

**CITY OF CARMEL-BY-THE-SEA  
PLANNING COMMISSION – MINUTES  
MAY 9, 2012**

**I. CALL TO ORDER AND ROLL CALL**

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

STAFF PRESENT: Sean Conroy, Planning & Building Services Manager  
Marc Wiener, Associate Planner  
Margi Perotti, Administrative Coordinator

**II. TOUR OF INSPECTION**

The Planning Commission toured the following sites: Reimers, LeTowt, Fairley, Macerich, Pot D’Or, Townsend, and Elliston.

**III. ROLL CALL**

**IV. PLEDGE OF ALLEGIANCE**

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

**V. ANNOUNCEMENTS/EXTRAORDINARY BUSINESS**

1. Chairman Hillyard announced his appointment to the City Council and thanked everyone.
2. Sean Conroy, Planning & Building Services Manager, announced the following:
  - A. Chairman Hillyard, will resign his position following the Reimers UP 12-2/09-9 decision.
  - B. Commissioner Paterson will be the Chair for this meeting.
  - C. Commissioner Reimers, senior Commissioner will be the presiding chair for the remainder of Hillyard’s term. The term will be from June 13 thru December 2012.
  - D. Commissioners with conflicts of interest will be able to vote but not participate in discussion, due to the quorum needed per the PC’s adopted rules of procedure.
3. Commissioner Reimers encouraged everyone to see the production at the Pac Rep Theater.

**VI. APPEARANCES**

Barbara Livingston appeared before the Commission.

**VII. CONSENT AGENDA**

1. Consideration of minutes from April 11, 2012, Regular Meeting.

It was moved by Patterson and seconded by Reimers to approve the minutes of the April 11, 2012 meeting. The motion carried by the following roll call vote:

AYES: Dallas, Reimers, Paterson, Hillyard  
NOES: None  
ABSENT: None  
ABSTAIN: None

**VIII. CONSENT AGENDA (PULLED ITEMS)**

3. UP 12-2/09-9 (Eco Carmel)                      Consideration of a Use Permit Amendment  
    Gunnar Reimers/Niels Reimers              authorizing specialty food items to be sold  
    W/s San Carlos bet 7<sup>th</sup> & 8<sup>th</sup>                  as part of an existing retail store located in  
    Block 91, Lot(s) 5 & 7                          the Service Commercial (SC) District.

Commissioner Reimers stated she is a relative of Kristie Reimers and Commissioner Dallas stated he owns property within 2 block of Eco Carmel. However, due to a lack of a quorum, they were allowed to participate in the vote.

Sean Conroy, Planning & Building Services Manger, presented the staff report. Chair Hillyard opened the public hearing. Kristie Reimers and Richard Pepe appeared before the Commission. There being no other appearances, the public hearing was closed.

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

AYES: Dallas, Reimers, Paterson, Hillyard  
NOES: None  
ABSENT: None  
ABSTAIN: None

Chairman Hillyard recused himself from the remainder of the meeting, Vice Chair Patterson, resumed as Chair.

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| 6. DS 12-23<br>Pot D'Or<br>NW Lincoln & 5 <sup>th</sup><br>Block 53, Lot(s) 17 & 19 | Consideration of Design Study (Final), Use Demolition Permit and Coastal Development Permit applications for the construction of a new residence located in the Single Family Residential (R-1). |
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Marc Wiener, Associate Planner, addressed questions of the Commission. Chair Patterson opened the public hearing. John Mandurrago appeared before the Commission. There being no other appearances, the public hearing was closed.

Commissioner DALLAS moved to **approve the application with staff's Special Condition #1; and to add the following additional conditions: #2, Avoid excessive use of asphalt; #3 Landscaping must not extend not more than two feet on to the public right of way to preserve the existing walkway; #4, The fence must be open and low,** seconded by REIMERS and **carried** by the following roll call vote:

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

## IX. CONSENT ITEMS

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| 2. MP 12-7*<br>City of Carmel<br>NW Del Mar & Ocean Av   | Consideration of a Design Review and Coastal Development Permit applications for the construction of a boardwalk and viewing platform in the North Dunes of Carmel Beach.               |
| 4. SI 12-16<br>Macerich – Carmel Plaza<br>NE Mission and 7 <sup>th</sup><br>Block 78, Lot(s) All       | Consideration of a sign application to allow a second business sign for a restaurant and a decal sign on a glass door of an office in the Central Commercial (CC) District (David Fink) |
| 5. SI 12-10<br>Margaret Fairley<br>WS San Carlos bet Ocean & 7 <sup>th</sup><br>Block 76, Lots 13 & 15 | Consideration of an application for a second business sign on a building located in the Central Commercial (CC) District. (Ambiance Interiors)  |
| 7. DS 12-22/UP 12-4<br>Brian & Stephanie Boyse<br>E/s San Antonio 6 N or Ocean<br>Block HH, Lot(s) 18  | Consideration of a Design Study (Final), Use Permit and Coastal Development Permit applications for the substantial alteration of an existing residence located                         |

in the Single Family Residential (R-1), Beach and Riparian Overlay (BR), Park Overlay (P) and Archaeological Significance Overlay (AS) Districts

Commissioner DALLAS moved **to approve items 2, 4, 5, & 7 of the consent agenda**, seconded by PATERSON and **carried** by the following roll call vote:

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

## X. PUBLIC HEARINGS

1. MP 12-2  
City of Carmel  
City-wide  
Consideration of recommendations to the City Council regarding the adoption of a single-use carry out bag ordinance and a Negative Declaration.

Sean Conroy, Planning & Building Services Manager, presented the staff report and addressed questions of the Commission.

Chair PATERSON opened the public hearing. Paul Laub, Connie Oscar, Ferman Sanchez, Jonathan Sapp, Laura Case, Ashley Blaco, Lanny Rose, Cynthia Uyehara, Kristie Reimers, Richard Pepe, Monta Potter, Jody LeTowt, Robert Knight, Tracy Delaney-Odle, Todd Tyce, Liz Dankworth, Kent Torrey appeared before the Commission. There being no further appearances, the public hearing was closed.

Chair PATERSON moved **recommend that the that the City Council not adopt the ordinance and that some type of voluntary based program to ban plastic bags and eliminate the need to charge for paper bags be evaluated**, seconded by DALLAS and **carried** by the following roll call vote:

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

2. DS 12-24  
Pot D'Or, LLC  
5<sup>th</sup> Ave. 2 NW of Lincoln  
Block 53, Lot(s) 17 & 19  
Consideration of Design Study (Final), Demolition Permit and Coastal Development Permit applications for the construction of a new residence located in the Residential (R-1) District.

Marc Wiener, Associate Planner, presented the staff report. Chair Patterson opened the public hearing. John Mandurrago, Jacqueline Simonelli, and Heather O'Connell appeared before the Commission. There being no other appearances, the public hearing was closed.

Commissioner DALLAS moved **to APPROVE the application with staff's special conditions, and add the following additional conditions: #1 the westerly fence and wall needs to be evaluated and designed by a licensed engineer; #2 Planting in the right-of-way should not interfere with the existing pathway. Landscaping is restricted to two feet or less in the public right of way; #3 if a fence is planned it must be low in height and open,** seconded by REIMERS and **carried** by the following roll call vote:

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

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| 3. DS 12-26<br>Bette Elliston<br>W/s Casanova 9 N Ocean<br>Block FF, Lot(s) 25 | Consideration of Design Study application for the alteration of an existing residence located in the Single Family Residential (R-1) District. |
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Marc Wiener, Associate Planner, presented the staff report. Chair Patterson opened the public hearing. Stewart Bratholt and Barbara Livingston appeared before the Commission. There being no other appearances, the public hearing was closed.

Commissioner DALLAS moved **to continue the application, red tag the project, have all fill dirt and non permitted retaining walls removed and the site restored to its natural grade prior to returning to the Commission,** seconded by REIMERS ON and **carried** by the following roll call vote:

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

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| 4. DR 12-9<br>Macerich – Carmel Plaza<br>Ocean bet Mission & Junipero<br>Block 78, Lot(s) All | Consideration of a Design Review application for exterior alterations to the Carmel Plaza located in the Central Commercial (CC) District. (Kate Spade) |
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Marc Wiener, Associate Planner, presented the staff report. Chair Patterson opened the public hearing. Brent Saul, Barbara Livingston, Roberta Miller,

Jonathon Sapp and Richard Pepe appeared before the Commission. There being no other appearances, the public hearing was closed.

Commissioner DALLAS moved **to approve the design concept, and continue consideration of the finished details until the next regular meeting,** seconded by REIMERS and **carried** by the following roll call vote:

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

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| 5. DS 12-31<br>Adam & Janet Salmon<br>W/s Santa Fe 5 So of 5 <sup>th</sup><br>Block 60, Lot(s) 9                | Consideration of a Design Study (Concept) and Coastal Development Permit applications for the substantial alteration of an existing residence located in the Single Family Residential (R-1) District. <b>** This item continued to 13 June 1012 Meeting.</b> |
| 6. DS 12-34<br>Jeffrey Townsend<br>W/s San Carlos bet 2 <sup>nd</sup> & 3 <sup>rd</sup><br>Block 29, Lot(s) 13A | Consideration of Design Study application for the replacement of an existing wood shake roof with composition shingles on a residence located in the Single Family Residential (R-1) and Community Plan (CP) Districts.                                       |

Sean Conroy, Planning & Building Services Manager, presented the staff report. Chair Patterson opened the public hearing. There being no appearances, the public hearing was closed.

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

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

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| 7. UP 12-3<br>Jody LeTowt<br>Dolores 3 NE of 7 <sup>th</sup><br>Block 76, Lot(s) 18 | Consideration of a Preliminary Concept Review of a request to include wine tasting as an ancillary use at a restaurant located in the Central Commercial (CC) District. |
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Marc Weiner, Associate Planning, presented the staff report.

Commissioner PATERSON moved opened the public hearing. Jody LeTowt, Ray Fransconi, Barbara Livingston, Richard Pepe and Roberta Miller appeared before the Commission. There being no further appearances, the public hearing was closed.

Comments were provided to the applicant by the Commission. No other action taken.

**X. ADJOURNMENT**

There being no further business to come before the Commission, the meeting was adjourned at 8:04 p.m.

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Margi Perotti, Administrative Coordinator

ATTEST:

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Janet Reimers, Chair