

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
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SANTA CRUZ, CA 95060
(831) 427-4863

Th2.5a

C.L. 9/24/00



RECORD PACKET COPY

Filed: 09/25/00
49th day: 11/13/00
180th day: 03/24/01
Staff: CL
Staff report: 09/25/00
Hearing date: 10/12/00

**COASTAL DEVELOPMENT PERMIT APPLICATION
CONSENT CALENDAR**

Application number3-00-132

Applicant.....Carmel Mission (Diocese of Monterey)

Representative.....Heisinger, Buck, Morris & Rose, Attn: James G. Heisinger, Jr.

Project location.....Larson Athletic Field, Rio Road at Carmel Mission, Carmel (Monterey County), City of Carmel-by-the-Sea, Monterey County (APN 010-321-04)

Project descriptionConstruction of a 17,500 sq. ft. gymnasium building for Junipero Serra Elementary School, at a site now occupied by outdoor basketball courts and a storage/workshop building.

Approvals ReceivedCity of Carmel-by-the-Sea: Rezoning to recreational (from R-1/C-6 Residential, to Larson Athletic Field Specific Plan); Design Review No. RE 99-61 and Use Permit no. UP 00-1; CEQA, Mitigated Negative Declaration, 8/15/00.

File documents.....*Final Carmel Mission/Larson Athletic Field Gymnasium Initial Study*, Denise Duffy & Associates, Inc., Aug. 2, 2000; Categorical Exclusion E-77-13 for City of Carmel-by-the-Sea.

Staff recommendation ...Approval with Conditions



California Coastal Commission

I. Summary

Applicant proposes to construct a new gymnasium for Carmel Mission's Junipero Serra School, located in the City of Carmel. The site is visually sensitive because of its location near the highly scenic and historic Mission. However, the new building, although large, will not detract from the Mission because it will be constructed at a lower elevation, take advantage of intervening trees for landscape screening, and employ architectural elements evocative of the Mission style.

The issue of construction in the Carmel River floodplain is addressed through building design: the finished floor level is raised above the projected maximum 100-year probability flood level. While no archaeological resources were found during a surface survey, the potential for such features is such that an archaeological monitor will be employed during the course of ground-disturbing activities. The existing c. 1955 storage shed, proposed for demolition, does not represent a historic resource or an important element of Carmel's community character. While no floodlights are proposed, the intrusive nature of such lighting has become an issue in other coastal communities. Accordingly, this permit is conditioned to require future Commission review of such lighting.

In summary, as conditioned by the City permits and this coastal development permit, the proposed addition is consistent with the policies of Chapter 3 of the Coastal Act and will not prejudice the City's ability to complete its Local Coastal Program.

II. Staff Recommendation on Coastal Development Permit

The staff recommends that the Commission, after public hearing, **approve** the proposed project subject to the standard and special conditions below. Staff recommends a **YES** vote on the motion below. A yes vote results in approval of the project as modified by the conditions below. The motion passes only by affirmative vote of a majority of the Commissioners present.

***Motion:** I move that the Commission approve Coastal Development Permit Number 3-00-132 subject to the conditions below and that the Commission adopt the following resolution:*

***Approval with Conditions.** The Commission hereby grants a permit for the proposed development, as modified by the conditions below, on the grounds that the modified development is consistent with the requirements of Chapter 3 of the California Coastal Act of 1976 (Coastal Act), will not prejudice the ability of the City of Carmel to prepare a local coastal program conforming to Chapter 3 of the Coastal Act, is located between the sea and the first public road nearest the shoreline and is in conformance with the public access and recreation policies of the Coastal Act, and will not have any significant adverse effects on the environment within the meaning of the California Environmental Quality Act (CEQA).*



III. Conditions of Approval

A. Standard Conditions

1. **Notice of Receipt and Acknowledgment.** The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. **Expiration.** If development has not commenced, the permit will expire two years from the date on which the Commission voted on the application. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. **Compliance.** All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. **Interpretation.** Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. **Assignment.** The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

B. Special Conditions

1. **Night Lighting.** No athletic field floodlights or other high intensity night lighting that would potentially detract from the Carmel Mission or negatively impact wetland resources is authorized by this permit. Any new lighting of this nature shall be subject to a separate coastal development permit, or amendment to this permit.
2. **Archaeologic Resources.** Permittee shall comply in full with the City of Carmel's requirements for the protection of archaeological resources. These requirements include 1) that a qualified archaeological monitor be present on the site during any construction activities that involve ground disturbance, and 2) that work be halted in the vicinity (150 feet) of any archaeological or paleontological resource (or human remains) which may be discovered during construction. Any such suspension of work would be for the purpose of preparing and implementing a plan of mitigation. In event such archaeological or paleontological resource is encountered, the Executive Director shall be promptly notified, and the required plan of mitigation shall when ready be submitted for his or her review and approval.



3. Assumption of Risk. PRIOR TO THE ISSUANCE OF THE COASTAL DEVELOPMENT PERMIT, the applicant as landowner shall execute and record a deed restriction, in a form and content acceptable to the Executive Director, which shall provide that:

- (a) The applicant acknowledges and agrees that the site may be subject to hazards from tsunami run-up, flooding, liquefaction and erosion.
- (b) The applicant acknowledges and agrees to assume the risks to the applicant and the property that is the subject of this permit of injury and damage from such hazards in connection with this permitted development.
- (c) The applicant unconditionally waives any claim of damage or liability against the Commission, its officers, agents, and employees for injury or damage from such hazards.
- (d) The applicant agrees to indemnify and hold harmless the Commission, its officers, agents, and employees with respect to the Commission's approval of the project against any and all liability, claims, demands, costs (including costs and fees incurred in defense of such claims), expenses, and amounts paid in settlement arising from any injury or damage due to such hazards.
- (e) The applicant agrees that any adverse effects to property caused by the permitted project shall be fully the responsibility of the landowner.

The document shall run with the land, binding all successors and assigns, and shall be recorded free of prior liens that the Executive Director determines may affect the enforceability of the restriction. This deed restriction shall not be removed or changed without a Coastal Commission-approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

IV. Recommended Findings and Declarations

The Commission finds and declares as follows:

A. Project Location and Description

The site of the proposed project is on Carmel Mission's Larson Athletic Field, located between the Carmel River and Rio Road at the southern edge of the City of Carmel. The majority of the site is presently paved, and in use for a storage shed and outdoor basketball courts.

Site Description: Larson Athletic Field is a large parcel, approximately 7.5 acres in size, located along Rio Road, immediately south of and adjacent to the Carmel Mission and its Junipero Serra School. The Field is owned by the Diocese of Monterey and is used by the Junipero Serra



Elementary School at Carmel Mission and Carmel Youth Baseball. The Field is presently improved with a paved parking lot, turf playing fields (baseball and soccer), three outdoor basketball courts and a storage/workshop building. There is also a small snackbar, announcers booth, bleachers and other improvements associated with existing baseball field use.

Project Description: Junipero Serra School proposes to demolish its existing storage/workshop building, remove the existing basketball courts and replace those facilities with a new school gymnasium/multi-purpose building. The new building will be used for indoor sports activities by the students of Junipero Serra School and for other School functions which are presently conducted outdoors at the Mission. There is existing parking on the site for the new building (a 55 space lot at Larson Field), as well as an existing parking on the adjacent Mission parcel.

Approximately 27,600 square feet of impervious surface (the basketball courts and storage/workshop building) will be replaced with the new 17,500 square foot gymnasium and surrounding walkways. The project will result in a net decrease of 4,400 square feet of impervious surfaces on the site. Maximum height of the new building will be 39 ft.

Approvals Received: The City of Carmel has adopted a Specific Plan for Larson Athletic Field. The Specific Plan changed the allowed use at the Field from single family residential (6,000 square foot minimum lot size) to recreational uses. The Plan prohibits any future subdivision of the 7.5 acre site unless the City determines the subdivision is for exclusive recreation, education or open space purposes. Permitted uses under the Specific Plan include the maintenance and relocation of the existing ball field facilities at Larson Athletic Field. The Specific Plan allows construction of a gymnasium at Larson Field as a conditionally permitted use. The City approved a use permit for the proposed gymnasium and approved the design of the new building on August 23, 2000.

B. Standard of Review and Categorical Exclusion E-77-13

The City of Carmel-by-the-Sea lies entirely within the coastal zone, but the City does not have either a certified Land Use Plan or Implementation Plan, although the City is currently working on developing these elements of an LCP. Therefore, the standard of review for the project is the Coastal Act. Most residential development in Carmel does not require a coastal development permit, according to the terms of Categorical Exclusion E-77-13, approved by the Commission in 1977. However, the new gymnasium is not in an excluded category of development. Therefore, it is not excluded from the requirement for a coastal development permit.

C. Visual Resources

Coastal Act Section 30251 states:

Section 30251. The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of



surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting.

Section 30253. New development shall:

.....
(5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses.

Carmel Mission is one of the best known and loved of all the City's scenic landmarks. Its scenic context of river, beach, Carmel Bay and Pt. Lobos sets it apart from all other mission buildings in the state. Mindful of its proximity to the Mission, the City gave careful scrutiny to the proposed design and location of the gymnasium project.

The gymnasium building is located at the base of a small hill that separates Larson Athletic Field from the parcel occupied by the Mission and its School. It is bordered on its west side by existing trees which are taller than the building and on its east side by an existing redwood tree that shields about one-half of the building, including its highest part, from public view. The site is several hundred feet from Rio Road, the nearest public way, and from the adjoining neighborhood.

The proposed gymnasium would extend to about 39 feet above grade. The selected site is at an elevation distinctly lower than the mission, and the architecture (including tile roof) is complementary to the Mission's other outbuildings. Also, several mature trees on the intervening lands provide effective screening. The net result is that the new building, although large, will result in a structure that is still very subordinate to the much-visited Mission.

Another concern with the construction of new athletic facilities is the possibility of floodlight installation for night games. While no such intrusive lighting is proposed in this application, the concern persists. The issue can be addressed by conditions requiring separate Commission review of any such proposal. Therefore, as conditioned to require Commission review of any future floodlight installation, the proposed gymnasium is consistent with Coastal Act policies 30251 and 30253 regarding public views.

D. Archaeology

Section 30244 of the Coastal Act requires that development impacts on archaeological resources be mitigated. In this case, Preliminary Archaeological Reconnaissance of the gymnasium site found no evidence of significant archaeological resources. This finding is consistent with the historic use of this parcel as the fruit orchard for Carmel Mission. Notwithstanding this finding, the City's approval



requires a qualified archaeological monitor to be present during activities on the site that involve ground disturbance. The City's approval also requires work to be halted in the vicinity (150 feet) of any archaeological or paleontological resource (or human remains) which may be discovered during construction.

The Initial Study also included the preparation of a Primary Record under State of California Department of Parks and Recreation Guidelines for historic resources. The Record was prepared for the City by Kent Seavey, a preservation consultant. Based on evidence presented in the Record that the storage/workshop building was constructed in 1955, the Initial Study concludes that the demolition of the structure will not result in the loss of significant historic resources.

The conditions attached to this permit reiterate and reinforce the City's archaeological monitoring requirement. Therefore, as conditioned, the project will conform with Coastal Act Section 30244.

E. Flood Hazard

Coastal Act Sec. 30253 requires that new development shall minimize risks to life and property in areas of high flood and geologic hazard. The project site, Larson Field, is at the margin of the flood plain of the Carmel River, near the upper end of the rivermouth lagoon. But the site of the gymnasium is not located within an identified flood hazard zone according to the City's General Plan. However, the 1995 and 1998 flood events proved that Larson Field is susceptible to some degree of flooding. Central Coast Surveyors have determined that the base flood elevation for the gymnasium site is 17 feet above MSL. The 17 foot contour appears at the rear portion of the site. As approved by the City, approximately 1,500 cubic yards of engineered fill (depending on the thickness of the slab floor) will be added to the gymnasium site to raise the building pad to 18 feet above MSL.

Therefore, this design will conform the project to Coastal Act Section 30253. Nonetheless, because of its low-lying position on floodplain sediments in an area with a high water table, other hazards are possible. These include liquefaction, tsunami run-up, and stream bank erosion. While such hazards are not considered as significant by the CEQA Initial Study, it is nonetheless appropriate to condition this permit to require that the landowner record an Assumption of Liability.

F. Wetlands Protection

Coastal Act sections 30230-31 require the protection of wetland and riparian resources. As discussed in the previous finding, the proposed development will take place on an existing developed site in proximity to the Carmel rivermouth lagoon. While no floodlighting is proposed currently, the potential for such lighting creating a negative impact on wetland resources should be addressed. As conditioned as to require Commission review of any future floodlight installation, the proposed gymnasium is consistent with Coastal Act policies 30230 and 30231 regarding wetland resources.



G. Public Access

Coastal Act Sections 30210-30214 require that public access be provided to and along the coast in conjunction with new development. Exceptions are listed for situations where, among other things, adequate access exists nearby.

In this case, Larson Athletic Field does not presently provide public access to the coast. The adjoining parcel to west of Larson Athletic Field, known as Rio Park, is owned by the City of Carmel. Carmel Mission and the Monterey Peninsula Parks and Recreation District are presently working with the City of Carmel to acquire the Rio Park property for the purpose of expanding the outdoor recreation facilities at Larson Athletic Field and to provide public access over the Rio Park property to Carmel River and the State Park property (the former Odello artichoke fields) to the south of Carmel River.

Therefore, public access needs will be met on the adjoining Rio Park lands. Further, the proposed gymnasium, although part of a parochial school and not a publicly-owned facility, will nonetheless enhance neighborhood recreational opportunities. And, in practice, the public is not barred from walking through the Mission grounds and Larson Field. The construction of the gymnasium will not materially block such access. Therefore, the project is consistent with the requirements of Coastal Act Section 30210-30214.

H. LCP Planning Process

Coastal Act Section 30604(a) states:

Prior to certification of the local coastal program, a coastal development permit shall be issued if the issuing agency, or the commission on appeal, finds that the proposed development is in conformity with Chapter 3 (commencing with Section 30200) and that the permitted development will not prejudice the ability of the local government to prepare a local coastal program that is in conformity with Chapter 3 (commencing with Section 30200). A denial of a coastal development permit on grounds it would prejudice the ability of the local government to prepare a local coastal program that is in conformity with Chapter 3 (commencing with Section 30200) shall be accompanied by a specific finding which sets forth the basis for that conclusion.

The City of Carmel is entirely within the coastal zone, but the City does not have a certified LCP. Currently, the City is actively working on completion of its LCP.

For the reasons discussed in this report, the Commission finds that, as conditioned, the proposed project would not prejudice Commission action on future coastal planning decisions regarding development in Carmel; and is consistent with Coastal Act requirements that development not



prejudice LCP planning efforts that conform to the Coastal Act.

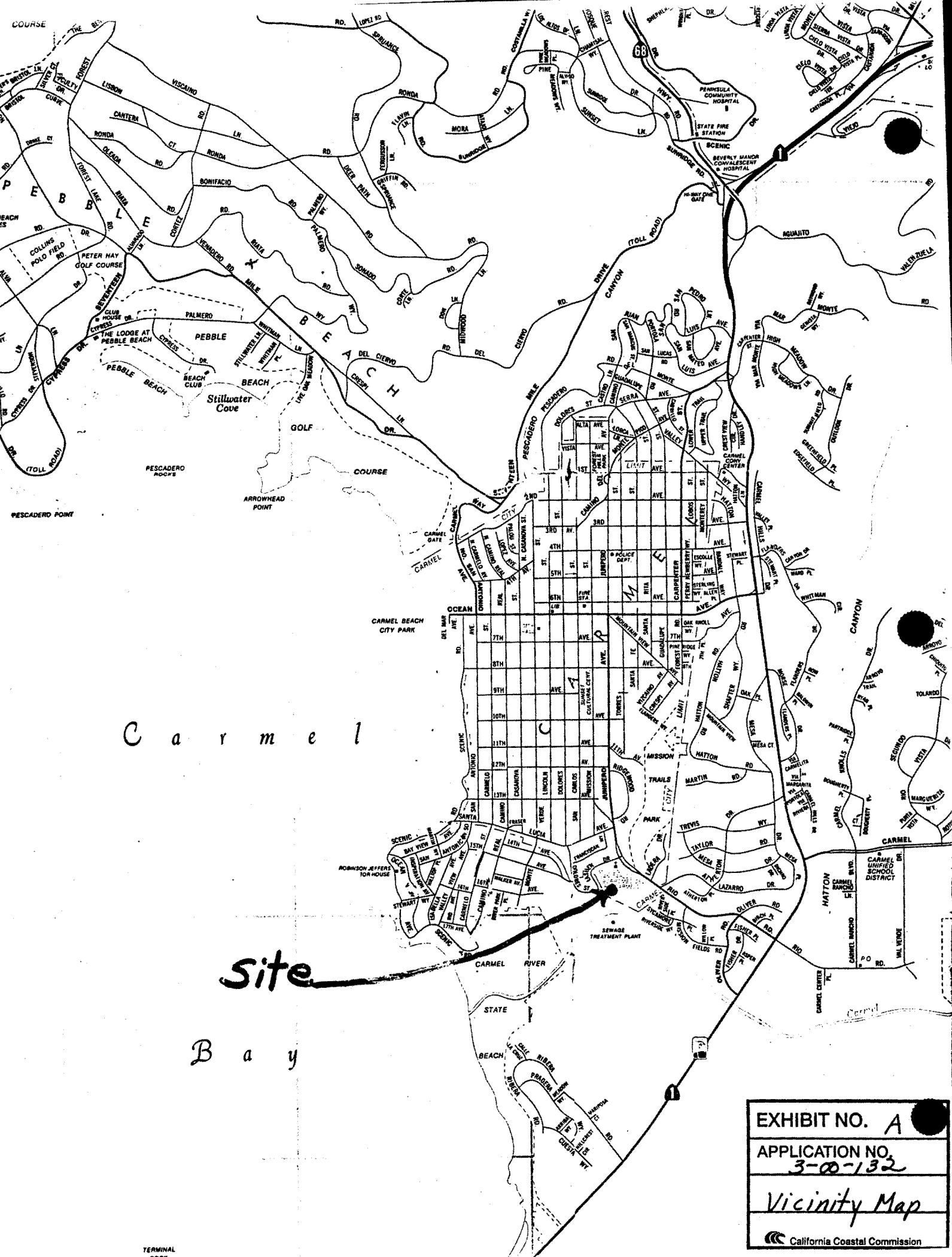
I. California Environmental Quality Act (CEQA)

Section 13096 of the California Code of Regulations requires that a specific finding be made in conjunction with coastal development permit applications showing the application to be consistent with any applicable requirements of CEQA. Section 21080.5(d)(2)(A) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available, which would substantially lessen any significant adverse effect that the activity may have on the environment.

Denise Duffy and Associates prepared a CEQA Initial Study for the project. The final report, dated August 2, 2000 was circulated in the manner prescribed by CEQA, and approved by the Carmel City Council in the form of a Mitigated Negative Declaration.

The Coastal Commission's review and analysis of land use proposals has been certified by the Secretary of Resources as being the functional equivalent of environmental review under CEQA. The proposed project's coastal resource issues have been discussed in this staff report and it has been concluded that the proposal will not have an adverse effect on coastal resources. Accordingly, the Commission finds that as conditioned by this permit the proposed project will not have any significant adverse effects on the environment within the meaning of CEQA.





C a r m e l

site

B a y

EXHIBIT NO. A
APPLICATION NO. 3-0-132
Vicinity Map
California Coastal Commission

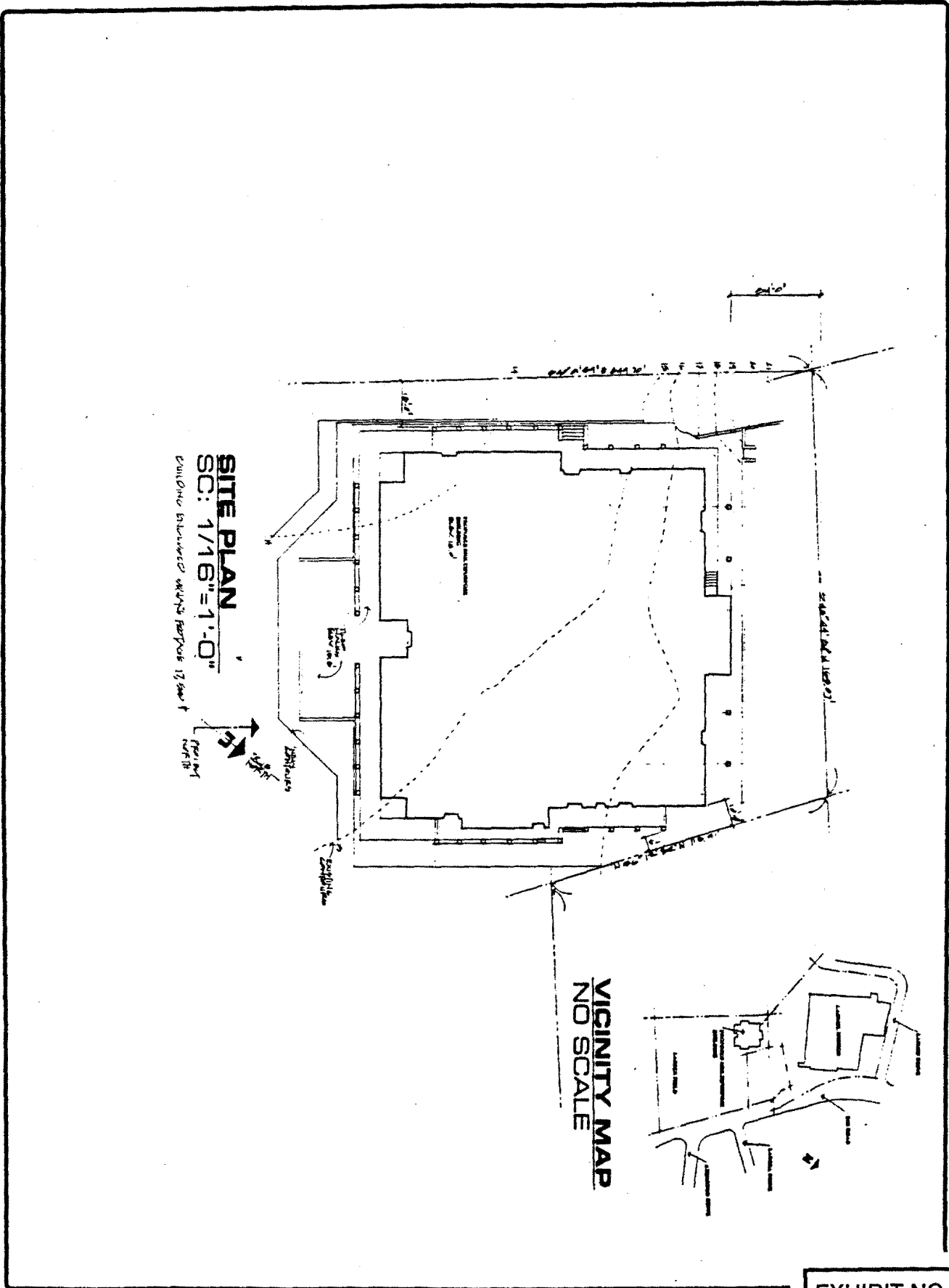


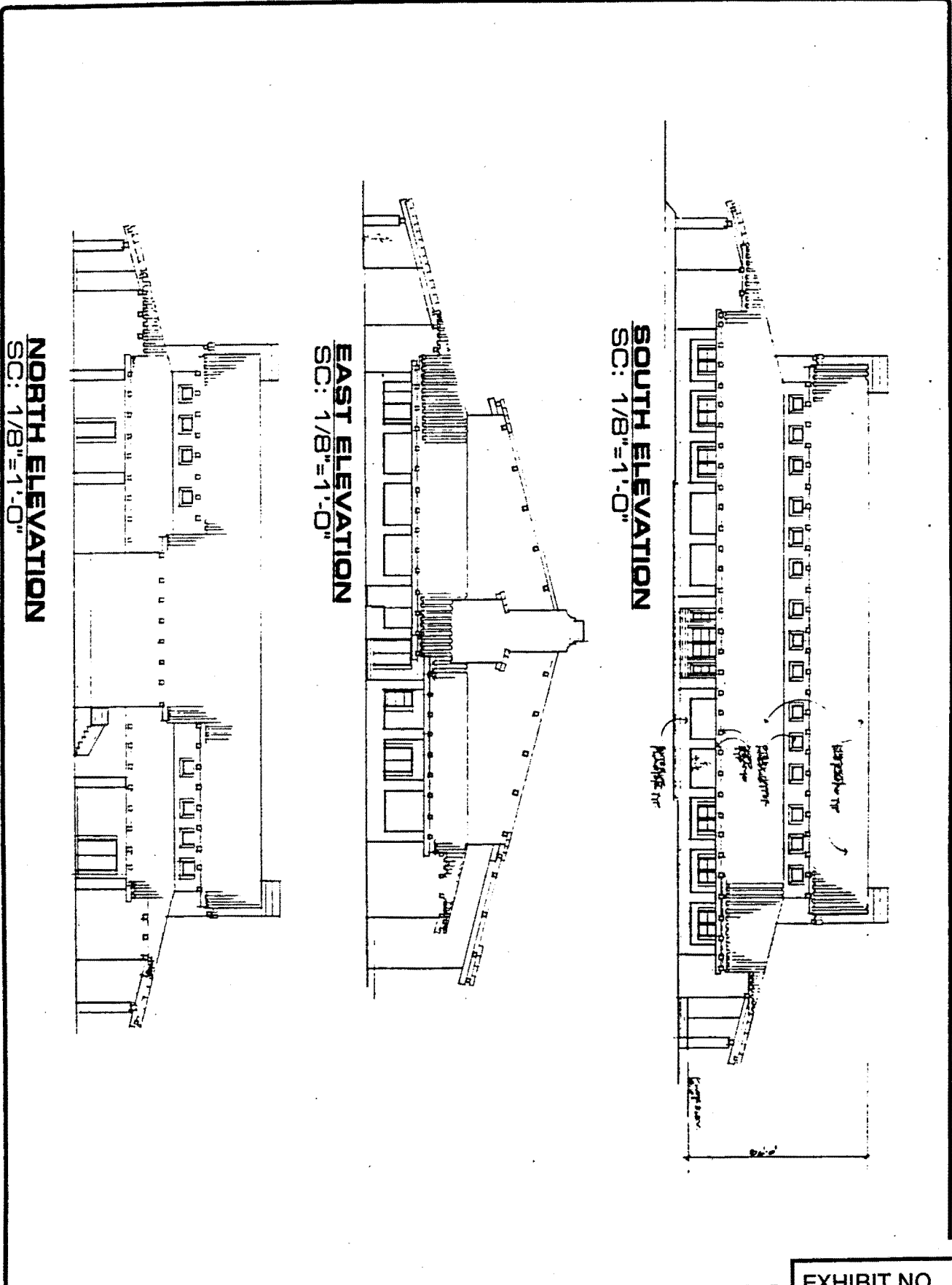
EXHIBIT NO. *B*

APPLICATION NO.
3-00-132

Site Plan

(1 of 2)

Robert Limited Architect	PO Box 3245 Concord California 95921 Phone 925-5382
	A 1



NORTH ELEVATION
 SC: 1/8"=1'-0"

EAST ELEVATION
 SC: 1/8"=1'-0"

SOUTH ELEVATION
 SC: 1/8"=1'-0"

EXHIBIT NO. **C**

APPLICATION NO.
3-00-132

Elevations
(1 of 2)

California Coastal Commission

A3
 1/22/44

Robert Lind Architects
 P.O. Box 3345
 Central
 California
 95921
 Phone
 530-5382

WEST ELEVATION
SC: 1/8"=1'-0"

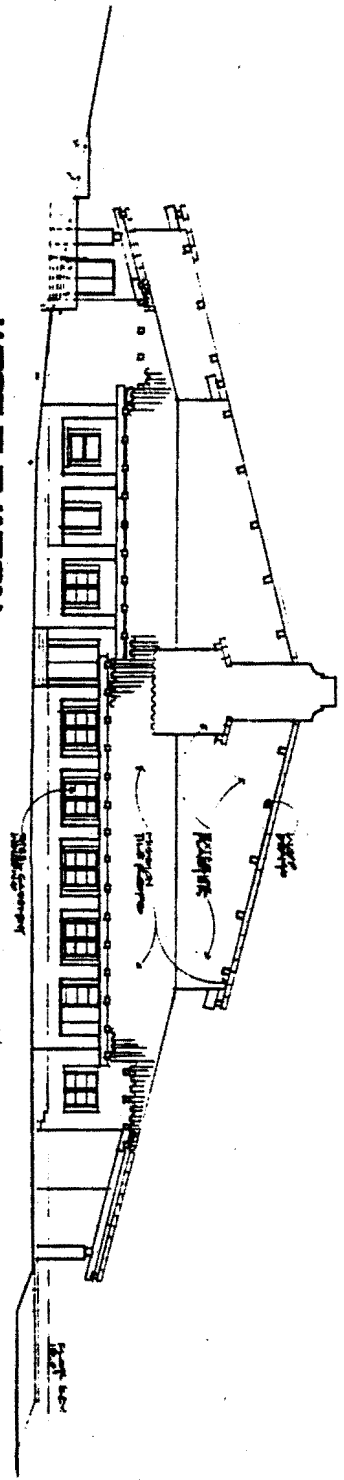
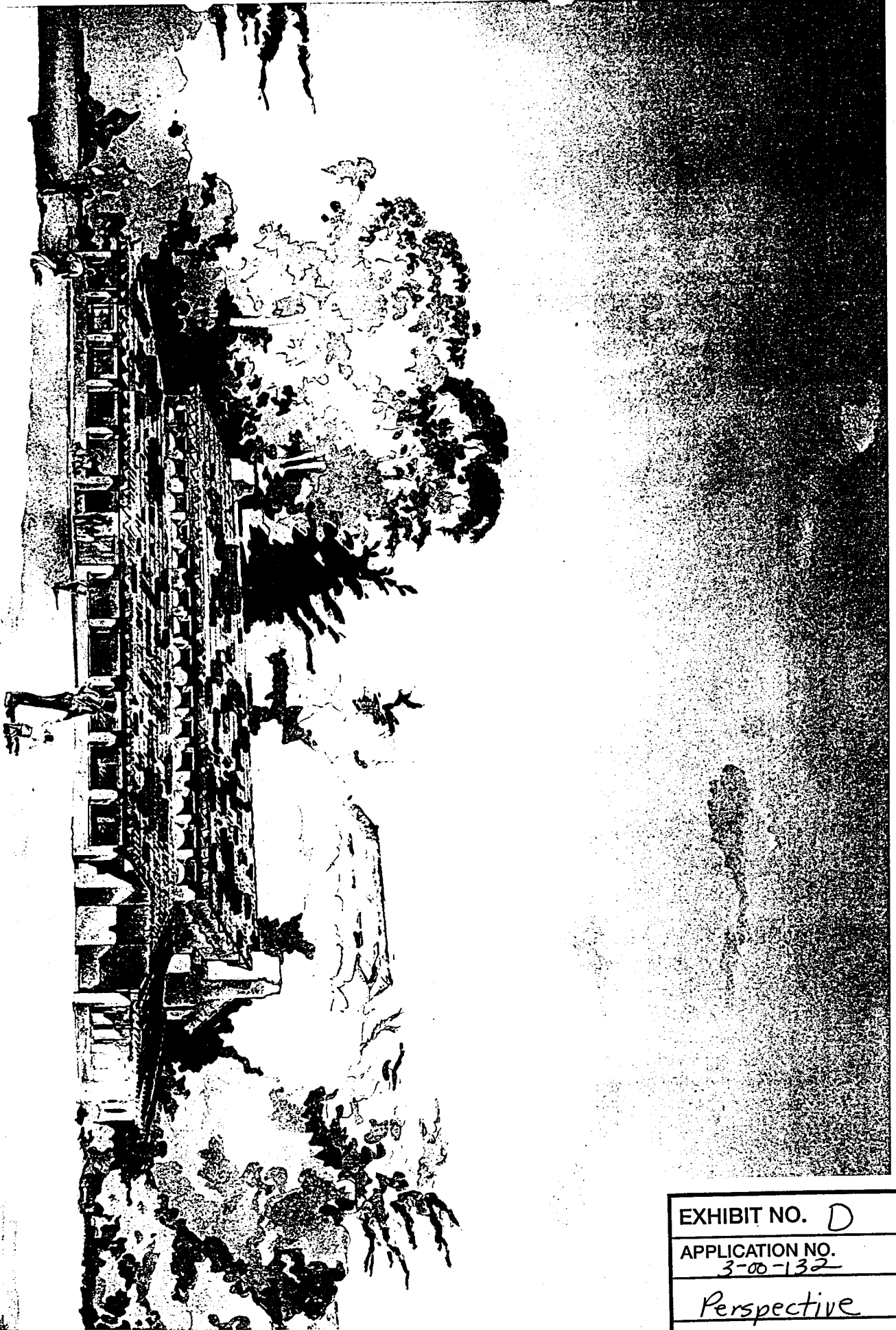


EXHIBIT NO. C
APPLICATION NO. 3-00-132
Elevations (2 of 2)

A4
1/27/44

ARCHITECT P.O. Box 2345 Central California 95921 Phone 555-5582	CONTRACTOR NAME ADDRESS CITY STATE ZIP	DATE OF DRAWING DRAWING NO. PROJECT NO.	PROJECT NAME ADDRESS CITY STATE ZIP
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A MULTIPURPOSE BUILDING AT CARMEL MISSION
FOR THE DIOCESE OF MONTEREY

ARCHITECT
ROBERT STELL AIA

EXHIBIT NO. D

APPLICATION NO.
3-00-132

Perspective

HEISINGER, BUCK & MORRIS

ATTORNEYS AT LAW

RECEIVED

SEP 12 2000

CALIFORNIA
COMMISSION
CENTRAL COAST AREA
September 12, 2000

MALCOLM S. MILLARD (1914-1999)

JAMES G. HEISINGER, JR.
ROBERT B. BUCK
SIDNEY M. MORRIS*

CHRIS CAMPBELL
LISA MINETA
LINDA N. SUNDE

*CERTIFIED SPECIALIST - ESTATE PLANNING
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Mr. Lee Otter
California Coastal Commission
Central Coast District Office
725 Front Street
Santa Cruz, CA 95060

Re: Application for Administrative Permit for Junipero Serra Elementary
School Gymnasium (Carmel Mission)

Dear Mr. Otter:

I am enclosing an application for an Administrative Permit to allow the demolition and removal of three outdoor basketball courts and an existing storage/workshop building located on Larson Athletic Field at Carmel Mission, and the construction of a new gymnasium building on that site for the Mission's Junipero Serra Elementary School.

Project Location: Larson Athletic Field at Carmel Mission in Carmel, Monterey County (APN 009-531-004).

Site Description: Larson Athletic Field is a large parcel, approximately 7.5 acres in size, located along Rio Road, immediately south of and adjacent to the Carmel Mission and its Junipero Serra School. The Field is owned by the Diocese of Monterey and is used by the Junipero Serra Elementary School at Carmel Mission and Carmel Youth Baseball. The Field is presently improved with a paved parking lot, turf playing fields (baseball and soccer), three outdoor basketball courts and a storage/workshop building. There is also a small snackbar, announcers booth, bleachers and other improvements associated with existing baseball field use.

Project Description: Junipero Serra School proposes to demolish its existing storage/workshop building, remove the existing basketball courts and replace those facilities with a new school gymnasium/multi-purpose building. The new building will be used for indoor sports activities by the students of Junipero Serra School and for other School functions which are presently conducted outdoors at the Mission. There is existing parking on the site for the new building (a 55 space lot at Larson Field), as well as existing parking on the adjacent Mission parcel.

EXHIBIT NO. <i>E</i>
APPLICATION NO. <i>3-00-132</i>
<i>Letter from applicant's representative</i>
<i>(1 of 3)</i>

Mr. Lee Otter
September 12, 2000
Page 2.

Approximately 27,600 square feet of impervious surface (the basketball courts and storage/workshop building) will be replaced with the new 17,500 square foot gymnasium and surrounding walkways. The project will result in a net decrease of 4,400 square feet of impervious surfaces on the site.

Approvals Received: The City of Carmel has adopted a Specific Plan for Larson Athletic Field. The Specific Plan changed the allowed use at the Field from single family residential (6,000 square foot minimum lot size) to recreational uses. The Plan prohibits any future subdivision of the 7.5 acre site unless the City determines the subdivision is for exclusive recreation, education or open space purposes. Permitted uses under the Specific Plan include the maintenance and relocation of the existing ball field facilities at Larson Athletic Field. The Specific Plan allows construction of a gymnasium at Larson Field as a conditionally permitted use. The City approved a use permit for the proposed gymnasium and approved the design of the new building on August 23, 2000.

Environmental Review: Denise Duffy and Associates prepared a CEQA Initial Study for the project. The final report, dated August 2, 2000 was circulated in the manner prescribed by CEQA, and approved by the Carmel City Council. A Notice of Determination has been filed with OPR and the Monterey County Clerk. A copy of that Notice is enclosed.

Cultural Resources: A Preliminary Archeological Reconnaissance of the gymnasium site found no evidence of significant archeological resources. This finding is consistent with the historic use of this parcel as the fruit orchard for Carmel Mission. Notwithstanding this finding, the City's approval requires a qualified archaeological monitor to be present during construction activities on the site that involve ground disturbance. The City's approval also requires work to be halted in the vicinity (150 feet) of any archaeological or palenontological resource (or human remains) which may be discovered during construction.

The Initial Study also included the preparation of a Primary Record under State of California Department of Parks and Recreation Guidelines for historic resources. The Record was prepared for the City by Kent Seavey, a preservation consultant. Based on evidence presented in the Record that the storage/workshop building was constructed in 1955, the Initial Study concludes that the demolition of the structure will not result in the loss of significant historic resources.

Public View: The gymnasium building is located at the base of a small hill that

Exhibit E
3-00-132
(2 of 3)

Mr. Lee Otter
September 12, 2000
Page 3.

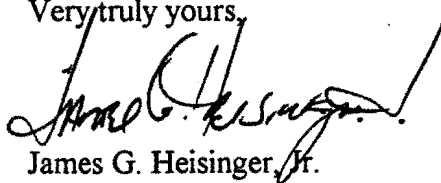
separates Larson Athletic Field from the parcel occupied by the Mission and its School. It is bordered on its west side by existing trees which are taller than the building and on its east side by an existing redwood tree that shields about one-half of the building, including its highest part, from public view. The site is several hundred feet from Rio Road, the nearest public way, and from the adjoining neighborhood.

Flood Plain: The site of the gymnasium is not located within an identified flood hazard zone according to the City's General Plan. However, the 1995 and 1998 flood events proved that Larson Field is susceptible to some degree of flooding. Central Coast Surveyors have determined that the base flood elevation for the gymnasium site is 17 feet above MSL. The 17 foot contour appears at the rear portion of the site. As approved by the City, approximately 1,500 cubic yards of engineered fill (depending on the thickness of the slab floor) will be added to the gymnasium site to raise the building pad to 18 feet above MSL.

Public Access: Larson Athletic Field does not presently provide public access to the coast. The adjoining parcel to west of Larson Athletic Field, known as Rio Park, is owned by the City of Carmel. Carmel Mission and the Monterey Peninsula Parks and Recreation District are presently working with the City of Carmel to acquire the Rio Park property for the purpose of expanding the outdoor recreation facilities at Larson Athletic Field and to provide public access over the Rio Park property to Carmel River and the State Park property (the former Odello artichoke fields) to the south of Carmel River.

We look forward to receiving approval of this Administrative Permit for the Junipero Serra School Gymnasium. If you have any questions or comments, please do not hesitate to contact me.

Very truly yours,



James G. Heisinger, Jr.

JGH/sls
Enclosures

Exhibit E
3-00-132
(3 of 3)

CITY OF CARMEL-BY-THE-SEA

DEPARTMENT OF COMMUNITY PLANNING AND BUILDING

STAFF REPORT

TO: CHAIRMAN FISHER AND PLANNING COMMISSIONERS

FROM: BEN BERTO, SENIOR PLANNER

DATE: 23 AUGUST 2000

SUBJECT: RE 99-61/UP 00-01/CATHOLIC DIOCESE
S/W SIDE RIO ROAD AT LADERA DRIVE

I. SUMMARY RECOMMENDATION

Conditionally approve the Use Permit and Design Review applications, subject to the following Special Conditions:

1. Approval of the Use Permit and Design Review applications is contingent on final City Council approval of the Specific Plan amendments to the Carmel-By-The-Sea Municipal Code as shown in Article V, Sections 17.15.330 through 17.15.390. If the Specific Plan for the Larson Field site does not receive final approval, or if the Specific Plan is amended to affect any provision of the Use Permit or Design Review approvals, said approvals are null and void.
2. The Mitigation Measures contained in Chapter XII. Summary of Mitigation Measures, found in the Initial Study/Mitigated Negative Declaration for the Carmel Mission/Larson Athletic Field Gymnasium, are herein incorporated by reference.

II. INTRODUCTION/BACKGROUND

The project site is located southwest of Rio Road at Ladera Drive, on the Catholic Diocese property at Carmel Mission, in the R-1/C-6 (Single-Family Residential/6,000 square feet lot size) District. The Mission property currently contains Junipero Serra K-8 school, with 214 day students. The site presently lacks any large indoor recreation facilities.

This application was reviewed by the Planning Commission on 23 February and 14 June 2000. Original discussion items included: building location, size, height, and orientation; parking, traffic, noise, drainage, flooding, light, and landscaping. The Planning Commission heard public comment and provided direction to staff. Denise Duffy and

EXHIBIT NO. <i>F</i>
APPLICATION NO. <i>3-00-132</i>

<i>City Staff Report</i>
<i>(1814)</i>

Associates then developed a draft Initial Study pursuant to the California Environmental Quality Act (CEQA). The draft Initial Study was completed and recommended adoption of a Mitigated Negative Declaration. At their 14 June meeting, the Planning Commission reviewed the proposed Mitigated Negative Declaration, along with a draft Specific Plan for Larson Field. The Planning Commission recommended City Council approval of the Initial Study/ Mitigated Negative Declaration and the Specific Plan, and continued review of the Use Permit and Design Review portions of the project.

The City Council takes final action on the Specific Plan amendments to the Municipal Code, and adoption of the Mitigated Negative Declaration pursuant to CEQA. The Council approved the first reading of the Municipal Code amendment on 15 August. Planning Commission review of a Use Permit and Design Review is dependent on final Council approval of the Municipal Code amendment. However, because the first reading has already been approved, and because the project is the same as what the Planning Commission has seen and affirmatively commented on (from a CEQA standpoint) on two prior occasions, staff is proposing that the Commission approve the project contingent on final Council approval of the Zoning Amendment.

<u>Catholic Diocese Gymnasium</u>	
<u>Project Data</u>	
<u>Lot Area</u> (7.5 acres)	<u>Proposed</u>
Floor Area	17,500 sf (5%)
Land Coverage	351 sf (9%)
Trees (upper/lower)	0/0 trees
Height (first)	39 ft
<u>Proposed Setbacks</u>	
Front	6/>100 ft*
Rear	18 ft
North	34 ft
South	>100 ft
*The property line jogs on this building frontage.	

*Exhibit F
 (28/14)*

III. PROJECT DESCRIPTION

The applicants are requesting approval of a Use Permit and Design Review to allow the construction of a basketball gymnasium. The gymnasium would be placed where two of the three existing outdoor basketball courts are located southeast of Junipero Serra school.

The gym will have total exterior dimensions of 145 feet x 150 feet (total area 17,500 square feet). Maximum height is 36 feet above finished floor elevation, which is 3 feet above existing grade, for a total height of 39 feet. The gym will feature a Spanish Colonial architectural style, with stucco walls, a clay barrel tile roof, deeply inset windows, exposed hand adzed rafter tails, and an approximately 10 foot deep, covered outdoor porch/breezeway on the plan south, west, and east sides of the building. Outdoor walkways around the exterior of the building will be tiled. The chimneys on the east and west building elevations will function for mechanical venting. The upper level windows around the gymnasium will be operable to serve ventilation as well. All building finishes will match those on the Carmel Mission structures. The main lobby faces plan south, with additional exterior doors on every side of the building.

In addition to the single full-court (or two half-court) basketball gym, there will be three large meeting rooms, a kitchen, several large storage rooms, a slightly raised (2½ feet) stage, and a dressing room.

No exterior lighting details have been included. However, some recessed lighting is proposed to be located in the eave of the covered exterior walkways, and some minimal landscape lighting is proposed for the path to the parking area.

No landscaping plan has been included either, however, the applicants have agreed to the mitigation measures contained in the Initial Study/Mitigated Negative Declaration (see attached). These include some tree planting to mitigate for those that will have to be removed.

IV. STAFF REVIEW

Issues relating to building size, height, location, orientation, design, and noise emanating from activities therein, as well as site lighting, landscaping, vehicle access and parking have been previously reviewed and discussed. Both the Initial Study/Mitigated Negative

Exhibit F
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Declaration and the Specific Plan have provisions relating to these potential issues.

Mitigated Negative Declaration

A Mitigated Negative Declaration pursuant to the requirements of the California Environmental Quality Act (CEQA) was adopted by the City Council at their August 15 meeting. The mitigations listed are necessary to avoid potential significant environmental impacts. The applicant has agreed to the mitigations proposed. These are summarized as follows: New Cypress trees will be planted to mitigate for several young trees that will have to be removed. Archeological monitoring will take place during construction. Best management practices will have to be in place regarding avoiding releasing hazardous materials. Noise attenuating practices will have to be followed.

Specific Plan

The City Council approved the first reading of amendments to the Municipal Code creating the Larson Athletic Field Specific Plan (see attached copy). The proposed gymnasium must undergo a Use Permit to ensure consistency with the Goals portion of the Specific Plan. This lists that in order to allow a gymnasium, a determination must be made that there will not be significant increases in traffic, noise, light, and other adverse impacts. Based on the analysis that has taken place, including the investigations in the Initial Study and Mitigated Negative Declaration, the gymnasium appears to be consistent with the goals, purposes, and restrictions of the Specific Plan.

V. STAFF RECOMMENDATION

Conditionally approve the Use Permit and Design Review applications, subject to the following Special Conditions:

1. Approval of the Use Permit and Design Review applications is contingent on final City Council approval of the Specific Plan amendments to the Carmel-By-The-Sea Municipal Code as shown in Article V, Sections 17.15.330 through 17.15.390. If the Specific Plan for the Larson Field site does not receive final approval, or if the Specific Plan is amended to affect any provision of the Use Permit or Design Review approvals, said approvals are null and void.

*Exhibit F
(4 of 14)*

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Staff Report
23 August 2000
Page 5

2. The Mitigation Measures contained in Chapter XII. Summary of Mitigation Measures, found in the Initial Study/Mitigated Negative Declaration for the Carmel Mission/Larson Athletic Field Gymnasium, are herein incorporated by reference.

*Exhibit F
(5 of 14)*

CITY OF CARMEL-BY-THE-SEA

DEPARTMENT OF COMMUNITY PLANNING AND BUILDING

FINDINGS FOR DECISION

UP 00-1/Catholic Diocese
Larson Athletic Fields
S/w side Rio at Ladera
23 August 2000

CONSIDERATION: The applicant requests a Use Permit for a gymnasium within the area governed by the Larson Athletic Field Specific Plan.

FINDINGS:

1. That the project site is a 7.5 acre parcel located on the southwest side of Rio Road near Ladera Drive, within the area bounded by the Larson Athletic Field Specific Plan.
2. The project site is developed with outdoor recreation facilities, including baseball fields, basketball courts, and a parking lot.
3. The proposed project consists of a 17,500 square foot, 39 foot tall, multi-purpose gymnasium located in the northwest corner of the Specific Plan area.
4. That an Initial Study and Mitigated Negative Declaration has been adopted by the City Council for this gymnasium.
5. That all potential significant impacts, including traffic, noise, light, and others, have been mitigated to less than significant levels.

DECISION: The Use Permit is approved.

Standard Conditions:

1. Approval of this Use Permit authorizes a 17,500 square foot gymnasium as shown on the plans dated June 9 2000.
2. This permit is only valid for the life of the structure. Any substantial changes to this building, including demolition, reconstruction, or substantial enlargement shall require separate review by the Planning Commission.

*Exhibit F
(6 of 14)*

Article V. Larson Athletic Field Specific Plan

17.15.330 Designated.

The provisions set forth in this Specific Plan shall apply to the area of Larson Athletic Field, described as U.S. Lot 39, the Record of Survey of which is recorded in Monterey County Recorder's Office, and as described in Figure 1 dated 12/13/99, appended hereto.

17.15.340 Goals.

The following goals shall apply to the Larson Field Specific Plan:

- A. To ensure continued use of the Specific Plan area for recreational or educational purposes.
- B. To allow for the construction of a multi-purpose gymnasium.
- C. To allow for Carmel Mission, Junipero Serra School, and Monterey Archdiocese use of the gymnasium and fields for their internal activities.
- D. To allow for a continuation of other existing activities within the Specific Plan area, as documented and approved by the City.
- E. To prevent further subdivision of land unless for recreation, educational, or open space purposes.
- F. To allow conditional use of the gymnasium and fields for other activities, provided that through a public hearing process, a determination is made that there will not be significant increases in traffic, noise, light, and other adverse impacts.
- G. To ensure conformance with the provisions of the Archeological Significance Overlay District.

17.15.350 Applicability of Regulations.

In the event that an issue or condition arises that is not addressed by this Article, the provisions of the P-2-A District shall apply.

17.15.360 Permitted Uses.

A. Existing site improvements. The maintenance, repair, or in-kind replacement of existing site improvements, including but not limited to: backstops, bleachers, snack bar, announcer's booth, utilities and utility distribution systems, storage facilities, and parking lot.

B. Relocated site improvements. Relocation of existing facilities within the Specific Plan area to accommodate use of the playing fields, provided that said relocation complies with CMC 17.15.380 Development Regulations.

17.15.370 Conditional Uses.

Future site improvements. Future site improvements that are found to be consistent with CMC 17.15.340 Goals. A use permit shall be obtained for any new facility, use, or activity not listed as a permitted use or authorized by existing use

*Exhibit F
(70714)*

permits, as provided in CMC 17.46.040.

17.15.380 Development Regulations.

A. Setbacks. Other than ground-level improvements, all structures shall maintain a minimum setback of 20 feet from any residentially-zoned property not owned by the Diocese.

B. Height. Maximum height for the gymnasium is 36 feet above the finished grade necessary for floodproofing purposes. All other structures shall meet current regulations for height applicable to the R-1 district.

C. Lighting. All lighting shall be equipped with cut-off shields to prevent glare from shining off-site.

D. Hours of Operation. No use or activity shall take place between the hours of 11 p.m. and 6 a.m.

E. Landscaping. Appropriate landscaping, including screening from Rio Road and parking lot landscaping, shall be provided as determined by project review, and permanently maintained in an attractive, healthy condition.

F. Signage. Sign regulations applicable to the R-1 district shall apply within the Specific Plan area, except that signs proposed to be mounted on the fence facing Rio Road shall be subject to a Use Permit.

G. Parking. Parking as determined through the use permit process authorizing specific uses and/or facilities in the Specific Plan area.

H. Noise. Noise shall be governed according to CMC Chapter 8.56, except that current noise-generating activities and levels within the Specific Plan area are permitted.

17.15.390 Archeology

Any project with potential for impacting any archeological resources shall comply with all applicable provisions of CMC 17.14, Article I., Archeological Significance Overlay District.

17.15.390 Subdivision.

No further subdivision of area contained within the Larson Field Specific Plan shall be permitted unless determined by the City to be for recreation, educational, or open space purposes.

*Exhibit F
(8/14)*

AYES: COMMISSIONERS: Bartron, Paterson, Wilson
NOES: COMMISSIONERS: Coleman, Strid, Wasko, Fisher
ABSENT: COMMISSIONERS: None

Commissioner Wilson made a motion to recommend adoption of the moratorium except for projects for which an application has been filed with the Planning Department as of the effective date of the ordinance which was seconded by Fisher. The motion CARRIED on the following roll call vote:

AYES: COMMISSIONERS: Coleman, Paterson, Strid, Wasko
Wilson, Fisher
NOES: COMMISSIONERS: Bartron
ABSENT: COMMISSIONERS: None

VII. PUBLIC HEARINGS

1. SP 99-1/UP 00-1/RE 99-61
James Heisinger
Carmel Mission
W/s Rio between Lasuen
and City Line
Block US, Lot 39
Consideration of Specific Plan,
Use Permit and Design Review
applications for a school
gymnasium and site improvement
at Carmel Mission located in the
R1/C6 District.

Principal Planner Roseth gave an overview of specific plans. Senior Planner Berto presented the staff report. Chairman Fisher opened the public hearing. Jim Heisinger addressed the Commission on behalf of the applicant and urged the Commission to proceed with the Specific Plan and Initial Study. Bob Littell addressed the need for this facility and against reorienting the gym. David Gibson spoke in favor of the gym and against reorientation. Mary Marky, the Junipero Serra school principal, spoke on the need for the gym. Albert Acora, representing school parents, spoke in support. Colleen Bremter, in the 6th grade at the school, spoke in favor of the application. A discussion followed wherein a consensus was reached that reorientation of the building was not necessary, but that landscaping should be addressed. Noise should be insignificant in the Initial Study. Commissioner Coleman made a motion to direct staff to prepare a Specific Plan and Initial Study which was seconded by Bartron. The motion CARRIED on the following roll call vote:

*Exhibit F
(90114)*

AYES: COMMISSIONERS: Bartron, Coleman, Paterson, Strid
Wasko, Wilson, Fisher

NOES: COMMISSIONERS: None

ABSENT: COMMISSIONERS: None

2. DS 99-66/RE 00-1/UP 00-2
Chris Tescher
W/s San Antonio between
12th and 13th: E/s
Scenic between 12th and 13th
Block A5, Portion of lots
1 and 2
- Conceptual review of a proposal
for a Use Permit for a guest house
and a demolition and new construction
of a single-family residence located in
the R-1/B Land Use District.

Assistant Planner Bipse gave the staff report. The Commission questioned the driveway design and the number of chimneys proposed. Chris Tescher, applicant, noted the present house is on the property line and that drainage will be addressed. The sister of the owner at the horse-shoe noted there was a scenic easement running across this property. Commissioner Coleman motioned to continue the application to 8 March which was seconded by Strid. The motion CARRIED on the following roll call vote:

AYES: COMMISSIONERS: Bartron, Coleman, Paterson, Strid
Wasko, Wilson, Fisher

NOES: COMMISSIONERS: None

ABSENT: COMMISSIONERS: None

3. DS 99-33/HR 99-9
Doug Clendon
W/s Casanova between
10th and 11th
Block K, Lot 7
- Consideration of a historic
evaluation and a design study
application for a substantial
alteration to an existing residence
in the R1 District.

Associate Planner Rerig gave the staff report. Dr. Roy Auerbach, a neighbor, spoke against the roof height of the proposed height. Jon Erlandson, architect, spoke on the demolition/alteration dilemma. Jill Clendon spoke on her desire to have a nice new building, but the time constraint was governing. It was noted that since the applicants had already applied for a demolition, the moratorium as recommended would not

*Exhibit F
(10/14)*

AYES: COMMISSIONERS: Coleman, Paterson, Strid, Wasko, Wilson

NOES: COMMISSIONERS: None

ABSENT: COMMISSIONERS: Bartron, Fisher

2. SP 99-1/RE 99-61/UP 00-1
Carmel Mission
W/s Rio between Lasuen
and City Line
Block US, Lot 39
Consideration of specific plan, use
permit and design review applications
for a school gymnasium at the Carmel
Mission Site located in the R-1/C6
District.

Senior Planner Berto gave the staff report and advised the Commission it is his recommendation the Commission continue consideration of the Use Permit and Design Review. Vice-Chairman Strid opened the public hearing. Jim Heisinger and Bob Littell addressed the Commission on behalf of the applicant. City Attorney Freeman discussed banner placement. There being no further public comment, the hearing was closed. After discussion, on motion of Wilson seconded by Wasko the Commission ADOPTED RESOLUTION NO. 2000-04 RECOMMENDING CITY COUNCIL APPROVAL OF THE LARSON FIELD SPECIFIC PLAN AND A MITIGATED NEGATIVE DECLARATION on the following roll call vote:

AYES: COMMISSIONERS: Coleman, Paterson, Strid, Wasko, Wilson

NOES: COMMISSIONERS: None

ABSENT: COMMISSIONERS: Bartron, Fisher

3. UP 00-3
Cypress Inn Investments
(The Bistro at Cypress Inn)
E/s Lincoln between
Ocean and 7th
Block 75, Lot 16
Consideration of a commercial use
permit application for a new Full-
Line Restaurant in the Central
Commercial District.

Associate Planner Rerig gave the staff report and responded to questions. Vice-Chairman Strid opened the public hearing. Chris Tescher addressed the Commission and expressed concurrence with the staff report and conditions of approval. Jim Heisinger, Mike Brown and John Wagner addressed the Commission. There being no

Exhibit F
(11 of 14)

XII. SUMMARY OF MITIGATION MEASURES

BIOLOGICAL RESOURCES

- e) Approximately six (6) juvenile cypresses, none over 8" DBH, will be removed due to the proposed project location. (1, 6) The General Plan contains the following tree preservation policy:

P6-19: Continue Carmel's tree preservation program and encourage the use of indigenous or native plants.

With implementation of the following mitigation measure, this project impact will be reduced to less-than-significant.

Mitigation

1. *The applicant should replant the removed cypress trees elsewhere on the property and plant new 24-inch box size cypress trees in the project vicinity on a 1:1 basis to replace the cypress trees to be removed as a result of the project. In addition, the applicant shall ensure that the mature redwood trees in the project vicinity are carefully protected during construction.*

CULTURAL RESOURCES

- b) Based on the background research and the surface reconnaissance, the visible soil of the project area presents limited surface evidence of potentially significant cultural resources. However, because of the proximity to the Mission, the limited soil visibility, and the possibility of buried resources in a flood plain, there is a probability that historic cultural resources associated with the Mission may be found during construction. The following recommendations are made to reduce this potential impact to a less-than-significant level; the latter is standard language that is recommended to be included in any permits issues within the project area (13):

Mitigation

2. *A qualified archaeological monitor should be present during construction activities on the parcel that involve ground disturbance, such as grading, excavations for footings and utilities, etc. If human remains or intact cultural features are discovered during construction, work shall be halted until the find can be evaluated by the monitor, and appropriate mitigation or data recovery measures are formulated and implemented.*
3. *If archaeological or paleontological resources or human remains are accidentally discovered during construction, work shall be halted within 50 meters (150 feet) of the find until it can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation measures shall be formulated and implemented.*

HAZARDS/HAZARDOUS MATERIALS

- b) Construction of the project may result in a temporary increase in non-point source pollutants from the use of heavy equipment and construction vehicles. The proposed project may result in potential exposure of people to toxic materials due to the proximity of playing fields, the school and residences. Site development will involve construction work including the use of toxic materials (e.g. paint, fuel, motor oil, etc.). These toxic materials may also find their way into the Carmel River. Most toxic construction materials will be in relatively small containers for mobility and use in short-term situations. Toxic materials, such as gasoline or diesel fuel, may be present in slightly larger amounts in equipment and vehicle tanks. Most of the toxic materials handling will probably occur in open locations or at temporary facilities without provisions for spill containment or control. The following mitigation measures will ensure that the risk of reasonably foreseeable upset and accident is minimized so that potential impacts are reduced to less-than-significant. (1, 9)

Mitigation

4. *Hazard and water quality control and protection measures during construction should include the following:*

- *Perform major vehicle maintenance, repair jobs and equipment washing off-site.*
- *Maintain all vehicles and equipment and inspect frequently for leaks.*
- *Clean up spilled dry materials immediately. Do not wash them away with water or bury them.*
- *Use only minimal water for dust control.*
- *Clean up liquid spills on paved or impermeable surfaces using dry cleanup methods (i.e., absorbent materials, cat litter, and/or rags).*
- *Clean up soils on dirt areas by removing and properly disposing of contaminated soil.*
- *Report significant spills to the appropriate spill response agencies.*
- *Store stockpiled materials, wastes, containers and dumpsters under a temporary roof or secured plastic sheeting.*
- *Properly store containers of paints, chemicals, solvents and other toxic materials in garages or sheds with double containment during rainy periods.*
- *Place dumpsters under roofs or cover them with plastic sheeting at the end of each work day and during rainy weather.*
- *Wash out concrete mixers only in designated wash-out areas where the water will flow into settling ponds or onto stockpiles of aggregate base or sand located in a disturbed area. Whenever possible, recycle washout by pumping back into mixers for reuse. Never dispose of washout into the street, storm drains, drainage ditches, or streams.*

NOISE

- d) Some demolition and construction activities at the project site could cause temporary, short-term noise levels up to 100 dBA at 50 feet. A list of typical construction equipment and the associated noise levels is presented in Table 2 along with the "usage" level, or portion of the time the equipment is generally used (that is, 0.4 means that the equipment is used 40% of the time). (19)

Due to the short-term and intermittent nature of these construction activities and with implementation of the following noise mitigation measure, these potential impacts would be reduced to a less-than-significant level. (7, 9, 19)

Mitigation

5. *Permits issued for the proposed project shall include the following measures that will reduce construction-related noise impacts to a less-than-significant level:*
- *Choose construction equipment which is of quiet design, has a high-quality muffler system, and is well maintained, including trucks used to haul materials.*
 - *Install engine enclosure panels when required on stationary gas, diesel, or pump equipment.*
 - *Eliminate unnecessary idling of machines when not in use.*
 - *Use good maintenance and lubrication procedures to reduce operating noise.*
 - *Restrict demolition and construction activities to between 8:00 am and 6:00 pm Monday through Saturday.*



A MULTIPURPOSE BUILDING AT CARMEL MISSION
FOR THE DIOCESE OF MONTEREY

ARCHITECT
ROBERT HITTETI | AIA









