

**CITY OF CARMEL-BY-THE-SEA  
PLANNING COMMISSION – MINUTES  
October 8, 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  
Roxanne Ellis, Planning Commission Secretary

**B. TOUR OF INSPECTION**

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

1. BD 14-01 (Fronterhouse); South side of Scenic Ave. Bet. 10<sup>th</sup> & 11<sup>th</sup>
2. DS 14-90 (Shannon); Monte Verde 3 NW of 4<sup>th</sup> Ave. Block: II; Lots: 9 & 11
3. DS 14-92 (Daost); Dolores 3 NE of 1st Ave. Block: 6.5; Lot: S pt. of 12 & 14
4. DS 14-29 (Darley); Santa Rita 2 SW of 2<sup>nd</sup> Ave. Block: 24; Lots: W ½ of 1 & 3
5. SI 14-36 (CPines 7, LLC); SE Corner of 7<sup>th</sup> and Dolores Block: 91; Lots: 2,4,6, & 8
6. DS 14-17 (Debus); Monte Verde 2 SW of 9<sup>th</sup> Ave., Block: D; Lot: 3
7. DR 14-21 (Goese); Lincoln 2 SW of Ocean, Block: 74; Lot: 9

**C. ROLL CALL**

Chairman Reimers called the meeting to order at 4:15 p.m.

**D. PLEDGE OF ALLEGIANCE**

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

**E. ANNOUNCEMENTS/EXTRAORDINARY BUSINESS**

Rob Mullane, Community Planning & Building Director welcomed Doug Schmitz, City Administrator, back to the City of Carmel.

Commissioner Martin read the City's Design Guidelines on exterior lighting.

Chair Reimers announced that Elinor Laiolo and Lusha Dahlstrom were honored at the City Council meeting.

**F. APPEARANCES**

Chair Reimers opened the meeting to public comment.

Speaker 1: Barbra Livingston, resident, noted her positive experience with Code Compliance Officer, Al Fasulo and Building Official, Joe Headley.

**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 draft minutes from September 10, 2014 Regular Meeting

**Chair Paterson moved to accept draft minutes from September 10, 2014 regular meeting. Motion seconded by Commissioner Lepage and carried by the following roll call vote:**

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

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| <ul style="list-style-type: none"><li>2. DS 14-50 (Mussallem)<br/>San Carlos 2 SE of 13th Ave.<br/>Blk: 142, Lots: S ½ of lots 4 &amp; 6<br/>APN: 010-162-025</li></ul> | <ul style="list-style-type: none"><li>Consideration of Final 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</li></ul> |
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Commissioner Goodhue recused himself from Item G.2, as he owns property near the subject property.

Commissioner Martin pulled Item G.2 because he has concerns with the inconsistent use of Carmel Stone.

Chair Reimers opened the public hearing.

Speaker #1: Adam Jeselnick, spoke briefly on the proposed Carmel Stone treatment and fielded questions from the Commission on the proposed design and materials.

Speaker 2: Barbra Livingston, spoke in favor of the project adding more wainscoting to the exterior.

Seeing no other speakers Chair Reimers closed the public hearing.

**Commissioner Martin moved to continue the item. Motion died for lack of a second.**

**Vice Chair Paterson moved to accept DS 14-50 with the recommended Conditions and a new condition to include a more substantial stone veneer wainscoting. 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.

## **H. PUBLIC HEARINGS**

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| 1. BD 14-01 (Fronterhouse)<br>Gerald Fronterhouse<br>South side of Scenic Avenue<br>Bet. 10 <sup>th</sup> and 11 <sup>th</sup> Avenues | Consideration of a Public Bench and Plaque<br>Donation application for the installation of a bench<br>on the Beach Bluff Pathway on Scenic Drive near<br>Tenth Avenue |
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Marc Wiener, Senior Planner, presented the staff report which included background and location for the proposed bench. Mr. Weiner stated that the location was recommended by the Forest and Beach Commission to prevent a cluttered appearance.

Chair Reimers opened the public hearing; no one spoke regarding this item, and Chair Reimers closed the public hearing. After discussion and questions, the Commission made the following motion.

**Commissioner LePage moved to approve a half log style bench supported by stones. Motion seconded by Commissioner Martin and carried by the following vote:**

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

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| 2. UP 14-04 (Barmel)<br>Gabriel Georis<br>San Carlos 2 NE of 7 <sup>th</sup> Ave.<br>Block 77; Lot 16<br>APN: 010-141-005 | Review and Possible Amendment or Revocation of<br>Use Permit (UP 14-04) which allowed live music at<br>an existing restaurant/bar located in the Central<br>Commercial (CC) Zoning District |
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Chair Reimers recused herself from this item, because she owns property within 500 feet of the subject property.

Mr. Wiener presented the staff report which included an overview of the item and complaints that were made at the last Planning Commission meeting. Mr. Weiner fielded questions from the Commission in regards to the establishment's Use Permit, seating, ABC requirements, and the applicant's previous name change from High Tide to Barmel.

Mr. Mullane noted that a business name change is approved at staff level and the applicant was advised against the name change from High Tide to Barmel. The applicant continued forward with the name change, and when they posted the public notice, no appeals were received from the public.

Vice Chair LePage opened the public hearing.

Speaker 1: Jim Heisinger, attorney for the applicant, went over project changes and noted that no violations or complaints have been documented with the Carmel Police Department.

Speaker 2: Gabriel Georis, owner of Barmel, stated that he monitors the music level at the bar very closely and that allegations of music being played past 9:00 p.m. are false. He addressed questions from the Commission on music, social media, DJs, band performances, and closing times.

Speaker 3: Barbra Livingston, resident, commented on the number of bars in the City.

Speaker 4: Barbara Hardy, resident, spoke her support for continued live music at Barmel because they support a multi-generational community.

Speaker 5: Dr. Steven Chandler, resident, spoke in support of live music at Barmel. He stated that he has visited Barmel and noted no noise issues.

Speaker 6: Barbra Brooks, resident, noted concerns with Barmel having a nightclub appearance. She asked that the Commission have a broader discussion of bar activity in the City.

Speaker 7: Carolyn Hardy, resident, noted concerns of witnessing loitering outside of the business and recommended pulling Barmel's Use Permit to address the presented concerns.

Speaker 8: Adam Jeselnick, local architect, stated his support for continuing live music at Barmel.

Speaker 9: Unknown, spoke in favor of Barmel.

Speaker 1: Jim Heisinger reiterated that there was a lack of evidence that Barmel has violated their Use Permit. He noted that dancing and drinking happen all over Carmel and that Mr. Georis is not in violation.

Seeing no other speakers, Vice Chair LePage closed the public hearing.

Mr. Mullane spoke to the Conditions of Approval and the condition related to violations. He also noted that any decision made at the Planning Commission is appealable at City Council.

Mr. Wiener noted that Use Permits for restaurants are different than Use Permits issued to establishments where their primary use is a drinking establishment.

Commissioner LePage reopened the public hearing.

Speaker 1: Jim Heisinger, stated that there is no physical proof that Barmel is in violation and that his client requests acoustic music be allowed seven days per week if the Use Permit is revised to take away amplified music.

Speaker 7: Carolyn Hardy, reiterated her request that staff bring back Barmel's main Use Permit at a later date.

Speaker 3: Barbra Livingston stated her support for Commissioner Paterson suggestion to revisit the Use Permit in three months. She also noted a larger issue of determining how many bars will be allowed in the City.

Speaker 10: Kim Stemler, noted her concerns with decisions not being made on facts.

Seeing no other speakers, Vice Chair LePage closed the public hearing.

**Commissioner Paterson moved to revise UP 14-04 to remove the allowance for amplified music and revisit this item in 3 months. Motion seconded by Commissioner Goodhue and carried unanimously.**

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

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| <p>3. DS 14-29 (Darley)<br/>         Robert Darley<br/>         Santa Rita 2 Southwest of 2<sup>nd</sup> Ave.<br/>         Blk: 24; West ½ of Lots 1 &amp; 3<br/>         APN: 010-028-002</p> | <p>Consideration of Final Design Study (DS 14-29) and associated Coastal Development Permit applications for the demolition of an existing residence and construction of a new residence located in the Single-Family Residential (R-1) Zoning District</p> |
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Chair Reimers returned to the dais, and Commissioner Paterson recused himself, as he owns property near the subject property.

Mr. Wiener presented the staff report, which included information on the history and revisions to the proposed project to pitch, similarities to the neighboring property, and previous proposals.

Chair Reimers opened the public hearing

Speaker 1: Adrian Lopez, project designer, answered some questions on the most current flagging and story poles of project.

Speaker 2: Robert Darley, applicant, spoke on a petition signed by existing neighbors in support of the proposed project’s design being different from the neighboring home.

Speaker 3: Pam Silkwood, applicant’s attorney, spoke in favor of the project.

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

**Commissioner Goodhue moved to approve the application. Motion seconded by Vice Chair LePage and carried by the following vote:**

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

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| <p>4. DS 14-92 (Daost)<br/>         Robert Daost<br/>         Dolores 3 NE of 1st<br/>         Blk: 6.5, Lot: S pt. of 12 &amp; 14<br/>         APN: 010-116-016</p> | <p>Consideration of Design Study (DS 14-92) for the replacement of a wood-shake roof with composition shingles on a residence located in the Single-Family Residential (R-1) District</p> |
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Commissioner Paterson returned to the Dias.

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

Chair Reimers opened the public hearing.

Speaker 1: Warren Knox, project contractor, noted his disapproval of having a reroof need to come before the Commission for approval.

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

Mr. Mullane commented on the City's strict regulations and guidelines and noted that roofing materials that are consistent with the City's Design Guidelines can be approved at the staff level. He also noted that Commission has requested to review re-roofs that involve proposals to go from wood to composition shingle so that these can be evaluated on a case by case basis.

**Commissioner Goodhue moved to deny the application. Motion seconded by Commissioner Paterson and carried unanimously.**

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

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| 5. SI 14-36 (CPines 7, LLC)<br>CPines 7, LLC<br>SE Corner of 7 <sup>th</sup> & Dolores<br>Blk: 91, Lots: 2, 4, 6, & 8<br>APN: 010-145-020 | Consideration of Sign Application (SI 14-36) for the installation of two business signs at a commercial building located in the Service Commercial (SC) Zoning District |
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Chair Reimers and Commissioner Goodhue recused themselves from the dais, noting that they had conflicts of interest.

Ms. Sabdo presented the staff report, which included an overview of the proposed project for one exterior sign on the Event Center building and two associated directional/parking signs on the property.

Mr. Mullane noted that the site was visited during the Tour of Inspections.

Vice Chair LePage opened the public hearing.

Speaker 1: Jeff Peterson, applicant/owner, noted his support for the project.

Speaker 2: Adam Jeselnick, project architect, went over the project and gave a brief summary. Mr. Jeselnick fielded questions from the Commission and gave assurance that no additional signage will be requested.

Mr. Mullane stated that the Sign Application lists the requirements for an approval by staff and the Conditions of Approval will state what is allowed and if Commission approves this design, there will be a follow-up with an action letter stating specifics. Mr. Mullane also

noted that the color proposed for the sign is bronze and not silver as displayed in the elevation.

Seeing no other speakers, Vice Chair LePage closed the public hearing.

Commissioner Paterson moved to approve the application as proposed, motion died for lack of second.

Mr. Mullane noted that pursuant to the City's Municipal Code, the extensions in the sign lettering are included when measuring the square footage for signs and that this explains why the area calculations are higher than what Mr. Jeselnick reported at the dais.

Vice Chair LePage re-opened public hearing

Speaker 2: Adam Jeselnick, stated that he is not in support to making the lettering smaller but can make the sign flush and is open for any recommendations for parking sign.

Speaker 1: Jeff Paterson, supports the sign design as-is and does not wish to revise the sign design.

Seeing no other speakers, Vice Chair LePage closed public hearing.

**Commissioner Paterson moved to accept the parking signs as presented. Motion seconded by Vice Chair LePage and carried by the following vote:**

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

**Commissioner Paterson moved to deny the application for "Seventh & Dolores" because of the sign being too big and out of scale with the building. Motion seconded by Vice Chair LePage and carried by the following vote:**

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

Chair Reimers and Commissioner Goodhue returned to the dais.

The Commission took a ten minute recess.



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| 6. DS 14-17 (Debus)<br>Laura Debus<br>Monte Verde 2 SW of 9 <sup>th</sup> Ave<br>Blk: D, Lot: 3<br>APN: 010-186-017 | Consideration of Concept Design Study (DS 14-17) and associated Coastal Development Permit application for the addition of a second story to an existing residence located in the Single-Family Residential (R-1) Zoning District |
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Chair Reimers recused herself from the dais, as she owns property near the subject property.

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

Vice Chair LePage opened the public hearing.

Speaker 1: John Erlandson, project architect, went over the project and stated that applicant is working with the neighbors.

Speaker 2: Lara Davis, went over the project and asked that the project be approved.

Speaker 3: Laurie Key, applicant, spoke on the need for the addition and the efforts that they have made to appease her neighbor's. She noted concerns with revisions that alter the location of the detached garage and potential safety hazards for vehicular traffic.

Speaker 4: David Sweigert, representative for applicant, spoke on the applicant's significant efforts to address the concerns of the neighbors.

Speaker 5: Christine Kemp, representative of neighbor to applicant, stated concerns with the proposed addition because the building mass and bulk is significant and will affect her privacy.

Speaker 6: Diana Wilks, neighbor, voiced her opposition to the proposed project.

Speaker 7: Robert Schuler, neighbor's friend, stated that the proposed project would have have a large impact on the neighbor's solar access.

Speaker 8: Kathy Grady, spoke in favor of small cottages. She also stated some concerns with the project.

Speaker 1: Jon Erlandson elaborated on the applicants communications with the neighbors, solar access issues, setbacks, and flagging.

Speaker 5: Ms. Kemp asked that a redesign of office be done or that there be a complete removal of the 2<sup>nd</sup> story addition.

Speaker 6: Ms. Wilks asked the Commission if they had any questions.

Seeing no other speakers, Vice Chair LePage closed the public hearing. The Commission discussed the project and options for reducing impacts to the neighbor.

**Commissioner Paterson moved to accept the application. Motion seconded by Commissioner Goodhue and defeated by the following vote:**

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

**Vice Chair LePage moved to accept the application and asked that the applicant explore more options to mitigate the impacts to the neighbor. Motion seconded by Commissioner Martin and defeated by the following vote:**

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

**Commissioner Goodhue moved to continue the application with the revisions of lowering the office plate height to 7' and eliminating the east bay window and toilet window. Motion seconded by Commissioner Paterson and passed by the following vote:**

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

7. DR 14-21/UP 14-16 (Goese) Consideration of a Design Review (DR 14-21), Use Permit (UP 14-16), and associated Coastal Development Permit application for alterations to a commercial building located in the Central Commercial (CC) Zoning District (La Rambla Building)
- Myrna Goese  
Lincoln Street 2 SW of Ocean Ave  
Block: 74, Lot: 9  
APN: 010-201-002

Mr. Wiener presented the staff report, which included an overview of the proposed project and fielded questions from the public on retrofitting and parking.

Mr. Mullane spoke and stated that the structural measures for retrofitting were reviewed and approved by the City Building Official.

Chair Reimers opened the public hearing.

Speaker 1: Cynthia Spellacy, project representative, went over the project.

Speaker 2: Jon Wagner, neighbor to south, asked that applicant be more considerate of construction disturbance and asked about project's proposed landscaping.

Speaker 1: Ms. Spellacy explained the proposal for landscaping and apologized for any disturbance to neighbors by the construction crew. She noted that they will be more mindful in the future. She also stated the public will still have access to the courtyard.

Mr. Mullane addressed Mr. Wagner and stated that if there are issues with construction hours to call staff so that the City can address them.

Speaker #3: Leos Anderle, former tenant, expressed concerns with the alterations being made to the historic building. He also stated that he could not speak on the project specifically because of his involvement.

The Commission asked that staff double-check that the project only be altered to what was allowed.

Mr. Weiner spoke on the process of historic building alterations and the need to keep within the Secretary of Interior Standards.

Seeing no other speakers, Chair Reimers closed the public hearing. The Commission discussed the project and the previous review by the Historic Resources Board.

**Commissioner Goodhue moved to approve the application. Motion seconded by Commissioner Paterson and carried unanimously.**

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

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| 8. DS 14-90 (Shannon)<br>Carl and Dianne Shannon<br>Monte Verde 3 NW of 4 <sup>th</sup> Ave<br>Blk: II, Lots: 9 & 11;<br>APN: 010-223-032 | Consideration of Concept Design Study (DS 14-90)<br>and associated Coastal Development Permit<br>application for the construction of a new residence<br>located in the Single-Family Residential (R-1)<br>Zoning District |
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Mr. Wiener presented the staff report, which included an overview of the proposed project.

Chair Reimers opened the public hearing.

Speaker 1: Justin Pauly, project architect, gave an overview of project and noted constraints on the site that include slopes and trees. He showed a revised rendering with an offset retaining wall at north side of driveway.

Speaker 2: Ron Olsen, neighbor to the north, had concerns with view impacts and solar access and stated that they did not receive a public notice in the mail.

Mr. Mullane asked the applicant if he got a notice and explained the noticing process.

Speaker 3: May Olsen, neighbor to the north, had concerns with the impact to their view by the proposed project and solar access.

Speaker 1: Justin Pauly, addressed questions from the Commission regarding working with the neighbors to address their concerns and the proposed zinc roofing material.

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

**Vice Chair LePage moved to continue application to further address the concerns of the neighbors to the north with an option to bring the application back as concept and final at the next meeting. Motion seconded by Commissioner Paterson 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-related and Departmental issues of interest to the Commission. He noted the open house that was planned for October 22<sup>nd</sup> will be deferred to a later date to allow for the Department to complete additional improvements. Mr. Mullane noted that Department staff will post public notices and agendas on a clipboard near the Planning and Building counter. He also noted a need to update the City's website.

## **J. SUB-COMMITTEE REPORTS**

### 1. Report from Sub-Committees

Chair Reimers announced that the Median Lighting Sub-Committee has been meeting and that the target date for the median lighting experiment will be mid-November.

The Roofing Sub-Committee members were selected to be Commissioner Martin and Goodhue.

The Commission selected Commissioners Martin and Goodhue to represent the Commission on the newly-formed joint (with the Historic Resources Board) Mid-Century Historic Homes Sub-Committee.

Mr. Wiener announced that the Winetasting Sub-Committee will be meeting and he will be drafting the amendments and plan on holding a workshop sometime in November.

**K. ADJOURNMENT**

There being no further business Chair Reimers adjourned the meeting at 9:06 p.m.

The next meeting of the Planning Commission will be:

Wednesday, November 12, 2014, at 4:00 p.m.

SIGNED:

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Janet Reimers, Planning Commission Chair

ATTEST:

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Roxanne Ellis  
Acting Planning Commission Secretary