ CURRENT TRANSFORMER		
	LUMINAIRE - POLE OR POST MOUNTED - SEE SCHEDULE		DOOR CHIME WITH LED		JUNCTION BOX - CEILING OR WALL MOUNTED, SIZE PER CODE, TAPE AND TAG WIRES		
	LUMINAIRE - WALL MOUNTED SEE SCHEDULE		RECEPTACLE - DUPLEX ★		MOTOR CONNECTION		
	BOLLARD OR PATH LIGHT - SEE SCHEDULE		DUPLEX RECEPTACLE MOUNTED ABOVE COUNTER - FIELD VERIFY HEIGHT		NON-FUSED DISCONNECT SWITCH		
	EXIT LIGHT - DIRECTIONAL ARROWS AS INDICATED - SEE SCHEDULE		GFCI CONVENIENCE RECEPTACLE MOUNTED ABOVE COUNTER - FIELD VERIFY HEIGHT		FUSED DISCONNECT SWITCH; FUSED WITH DUAL-ELEMENT FUSES SIZED PER EQUIPMENT MFG'S NAMEPLATE DATA		
	TRACK LIGHTING - SEE SCHEDULE		GFCI CONVENIENCE DUPLEX RECEPTACLE MOUNTED ABOVE COUNTER - FIELD VERIFY HEIGHT		COMBINATION STARTER/FUSED DISCONNECT SWITCH; FUSED DISCONNECT SWITCH ELEMENT FUSES SIZED PER EQUIPMENT MFG'S NAMEPLATE DATA		
	EMERGENCY LIGHT		RECEPTACLE - DOUBLE DUPLEX ★		MAGNETIC STARTER - NEMA SIZE INDICATED NEMA 3R ENCLOSURE UNLESS OTHERWISE SPECIFIED		
	DIGITAL DUAL TECHNOLOGY OCC. SENSOR		HALF SWITCHED DUPLEX RECEPTACLE ★		CIRCUIT BREAKER		
	LIGHTING CONTROL OCCUPANCY SENSOR CORNER MOUNTED		SINGLE RECEPTACLE★		GROUND ROD WITH GROUNDWELL BOX		
	DIMMER ROOM CONTROLLER		DUPLEX RECEPTACLE - CEILING MOUNTED		GROUND ELECTRODE		
	PLUG LOAD CONTROLLER		LETTER INDICATES DUPLEX HALF CONTROLLED RECEPTACLE ★		NORMALLY OPEN CONTACT		
	ROOM LIGHTING CONTROLLER		LETTER INDICATES DUPLEX FULLY CONTROLLED RECEPTACLE ★		NORMALLY CLOSED CONTACT		
	LIGHTING CONTROL PANEL		FLOOR MOUNTED DUPLEX RECEPTACLE		TRANSFORMER - SEE SINGLE LINE FOR SIZE		
	DIGITAL DAYLIGHT SENSOR		POWER OUTLET - SEE PLANS FOR NEMA TYPE★		PULLBOX		
	SINGLE POLE SWITCH★★		POWER POLE		ERMS		
	SINGLE POLE SWITCH, ★★ a = CIRCUIT CONTROLLED		WALL TELEPHONE OUTLET★★		FLEX CONDUIT WITH CONNECTION		
	THREE WAY SWITCH★★		VOICE/DATA WALL OUTLET ★		CONDUIT - UP		
	FOUR WAY SWITCH★★		VOICE/DATA OUTLET MOUNTED ABOVE COUNTER - FIELD VERIFY HEIGHT		CONDUIT - DOWN		
	MANUAL MOTOR STARTER		SURFACE MOUNTED VOICE/DATA WALL OUTLET ★		CONDUIT EMERGENCY SYSTEM		
	KEY OPERATED SWITCH★★		SURFACE MOUNTED VOICE/DATA OUTLET MOUNTED ABOVE COUNTER - FIELD VERIFY HEIGHT		LOW VOLTAGE WIRING		
	LIGHTING DIMMER★★		WIRELESS ACCESS POINT (WAP) - CEILING MOUNTED		SURFACE METAL OR NON-METALLIC RACEWAY		
	DIGITAL ON/OFF SWITCH ★★		WIRELESS ACCESS POINT (WAP) - WALL MOUNTED - FIELD VERIFY HEIGHT		CONDUIT - CONCEALED IN WALLS OR CEILING		
	DIGITAL DIMMER SWITCH★★		VOICE/DATA OUTLET - FLOOR MOUNTED		CONDUIT - EXISTING		
	DIGITAL MULTI SCENE LIGHTING SWITCH★★		TV OUTLET★		CONDUIT - BELOW SLAB OR UNDERGROUND: 3/4"MIN.		
	DIGITAL DUAL TECHNOLOGY WALL OCC. SENSOR★★		VOICE/DATA OUTLET - CEILING MOUNTED		CAPPED OR STUB-OUT CONDUIT		
	WALL OCCUPANCY SENSOR★★		INTERIOR SPEAKERS CEILING MOUNTED		CONDUIT CONTINUATION		
	DOUBLE SWITCHED WALL OCCUPANCY SENSOR★★		INTERIOR SPEAKERS WALL MOUNTED		CONDUIT - HOME RUN TO PANEL, TERMINAL CABINET, ETC. RUNS MARKED WITH CROSSHATCHES INDICATE NUMBER OF #12 AWG WIRES WHEN MORE THAN TWO. SIZE CONDUIT ACCORDING TO SPECIFICATIONS AND APPLICABLE CODE. CROSS HATCHES WITH NUMBER ADJACENT INDICATES WIRE SIZE OTHER THAN #12 AWG.		
	DIMMING DUAL TECHNOLOGY WALL SWITCH OCCUPANCY SENSOR★★		CLOCK +8-0" AFF U.O.N. VERIFY BEFORE INSTALLATION		SHEET NOTE REFERENCE SYMBOL; SEE ASSOCIATED NOTE ON SAME SHEET		
	2-BUTTON DIMMING DUAL TECHNOLOGY WALL SWITCH OCCUPANCY SENSOR★★				SCHEDULE SYMBOL; SEE ASSOCIATED NOTE ON SAME SHEET		

★+15" A.F.F. TO BOTTOM OF BOX, U.O.N.
★★+48" A.F.F. TO TOP OF BOX, U.O.N.

[#] NUMBER IN BRACKETS DENOTES NUMBER OF CABLE DROPS WHEN MORE THAN (2).

LIGHT FIXTURE SCHEDULE

FIXTURE NOTES:

- ALL LED LIGHT FIXTURE DRIVERS SHALL BE ELECTRONIC TYPE, 10% TOTAL HARMONIC DISTORTION MAXIMUM.
- ALL LED LIGHT MODULES SHALL BE ENERGY SAVING 3000° K, 80 CRI MINIMUM, U.O.N. (SEE SPECIFICATIONS FOR MORE INFORMATION).
- ALL LED DRIVERS (AND ASSOC. FIXTS.) SHALL HAVE MANUFACTURER'S CERTIFICATION OF COMPLIANCE WITH CALIFORNIA ENERGY COMMISSION STANDARDS AND REQUIREMENTS, WHERE SUCH ARE USED IN CONDITIONED SPACES.
- EXIT SIGNS, EMERGENCY LIGHTS AND LIGHT FIXTURES WITH EMERGENCY BATTERY BACK-UP SHALL SUPPLY A MINIMUM DURATION OF 90 MINUTES OF POWER IN THE EVENT OF A POWER OUTAGE/FAILURE.
- ALL RECESSED LIGHT FIXTURES SHALL BE U.I. APPROVED FOR ZERO CLEARANCE INSULATION COVER WHEN INSTALLED IN INSULATED CEILINGS.

TYPE	DESCRIPTION	LAMPS	MANUFACTURER
XA	3" DIA RECESSED LED DOWN LIGHT GALVANIZED STEEL FRAME WITH MATTE BLACK INTERIOR PAINT. ICAT RATED HOUSING, 40° BEAM SPREAD, 90 CRI, UNIVERSAL VOLTAGE WITH ED010 DIMMING DRIVER TL3R TRIM WITH MICRO PRISMATIC LENS.	9.5W 1609 LUMEN 3000°K LED	HALO HL36A SERIES
XB	40"x12.5"x16.125" WALL MOUNTED LED PENDANT FIXTURE. ALUMINUM WITH TEXTURED BRONZE POWDER COAT FINISH, HONEY ONYX ACRYLIC LENS, 120/277 UNIVERSAL VOLTAGE, 0-10 VOLT DIMMING WITH INTEGRAL BATTERY BACKUP.	12W LED	EVERGREEN LIGHTING 27064 SERIES WALL MOUNT
XC	12"x6.5"x6.5" LED WALL SCONCE. FORMED STEEL HOUSING WITH TEXTURED BRONZE FINISH CLEAR FROSTED GLASS LENS, 120/277 UNIVERSAL VOLTAGE, 0-10 VOLT DIMMING DARK SKY COMPLIANT.	6W LED	EVERGREEN LIGHTING 2100 SERIES WALL SCONCE

APPLICABLE CODES & STANDARDS

CODES:

- 2022 CALIFORNIA ADMINISTRATIVE CODE C.A.C., PART 1, TITLE 24, C.C.R.
- 2022 CALIFORNIA BUILDING CODE (CBC) C.C.R., TITLE 24, VOL. 1 & 2 BASED ON THE 2021 INTERNATIONAL BUILDING CODE (IBC) WITH CALIFORNIA AMENDMENTS.
- 2022 CALIFORNIA RESIDENTIAL CODE C.C.R., TITLE 24, PART 2.5 BASED ON THE 2021 INTERNATIONAL RESIDENTIAL CODE WITH CALIFORNIA AMENDMENTS.
- 2022 CALIFORNIA ELECTRICAL CODE (CEC) C.C.R., TITLE 24, PART 3 BASED ON THE 2020 NATIONAL ELECTRICAL CODE (NEC) WITH CALIFORNIA AMENDMENTS.
- 2022 CALIFORNIA MECHANICAL CODE (CMC) C.C.R., TITLE 24, PART 4 BASED ON THE 2021 UNIFORM MECHANICAL CODE (UMC) WITH CALIFORNIA AMENDMENTS.
- 2022 CALIFORNIA PLUMBING CODE (CPC) C.C.R., TITLE 24, PART 5 BASED ON THE 2021 UNIFORM PLUMBING CODE (UPC) WITH CALIFORNIA AMENDMENTS.
- 2022 CALIFORNIA ENERGY CODE C.C.R., TITLE 24, PART 6.
- 2022 CALIFORNIA FIRE CODE (CFC) C.C.R., TITLE 24, PART 9 BASED ON THE 2021 INTERNATIONAL FIRE CODE (IFC) WITH CALIFORNIA AMENDMENTS.
- 2022 CALIFORNIA GREEN BUILDING STANDARDS CODE C.C.R., TITLE 24, PART 11.
- 2022 CALIFORNIA REFERENCED STANDARDS CODE C.C.R., TITLE 24, PART 12.
- TITLE 19 C.C.R., PUBLIC SAFETY, STATE FIRE MARSHAL REGULATIONS.
- NATIONAL FIRE ALARM CODE (NFPA 72) 2022.
- CITY OF CARMEL BY THE SEA ORDINANCES, CODES, AND REGULATIONS.

STANDARDS:

- AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI)
- ELECTRONICS INDUSTRIES ASSOCIATION (EIA)
- INSTITUTE OF ELECTRICAL AND ELECTRONIC ENGINEERS (IEEE)
- NATIONAL ELECTRICAL MANUFACTURERS ASSOCIATION (NEMA)
- NATIONAL ELECTRICAL TESTING ASSOCIATION (NETA)
- UNDERWRITER LABORATORIES (UL)
- CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH ACT STANDARDS (CAL/OSHA)

SHEET INDEX

E001	SYMBOLS, ABBREVIATIONS, LIGHT FIXTURE SCHEDULE, CODES & SHEET INDEX.
E003	CALIFORNIA ENERGY COMPLIANCE TITLE 24 (BUILDING EXTERIOR).
E201	ELECTRICAL SITE PLAN.
E501	LIGHTING PLAN.
E502	PHOTOMETRIC STUDY.

STATE OF CALIFORNIA

CALIFORNIA ENERGY COMMISSION

Outdoor Lighting

CERTIFICATE OF COMPLIANCE

NRCC-LTO-E

This document is used to demonstrate compliance with requirements in 110.9, 130.0, 130.2, 140.7, and 141.0(b)(2) for outdoor lighting scopes using the prescriptive path for nonresidential and hotel/motel occupancies. It is also used to document compliance with requirements in 160.5, 170.2(e)(6), 180.1(a) and 180.2(b)(4B) for outdoor lighting scopes using the prescriptive path for multifamily and mixed-use occupancies. Multifamily includes dormitory and senior living facilities.

Project Name: JB Pastor Building

Report Page: (Page 1 of 8)

Project Address: 2025-01-17T17:16:11-05:00

Date Prepared:

A. GENERAL INFORMATION

01 Project Location (city)

Carmel By The Sea

04 Total Illuminated Hardscape Area (ft²)

5678

02 Climate Zone

3

03 Outdoor Lighting Zone per Title 24 Part 1 10.114 or as designated by Authority Having Jurisdiction (AHJ):

☐ LZ-0: Very Low - Undeveloped Parkland

☐ LZ-2: Moderate - Urban Clusters

☐ LZ-4: High - Must be reviewed by CA Energy Commission for Approval

☐ LZ-1: Low - Rural Areas

☒ LZ-3: Moderately High - Urban Areas

05 Occupancy Types within Project

☒ All Other Occupancies

B. PROJECT SCOPE

This table includes outdoor lighting systems that are within the scope of the permit application and are demonstrating compliance using the prescriptive path outlined in 140.7 / 170.2(e)(6) or 141.0(b)(2) / 180.2(b)(4B) for alterations.

My Project Consists of:

01

☒ New Lighting System

Must Comply with Allowances from 140.7 / 170.2(e)(6)

☐ Altered Lighting System

Is your alteration increasing the connected lighting load (Watts)?

☐ Yes

☒ No

03

% of Existing Luminaires Being Altered¹

04

Sum Total of Luminaires Being Added or Altered

05

Calculation Method

☐ < 10%

☐ >= 10% and < 50%

☐ >= 50%

Footnote proceed to Table F, Outdoor Lighting Fixture Schedule to define the project's luminaires.

¹ FOOTNOTES: % of Existing Luminaires Being Altered = (Sum Total of Luminaires Being Added or Altered / Existing Luminaires within the Scope of the Permit Application) x 100.

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Outdoor Lighting

CERTIFICATE OF COMPLIANCE

NRCC-LTO-E

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Date Prepared:

H. OUTDOOR LIGHTING CONTROLS

This table demonstrates compliance with controls requirements for all new or altered luminaires installed as part of the permit application. For alteration projects, luminaires which are existing to remain (ie untouched) and luminaires which are removed and reinstalled (wiring only) do not need to be included in this table even if they are within the spaces covered by the permit application.

Outdoor lighting for nonresidential buildings, parking garages and common service areas in multifamily buildings must be documented separately from outdoor lighting attached to multifamily buildings and controlled from the inside of a dwelling unit

Mandatory Controls for Nonresidential Occupancies, Parking Garages & Common Areas in Multifamily Buildings

01

02

03

04

05

Area Description

Shut-Off 130.2(c)(1) / 160.5(c)

Auto-Schedule 130.2(c)(2) / 160.5(c)

Motion Sensor 130.2(c)(3) / 160.5(c)

Field Inspector

General Hardscape: "XA"

Astronomical Timer

Provided

NA: Each Luminaire <= 40 Watts

☐

☐

General Hardscape: "XB"

Astronomical Timer

Provided

NA: Each Luminaire <= 40 Watts

☐

☐

General Hardscape: "XC"

Astronomical Timer

Provided

NA: Each Luminaire <= 40 Watts

☐

☐

¹FOOTNOTE: Text has been abbreviated, please refer to Table 160.5-A to confirm compliance with the specific light source technologies listed.

²Authority having jurisdiction may ask for cutsheets or other documentation to confirm compliance of light source.

³Recessed luminaires marked for use in fire-rated installations, and recessed luminaires installed in non-insulated ceilings are excepted from ii and iii.

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Project Name: JB Pastor Building

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Date Prepared:

N. EXISTING CONDITIONS POWER ALLOWANCE (alterations only)

This section does not apply to this project.

O. DECLARATION OF REQUIRED CERTIFICATES OF INSTALLATION

Selections have been made based on information provided in this document. If any selection has been changed by permit applicant, an explanation should be included in Table E. Additional Remarks. These documents must be provided to the building inspector during construction and can be found online

Form/Title

NRCC-LTO-E - Must be submitted for all buildings

P. DECLARATION OF REQUIRED CERTIFICATES OF ACCEPTANCE

Selections have been made based on information provided in this document. If any selection has been changed by permit applicant, an explanation should be included in Table E. Additional Remarks. These documents must be provided to the building inspector during construction and must be completed through an Acceptance Test Technician Certification Provider (ATTCP). For more information visit: <http://www.energy.ca.gov/title24/attcp/providers.html>

Form/Title

Systems/Spaces To Be Field Verified

General Hardscape: "XA"; General Hardscape: "XB"; General Hardscape: "XC"

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Project Name: JB Pastor Building

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Date Prepared:

C. COMPLIANCE RESULTS

Results in this table are automatically calculated from data input and calculations in Tables F through N. Note: If any cell on this table says "COMPLIES with Exceptional Conditions" refer to Table O. Exceptional Conditions for guidance or see applicable Table referenced below.

Calculations of Total Allowed Lighting Power (Watts) 140.7 / 170.2(e)(6) or 141.0(b)(2) / 180.2(b)(4B)

01

02

03

04

05

06

07

08

09

General Hardscape Allowance 140.7(d)(1) / 170.2(e)(6) (See Table I)

+

Per Application 140.7(d)(2) / 170.2(e)(6) (See Table J)

+

Sales Frontage 140.7(d)(2) / 170.2(e)(6) (See Table K)

+

Ornamental 140.7(d)(2) / 170.2(e)(6) (See Table L)

+

Per Specific Area 140.7(d)(2) / 170.2(e)(6) (See Table M)

OR

Existing Power Allowance 141.0(b)(2) / 180.2(b)(4B) (See Table N)

=

Total Allowed (Watts)

≥

Total Actual (Watts)

07 must be >= 08

461.04

+

83.5

+

+

+

OR

=

544.54

≥

336

COMPLIES

Shielding Compliance (See Table G for Details)

N/A

Controls Compliance (See Table H for Details)

COMPLIES

D. EXCEPTIONAL CONDITIONS

This table is auto-filled with uneditable comments because of selections made or data entered in tables throughout the form.

E. ADDITIONAL REMARKS

This table includes remarks made by the permit applicant to the Authority Having Jurisdiction.

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CERTIFICATE OF COMPLIANCE

NRCC-LTO-E

Project Name: JB Pastor Building

Report Page: (Page 5 of 8)

Project Address: 2025-01-17T17:16:11-05:00

Date Prepared:

I. LIGHTING POWER ALLOWANCE (per 140.7 / 170.2(e))

This table includes areas using allowance calculations per 140.7 / 170.2(c). General Hardscape Allowance is per Table 140.7-A/ Table 170.2-A while "Use it or lose it" Allowances are per Table 140.7-B/ Table 170.2-S. Indicate which allowances are being used to expand sections for user input. Luminaires that qualify for one of the "Use it or lose it" allowances shall not qualify for another "Use it or lose it" allowance.

Outdoor lighting attached to multifamily buildings and controlled from the inside of a dwelling unit are included in Table H, and are not included here. All other multifamily outdoor lighting is included here.

Calculated General Hardscape Lighting Power Allowance per Table 140.7-A for Nonresidential & Hotel/Motel

01

☒ General Hardscape Allowance Table I (below)

☐ Per Application Table J

☐ Sales Frontage Table K

☐ Ornamental Table L

☐ Per Specific Area Table M

"Use it or lose it" Allowance (select all that apply) (select all that apply)

02

03

04

05

06

07

08

09

Area Description

Illuminated Area (ft²)

Allowed Density (W/ft²)

Area Allowance (Watts)

Perimeter Length (lf)

Allowed Density (W/lf)

Linear Allowance (Watts)

Total General AWA + LWA (Watts)

General Hardscape

5678

0.021

119.24

459

0.2

91.8

211.04

Initial Wattage Allowance for Entire Site (Watts):

250

Instances of Initial Wattage Allowance (LZ 0 only):

Total General Hardscape Allowance (Watts):

461.04

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CALIFORNIA ENERGY COMMISSION

Outdoor Lighting

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NRCC-LTO-E

Project Name: JB Pastor Building

Report Page: (Page 8 of 8)

Project Address: Dolores, 2nd, SE of 7th, Carmel, CA, 93921

Date Prepared:

DOCUMENTATION AUTHOR'S DECLARATION STATEMENT

I certify that this Certificate of Compliance documentation is accurate and complete.

Documentation Author Name: Eldridge O. Bell

Company: Aurum Consulting Engineers, Monterey

Address: 404 W. Franklin St., Suite 100

City/State/Zip: Monterey, CA, 93940

Phone: 831-646-3330

Signature Date: 12/19/2024

CEA/HERS Certification Identification (if applicable):

RESPONSIBLE PERSON'S DECLARATION STATEMENT

I certify the following under penalty of perjury, under the laws of the State of California:

1. The information provided on this Certificate of Compliance is true and correct.

2. I am eligible under Division 3 of the Business and Professions Code to accept responsibility for the building design or system design identified on this Certificate of Compliance (responsible designer).

3. The energy features and performance specifications, materials, components, and manufactured devices for the building design or system design identified on this Certificate of Compliance conform to the requirements of Title 24, Part 1 and Part 6 of the California Code of Regulations.

4. The building design features or system design features identified on this Certificate of Compliance are consistent with the information provided on other applicable compliance documents, worksheets, calculations, plans and specifications submitted to the enforcement agency for approval with this building permit application.

5. I will ensure that a completed signed copy of this Certificate of Compliance shall be made available with the building permit(s) issued for the building, and made available to the enforcement agency for all applicable inspections. I understand that a completed signed copy of this Certificate of Compliance is required to be included with the documentation the builder provides to the building owner at occupancy.

Responsible Designer Name: Eldridge O. Bell

Company: Aurum Consulting Engineers, Monterey

Address: 404 W. Franklin St., Suite 100

City/State/Zip: Monterey, CA, 93940

Phone: 831-646-3330

Signature Date: 12/19/2024

License: E17789 Exp: 06/30/26

Generated Date/Time:

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Outdoor Lighting

CERTIFICATE OF COMPLIANCE

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Project Name: JB Pastor Building

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Project Address: 2025-01-17T17:16:11-05:00

Date Prepared:

F. OUTDOOR LIGHTING FIXTURE SCHEDULE

For new or altered lighting systems demonstrating compliance with 140.7 / 170.2(e)(6) all new luminaires being installed and any existing luminaires remaining or being moved within the spaces covered by the permit application are included in the Table below. For altered lighting systems using the Existing Power method per 141.0(b)(2), only new luminaires being installed and replacement luminaires being installed as part of the project scope are included (ie, existing luminaires remaining or existing luminaires being moved are not included). Outdoor lighting attached to multifamily buildings and controlled from the inside of a dwelling unit are included in Table H, and are not included here. All other multifamily outdoor lighting is included here.

Designed Wattage:

01

02

03

04

05

06

07

08

09

10

Name or Item Tag

Complete Luminaire Description

Watts per luminaire¹,²

How is Wattage determined

Total Number Luminaires²

Luminaire Status³

Excluded per 140.7(a) / 170.2(e)(6A)

Design Watts

Cutoff Req. > 6,200 initial lumen output 130.2(b) / 160.5(c)¹,²

Field Inspector

Pass

Fail

XA

3" Dia. Recessed LED Down Light Fixture

☐ Linear

9.5

Mfr. Spec

24

New

☐

228

NA: < 6200 lumens

☐

☐

XB

40"x12.5"x16.125"D LED Wall Mounted Pendant Light Fixture

☐ Linear

12

Mfr. Spec

6

New

☐

72

NA: < 6200 lumens

☐

☐

XC

12"xH6.5"Wx6.5"D LED Wall Sconce Light Fixture

☐ Linear

6

Mfr. Spec

6

New

☐

36

NA: < 6200 lumens

☐

☐

Total Design Watts:

336

* NOTES: Selections with a * require a note in the space below explaining how compliance is achieved.
EX: Luminaire is lighting a statue; EXCEPTION 2 to 130.2(b)
¹FOOTNOTES: Authority Having Jurisdiction may ask for Luminaire cut sheets to confirm wattage used for compliance per 130.0(c) / 160.5(b)
² For linear luminaires, wattage should be indicated as W/lf instead of Watts/luminaire. Total linear feet should be indicated in column 08 instead of number of luminaires.
³ Select "New" for new luminaires in a new outdoor lighting project, or for added luminaires in an alteration. Select "Altered" for replacement luminaires in an alteration being moved are not included. Select "Existing to Remain" for existing luminaires within the project scope that are not being altered and are remaining. Select "Existing Reinstalled" for existing luminaires which are being removed and reinstalled as part of the project scope.
⁴ Compliance with mandatory shielding requirements is required for luminaires with initial lumen output >= 6,200 unless exempted by 130.2(b) / 160.5(c)

G. SHIELDING REQUIREMENTS (BUG)

This section does not apply to this project.

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Outdoor Lighting

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Date Prepared:

J. LIGHTING ALLOWANCE: PER APPLICATION

This table includes areas using the wattage allowance per application from Table 140.7-B / Table 170.2-S.

01

02

03

04

05

06

07

08

09

10

Area Description

Application per Table 140.7-B¹

of Locations

ALLOWED ALLOWANCE (Watts)

Extra Allowance (Watts)

Luminaire Name or Item Tag

Watts per Luminaire

of Luminaires

Design Watts

Additional Allowance (Watts)

Building Entrances

Building Entrance/Exit

7

19

133

XA

9.5

5

47.5

83.5

XB

12

3

36

Total Design Watts for this Area:

83.5

Total Allowance (Watts) All Areas:

83.5

¹ FOOTNOTES: Primary entrance applications are only available for senior care facilities, healthcare facilities, police stations, hospitals, fire stations, and emergency vehicle facilities.
² The Allowance per Location for ATMs is 100W for the first ATM and 35W for each additional per Table 140.7-B / Table 170.2-S.
³ For luminaires indicated in Table F as linear, wattage in column 07 is W/lf instead of Watts/luminaire. Total linear feet should be indicated in column 08 instead of number of luminaires.

K. LIGHTING ALLOWANCE: SALES FRONTAGE

This section does not apply to this project.

L. LIGHTING ALLOWANCE: ORNAMENTAL

This section does not apply to this project.

M. LIGHTING ALLOWANCE: PER SPECIFIC AREA

This section does not apply to this project.

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Outdoor Lighting Mandatory Measures:

110.9 OUTDOOR LIGHTING CONTROLS AND COMPONENTS

ALL LIGHTING CONTROL DEVICES AND SYSTEMS, AND ALL LIGHT SOURCES SHALL MEET THE APPLICABLE REQUIREMENTS OF 110.9.

130.0 GENERAL LUMINAIRE REQUIREMENTS

ALL LUMINAIRES SHALL BE FACTORY-LABELLED PER 130.0(c).

ENERGY MANAGEMENT CONTROL SYSTEMS (EMCS) SHALL MEET REQUIREMENTS OF 130.0(d).

130.2(c) CONTROLS FOR OUTDOOR LIGHTING

ALL OUTDOOR LIGHTING SHALL BE INDEPENDENTLY CONTROLLED FROM OTHER ELECTRICAL LOADS AND SHALL HAVE THE FOLLOWING FEATURES:

1. AUTOMATICALLY TURNS OFF OUTDOOR LIGHTING WHEN DAYLIGHT IS AVAILABLE

2. AUTOMATIC SCHEDULING CONTROLS

A. AUTOMATIC SCHEDULING CONTROLS SHALL BE INSTALLED FOR ALL OUTDOOR LIGHTING.

B. CAPABLE OF REDUCING LIGHTING POWER AT LEAST 50% AND NO MORE THAN 90% AND SEPARATELY CAPABLE OF TURNING LIGHTING OFF DURING UNOCCUPIED PERIODS

C. THAT ALLOW SCHEDULING OF AT LEAST TWO NIGHTTIME PERIODS WITH INDEPENDENT LIGHTING LEVELS (MAY INCLUDE OVERRIDE FOR NO MORE THAN 2 HOURS)

JUN A. SILLANO, AIA



ARCHITECTURE • PLANNING • INTERIOR DESIGN

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93950

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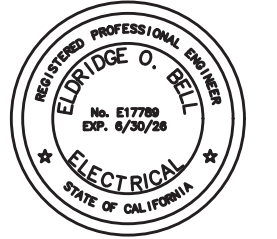
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STAMPS:





AURUM CONSULTING ENGINEERS
MONTEREY BAY, INC.
Project No. 24-510.00
404 W. Franklin St. • Suite 100 • Monterey, CA 93940
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PROJECT/CLIENT:

JB PASTOR BUILDING

PROJECT ADDRESS:

DOLORES, 2ND SE OF 7TH CARMEL, CA 93921

APN: 010-145-012 022, & 023

CALIFORNIA ENERGY COMPLIANCE TITLE 24 (BUILDING INTERIOR / EXTERIOR)

DATE: NOVEMBER 21, 2024

P.C. SUBMITTAL

REVISIONS:















JUN A. SILLANO, AIA



ARCHITECTURE • PLANNING • INTERIOR DESIGN

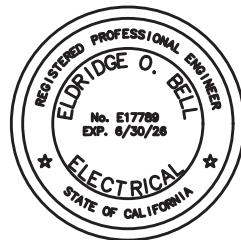
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STAMPS:


AURUM CONSULTING ENGINEERS
MONTEREY BAY, INC.

Project No. 24-510.00

404 W. Franklin St. • Suite 100 • Monterey, CA 93940
T: 831.646.3330 • F: 831.646.3335 • www.auremb.com

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PROJECT/CLIENT:

JB PASTOR
BUILDING

PROJECT ADDRESS:

DOLORES, 2ND SE
OF 7TH
CARMEL, CA
93921APN: 010-145-012
022, & 023

ELECTRICAL SITE PLAN

DATE: NOVEMBER 21, 2024

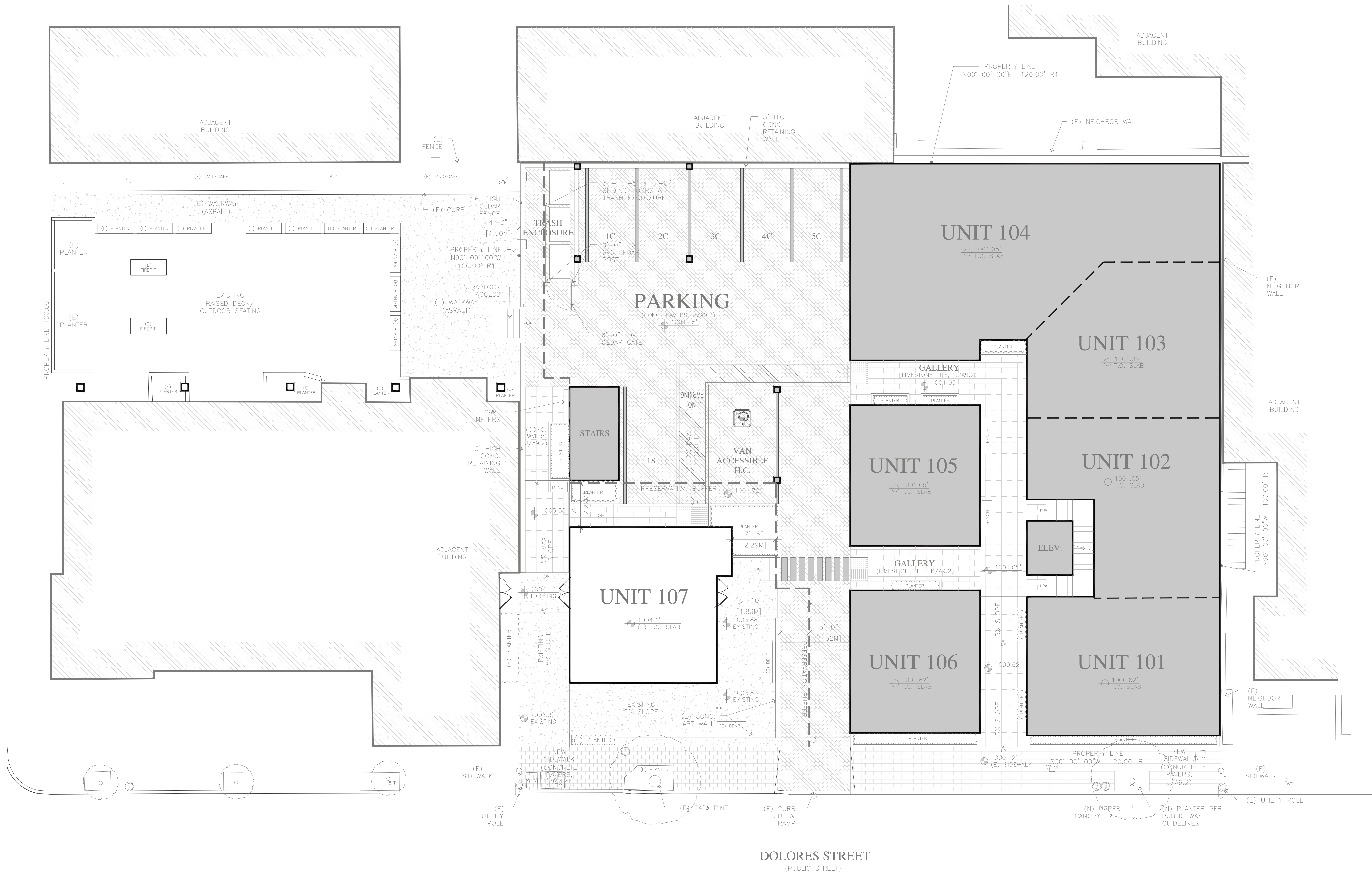
P.C. SUBMITTAL

REVISIONS:

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SHEET NO.

E2.1

8' 0' 2' 4' 6' 8'
SCALE: 1/8"=1'-0"

JUN A. SILLANO, AIA



ARCHITECTURE • PLANNING • INTERIOR DESIGN

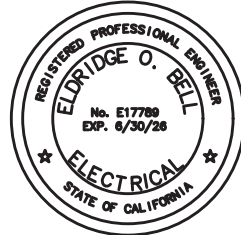
721 LIGHTHOUSE AVE
PACIFIC GROVE CA,
93950

PH	■	(831) 646-1261
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CARMEL, CA
93921

APN: 010-145-012
022, & 023

LIGHTING PLAN

DATE: NOVEMBER 21, 2024

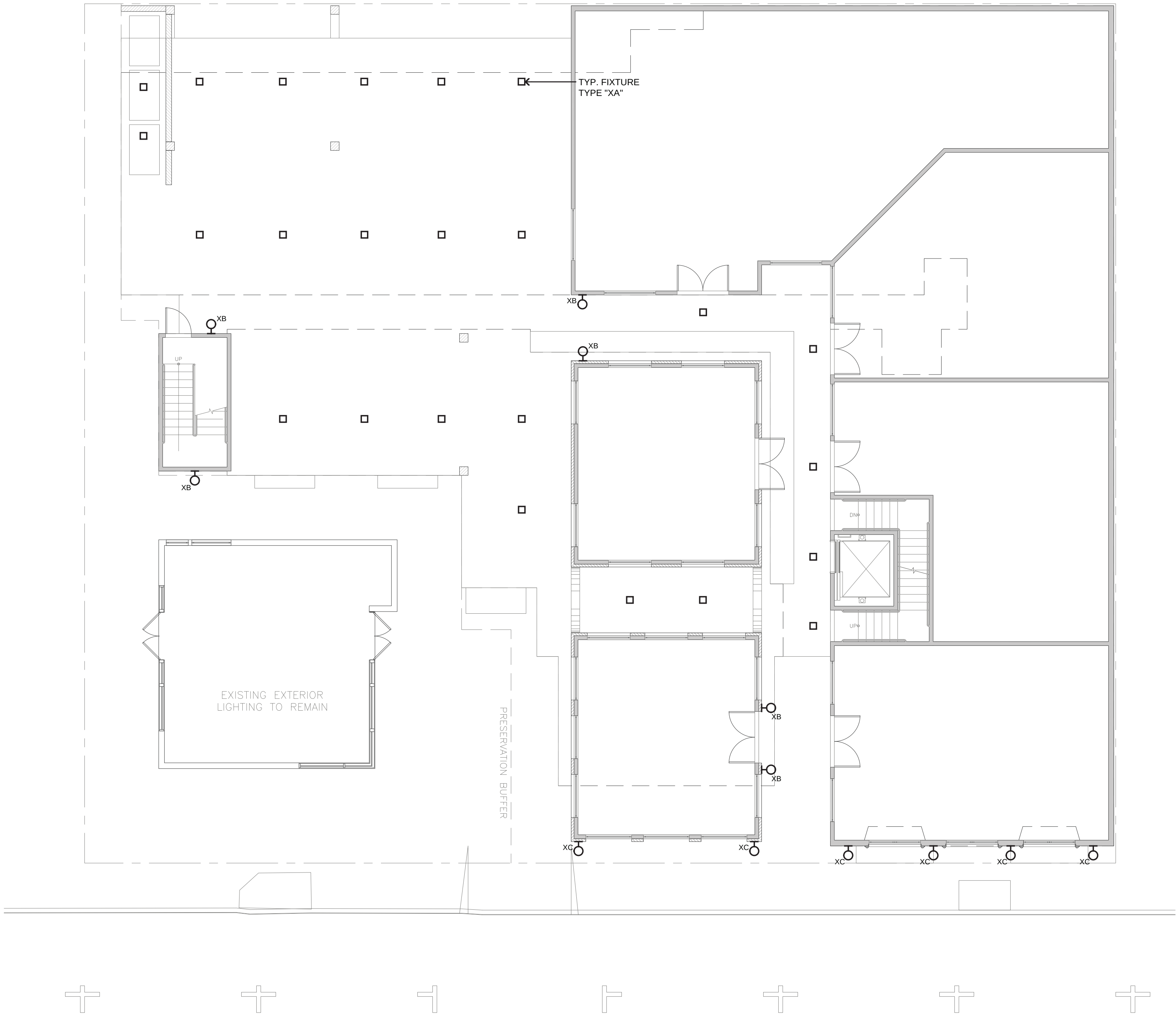
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REVISIONS:

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SHEET NO.

E5.1



8' 0' 2' 4' 6' 8'
SCALE: 1/8"=1'-0"



JUN A. SILLANO, AIA



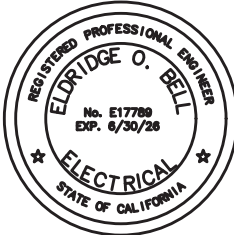
721 LIGHTHOUSE AVE
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DOLORES, 2ND SE
OF 7TH
CARMEL, CA
93921

APN: 010-145-012
022, & 023

PHOTOMETRIC STUDY

DATE: NOVEMBER 21, 2024
P.C. SUBMITTAL

REVISIONS:

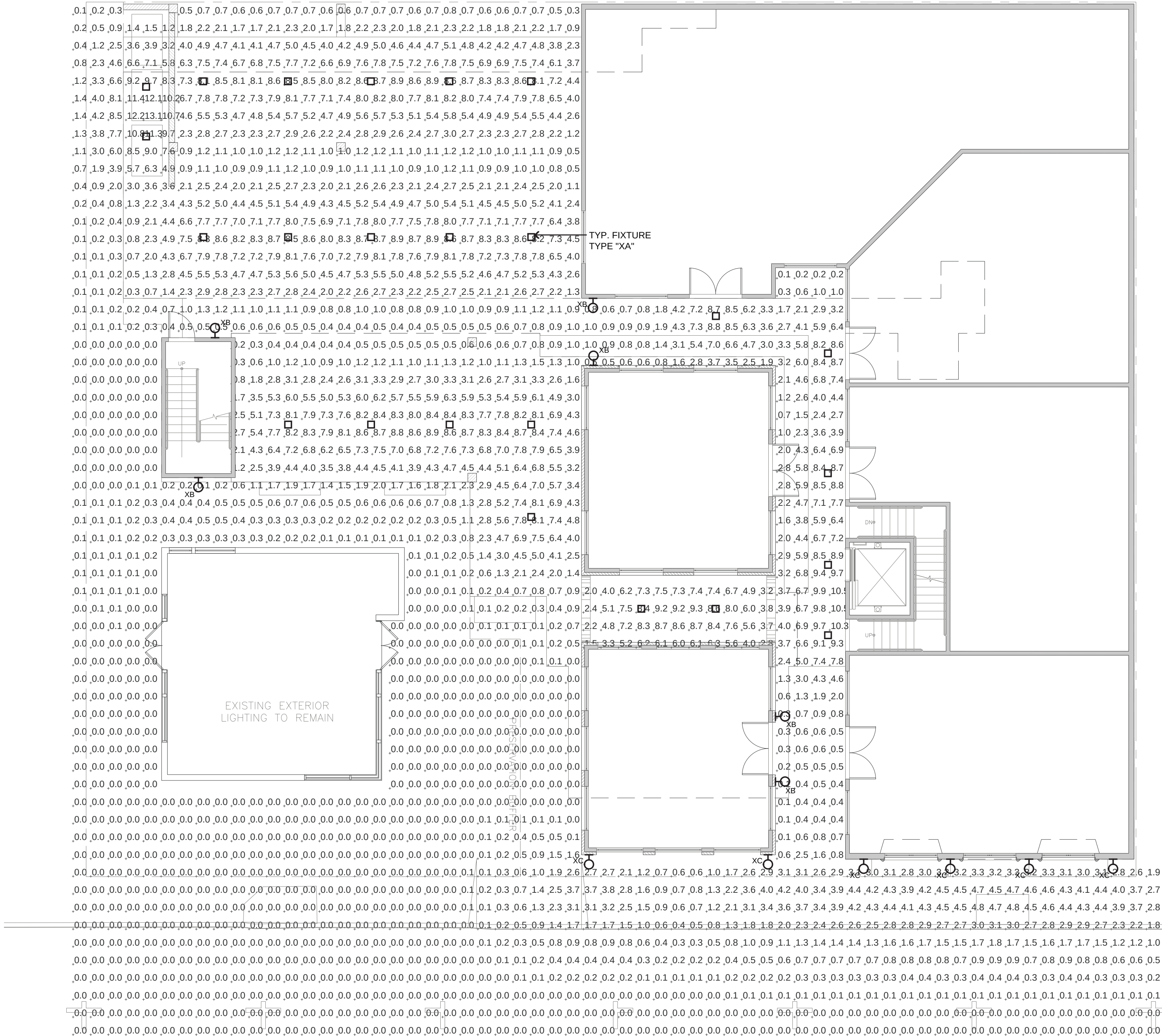
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- 5. _____
- 6. _____
- 7. _____
- 8. _____

SHEET NO.

E5.2

Schedule									
Symbol	Label	QTY	Manufacturer	Catalog	Description	Number Lamps	Lamp Output	LLF	Input Power
□	XA	24	COOPER LIGHTING SOLUTIONS - HALO (FORMERLY EATON)	HL36A10WFL930ED010T L3RMW	HL3 10W Round, Wide Flood optic with conical trim, No Lens, Matte White	1	843	0.89	9.5
♀	XB	6	EVERGREEN LIGHTING	POM2211C24-12LED-TBR-HO-EMR-27K	LED LANTERN SCROLL ARM MOUNT UNIT. HONEY ONYX ACRYLIC LENS. OPEN BOTTOM 12 WATTS	1	840	0.89	12
♀	XC	6	EVERGREEN LIGHTING	2100-6LED	ARCHITECTURAL BARCELONA SCONCE WITH FORWARD THROW DISTRIBUTION WITH CLEAR FROSTED ACRYLIC LENS MEETS THE 'NIGHTTIME FRIENDLY' CRITERIA	1	600	0.89	6

Statistics						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Calc Zone #1	+	2.2 fc	13.1 fc	0.0 fc	N/A	N/A



Fwd: JB Pastor Project

4 messages

Carol Williams <carol@photographywest.com>
To: "ekort@ci.carmel.ca.us" <ekort@ci.carmel.ca.us>

Tue, May 13, 2025 at 5:35 PM

Dear Michael,

I moved to Carmel fifty years ago and today my art gallery remains one of Leidig Draper's oldest tenants - since its founding in 1980. I became aware that my landlord was encountering construction problems with a project they were attempting across from the post office (dubbed "the pit") and felt sympathetic with their awkward public predicament. I read in the Carmel Pine Cone that Patrice Pastor had purchased a family residence in Carmel and was making renovations. So I recommended him as a potential buyer of their stalled project, because of the Pastor family renown for construction in Europe. It seems like an ideal solution to the difficult problem facing my landlord and Pastor graciously purchased their problematic unfinished footprint. He also solicited suggestions from local residents for input on his final design which consumed many years of extended delays, hearings and public consideration and was finally permitted about a year ago.

I understand Pastor wants to build his two commercial Dolores Street projects simultaneously - an obviously logical, prudent construction request - and was just approved to move forward on the southern building he has dedicated to the memory of his father, JB Pastor. That building permit took no more than six years and eight revisions for Pastor to secure so I was shocked to read that a group of local residents actually banded together and hired a lawyer to appeal that hardwon permit.

These two buildings together will provide twenty apartments to long term tenants in the downtown commercial district. There is a waitlist of prospective tenants hoping to have housing that allows them to walk to work or shopping in central Carmel while the Carmel Foundation has a seven year wait list of seniors for their own downtown housing. Bottom line is that we need long term rentals in downtown Carmel and Pastor has the experience, artistic heart and resources to build it for us.

Pastor's projects will add to the character and charm of Carmel and have been subject to repeated reviews to ensure they fit into our current village ambience. He is a seasoned, quality European builder and should be allowed to help Carmel tackle its severe housing shortage without further delay. Petty local politics and endless objections should not be permitted to stall Pastor's construction any longer. This man has been endlessly patient and gracious with the hair splitting political logistics of building something beautiful and necessary in our village.

As a longtime Carmel resident, I applaud Pastor's remarkable patience and genuine love for Carmel. I personally think it is appropriate and wise to let him build his two legitimate permits rather than facilitating any further harassment and outside challenges.

Sincerely,
Carol Williams

Evan Kort <ekort@ci.carmel.ca.us>
To: Carol Williams <carol@photographywest.com>
Cc: Nova Romero <nromero@ci.carmel.ca.us>

Tue, May 13, 2025 at 5:39 PM

Hi Carol,

Thank you for your email.

Can you please clarify, is your correspondence intended for the Planning Commission who has already approved the project, or for the City Council who will be considering the appeal in June (or both)?

Thank you in advance,



Evan Kort
Senior Planner
Community Planning and Building

City of Carmel-by-the-Sea

Direct: (831) 620-2023

Dept. Main: (831) 620-2010



[Quoted text hidden]

Carol Williams <carol@photographywest.com>
 To: Evan Kort <ekort@ci.carmel.ca.us>

Tue, May 13, 2025 at 6:16 PM

Hi Evan,

Thanks for getting back to me. It is for the appeal. I would like to also mention the housing needs of our healthcare workers as well, because I've been told doctors are leaving our area en masse due to lack of housing. The longer this critical housing shortage drags on - and the twenty long term rentals Pastor has a permit to build are delayed - the more professionals and workers will move away. This is detrimental to those of us who live here who need their services. It seems unfair that a handful of special interest activists penalize the rest of the Carmel community - many patiently waiting for housing to be built to support our small local businesses and help retain existing healthcare professionals.

Thank you.

Carol Williams

[Quoted text hidden]

Evan Kort <ekort@ci.carmel.ca.us>
 To: Carol Williams <carol@photographywest.com>
 Cc: Nova Romero <nromero@ci.carmel.ca.us>

Wed, May 14, 2025 at 8:52 AM

Hi Carol,

Thank you for clarifying your comments.
 I will forward your correspondence to the City Clerk who will distribute it to the City Council.



Evan Kort
Senior Planner
Community Planning and Building

City of Carmel-by-the-Sea

Direct: (831) 620-2023

Dept. Main: (831) 620-2010



[Quoted text hidden]



**Carmel-
by-the-Sea**

Evan Kort <ekort@ci.carmel.ca.us>

Appeal

ERIK BUENO <erikbueno@aol.com>

Thu, May 15, 2025 at 6:35 PM

To: ekort@ci.carmel.ca.us

I am writing this letter to offer my support for the JB Pastor project, which was recently approved by the Planning Commission and now faces what I feel is a wrongful appeal. As both a local homeowner and retired real estate broker, I understand the importance of thoughtful development that enhances neighborhoods while respecting their character. I believe Esperanza has demonstrated a strong commitment to achieving that balance.

Having owned property in this area for almost 30 years, I have witnessed firsthand the evolution of the community - its challenges and opportunities. There is a brazen shortage of long term rentals and affordable housing in Carmel, which threatens the survival of local small business owners, their employees, as well as the multigenerational community facing Prop 19. The JB Pastor project, along with Ulrika Plaza and the proposed Sunset Center development, which I saw in the October 2023 edition of the Pine Cone, will not only provide much-needed parking, long term housing and commercial space, but will also improve the aesthetic, cultural and functional aspects of the area.

What sets Pastor apart is his proven track record of delivering high-quality projects that are responsive to community needs. I have followed his work closely and have been consistently impressed by his attention to detail, architectural integrity, and willingness to work with the local community.

I believe this project will bring long-term value to the neighborhood and serve as a catalyst for further positive growth. I strongly urge the local community, Planning Commission and City Council to support Pastor's projects.

Sincerely,
Erik Bueno



Re: Fw: JB Pastor Building

Evan Kort <ekort@ci.carmel.ca.us>
To: Evan Kort <ekort@ci.carmel.ca.us>

Wed, May 28, 2025 at 8:47 AM

Begin forwarded message:

From: Charles Najarian <cjnali@icloud.com>
Date: April 15, 2025 at 12:27:36 PM PDT
To: Anna Ginette <aginette@ci.carmel.ca.us>
Cc: bdelves@ci.carmel.ca.us, Hans Buder <hbuder@ci.carmel.ca.us>, adramov@ci.carmel.ca.us, jbaron@ci.carmel.ca.us, Dale Byrne <dbyrne@ci.carmel.ca.us>
Subject: JB Pastor Building

Dear Anna,

The purpose of this feedback is to point out issues in the City's decision-making processes, as exemplified by the recent approval of the JB Pastor Building. I do so in an effort to influence you and the staff to make improvements that benefit the residents and the village itself.

What's clear is that you are not employing tools that are protective of the City, environment, public health and safety, and the residents. I refer to the California Environmental Quality Act (CEQA), but also the Surplus Land Act in terms of mandated housing in the parking lots. What's unclear is why. This is disconcerting and raises questions about the staff's objectives.

As City staff you should strive to ensure the proper processes and procedures are employed, provide accurate and relevant information to the decision-makers and public, and do so in an unbiased manner regardless of how it influences the decision-making process. In addition, your role is to represent et the best interests of the residents and Carmel, not developers, architects, not special interest groups, and not even the State of California. That is not occurring and it negatively affects the ability of the City Council, and the Boards and Commissions to make well informed decisions. Uninformed decisions are typically bad ones, and can be influenced by manipulation, distortion, and even corruption.

It doesn't help when the staff, as paid professionals, do not ensure the decision-makers, effectively as unpaid amateurs, understand the decision-making process and their roles and responsibilities. Clearly, the decision-makers loose track or forget who they work for, meaning the residents and the City, and you should advise them to stay focused on their real responsibilities, especially in the face of popularity contests, developer interests, and mob rule.

In addition, whatever process you employ when a developer informs you of their intent to submit a permit application, is ineffective. You are the gatekeepers to insure inappropriate or flawed applications are prevented by guiding developers before they set something in motion that will be controversial, and expend funds which leads them to become entrenched. That's how we get 3 proposed modern houses in a row surrounded by 9 existing designated and qualifying historic homes and the controversy and chaos that ensued.

Examples of other issues from lack of adequate or improper staff actions and guidance are as follows:

- The Planning Commission Chair claiming that if architecture in Carmel does not evolve and modernize the village will become a "theme park" when he has no objective reason to claim that.
- A series of decisions over several years to keep allowing pickleball at Forest Hill Park in the face of documented and repeated significant adverse impacts to neighborhood residents.
- The housing authorized in the Sunset and Vista Lobos parking lots that ignore the Surplus Land Act and the obvious significant adverse impacts to parking, noise, air quality, and traffic.
- The Planning Commission asking the staff to look into cramming 6 workers in individual housing units because it's allowed in agricultural settings.

- Governing based on the number of residents in the hearing room making 3 minute comments without consideration of the other 3000+ Carmel residents.
- Deciding to remove a stately 50+ year old oak tree that even the staff concluded was protected by the governing documents, and recommended against removal.
- Hearing an agenda item clearly noticed and described on the record as “strictly informational” concerning addresses, but then proceeding to make a decision because a dozen residents in the hearing room complained and demanded action, even when Carmel response times are considerably less than any other City in and around the Peninsula, including Monterey, Pacific Grove, and Seaside, and for that matter almost anywhere in the country.
- Approving the Hofsas House, the Pit, and the JB Pastor Building without any adequate application of CEQA.
- Claiming questionable and counter-productive excuses to exempt projects from CEQA, when you should be doing the opposite because CEQA is protective of the residents and the City, and it's funded by the developers.
- The Planning Commission inexplicably believing that the staff is responsible for approving CEQA, and being clueless about the purpose and advantages of CEQA in the decision-making process.

How do any of these situations help the decision-makers or benefit the public? The Carmel permitting process is a free-for-all and popularity contest. It's your responsibility to point this out when you observe it happening. But you don't.

The staff should understand that Carmel itself meets the definition of CEQA “unusual circumstances” as a whole, which means CEQA is much more applicable than in practice. But the Staff, with the help of Mr. Lombardo in some cases, have made a mockery of that obvious fact to the detriment of Carmel and the residents, but to the benefit of developers and modern architects. Here are a few examples of unusual circumstances unique to Carmel that the staff refuse to acknowledge and act on:

- One square mile in size.
- Bordered by a National Marine Sanctuary on the west side.
- Compact with narrow residential lined streets.
- Limited road access to town.
- Extremely limited parking availability and lack of parking much of the time.
- Heavily touristed where daily and overnight tourists usually greatly outnumber residents.
- No surplus land.
- 280 designated historic structures and many more eligible
- A prized and special village known worldwide for its charm, character, history, forest, and beach.
- Substantial foreseeable construction activities throughout the small City, including the Hofsas House, the Pit, the JB Pastor Building, sewer line replacement, fiber optic cable installation, under-grounding electric lines, the authorized 349 mandated housing units, numerous housing construction and remodeling.

The only reason I'm not filing an appeal regarding the main subject of this email (the JB Pastor Building) is because you've already made the project developer go through an inordinate amount of time and expense (to be fair there's blame on both sides), the fact that the project is not another modern design, the excessive \$2200 dollar appeal filing fee, my experience last time when the previous City Council concluded the staff didn't do anything wrong and rejected the Hofsas House appeal, and because I see no measurable process and procedural improvements with the new City Council, Commissions, and staff, that would lead me to believe the outcome would be any different.

The pattern of CEQA exemptions continues unabated as does the Carmel CEQA-free zone that started in earnest with the first exemption for the Pit, followed by the Pit's second exemption, then the exemption of the Hofsas House, and now the JB Pastor Building. The writing is on the wall for the three proposed modern houses on Mission Street.

Ironically, had you employed CEQA for the JB Pastor Building in the form of an Initial Study, and then either an EIR or Mitigated Negative Declaration, the 5-year permitting process would have been much shorter, public participation would have been more effective and meaningful beyond one-way 3-minute bites, a more thorough and detailed analysis would have been completed, and the decision would have been much more informed.

Had I filed an appeal, the following would be the basis for challenging the JB Pastor Building Decision:

The staff claim that the JB Pastor Building project is: “Categorically exempt from the California Environmental Quality Act (CEQA), State CEQA guidelines and local environmental regulations, pursuant to Section 15332 (Class 32) - In-Fill Development and no exceptions to the exemption contained in Section 15300.2 can be made.”

[Please Note: I don't understand how you can legally conclude the project is exempt from “local environmental regulations?” I recommend you remove that from your standard exemption language.]

However, the referenced Section 15332 states certain conditions must all be met in order to qualify for the CEQA exemption, including subsection (d) as follows:

ATTACHMENT 13

“Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.”

-Clearly, the construction phase of the JB Pastor Building in such a dense and compact area directly adjacent to historic structures on the north and east side, which are only feet away, and essentially immediately surrounded by businesses and residents, will have potential adverse impacts on parking, traffic, noise, and maybe air quality given the heavy construction equipment that will be used immediately adjacent to residents and businesses.

-Where will workers and construction equipment park given very limited parking as it is?

-How will noise levels be mitigated to avoid exceeding the noise ordinance?

-How will the worker vehicles and heavy equipment transportation impact traffic in Carmel?

-Will construction equipment and activities damage the existing adjacent surrounding structures, including historic structures?

-How will public safety be addressed in the heavily used and compact area?

In addition, the referenced Section 15300.2 of the CEQA Guidelines states:

“A categorical exemption shall not be used for a project under the following circumstances” including:

(b) Cumulative Impact.

“All exemptions for these classes are **inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.**”

-The Ulrika Plaza (aka The Pit), and the Hofsas House are two other foreseeable large commercial projects on the same street and only several blocks away from each other and from the JB Pastor Building. All the impacts identified above, and more, will be amplified, particularly in our compact one-square-mile village and business district.

-There are many other substantial construction activities to consider as well, including the one-size-first-all State mandated 349 housing units, annual and ongoing sewer line replacement, transmission line under grounding projects, fiber optic cable installation, and general housing remodeling and construction.

-Cumulative impacts alone exclude exempting the JB Pastor Building.

(c) Significant Effect.

“A categorical exemption shall not be used for an activity where there is a **reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.**”

-There are clear “unusual circumstances” in Carmel as identified above, including cumulative impacts from the two other commercial projects in close proximity, and only several blocks away.

-Unusual circumstances, including this site in the Business District include:

1. Small and compact one-square-mile City with narrow resident lined roads, limited access, and no surplus lands.
2. The even more compact and heavily used Business District the site resides in.
3. Inadequate parking particularly in and around the Business District.
4. Densely populated much of the time due to tourist.
5. Cumulative effects of multiple foreseeable commercial projects on the same street only a few blocks away from each other, as well as residential project construction, and sewer, fiber optic, and under grounding electric line construction.
6. Historic structures immediately to the north and east of the project.
7. National Marine Sanctuary bordering the western side of the Village.
8. The compact and busy setting that’s more likely to suffer potential impacts to noise, traffic, historic structures, safety, parking, etc.

(f) Historical Resources.

A categorical exemption shall not be used for a project which **may cause a substantial adverse change in the significance of a historical resource.**

-Designated historic resources are adjacent, and next door to the project site, and therefore may be impacted by construction, as was the historically designated Carmel Art Association building due to construction of The Pit.

-CEQA Guidelines § 15064.5 addresses the evaluation of historical resources under the California Environmental Quality Act (CEQA). It provides criteria for identifying and determining the significance of historical resources and the potential significant impacts a project may have on them.

Key Provisions of § 15064.5:

1. Definition of Historical Resources:

- Resources listed in, or determined eligible for listing in, the California Register of Historical Resources.

- Resources included in a local register of historical resources or deemed significant under local ordinances.
- Any object, building, structure, site, area, or place that a lead agency determines to be historically significant or important based on substantial evidence.
- Resources determined to be historically or culturally significant by a qualified expert.

2. Substantial Adverse Change:

- A “substantial adverse change” in the significance of a historical resource is considered a significant impact. This can include the physical’s demolition, destruction, relocation, or alteration of the resource **or its immediate surroundings**.
- Adverse changes can also occur if a project causes the resource to no longer be eligible for the California Register.

3. Mitigation of Impacts:

- If a project may cause substantial adverse changes to a historical resource, the lead agency must consider feasible alternatives or mitigation measures to avoid, reduce, or mitigate the impact.

Governing Document Requirements vs CEQA:

At the Planning Commission hearing in which the JB Pastor Building permit was approved, the staff and Planning Commission claimed that impacts to views and privacy are not considered or required to be mitigated in the business district, as specified in the governing documents.

However, CEQA requires that these sorts of impacts be considered. Therefore, if only the City didn’t inappropriately exempted the JB Pastor Building, these impacts would have been addressed.

“AI” feedback on this topic is as follows:

AI QUESTION- If the General Plan does not consider privacy or views for neighboring properties in the Carmel downtown business district, would CEQA be able to address impacts associated with it regarding the proposed mixed-use JB Pastor Building?

-Yes, CEQA can absolutely address privacy and view impacts, even if the General Plan does not explicitly protect those values—especially in a context like downtown Carmel where **historic character, neighborhood compatibility, and community aesthetics** are highly valued and potentially sensitive.

Here’s how and why:

CEQA Goes Beyond the General Plan

CEQA requires agencies to consider the physical environmental effects of a project, even if those effects aren’t addressed in the General Plan. Courts have consistently held that **CEQA is a separate and independent statute that can trigger environmental review regardless of a project’s consistency with planning documents**.

Privacy, Views, and CEQA Review

While **private views** are generally **not protected** under CEQA alone, **cumulative impacts** on **neighborhood character, historic resources, and visual environment** can be analyzed under CEQA if:

- The project may cause **aesthetic impacts** (e.g., blocking key public views, increasing building mass inconsistent with surrounding architecture).
- The project results in **loss of privacy** or **light and air**, especially in **densely developed** or **historic areas**.
- The project sits **adjacent to designated or eligible historic resources**.

Even in urban infill scenarios—like Carmel’s downtown—CEQA **does not grant blanket immunity** from environmental review simply because a General Plan is silent on certain issues.

Relevant CEQA Concepts and Cases

- **Aesthetic Impacts:** CEQA does not limit visual impact analysis to rural or natural settings. In *Protect Niles v. City of Fremont* (2018), the court upheld a CEQA challenge based on a proposed project’s visual impacts in a historic urban district.
- **Unusual Circumstances Exception (§ 15300.2(c)):** Even if a project is categorically exempt (e.g., as infill), **unusual circumstances**, such as adjacency to historic structures or impacts on community character, may

trigger full CEQA review.

- **Historical Resources Exception (§ 15300.2(f)):** If the JB Pastor Building is near or affects historic structures or context-sensitive areas, CEQA review is required—even without General Plan policies protecting views or privacy.

☑ **Bottom Line**

Even in the absence of General Plan protections for views or privacy:

- CEQA **can and often should** be used to evaluate and potentially mitigate the **aesthetic, neighborhood character, privacy, and historical impacts** of a proposed project like the JB Pastor Building.
- If significant adverse effects are identified, the project may require an **Initial Study, Mitigated Negative Declaration**, or even a **full EIR**

By approving the JB Pastor Building, the City (both the staff and the Planning Commission) triggered adverse view, privacy, and economic value impacts to the family-owned historic building immediately adjacent to the project. In addition, that building, and other residents and business will be significantly impacted during the construction phases of the project, particularly because construction will occur only several feet away from other structures, including historic structures.

The City is not responsible for the profit margin of developers and the staff should have triggered CEQA for a more thorough review and analysis which would have likely required a smaller project footprint. Particularly, eliminating the upper floor in the back of the building on the east side. If that historic building on the east side of the project was owned by a Landlord you would have likely been subject to legal action and/or been influenced to require changes, and CEQA would have been the tool to do so. The staff should have had a lot more consideration of the property owner (resident) and employed the correct process.

In conclusion, by not using CEQA as required, your not using the tools you should to benefit the residents, the environment, and the City of Carmel. It's even more concerning that the decision-makers don't understand CEQA even though it's their responsibility to implement it, and instead blindly accept your recommendations without a single question or inquiry. As for the public, we are notified of staff's exemption recommendations only 72 hours before the final hearings, just like you always do, and given 3 minutes at the approval hearing to raise issues. That's a pretty pathetic public process, but CEQA is much more considerate of the public. In the mean time, decision-makers are unduly influenced by 10-20 residents that attend hearings for their 3 minutes, while 99% of the residents don't participate. However, you still have the 99%'s interest to consider. It's a hearing room attendee popularity contest and everybody knows it, so they plot and they plan accordingly.

You, and the decision-makers should ensure you act on behalf of all the residents, not just the 1% connected ones, or former City Council members. Conjecture, personal opinion, speculation, guesses, friends or acquiescence, developers, modern architects, conflicts of interest, or the interests of non-residents should play no part in the decision-making process.

As a resident with no financial interest I encourage you to reassess the staff's roles and responsibilities within the permitting process, and facilitate legitimate guidance, input, and feedback to the decision-makers.

Sincerely,
Chuck Najarian

Sent from my iPad