

**CITY OF CARMEL-BY-THE-SEA
PLANNING COMMISSION – MINUTES
September 10, 2014**

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

PRESENT: Commissioners: LePage, Paterson, Martin, Goodhue, and Reimers

ABSENT: Commissioners: None

STAFF PRESENT: Rob Mullane, AICP, Community Planning & Building Director
Marc Wiener, Senior Planner
Christy Sabdo, Contract Planner
Mike Branson, City Forester
Sharon Friedrichsen, Public Services Director
Roxanne Ellis, Planning Commission Secretary

B. TOUR OF INSPECTION

The Commission convened at 2:08 **p.m.** and then toured the following sites:

1. DS 14-72 (Levett); Monte Verde 3 NE of 4th, Block: 32; Lot: 16
2. DS 14-43 (Jarve); Scenic Road 1 SE of 9th Ave. Block: A-2; Lots: 2 & 3
3. DS 14-64 (Webster); Camino Real 2 NW of 11th Ave. Block: Q; Lot: 17
4. DS 14-50 (Mussallem); San Carlos 2 SE of 13th Ave. Block: 142; Lots: S ½ of 4 & 6
5. DS 14-42 (Benner); Torres 4 SW of 9th Ave. Block: 108; Lots: S ½ of 7 & 9

C. ROLL CALL

Chairman Reimers called the meeting to order at 4:13 **p.m.**

D. PLEDGE OF ALLEGIANCE

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

E. ANNOUNCEMENTS/EXTRAORDINARY BUSINESS

Commissioner Martin noted that the Carmel 2016 Committee Report was an interesting read and available for purchase at Copies by the Sea. He noted that the report spoke to many goals for 2016 that are similar to the issues the City is facing now. He noted that it would be a good thing to revisit in preparation for the centennial.

F. APPEARANCES

Chair Reimers opened the meeting to public comment.

Speaker 1: Barbra Livingston, resident, noted the City’s upcoming Centennial Celebration and passed out copies of the fall CRA newsletter, which includes a status report on the goals of the Carmel 2016 Committee Report. She noted that town beautification needs to be a focus as the centennial is approaching. Traffic planning is also needed.

Speaker 2: Roberta Miller, resident, expressed her concerns with Barmel’s operation and violations of the City’s ordinances and its permit for live music. She noted that there is a dance floor installed and that it is being operated with a nightclub atmosphere. She noted that music is played nightly and is loud, which has resulted in complaints from nearby merchants. She also noted that its customers spill out into the courtyard and sidewalk area.

Speaker 3: Carolyn Hardy, resident, spoke her concerns with Barmel not being in compliance with their Use Permit and issues with patrons drinking outside the premises. She questioned whether the nightly DJ entertainment was consistent with their existing permits. She requested that the Commission call the Use Permit back.

Speaker 4: Jim Bell, Resident, spoke on the concerns he has with wine tasting and other drinking in town. Concerns include noise levels for patrons of drinking establishments and safety issues such as drunk driving as well as potential impacts to Carmel’s image.

Rob Mullane, Community Planning & Building Director, addressed the process of bringing the Barmel Live Music Use Permit to the Commission for reconsideration and that this would be calendared for a future meeting in keeping with the conditions of approval because of the complaints that have been received.

G. 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 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.

1. Consideration of minutes from August 13, 2014 Regular Meeting.
2. DS 14-32 (Makler) Consideration of Final Design Study (DS 14-32)
Mary and Stuart Makler and associated Coastal Development Permit
Santa Lucia 2 NE of Casanova application for the substantial alteration of an
Blk: 146, Lots: 26 & 28 existing residence located in the Single-Family
APN: 010-176-025 Residential (R-1) Zoning District

Commissioner Goodhue recused himself from Item G.2, which was pulled to be heard under separate motion.

Chair Reimers opened the meeting to public comment, and asked if any member of the public wished to speak or pull any items. Matt Hanner had a procedural question on the pulling of Item G.2, which was answered by Chair Reimers. Seeing no other public speakers or requests to pull any items, Chair Reimers closed the public hearing, and entertained a motion to approve the pulled item.

Vice Chair Paterson moved to accept DS 14-32. Motion seconded by Commissioner LePage and carried by the following roll call vote:

AYES:	COMMISSIONERS: LEPAGE, PATERSON, MARTIN, & REIMERS
NOES:	COMMISSIONERS: NONE
ABSENT:	COMMISSIONERS: GOODHUE
ABSTAIN:	COMMISSIONERS: NONE

Commissioner Goodhue returned to the dais.

Commissioner LePage moved to accept the minutes as drafted. Motion seconded by Vice Chair Paterson and carried by the following roll call vote:

AYES:	COMMISSIONERS: LEPAGE, PATERSON, MARTIN, GOODHUE & REIMERS
NOES:	COMMISSIONERS: NONE
ABSENT:	COMMISSIONERS: NONE
ABSTAIN:	COMMISSIONERS: NONE

H. PUBLIC HEARINGS

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| 1. MP 14-01 (Carmel-by-the-Sea)
City of Carmel-by-the-Sea
Del Mar Parking Lot | Re-consideration of Municipal Project (MP 14-01)
and associated Coastal Development Permit
application for sidewalk material located at the foot
of Ocean Avenue in the Del Mar Parking area |
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Mr. Mullane presented the staff report, which included background as to why this item was being returned to the Commission and an overview of the proposed project. Mr. Mullane noted that the City Council in their budget approval specified that the sidewalk material should be permeable asphalt. Mr. Mullane and Mike Branson, City Forester, noted issues with the performance and maintenance of permeable asphalt and that staff remains in support of the permeable pavers.

Chair Reimers opened the public hearing.

Speaker 1: Barbara Livingston provided an overview of the City Council's concern with pavers. There were 3 issues: the pavers have too formal of a look for that area, the pavers introduced another material to complicate the mix of materials in the beach area, and the need for continuity of the existing nearby asphalt walkways. Seeing no other speakers, Chair Reimers closed the public hearing. After discussion and questions the Commission made the following motion.

Commissioner LePage moved to approve the use of porous square pavers in a medium gray color and in a running bond pattern. Motion seconded by Commissioner Goodhue and carried unanimously.

AYES: COMMISSIONERS: LEPAGE, PATERSON, MARTIN,
GOODHUE & REIMERS
NOES: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: NONE
ABSTAIN: COMMISSIONERS: NONE

2. DS 14-26 (Bengard) Consideration of Final Design Study (DS 14-26) and associated Coastal Development Permit application for the substantial alteration of an existing residence located in the Single-Family Residential (R-1) Zoning District
Tom and Terry Bengard NE Cor. of Monte Verde and 11th
Blk: 114, Lots: W 1/2 of lots 18 & 20
APN: 010-182-009

Christy Sabdo, Contract Planner presented the staff report, which included an overview of the proposed project.

Chair Reimers opened the public hearing.

Speaker 1: Jeff Crockett, applicant, went over project changes.

Speaker 2: Terry Bengard, property owner, spoke in support of the project.

Speaker 3: Roberta Miller, resident, recommended simplifying the design and expressed concerns with the rock pillars along the fence.

Seeing no other speakers, Chair Reimers closed the public hearing. Marc Wiener, Senior Planner, noted that the conditions of approval address the design elements.

Commissioner LePage moved to approve the project with direction to limit the exterior to two materials: board and batt with Carmel stone wainscoting on north and west elevations and around the garage in compliance with City's Design Guidelines regarding proper wrapping of the stone elements, with the porch posts be large-member wood posts with stone wainscot, and with the fence as proposed. Motion seconded by Commissioner Goodhue and carried unanimously.

AYES: COMMISSIONERS: LEPAGE, PATERSON, MARTIN,

	GOODHUE & REIMERS
NOES:	COMMISSIONERS: NONE
ABSENT:	COMMISSIONERS: NONE
ABSTAIN:	COMMISSIONERS: NONE

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| 3. DS 14-78 (McWilliams)
McWilliams Peter Trust
26151 Ladera Drive
Blk: MA, Lot: 4
APN: 010-016-005 | Consideration of Design Study (DS 14-78) for the replacement of a wood-shake roof with composition shingles on a residence located in the Single-Family Residential (R-1) District Zoning District |
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Christy Sabdo, Contract Planner presented the staff report, which included information on the original and new proposed roof samples.

Chair Reimers opened the public hearing; no one spoke regarding this item, Chair Reimers closed the public hearing. The Commission still had concerns with the composition shingles alternatives presented. The Commission recommended that staff with the support of a subcommittee investigate new roofing materials that are in keeping with the village character and that could be additional options for staff-level approvals.

Commissioner LePage moved to continue the application with direction to the applicant to utilize other options including synthetic shingle or shake, or concrete shake, that mimic as closely as possible a wood shake. Motion seconded by Vice Chair Paterson and carried unanimously.

AYES:	COMMISSIONERS: LEPAGE, PATERSON, MARTIN, GOODHUE & REIMERS
NOES:	COMMISSIONERS: NONE
ABSENT:	COMMISSIONERS: NONE
ABSTAIN:	COMMISSIONERS: NONE

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| 4. DS 14-50 (Mussallem)
San Carlos 2 SE of 13th Ave.
Blk: 142, Lots: S ½ of lots 4 & 6
APN: 010-162-025 | Consideration of Concept Design Study (DS 14-50) and associated Coastal Development Permit application for the construction of a new residence located in the Single-Family Residential (R-1) Zoning District |
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Commissioner Goodhue recused himself, because he owns property within 500 feet of the subject property. Ms. Sabdo presented the staff report, which included an overview of the proposed project. She also noted that the neighbor to the north has expressed concern with the planting of an additional tree as conditioned.

Chair Reimers opened the public hearing.

Speaker 1: Adam Jeselnick, project architect, went over the project.

Speaker 2: Barbara Livingston, resident, noted concerns with the multiple materials proposed and had questions regarding the proposed fencing.

Seeing no other speakers, Chair Reimers closed the public hearing.

Commissioner LePage moved to accept the application with staff recommended conditions with a revision to Condition 2 to include the northern neighbor in the discussion of the tree to be planted. Motion seconded by Vice Chair Paterson and carried unanimously.

AYES: COMMISSIONERS: LEPAGE, PATERSON, MARTIN,
& REIMERS
NOES: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: GOODHUE
ABSTAIN: COMMISSIONERS: NONE

The Commission took a 10 minute recess and reconvened the meeting at 6:20 p.m.
Commissioner Goodhue rejoined the dais.

5. DS 14-42 (Benner) Consideration of Concept and Final Design Study
Torres St. 4 southwest of 9th Ave. (DS 14-42) and associated Coastal Development
Blk: 108, Lots: S ½ of lots 7 and 9 Permit application for the alteration of an existing
APN: 010-071-010 residence located in the Single-Family Residential
(R-1) Zoning District

Mr. Wiener presented the staff report, which included an overview of the proposed project.

Chair Reimers opened the public hearing.

Speaker 1: Adam Jeselnick, project architect, went over the project and discussed options to reduce site coverage, reducing fence height in the front yard setback, and the light proposed for the north end of the east elevation.

Speaker 2: Barbara Livingston, resident, noted that this stretch of Torres has an attractive rustic rural look and that she has concerns with the proposed wrought-iron fence as too formal.

Seeing no other speakers, Chair Reimers closed the public hearing.

Commissioner LePage moved to accept the application with Special Conditions 22 and 23 (revised to specify a maximum of 1500 sq ft in resultant site coverage), 24, 25, and 26 (revised lighting fixture to return for approval), and the addition of Special Condition 27 that a revised design of the fence be submitted as a Design Study Revision. Motion seconded by Vice Chair Paterson and carried unanimously.

AYES: COMMISSIONERS: LEPAGE, PATERSON, MARTIN,

GOODHUE & REIMERS
NOES: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: NONE
ABSTAIN: COMMISSIONERS: NONE

6. DS 14-72 (Levett) Consideration of Concept Design Study (DS 14-72)
Monte Verde 3 NE of 4th and associated Coastal Development Permit
Blk: 32, Lot: 16 application for the construction of a new residence
APN: 010-222-007 located in the Single-Family Residential (R-1)
Zoning District

Mr. Wiener presented the staff report, which included an overview of the proposed project, a discussion of the property's slope, and analysis of the allowable floor area for situations where slopes have been altered. He noted that the addition as currently proposed could present massing and view impacts to the neighbor to the north. Mr. Wiener also noted that the concerns of the neighbors to the east would be mitigated with the installation of the proposed fence.

Chair Reimers opened the public hearing.

Speaker 1: John Mandurrigo, project designer, went over the project.

Speaker 2: Mary Ellen Thomas, neighbor on Torres, noted concerns with the detached garage and potential safety hazards for vehicular traffic.

Seeing no other speakers, Chair Reimers closed the public hearing. The Commission discussed the project and options for reducing impacts to the neighbor to the north. Mr. Mandurrigo answered questions on the extent to which the addition could be shifted.

Commissioner LePage moved to accept the application with a revision to Condition 2 to provide a 2-foot setback from the northern property line, and adding Condition 3 that the applicant to work with staff on options to minimize impacts to the neighbor to the north. Motion seconded by Commissioner Goodhue and carried unanimously.

AYES: COMMISSIONERS: LEPAGE, PATERSON, MARTIN,
GOODHUE & REIMERS
NOES: COMMISSIONERS: NONE
ABSENT: COMMISSIONERS: NONE
ABSTAIN: COMMISSIONERS: NONE

7. DS 14-64 (Webster) Consideration of Concept Design Study (DS 14-64)
Camino Real 2 NW of 11th Ave and associated Coastal Development Permit
Blk: Q, Lot: 17 application for the substantial alteration of an
APN: 010-275-008 existing residence located in the Single-Family
Residential (R-1) Zoning District

Mr. Wiener presented the staff report, which included an overview of the proposed project, a discussion of neighbor concerns and the impact of removing the large Pittosporum tree on the west end of the property. He noted that a letter was submitted by the neighbor to the north. Mr. Wiener also noted that the concerns of the neighbors to the east would be mitigated with the installation of the proposed fence.

Chair Reimers opened the public hearing.

Speaker 1: Eric Miller, project architect, went over the project. He noted that the applicants are ok with retaining the Pittosporum tree.

Speaker 2: DeAnna Yateman, neighbor to west, noted concerns with the second-story addition and that it presents privacy impacts to her residence. She also noted that the Pittosporum tree needs to be retained.

Speaker 3: Martha Webster, applicant, spoke in support of the project. She clarified that the intent is to keep the Pittosporum tree.

Speaker 4: Allen Cambesel, neighbor to west, noted concerns with tree removal.

Speaker 5: Cheryl Hill, neighbor two houses to the south, spoke in support of the project and noted that immediate neighbor to the south supports design.

Speaker 6: James Jungroth, neighbor to the north, noted concerns with proposed design and recommended a design change. He presented an alternative design to the Commission.

Seeing no other speakers, Chair Reimers closed the public hearing. The Commission discussed the project, the impacts to the neighbors, and how the proposed and alternative designs mitigate potential impacts. The Commission was in favor of a project redesign to shift the second-story addition slightly to the south.

Commissioner Goodhue moved that the project review to allow the applicant to revise the design with the staff-recommended conditions of approval with a revision to Condition 2 to accept the application with a revision to Condition 2 to indicate that one rather than two trees would be removed and with added conditions that the retention of the Pittosporum tree be noted on the plans, that the applicant explore options to mitigate the impacts to the northern neighbor, and that staff work with the applicant on a revision to the proposal for the garage addition. Motion seconded by Commissioner LePage and carried unanimously.

AYES: COMMISSIONERS: LEPAGE, PATERSON, MARTIN,
GOODHUE & REIMERS

NOES: COMMISSIONERS: NONE

ABSENT: COMMISSIONERS: NONE

ABSTAIN: COMMISSIONERS: NONE

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| <p>8. DS 14-43 (Jarve)
 Scenic Road 1 SE of 9th Ave
 Blk: A-2, Lots: portions of 2 & 3
 APN: 010-302-015</p> | <p>Consideration of Concept Design Study (DS 14-43) and associated Coastal Development Permit application for the construction of a new residence located in the Single-Family Residential (R-1), Park Overlay (P), and Beach and Riparian (BR) Overlay Zoning Districts</p> |
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Mr. Wiener presented the staff report, which included an overview of the proposed project and reductions in the floor area and height of the remodeled residence in comparison to the existing residence.

Chair Reimers opened the public hearing.

Speaker 1: Eric Miller, project architect, went over the project. He presented clarifications on the proposed switch-glass system and retractable blinds. He provided and presented a color rendering of the proposed design.

Speaker 2: Barbara Livingston, resident, had a question on the retractable blinds. Noted concerns with a similar use of retractable curtains at another residence.

Mr. Miller addressed Ms. Livingston's question. The proposed design includes a sea-grass color for the blinds to help it blend in nicely.

Seeing no other speakers, Chair Reimers closed the public hearing. The Commission discussed the proposed project and had various suggestions, but was overall very complimentary of the design. The Commission also noted that the composite setback requirement for Condition 2 has already been met.

Commissioner Goodhue moved to approve the concept with the deletion of Condition 2 and retention of Condition 1, as recommended by staff. Motion seconded by Commissioner LePage and carried unanimously.

AYES:	COMMISSIONERS: LEPAGE, PATERSON, MARTIN, GOODHUE & REIMERS
NOES:	COMMISSIONERS: NONE
ABSENT:	COMMISSIONERS: NONE
ABSTAIN:	COMMISSIONERS: NONE

I. DIRECTOR'S REPORT

1. Update from the Director

Mr. Mullane provided an update on recent City Council and Department issues of interest to the Commission. He noted the forthcoming annual Halloween parade on October 25th, and that the contact person is Ashlee Wright. Mr. Mullane noted that he would be providing

more information on arrangements and assignments for driving cars. He noted that new furniture has been secured to expand the department's file storage capacity. He noted that an open house would be scheduled to allow the community to see some of the organizational improvements and meet the department staff. This is tentatively scheduled for October 22nd. He also reported on a recent gas leak caused by a contractor excavating in the Right-of-Way.

J. SUB-COMMITTEE REPORTS

1. Report from Sub-Committees

Chair Reimers announced that there will be a public workshop conducted by the Median Lighting Subcommittee on Tuesday, September 16th at 5:00 pm.

Vice Chair Paterson noted that the Wine Tasting Subcommittee would be scheduling an internal planning meeting later in September and anticipates a public workshop in late October.

K. ADJOURNMENT

There being no further business Chair Reimers adjourned the meeting at 8:40 p.m.

The next meeting of the Planning Commission will be:

Regular Meeting – Wednesday, October 8, 2014, at 4:00 p.m.

Acting Planning Commission Secretary

ATTEST:

Janet Reimers, Chairman