

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

Special Meeting
City Hall
East side of Monte Verde Street
Between Ocean & Seventh Avenues

June 16, 2011
Thursday
Tour – 3:15
Meeting – 4:00 p.m.

I. CALL TO ORDER AND ROLL CALL

Commissioners: Victoria Beach
 Steve Dallas
 Keith Paterson
 Steve Hillyard, Vice-chair
 Janet Reimers, Chair

II. TOUR OF INSPECTION

Shortly after 3:15 p.m. the Commission will leave the Council Chambers for an on-site Tour of Inspection of all properties listed on this agenda (including those on the Consent Agenda). The Tour may also include projects previously approved by the City and not on this agenda. Prior to the beginning of the Tour of Inspection, the Commission may eliminate one or more on-site visits. The public is welcome to follow the Commission on its tour of the determined sites. The Commission will return to the Council Chambers at **4:00 p.m.** or as soon thereafter as possible.

III. ROLL CALL

IV. PLEDGE OF ALLEGIANCE

V. ANNOUNCEMENTS

VI. APPEARANCES

Anyone wishing to address the Commission on matters not on the agenda, but within the jurisdiction of the Commission may do so now. Please state the matter on which you wish to speak. Matters not appearing on the Commission agenda will not receive action at this meeting but may be referred to staff for a future meeting. Presentations will be limited to three minutes, or as otherwise established by the Commission. Persons are not required to give their name or address, but it is helpful for speakers to state their name in order that the Secretary may identify them.

VII. CONSENT AGENDA

Items placed on the Consent Agenda are considered to be routine and are acted upon by the Commission in one motion. There is no discussion of these items prior to the Commission action unless a member of the Commission, staff, or public requests specific items be discussed and/or removed from the Consent Agenda. It is understood that the staff recommends approval of all consent items. Each item on the Consent Agenda approved by the Commission shall be deemed to have been considered in full and adopted as recommended.

- 5
1. Consideration of Planning Commission minutes from May 11, 2011.
 2. MP 11-5
City of Carmel
NW Lincoln & 6th
Block 54, Lot(s) 15-19
- 13
- Consideration of recommendations to the City Council regarding a request to install a banner pole at the First Murphy Park located in the Park (P-2) District.

VIII. CONSENT AGENDA (PULLED ITEMS)

IX. PUBLIC HEARINGS

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing.

- 21
1. DS 10-78
Katherine & Greg Morganroth
NE Scenic & Santa Lucia
Block A6, Lot(s) 14
 2. DS 10-7
Stephen Walker
NE San Antonio & 4th
Block NN, Lot(s) 2
- 51
- Consideration of Design Study (Final), Demolition and Coastal Development Permit applications for the construction of a new residence located in the Single Family Residential (R-1), Beach & Riparian, Archaeological Significance and Park Overlay Districts.
- Consideration of a plan revision to an approved Design Study application for exterior alterations to an existing residence located in the Single Family Residential (R-1), Beach and Riparian and Archaeological Significance Overlay Districts.

69 3. DR 11-4
Warren Carmel Doud Properties
SW Ocean & Mission
Block 77, Lot(s) 1 & 2

Consideration of a request for a code interpretation to determine whether window display cases count as floor area for a building located in the Central Commercial (CC) District.

75 4. DS 11-49
Nils & Leslie Benatsson
3013 Lasuen Dr.
Block 10M, Lot 12

Consideration of a Design Study application for the installation of vinyl windows on a residence located in the Single Family Residential (R-1-C-6) and Archaeological Significance Overlay (AS) Districts.

X. DISCUSSION

81 1. Discussion of the development standards and criteria for the RC District found in the General Plan, Zoning Ordinance and Commercial Design Guidelines.

XI. ADJOURNMENT

The next meeting of the Planning Commission will be:

- ▶ Special Meeting – Thursday, June 23, 2011 at 3:00 p.m.
- ▶ Regular Meeting – Wednesday, July 13, 2011 at 4:00 p.m.

The City of Carmel-by-the-Sea does not discriminate against persons with disabilities. Carmel-by-the-Sea City Hall is an accessible facility. The City of Carmel-by-the-Sea telecommunications device for the Deaf/Speech Impaired (T.D.D.) Number is 1-800-735-2929.

The City Council Chambers is equipped with a portable microphone for anyone unable to come to the podium. Assisted listening devices are available upon request of the Administrative Coordinator. If you need assistance, please advise Leslie Fenton what item you would like to comment on and the microphone will be brought to you.

NO AGENDA ITEM WILL BE CONSIDERED AFTER 8:00 P.M. UNLESS AUTHORIZED BY A MAJORITY VOTE OF THE PLANNING COMMISSION. ANY AGENDA ITEMS NOT CONSIDERED AT THE MEETING WILL BE CONTINUED TO A FUTURE DATE AS DETERMINED BY THE COMMISSION.

Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection in the Planning & Building Department located in City Hall, E/s Monte Verde between Ocean & 7th Avenues, during normal business hours.

**CITY OF CARMEL-BY-THE-SEA
PLANNING COMMISSION – MINUTES
MAY 11, 2011**

I. CALL TO ORDER AND ROLL CALL

PRESENT: Commission Members: Beach, Dallas, Paterson,
Hillyard, Reimers

STAFF PRESENT: Sean Conroy, Planning & Building Services Manager
Mar Wiener, Associate Planner
Leslie Fenton, Administrative Coordinator

II. TOUR OF INSPECTION

The Planning Commission toured the following sites: Cruz, Ager-Kirz, Eaton, Rodrigues, Domicile Capital, Putz, Morganroth and Walker.

III. ROLL CALL

IV. ANNOUNCEMENTS

Sean Conroy, Planning & Building Services Manager, made the following announcements:

1. City Council denied the appeal of the Old Mill San Carlos Street project.
2. City Council approved the appeal of the Old Mill Mission Street project.

Commissioner Paterson thanked Marc for the photos.

Commissioner Beach requested that the RC Guidelines and Conceptual Design for projects be agendaized for a future Planning Commission meeting.

VI. APPEARANCES

Barbara Livingston appeared before the Commission.

VII. CONSENT AGENDA

1. Consideration of Planning Commission minutes from April 13, 2011.

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| <p>5. UP 11-5
Stephanie Ager-Kirz
W/s Junipero 2 N 3rd
Block 27, Lot(s) 15</p> | <p>Consideration of Design Review, Coastal Development Permit and Use Permit applications for the construction of a Guesthouse on a site located in the Single Family Residential (R-1) District.</p> |
| <p>6. UP 11-8
Pine Terrace
SW Mission & 3rd
Block 35, Lot(s) 1-9</p> | <p>Consideration of a Use Permit application for the conversion of a community apartment project to a condominium project for the Pine Terrace located in the Residential & Limited Commercial (RC) District.</p> |

Commissioner PATERSON moved **to approve Consent Agenda items #1, #5 and #6**, seconded by BEACH and **carried** by the following roll call vote:

AYES: Beach, Dallas, Patterson, Hillyard, Reimers
 NOES: None
 ABSENT: None
 ABSTAIN: None

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| <p>2. DS 10-99
Charles & Alison Griefenstein
NE Camino Real & 4th
Block LL, Lot(s) 3</p> | <p>Consideration of Design Study and Coastal Development Permit applications for the construction of a wall on a property located in the Single Family Residential (R-1) and Beach and Riparian Overlay Districts.</p> |
| <p>3. DS 11-25
Pamela Eaton
E/s Guadalupe bt. 3rd & 4th
Block 41, Lot(s) 4</p> | <p>Consideration of a Design Study application for the construction of a fence in excess of six feet in height on a site located in the Single Family Residential (R-1) District.</p> |

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

AYES: Beach, Patterson, Hillyard, Reimers
 NOES: None
 ABSENT: None
 ABSTAIN: Dallas

VIII. CONSENT AGENDA (PULLED ITEMS)

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| 4. DS 11-38
Wayne & Andrea Rodrigues
SW Lobos & 1 st
Block 18, Lot(s) 1 | Consideration of Design Study (Concept & Final) and Coastal Development Permit applications for the substantial alteration of an existing residence located in the Single Family Residential (R-1) District and Very High Fire Hazard Severity Zone. |
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Chair Reimers opened the public hearing at 4:17 p.m. Craig Holdren appeared before the Commission. There being no other appearances, the public hearing was closed at 4:19 p.m.

Commissioner DALLAS moved to **approve the application with staff's Special Conditions**, seconded by BEACH and **carried** by the following roll call vote:

AYES: Beach, Dallas, Reimers
NOES: Patterson, Hillyard
ABSENT: None
ABSTAIN: None

IX. PUBLIC HEARINGS

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|--|---|
| 1. DS 10-78
Katherine & Greg Morganroth
NE Scenic & Santa Lucia
Block A6, Lot(s) 14 | Consideration of Design Study, Demolition and Coastal Development Permit applications for the construction of a new residence located in the Single Family Residential (R-1), Beach & Riparian, Archaeological Significance and Park Overlay Districts. |
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Marc Wiener, Associate Planner, presented the staff report. Chair Reimers opened the public hearing at 4:31 p.m. Eric Miller, Barbara Livingston, Gretchen Flesher, Katie Morganroth and Roberta Miller appeared before the Commission. There being no other appearances, the public hearing was closed at 4:50 p.m.

Commissioner BEACH moved to **continue the project with staff's Special Conditions #2 and #4, change to Special Condition #1 - The applicant shall use a stone wainseot around the entire residence and withdraw the proposal for a full veneer on a portion of the south elevation. The applicant shall reconfigure the stone on the south elevation so that it appears structural and consistent with the Guidelines; change to Special Condition #3 - The applicant shall remove adjust the stairs from the north side-yard setback to provide access around the property. The stairs are permitted to encroach into the setback; change to Special Condition #5 - The applicant shall include 198 99**

square feet from the existing driveway on the east side of the property in the site coverage calculations. Site coverage shall not exceed 757 square feet, 50% of which shall be fully permeable or semi permeable; addition of Special Condition #6 - The applicant shall include a landscape plan that shows landscaping in the public right-of-way, as well as a plan showing a wall or fence if one is proposed and addition of Special Condition #7 - The applicant shall simplify the south elevation and the roof lines as recommended by the Guidelines, seconded by PATERSON and carried by the following roll call vote:

AYES: Beach, Dallas, Patterson, Hillyard, Reimers
NOES: None
ABSENT: None
ABSTAIN: None

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| 2. UP 11-6
Heron Trust
SW Ocean & Lincoln
Block 74, Lot(s) 1 & 2 | Consideration of an application for a Use Permit allowing retail wine sales and wine tasting as ancillary uses for an existing retail space located in the Central Commercial (CC) District. |
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Sean Conroy, Planning & Building Services Manager, presented the staff report. Chair Reimers opened the public hearing at 5:26 p.m. Barbara Livingston appeared before the Commission. There being no other appearances, the public hearing was closed at 5:27 p.m.

Commissioner BEACH moved to approve the application with staff's Special Conditions #2-#12 and change to Special Condition #1 - This permit authorizes the retail sale of wine and wine tasting as ancillary uses to the existing home furnishings store. All wines available for purchase and/or tasting shall be produced by a single Monterey County winery. The applicant shall provide documentation to the City regarding which winery has been selected. If after a winery has been chosen the applicant requests to replace the winery with a different winery, that request shall be forwarded to the Planning Commission for review, seconded by DALLAS and carried by the following roll call vote:

AYES: Beach, Dallas, Patterson, Hillyard, Reimers
NOES: None
ABSENT: None
ABSTAIN: None

3. DS 11-37
Domicile Capital LLC
W/s Mission 2 N 11th
Block 117, Lot(s) 15
- Consideration of Design Study, Demolition Permit and Coastal Development Permit applications for the construction of a new residence located in the Single Family Residential (R-1) and Archaeological Significance Overlay Districts.

Marc Wiener, Associate Planner, presented the staff report. Chair Reimers opened the public hearing at 5:45 p.m. Gerry Case and Michael Battori appeared before the Commission. There being no other appearances, the public hearing was closed at 5:50 p.m.

Commissioner BEACH moved **to approve the project with change to staff's Special Condition #1 - The applicant shall plant one upper-canopy and one lower-canopy tree of substantial size and caliber and of a species approved by the City Forester. The tree shall be planted on site located approximately 10 feet from any building and shown on the final landscape plan submitted with the building permit application; delete Special Condition #2 - The applicant shall work with staff on detaching the proposed garage from the entry structure and front stairs; and addition of Special Condition #3 - The applicant shall use a wood shake roof,** seconded by DALLAS and **carried** by the following roll call vote:

AYES: Beach, Dallas, Patterson, Hillyard, Reimers
NOES: None
ABSENT: None
ABSTAIN: None

4. DS 11-23
Reno & Margie Cruz
W/s Mission 2 N 11th
Block 117, Lot(s) 35
- Consideration of a Design Study Application (Track One Referral) for the minor alteration of an existing residence located in the Single Family Residential (R-1) District.

Commissioner Dallas re-cused himself from the discussion.

Marc Wiener, Associate Planner, presented the staff report. Chair Reimers opened the public hearing at 6:17 p.m. Claudio Ortiz, Barbara Livingston and Barbara Walker appeared before the Commission. There being no other appearances, the public hearing was closed at 6:30 p.m.

Commissioner PATERSON moved **to approve the application with staff's Special Conditions and request that applicant work with staff on the rhythm of banisters and columns,** seconded by BEACH and **carried** by the following roll call vote:

AYES: Beach, Patterson, Hillyard, Reimers
NOES: None
ABSENT: None
ABSTAIN: Dallas

Commissioner HILLYARD moved to recommend to City Administrator approval of driveway encroachment as proposed by applicant, pavers to be used in scoop and no more than 9' wide

Commissioner Hillyard withdrew his motion.

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| 5. DS 11-28
David & Nancy Putz
E/s Carmelo bt. 13 th & Santa
Lucia
Block DD, Lot(s) 4 | Consideration of a Design Study (Track 1 Referral) application for the construction of a new wall/fence and other site improvements on a site located in the Single Family Residential (R-1) District. |
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Sean Conroy, Planning & Building Services Manager, presented the staff report. Chair Reimers opened the public hearing at 6:57 p.m. Bob McIntyre appeared before the Commission. There being no other appearances, the public hearing was closed at 6:59 p.m.

Commissioner DALLAS moved **to deny the application**, seconded by PATERSON and **carried** by the following roll call vote:

AYES: Beach, Dallas, Patterson, Hillyard, Reimers
NOES: None
ABSENT: None
ABSTAIN: None

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| 6. DS 10-7
Stephen Walker
NE San Antonio & 4 th
Block NN, Lot(s) 2 | Consideration of a plan revision to an approved Design Study application for exterior alterations to an existing residence located in the Single Family Residential (R-1), Beach and Riparian Overlay (BR) and Archaeological Significance Overlay (AS) Districts. |
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Marc Wiener, Associate Planner, presented the staff report. Chair Reimers opened the public hearing at 7:08 p.m. John Matthams, Kristy Downing, Barbara Livingston, Stephen Walker and Roger from R.G. Builders appeared before the Commission. There being no other appearances, the public hearing was closed at 7:52 p.m.

Commissioner HILLYARD moved to continue the project to the June Regular Meeting and requested dimensional drawings, seconded by PATERSON and carried by the following roll call vote:

AYES: Beach, Dallas, Patterson, Hillyard, Reimers
NOES: None
ABSENT: None
ABSTAIN: None

X. ADJOURNMENT

There being no further business to come before the Commission, the meeting was adjourned at 8:23 p.m.

Leslie Fenton, Administrative Coordinator

ATTEST:

Janet Reimers, Chair

CITY OF CARMEL-BY-THE-SEA
PLANNING COMMISSION
AGENDA CHECKLIST

MEETING DATE: 16 June 2011

BLOCK: N/A LOT: N/A

FIRST HEARING: X

CONTINUED FROM: N/A

ITEM NO: MP 11-5

APPLICANT: Carmel Heritage Society

OWNER: City of Carmel

STREAMLINING DEADLINE: N/A

SUBJECT:

Consideration of recommendations to the City Council regarding the placement of a banner pole at the First Murphy House located in the Park (P-2) District.

ENVIRONMENTAL REVIEW:

Exempt (New Construction)

LOCATION:

NW Cor. Lincoln & 6th

ZONING:

P-2

ISSUES:

1. Is this an appropriate location for a banner pole?

OPTIONS:

1. Make recommendations to the City Council.
2. Continue the application with a request for additional information.

RECOMMENDATION:

Option #1 (Make recommendations to the City Council.)

ATTACHMENTS:

1. Staff Report dated 16 June 2011.
2. Application Materials.

STAFF CONTACT: Sean Conroy, Planning & Building Services Manager

CITY OF CARMEL-BY-THE-SEA

STAFF REPORT

TO: CHAIR REIMERS AND PLANNING COMMISSIONERS

FROM: SEAN CONROY, PLANNING & BUILDING SERVICES MANAGER

DATE: 16 JUNE 2011

SUBJECT: CONSIDERATION OF RECOMMENDATIONS TO THE CITY COUNCIL REGARDING THE PLACEMENT OF A BANNER POLE AT THE FIRST MURPHY HOUSE LOCATED IN THE PARK (P-2) DISTRICT.

BACKGROUND & PROJECT DESCRIPTION

The City has 10 banner poles along the Ocean Avenue median and two at the Sunset Center that are used to promote community events. City Council Policy C95-07 establishes the City's review process for the approval and display of banners. The Policy indicates that the display of banners is limited to the Ocean median, City Hall, Sunset Center, San Carlos Street, and Devendorf Park. The Policy also indicates that additional locations can be approved by the City Council with recommendations from the Planning Commission.

The First Murphy Park is located on the northwest corner of Lincoln Street and Sixth Avenue and includes the First Murphy House, a public restroom, a viewing platform and open space. The Carmel Heritage Society is requesting that the City install a banner pole in front of the First Murphy House.

EVALUATION

Policy C95-07 indicates that the City supports the concept of decorative banners for the purpose of promoting a festive atmosphere and informing residents and visitors of community events. The proposal to install a banner at the First Murphy House is consistent with this policy. Staff concurs with the Carmel Heritage's position that a pole at this location will balance the distribution of banners on the east and west of Ocean Avenue and will be appropriate for this location. However, staff does note that the visibility of any pole at this location will be somewhat limited due to the existing tree canopy.

RECOMMENDATION

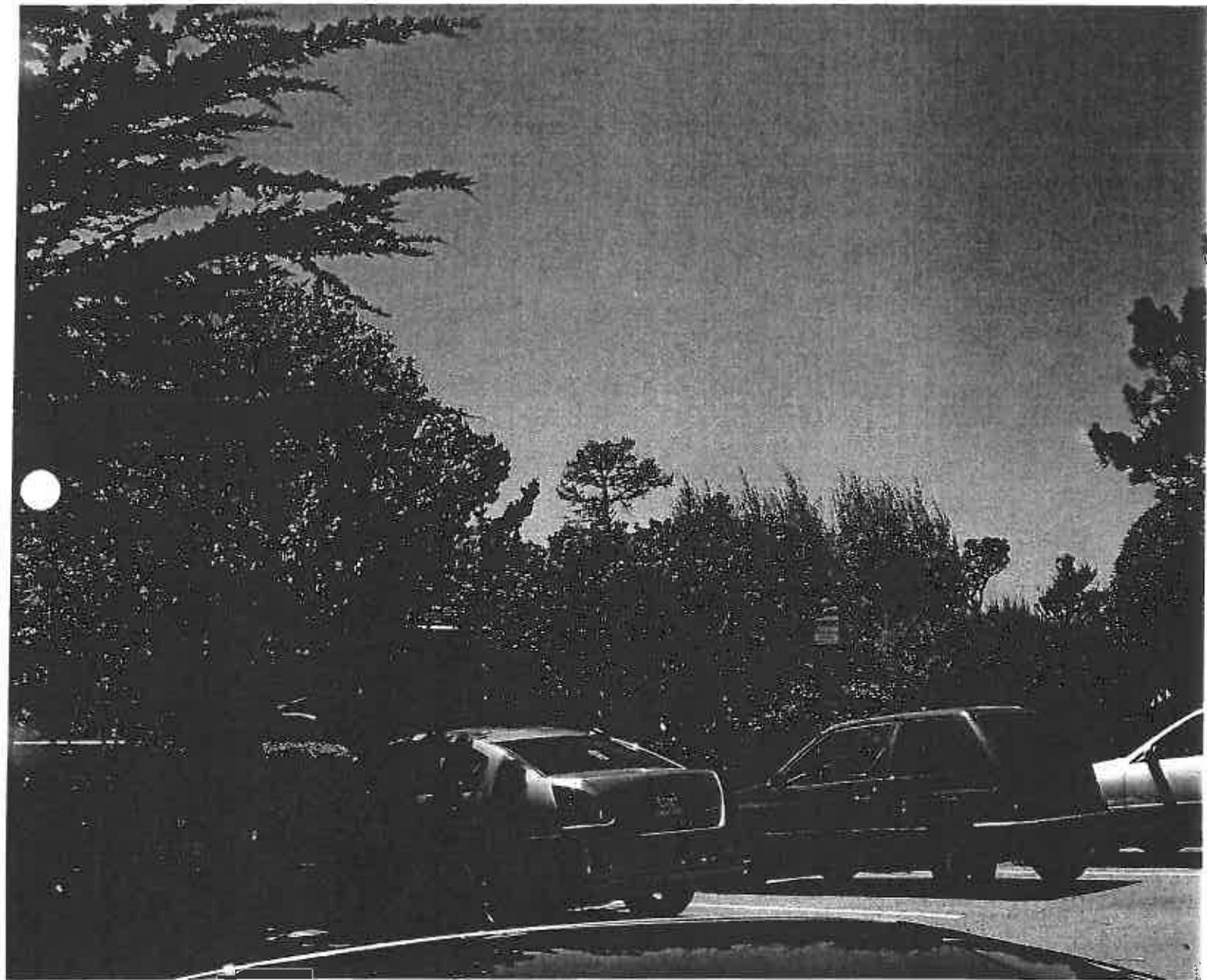
Recommend that the City Council direct staff to install a banner pole in front of the First Murphy House.

Dear Sean,

Carmel Heritage is requesting that a banner pole be installed at the First Murphy House on Lincoln street , we feel that the banner pole will help identify the house and Carmel Heritage. As with the other poles it will also be available to other organizations and events during the year. The poles on Ocean Avenue run east -west, the Sunset pole is on the south side of Ocean Avenue, with an additional pole at First Murphy on the north side this would balance the distribution of the banner's information around the town. We hope that this request meets with your approval.

Sincerely,

Sydney Roussel
Carmel Heritage Board Member



Proposed banner pole location

CITY OF CARMEL-BY-THE-SEA

POLICY NO. C95-07

BANNERS ON PUBLIC PROPERTY

PURPOSE:

To establish a policy outlining the procedure for application and review of the design, style, appropriate locations, duration of display, installation and striking of banners on public property in the City of Carmel-by-the-Sea .

POLICY:

The City of Carmel-by-the-Sea supports the concept of displaying decorative banners on public property or parklands for the purpose of promoting a festive atmosphere and informing residents and visitors of community events. Display of banners is limited to the following areas:

- Ocean Avenue center median
- City Hall*
- Sunset Center property*
- Stanchions on the east side of San Carlos Street between Eighth and Tenth Avenues
- Devendorf Park
- Other locations as may be determined by the Planning Commission from time to time; provided, however, that all such exceptions are referred to the City County for its prior approval.

* All banners displayed at Sunset Center or City Hall shall be associated only with Sunset Center or City Hall activities.

REVIEWING AUTHORITY:

Community Planning and Building staff shall have the authority to review and approve applications for public display of banners and to review the proposed location and installation of new stanchions at the locations shown above. Banners are deemed appropriate when associated with the following events/activities, which are shown in descending order of priority to the City:

1. City events/activities
2. City cosponsored events/activities
3. Local community activities presented within the City limits. (Banners may not display a company logo or trademark.)
4. Events that, in the judgment of the staff, will benefit the City.

GUIDELINES:

General guidelines for the purpose of reviewing, evaluating and approving banner applications are as follows:

1. **Size:** Banners must conform to specifications of the City's display stanchions and hardware as set forth in the specifications identified in Exhibits A, and B of this Policy. In no case shall the area of a banner exceed twenty-four square feet.
2. **Material:** Banners must be constructed of durable, natural-looking fabric (not plastic or vinyl); both the fabric and the paint must be capable of withstanding the elements, and are subject to approval by the Planning Commission.
3. **Attachments:** Must have fasteners (grommets) that are durable, safe and appropriate to meet the design specifications of the stanchions. Refer to specifications in Exhibits A and B of this Policy.
4. **Design:** All banners shall include a simple graphic image. Banners shall be consistent with village character, and compatible in color and design with the surrounding architecture and landscaping. Lights, fluorescent or incompatible colors, streamers, balloons and other appurtenances to attract the eye are prohibited.
5. **Lighting:** Illumination is prohibited.
6. **Text:** Only the name and dates and location of the event may be displayed on a banner. Location information is limited to the place (Devendorf Park, Sunset Center, etc.), not a street location. The text size for the location and dates must also be substantially smaller than the event name and graphic image.
7. **Location:** Placement of banners shall be limited to those areas set forth in the "Policy" section of this document.
8. **Condition and Maintenance of Banners:** All banners must be clean and in good condition. If not, the banners cannot be displayed.