

CALIFORNIA COASTAL COMMISSION

CENTRAL COAST DISTRICT OFFICE
725 FRONT STREET, SUITE 300
SANTA CRUZ, CA 95060
(8) 427-4863
HEARING IMPAIRED: (415) 904-5200

W3a**RECORD PACKET COPY**

Page 1 of 5

Permit Application No. 3-02-097

Staff: SAM-SC

Date: December 19, 2002

ADMINISTRATIVE PERMIT**APPLICANT:** Jay Denny & Naomi Shibata**PROJECT DESCRIPTION:** Construct a 4,027 square foot, two-story single-family residence with an underground three-car garage on a 5,647 square foot lot, related site preparation, driveway, a wooden deck and uncovered concrete patio.**PROJECT LOCATION:** 190 Sloat Avenue, Pacific Grove, Monterey County (APN 006-224-015.) See Exhibits A, B and C.**EXECUTIVE DIRECTOR'S DETERMINATION:** The findings for this determination, and for any special conditions, appear on subsequent pages.

NOTE: P.R.C Section 30624 provides that this permit shall not become effective until it is reported to the Commission at its next meeting. If one-third or more of the appointed membership of the Commission so request, the application will be removed from the administrative calendar and set for public hearing at a subsequent Commission meeting. Our office will notify you if such removal occurs.


This permit will be reported to the Commission at the following time and place: Commission meeting of January 8, 2003 beginning at 9:00 a.m., at (Radisson-LAX 6225 West Century Blvd. Los Angeles, CA 90045 (310) 670-9000).

IMPORTANT - Before you may proceed with development, the following must occur:

Pursuant to 14 Cal. Admin. Code Sections 13150(b) and 13158, you must sign the enclosed duplicate copy acknowledging the permit's receipt and accepting its contents, including all conditions, and return it to our office. Following the Commission's meeting, and once we have received the signed acknowledgement and evidence of compliance with all special conditions, we will send you a Notice of Administrative Permit Effectiveness.

BEFORE YOU CAN OBTAIN ANY LOCAL PERMITS AND PROCEED WITH DEVELOPMENT, YOU MUST HAVE RECEIVED BOTH YOUR ADMINISTRATIVE PERMIT AND THE NOTICE OF PERMIT EFFECTIVENESS FROM THIS OFFICE.

PETER DOUGLAS
Executive Director

By: 
Steve Monowitz, Acting Permit
Supervisor

EXHIBITS

- A. Regional Location Map
- B. Site Vicinity Map
- C. Assessors Parcel Map
- D. Archaeological Sensitivity Map
- E. Project Plans
- F. Water Availability Confirmation

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 this permit is reported to the Commission. 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. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
4. 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.
5. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

SPECIAL CONDITIONS

1. Scope of Permit. This permit authorizes construction of a 4,027 square foot, two-story single-family residence with an underground three-car garage on a 5,647 square foot lot, related site preparation, driveway, a wooden deck and uncovered concrete patio, as shown in Exhibit E and as conditioned below.

The Permittee shall undertake the development in accordance with all approved plans. Any proposed changes to the approved plans shall be reported to the Executive Director. No changes to the plans shall occur without a Coastal Commission approved amendment to this coastal development permit unless the Executive Director determines that no amendment is required.

2. Drainage Plan. PRIOR TO CONSTRUCTION, the applicant shall submit to the Executive Director for review and written approval, a Drainage Plan documenting that the runoff from the roof, driveway and other impervious surfaces shall be collected and directed into the designated pervious areas on the site for infiltration to the maximum extent practicable. The drainage plan shall demonstrate the pervious areas are sized and designed appropriately to accommodate runoff from the site produced from each and every storm event up to and including the 85th

percentile 24-hour runoff event prior to its discharge to Monterey Bay. In extreme storm situations (>85% storm) excess runoff shall be conveyed off-site in a non-erosive manner.

3. Archaeological Mitigation. Should archaeological resources be discovered at the project site during any phase of construction, the Permittee shall stop work until a mitigation plan, prepared by a qualified professional archaeologist and using accepted scientific techniques, is completed and implemented. Prior to implementation, the mitigation plan shall be submitted for review and approval by the State Historical Preservation Office and for review and approval by the Executive Director of the Commission. The plan shall provide for reasonable mitigation of the archaeological impacts resulting from the development of the site, and shall be fully implemented. A report verifying compliance with this condition shall be submitted to the Executive Director for review and approval, upon completion of the approved mitigation.

4. Sewer Status Form. PRIOR TO CONSTRUCTION, the Permittee shall submit for the Executive Director's review and approval a copy of the Sewer Status Form, issued by the City of Pacific Grove's Building Department demonstrating the City's capacity to provide sanitary sewer service to the single-family home approved by this permit.

EXECUTIVE DIRECTOR'S DETERMINATION

The Executive Director hereby determines that the proposed development is a category of development, which, pursuant to PRC Section 30624, qualifies for approval by the Executive Director through the issuance of an administrative permit. Subject to standard and special conditions as attached, the said development is in conformity with the provisions of Chapter 3 of the Coastal Act of 1976, will not prejudice the ability of the City of Pacific Grove to implement a Local Coastal Program that is in conformity with the provisions of Chapter 3, and will not have any significant impacts on the environment within the meaning of the California Environmental Quality Act.

FINDINGS FOR EXECUTIVE DIRECTOR'S DETERMINATION

The proposed project is located on a 5,647 square foot lot, fronting on Sloat Avenue (one block inland of Ocean View Boulevard) in the city of Pacific Grove, Monterey County (Exhibits A, B and C). The parcel is located in the R4- Multiple Family Residential/Professional Office Zoning District, and is currently a vacant lot. The parcel is also located within an archaeologically sensitive area (Exhibit E). Surrounding land uses include visitor-serving uses, and single and multiple-family residential dwellings characterized by one and two-story buildings.

The proposed project involves the construction of a two-story single-family residence of approximately 3,091 square feet, an attached, underground garage of 936 square feet, and excavation and removal of approximately 495 cubic yards of earth. Project plans (Exhibit D) conform to the mass, height and setback requirements of the R-4 zoning district, and the proposed design, as conditioned by the Architectural Review Board, is consistent with the neighborhood community character. The City of Pacific Grove Architectural Review Board granted final architectural approval (Permit 2898-01) on August 13, 2002, and the Architectural Review Board approved the landscaping and building colors on November 26, 2002.

The site is within the Coastal Commission's permit jurisdiction by virtue of being located in a local jurisdiction that does not have a certified Local Coastal Program. The City's Land Use Plan (LUP) was certified in 1991, but an Implementation Plan (IP) has yet to be submitted. The City is currently working to complete the IP with funding provided by a grant from the Coastal

Commission. Therefore, a coastal development permit for the project must be obtained from the Coastal Commission and the standard of review is the policies of Chapter 3 of the Coastal Act. The policies of the City's LUP can also be looked to for guidance.

Coastal Act Section 30250 requires development to be located within existing developed areas able to accommodate it or in other areas with adequate public services. Water for the project will be provided by Cal-Am and sewer for the project will be provided by the city of Pacific Grove. The applicant has obtained a water release statement, indicating that there is an adequate capacity to provide water. While the City has adequate sewer capacity to serve this site, the project application has not been accompanied by a sewer status form confirming that the City will provide this service. Therefore the project has been conditioned to submit the sewer status form, issued by the City, prior to construction. This will ensure that the new home will have sewer service and be in compliance with Coastal Act Policy 30250.

With respect to California requirements for the avoidance of hazards and the protection of water quality (Coastal Act Sections 30231 and 30253), the project attempts to address these requirements by routing site runoff to on-site dry wells. The submitted drainage plan does not, however, adequately address these issues because the plans do not demonstrate connections from the roof, driveway and other impervious surfaces; how runoff will be collected and directed to the dry wells; and that the dry wells have been designed properly to accommodate site runoff without contributing to erosion of the bluff on which they are sited. Special condition #2 therefore requires the submittal of drainage plans demonstrating that runoff from the roof, driveway and other impervious surfaces shall be collected and directed into the dry wells, and that the dry wells are sized and designed appropriately to accommodate runoff from the site in storm situations up to and including the 85th percentile storm.

Another coastal resource issue raised by this proposed project is that of archaeological resources. As the site is located in an area of high archaeologic sensitivity (see Exhibit E), an archaeological survey was conducted for the subject parcel and a report prepared by Mary Doane and Trudy Haversat for Archaeological Consulting (May 18, 2001). The survey results indicated that while numerous sites are located within one kilometer of the project site, no sites have been recorded on or immediately adjacent to the project parcel. A small midden site has been recorded on the lot immediately adjacent to the project parcel, although no resources were found on the project parcel. Field reconnaissance of the site, conducted May 17, 2001, resulted in no finding of materials frequently associated with prehistoric cultural resources (e.g., dark soil containing soil fragments, broken or fire-altered rocks, bone or bone fragments, etc).

The report concludes that the project area does not contain evidence of a previous archaeological reconnaissance, nor surface evidence of potentially significant cultural resources. It does recommend, however, that since construction activities may unearth previously undisturbed materials, the project should be conditioned to require preparation and implementation of an archaeological mitigation plan should archaeological resources be encountered. In accordance with the City of Pacific Grove's Coastal Zone Land Use Plan Policy 2.4.5.1, and Coastal Act Section 30244, protecting archaeological resources, the project has been conditioned to mitigate for potential disruption of cultural resources caused by development, and to require suspension of work and development of a mitigation plan if archaeological materials are found.

The Commission can take no action that would prejudice the options available to the City in preparing a Local Coastal Program that conforms to the provisions of Chapter 3 of the Coastal Act (Section 30604 of the Coastal Act). The Land Use Plan for the City of Pacific Grove has

been approved by the Commission (certified January 10, 1991) as consistent with Chapter 3. The City is currently formulating implementing ordinances, and in the interim, the City has adopted an ordinance that requires that new projects conform to LUP policies. As conditioned, the proposed development is consistent with both the City's Land Use Plan and the policies contained in Chapter 3 of the Coastal Act, and will not prejudice the ability of the City of Pacific Grove to prepare and implement a complete Local Coastal Program consistent with Coastal Act policies.

ACKNOWLEDGEMENT OF PERMIT RECEIPT/ACCEPTANCE OF CONTENTS

I acknowledge that I have received a copy of this permit and have accepted its contents including all conditions.

Applicant's Signature

Date of Signing



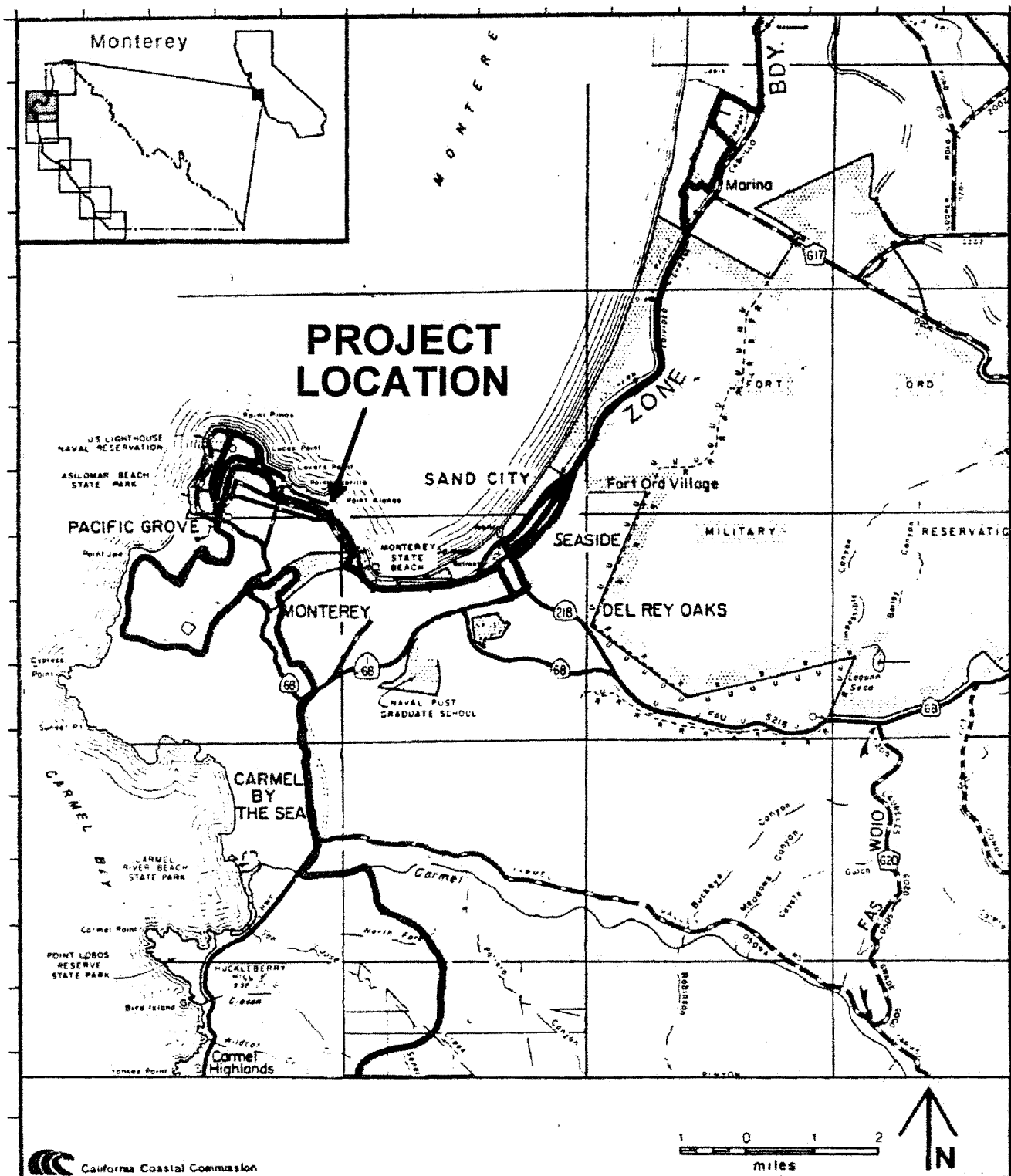
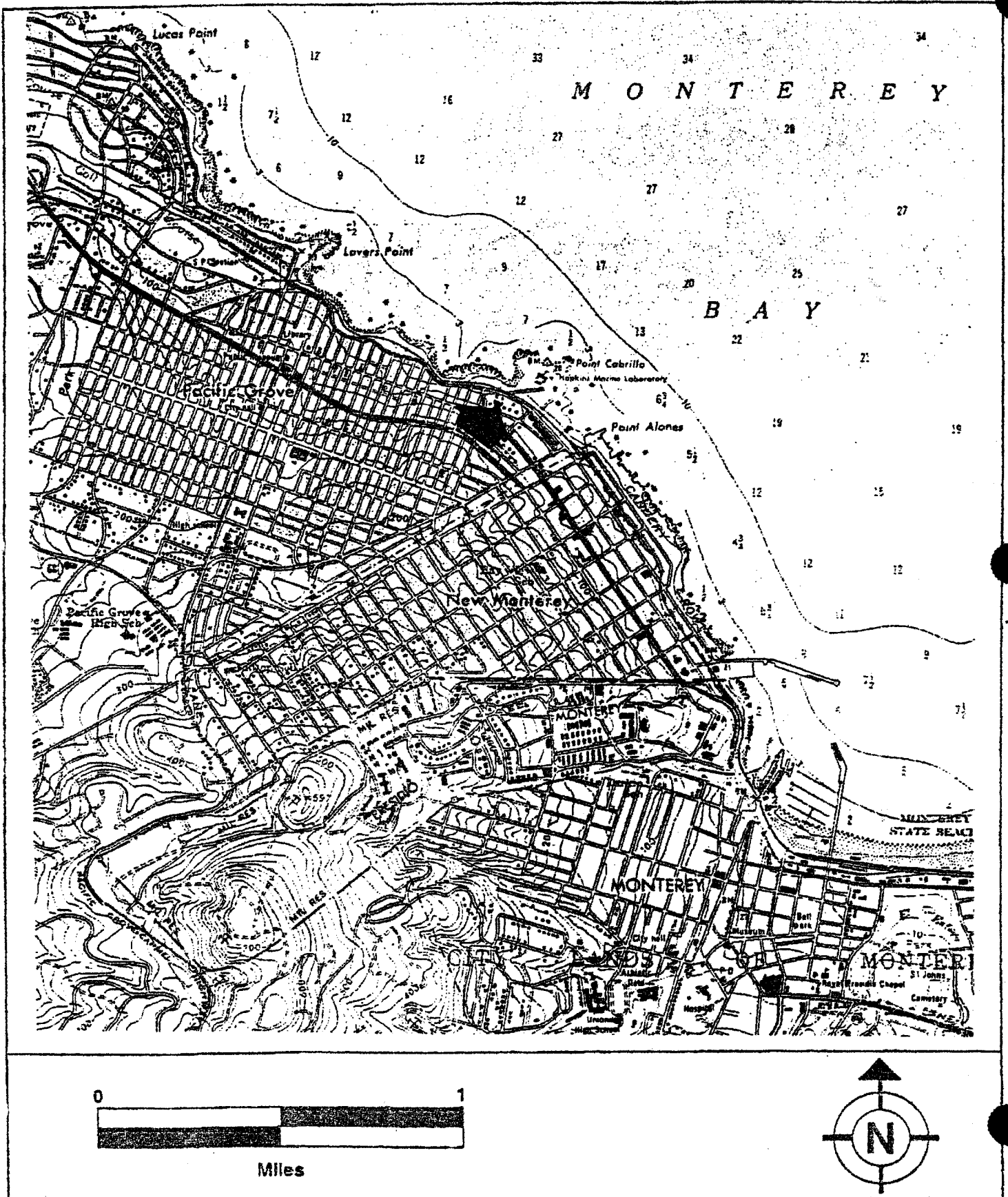


Exhibit A
Regional Location Map
Denny House
3-02-091



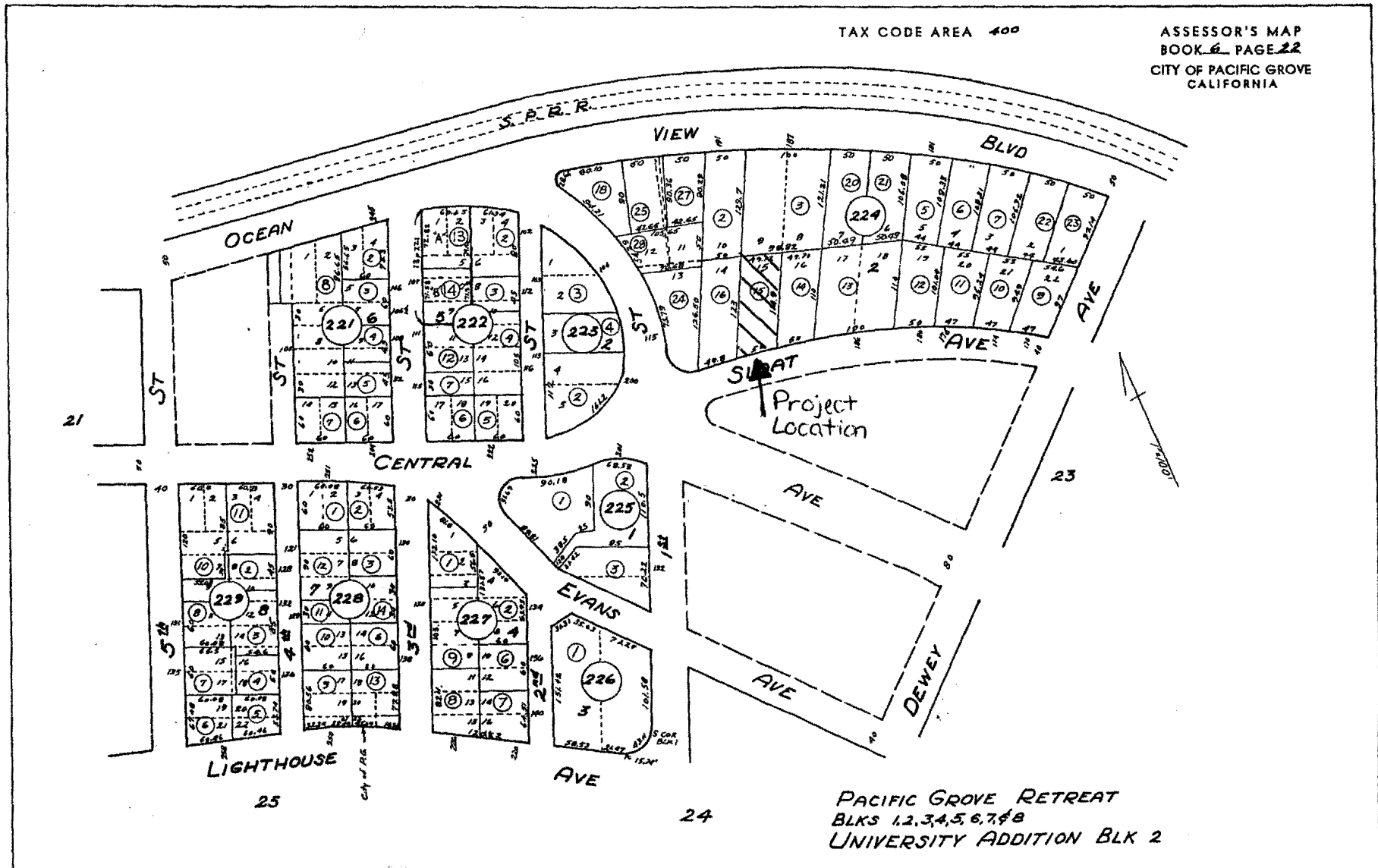
Map 1. Project Location.

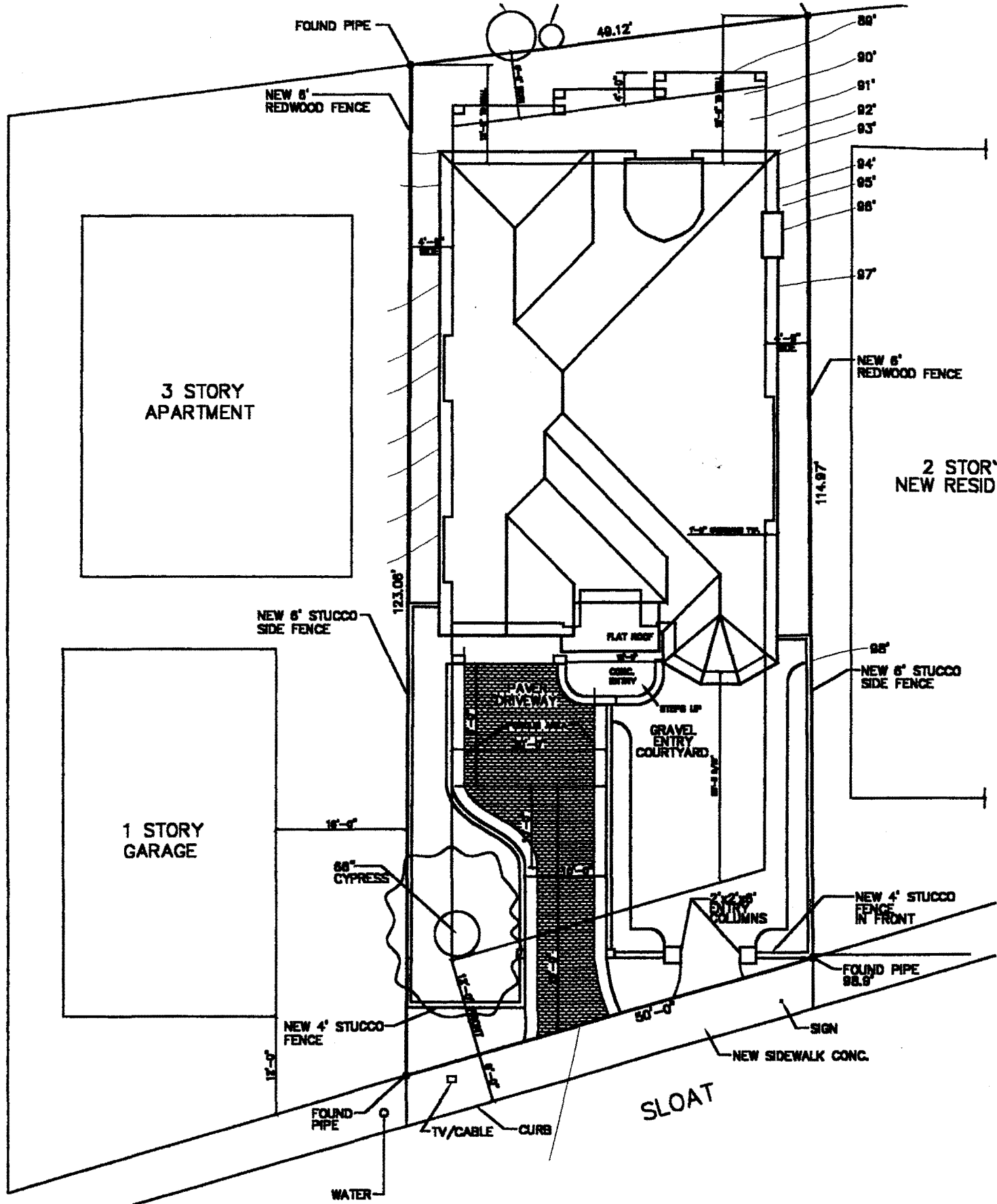
3-02-097
Denny House

Exhibit B
pg. 1 of 1

3-02-097
Denny House

Exhibit C
pg. 1 of 1





SITE PLAN

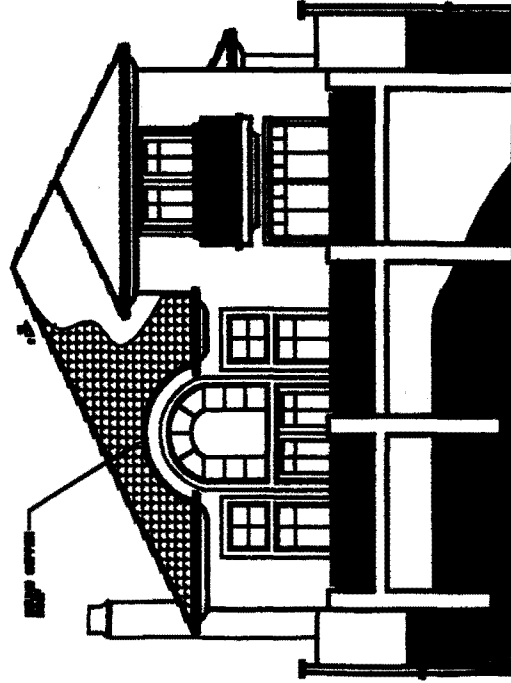
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3-02-097
Denny House

Exhibit E
pg. 1 of 3

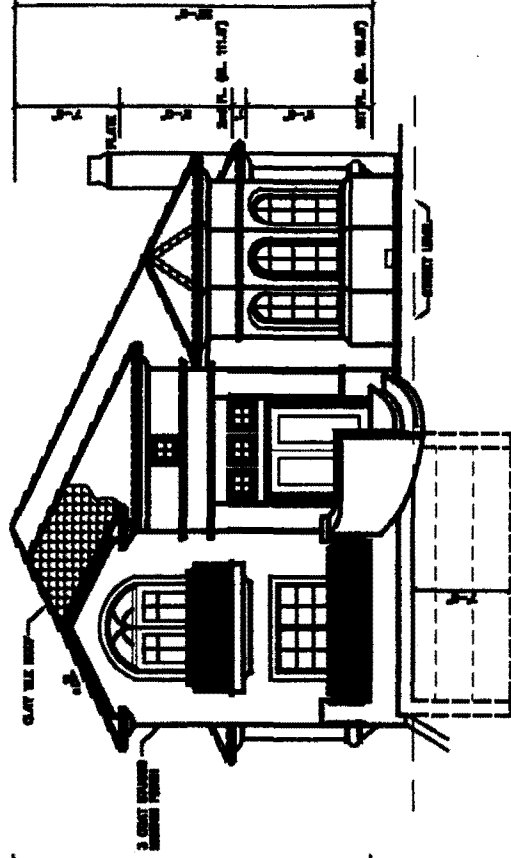
NORTH ELEVATION

Scale 1/8" = 1'



SOUTH ELEVATION

Scale 1/8" = 1'



HAMZA

ARCHITECT

DESIGN AND CONSTRUCTION

(831) 656-0834

481 EL DOMADO ST.

MONTREY, CA 93840

DENNY/SIBATA RESIDENCE
180 SLOAT RD.
PACIFIC GROVE, CA 93950

CONTRACTOR

HAMZA DESIGN

AND CONSTRUCTION

481 EL DOMADO ST.

MONTREY, CA 93840

(831) 656-0834

CIVIL ENGINEER

MONTREY BAY

ENGINEERS

600 EL DOMADO ST.

MONTREY, CA

(831) 656-0834

STRUCTURAL ENGINEER

MONTREY BAY

ENGINEERS

1000 NISSAN RD

SALINAS, CA 94703

(831) 783-1077

SOIL ENGINEER

SOIL SERVICES INC

1000 NISSAN RD

SALINAS, CA 94703

(831) 783-1077

ELEVATION

Sheet:

A 2.4

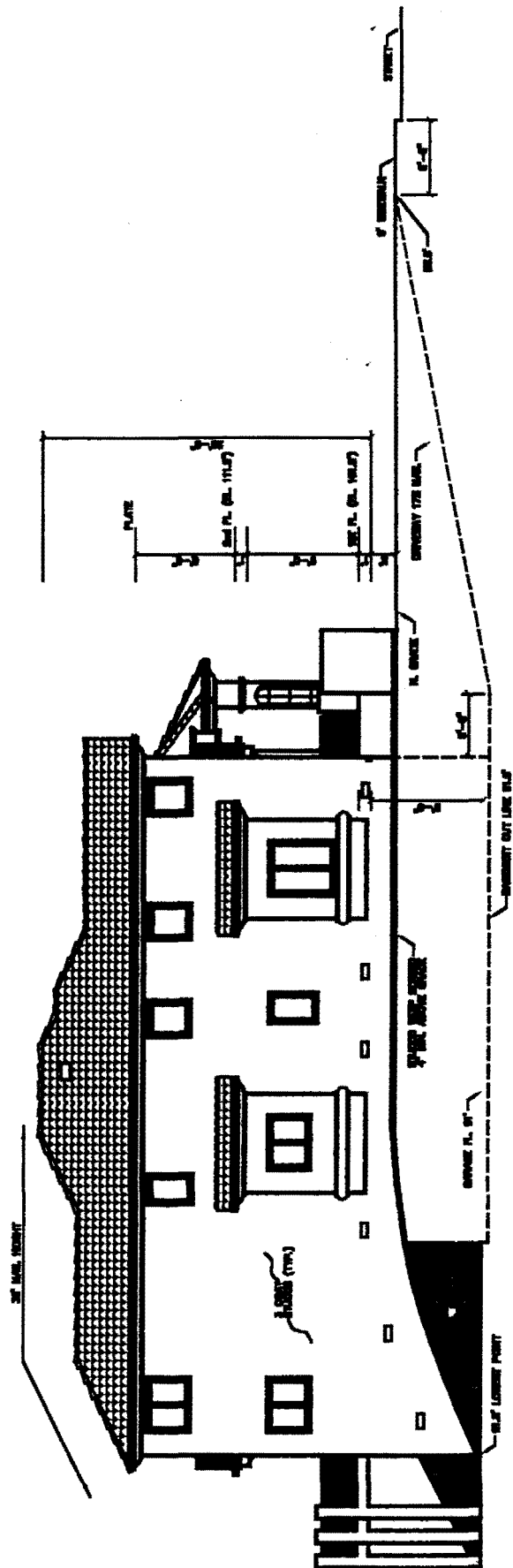
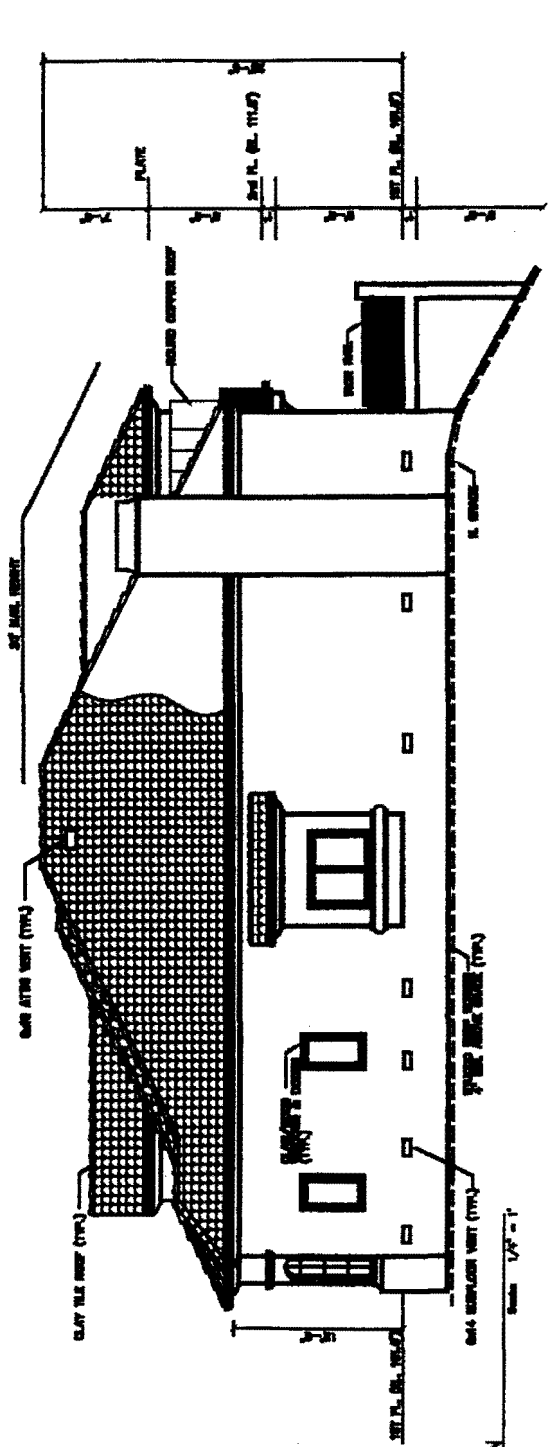


Exhibit E
pg. 3 of 3

Sheet :
A 2.5

ELEVATION

SOIL ENGINEER
SOIL SURVEYS INC.
103 CHURCH ST.
SALINAS, CA

STRUCTURAL ENGINEER

CIVIL ENGINEER
MONTE REY BAY
ENGINEERS
807 CHARLES AVE
CHULA VISTA, CA

CONTRACTOR
HAPAZA DESIGN
AND CONSTRUCTION
481 EL DORADO ST
MONTEREY, CA 93940

DENNY/SHIBATA RESIDENCE
190 SLOAT RD.
PACIFIC GROVE, CA 93950

NASHWAN
HAMZA
GENERAL AND CONSTRUCTION
LTC. # 407308
(831) 656-0634
481 EL DORADO ST.
MONTE REY, CA. 92040

ASH
WATER

Post-It Fax Note	7671	Date	2/10/02	Page	2
To	NASHWAN HAMZA	From	SAUL RIVERA		
Co./Dept.		Co.	CITY OF P.G.		
Phone #	650-0634	Phone #	100-3190		
Fax #	1051e-0634	Fax #	100-3184		

April 6, 2000

To: Sheree,

From: Doug

Subject: Water allocation

By City Council action of 4/5/00 the following two parcels have an assignment of water from the Finklang water held by the City of Pacific Grove. 188 Sloat Ave. (APN # 006-224-014) and 190 Sloat (APN # 006-224-015). These assignments never die.

Bel Allocated
1/2 Reserve.
1/2 Senior Housing

190 SLOAT
FILE COPY

3-02-097
Denny House

Exhibit F
pg. 1 of 2

1/2

17001021

EXHIBIT A

Lot Numbered 15 in Block Numbered 2, as said Lot and Block are shown on that certain map entitled "Map of the University Addition to Pacific Grove, Monterey County, State of California", filed for record August 17, 1909 in the Office of the County Recorder of the County of Monterey, State of California in Volume 2 of Maps, "Cities and Towns", at page 21.

274 A.F. reserved per council action
of 4/5/00

PD SCOT
FILE COPY

2/2

