

**CITY OF CARMEL-BY-THE-SEA
PLANNING COMMISSION – MINUTES
SEPTEMBER 11, 2013**

I. CALL TO ORDER AND ROLL CALL FOR TOUR OF INSPECTION

PRESENT: Commission Members: Dallas, Goodhue, LePage, and Reimers

STAFF PRESENT: Rob Mullane, Community Planning & Building Director
Marc Wiener, Senior Planner
Leslie Fenton, Secretary to the Commission

II. TOUR OF INSPECTION

The Commission toured the following sites: Scherbarth, Smith, Overett, Hardy, Pasqua/Kenney, TSD Carmel Properties (Carmel Belle), Pace Properties (Tamara G) and Gunner (Il Fornaio).

III. ROLL CALL

PRESENT: Commission Members: Dallas, Goodhue, LePage, Reimers, and Paterson

IV. PLEDGE OF ALLEGIANCE

Members of the audience joined Commission Members in the pledge of allegiance.

V. ANNOUNCEMENTS/EXTRAORDINARY BUSINESS

Chair Paterson welcomed new Community Planning & Building Director Rob Mullane.

Commissioner Reimers has some questions that she would like forwarded to the Awning Sub-Committee regarding awnings and roofs.

Mr. Mullane announced the following items from the September 10, 2013 City Council meeting:

1. Forwarded two Public Works projects, 2013/14 Streets Overlay and Santa Fe & 4th Storm Drain Replacement, to City Staff for review.
2. Commission should re-visit the City's design standards for possible amendments.
3. Reviewed the trash-can issue and the need for larger capacity cans and more locations. The Council preferred the side-by-side trash/recycle cans with the muted blue tops to designate the recycle side.
4. The Pepe appeal has been continued.
5. The Hayward roofing material appeal was approved, the wrought-iron railing element was denied. The applicant was asked to track the rate of water capture from the roof.

6. Right-of-way encroachments workshop to be held by the City Council on Monday, October 7, 2013.
7. Commissioners Reimers and LePage were re-appointed until 2017.
8. 2nd Reading of Tobacco Ordinance was approved.
9. Hard copies of approved budget are available.
10. IT workshops will be held to gather input from the public on the City's IT needs.

VI. APPEARANCES

Barbara Livingston, Roberta Miller, and Jay Gentry appeared before the Commission.

VII. CONSENT AGENDA

1. Consideration of minutes from August 14, 2013, Regular Meeting.
2. Consideration of minutes from August 21, 2013, Special Meeting.
3. UP 13-10
Pace Properties (Tamara G)
N/s Ocean between Dolores &
Lincoln
Block 72, Lot(s) 1
Consideration of a Use Permit application (UP 13-10) authorizing an ancillary use in excess of 10 percent of the business space at a jewelry store located in the Central Commercial (CC) Zoning District
5. DS 13-53
Edward & Josie Ybarro
Casanova 5 northeast of Ocean
Block EE, Lot(s) 10
Consideration of Final Design Study (DS 13-53), Use Permit and Coastal Development Permit applications for the substantial alteration of an existing residence located in the Residential and Limited Commercial (RC) Zoning District
Continued to 10/9/13 PC hearing
6. DS 13-69
Peter & Susan Loewy
SW corner of Mission & 1st
Block 11, Lot(s) 1,3,5,7
Consideration of Final Design Study (DS 13-69) application for the construction of a guesthouse on a property containing a historic resource located in the Single-Family Residential (R-1) Zoning District
Continued to 10/9/13 PC hearing

Commissioner LEPAGE moved **to approve the Consent Agenda items #1, #2 and #3,** seconded by REIMERS and **carried** by the following roll call vote:

AYES: Dallas, Goodhue, LePage, Reimers and Paterson
 NOES: None
 ABSENT: None
 ABSTAIN: None

VIII. CONSENT AGENDA (PULLED ITEMS)

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| 4. DS 13-73
Darrell Scherbarth
Casanova 2 southwest of 10th
Block K, Lot(s) 5 | Consideration of a Design Study application (DS 13-77) for the construction of a detached carport in the front-yard setback of a property containing a historic resource located in the Single-Family Residential (R-1) Zoning District |
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Mr. Wiener presented the staff report. Chair Paterson opened the public hearing at 4:41 p.m. Al Saroyan and Roy Auerbach appeared before the Commission. There being no other appearances, the public hearing was closed at 4:46 p.m.

Commissioner Reimers moved **to approve the application with staff's Special Conditions #1-21 and #23; change to #22 – The applicant shall remove the asphalt encroachment in the public right-of-way and replace with wood chips prior to the issuance of the Certificate of Occupancy. The driveway shall consist of permeable strips.; and change to #24 – The applicant shall work with staff to remove approximately 150 square feet of excess non-conforming site coverage to an extent as directed by the Planning Commission. A site coverage removal plan shall be provided with the construction drawings, and shall be consistent with the Planning Commission's decision,** seconded by LEPAGE and **carried** by the following roll call vote:

- AYES: Dallas, Goodhue, LePage, Reimers
NOES: None
ABSENT: None
ABSTAIN: Paterson

IX. PUBLIC HEARINGS

The Commission unanimously agreed to hear Item #3, UP 13-13, first.

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| 3. UP 13-13
TSD Carmel Properties
(Carmel Belle)
W/s San Carlos bt. Ocean & 7 th
Block 76, Lot(s) 9-11 | Consideration of a Use Permit amendment request (UP 13-13) to expand an existing restaurant at a site located in the Central Commercial Zoning (CC) District |
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Commissioner Reimers recused herself from the discussion.

Mr. Wiener presented the staff report. Chair Paterson opened the public hearing at

5:03 p.m. Chloe Dolata, John Plastini, Jim Griffith and Michael Alba appeared before the Commission. There being no other appearances, the public hearing was closed at 5:20 p.m.

Commissioner LEPAGE moved **to approve the application with staff's Special Conditions #2-4; and change to Special Condition #1 - This Use Permit (UP 13-13) permits the expansion of the restaurant from approximately 1,500 square feet to 2,900 square feet and also allows the expansion of the kitchen prep area by approximately 120 square feet. The total restaurant capacity shall be maintained at 75 seats. This Use Permit authorizes the retail sale of specialty food items not to exceed 5-10% of the business,** seconded by DALLAS and **carried** by the following roll call vote:

AYES: Dallas, Goodhue, LePage, Paterson
NOES: None
ABSENT: Reimers
ABSTAIN: None

At 5:29 p.m., Chair Paterson needed to leave the meeting, and left the dais. Vice Chair Dallas chaired the remainder of the meeting.

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| 1. DS 13-63
Chris & Barbara Hardy
Monte Verde 3 southeast of 2 nd
Block II. Lot(s) 37 | Consideration of Final Design Study (DS 13-63), Coastal Development Permit and Variance (VA 13-2) applications for the alteration of an existing residence located in the Single-Family Residential (R-1) and Archaeological Significance (AS) Zoning Districts |
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Mr. Wiener presented the staff report. Vice Chair Dallas opened the public hearing at 5:35 p.m. Terry Latassa and Barbara Hardy appeared before the Commission. There being no other appearances, the public hearing was closed at 5:47 p.m.

Commissioner REIMERS moved **to approve the application with staff's Standard and Special Conditions #1-26 and addition of Special Condition #27 - The applicant shall provide a plan for the proposed alterations to right-of-way to include details on the landscaping and fence. The plan shall be submitted to the Community Planning and Building Department within 60 days from the date of approval and shall be presented to the Planning Commission for final review,** seconded by GOODHUE and **carried** by the following roll call vote:

AYES: Dallas, Goodhue, LePage, Reimers
NOES: None
ABSENT: Paterson
ABSTAIN: None

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| <p>2. DS 13-89
 Peter & Diane Smith
 Carmelo 4 SE of 13th
 Block DD, Lot(s) 8</p> | <p>Consideration of Concept Design Study (DS 13-89), Demolition Permit and Coastal Development Permit applications for the construction of a new residence located in the Single-Family Residential (R-1) Zoning District</p> |
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Mr. Wiener presented the staff report. Vice Chair Dallas opened the public hearing at 6:07 p.m. Peter Smith and Joel Young appeared before the Commission. There being no other appearances, the public hearing was closed at 6:16 p.m.

Commissioner LEPAGE moved to approve the Concept Design Study with the following Draft Conditions; #1 - The applicant shall plant one upper canopy tree of substantial size and caliber and of a species approved by the City Forester. Prior to issuance of the Certificate of Occupancy the trees shall be planted on site located approximately 10 feet from any building. The trees shall also be shown on the final landscape plan submitted with the building permit application. *The applicant shall provide a detailed landscape plan on the plan set submitted for final Planning Commission review;* #2 - The applicant shall increase the rear-yard setback of the rear building element from 3 feet to 4.5 feet. *The change shall be reflected on the plans submitted for final Planning Commission review.* ~~revise the design of the rear building element to convert the roof from a gable to hip design. The applicant shall provide landscaping at the east end of the rear building element to mitigate the impact to the eastern neighbor. The revisions shall be presented on the drawings submitted for final review;~~ #3 --All encroachments in the public right-of-way at the front of the property shall be removed prior to issuance of the Certificate of Occupancy and #4 - *The applicant shall provide alternative options for the finish materials and shall provide samples of the proposed limestone to be reviewed by the Planning Commission at the final review,* seconded by GOODUE and carried by the following roll call vote:

AYES: Dallas, Goodhue, LePage, Reimers
 NOES: None
 ABSENT: Paterson
 ABSTAIN: None

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| <p>4. DS 13-77
 2011 Carmel Prop. TR
 San Antonio 2 northwest of 4th
 Block SD, Lot(s) 10</p> | <p>Consideration of Design Study and Coastal Development Permit applications for an addition to a historic resource located in the Single-Family Residential (R-1) and Beach and Riparian Overlay (BR) Districts.</p> |
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Mr. Wiener presented the staff report. Vice Chair Dallas opened the public hearing at 6:38 p.m. Jim McCord and Barbara Livingston appeared before the Commission. There being no other appearances, the public hearing was closed at 6:45 p.m.

Commissioner REIMERS moved **to approve the application with staff's Special Conditions #1-22 and change to #23 - The front fence shall be removed from the public right-of-way. The applicant is permitted to relocate or rebuild the fence on the front property line. The applicant shall work with staff to obtain an encroachment permit for the fence that partially encroaches onto City property,** seconded by LEPAGE and carried by the following roll call vote:

AYES: Dallas, Goodhue, LePage, Reimers
NOES: None
ABSENT: Paterson
ABSTAIN: None

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| 5. DS 13-82
Joseph Pasqua/Mary Kenney
Santa Rita 2 southeast of 4 th
Block 45, Lot(s) 4 | Consideration of a Design Study (DS 13-82) application for the construction of a carport at a property located in the Single-Family Residential (R-1) and Community Plan (CP) Overlay Zoning Districts |
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Mr. Wiener presented the staff report. Vice Chair Dallas opened the public hearing at 6:54 p.m. Luke Ingram and Richard Apodaca appeared before the Commission. There being no other appearances, the public hearing was closed at 7:07 p.m.

Commissioner LEPAGE moved **to continue the application with the following recommendations: #1 - The applicant shall provide an alternative option for the location of the carport to mitigate the impact to the southern neighbor and to mitigate the impact to the trees; #2 - The applicant shall bring the amount of site coverage into compliance by reducing the coverage to 562 square feet; #3 - The applicant shall revise the fence and arbor details as directed by the Planning Commission. The fence shall be designed with spaced pickets and the height and size of the arbor shall be reduced; #4 - The applicant shall provide a detailed landscape plan for the proposed project; #5 - The applicant shall provide a revised site plan that shows the footprints of the two adjacent residences to the north and south of the subject property; and #6 - The applicant shall provide a street elevation drawing to show the building profiles of the adjacent residences to the north and south of the subject property,** seconded by GOODHUE and **carried** by the following roll call vote:

AYES: Dallas, Goodhue, LePage, Reimers
NOES: None
ABSENT: Paterson
ABSTAIN: None

6. DR 13-27
Richard Gunner (Il Fornaio)
NE corner Ocean & Monte Verde
Block 73, Lot(s) 1-10

Consideration of a Preliminary Design Review
Concept (DR 13-27) for the installation of a
roof-top trellis on a building located in the
Central Commercial (CC) Zoning District

Commissioner Reimers recused herself from the discussion.

Mr. Wiener presented the staff report. Vice Chair Dallas opened the public hearing at 7:28.p.m. Jim Varger and Barbara Livingston appeared before the Commission. There being no other appearances, the public hearing was closed at 7:40 p.m.

The Commission requested that the applicant return to a future Planning Commission meeting with better, detailed drawings which show street-level perspectives. A historic survey of the building was also requested.

X. ADJOURNMENT

There being no further business to come before the Commission, the meeting was adjourned by Vice Chair Dallas at 7:59 p.m.

Leslie Fenton, Secretary to the Commission

ATTEST:

Steve Dallas, Vice Chair