

CITY COUNCIL SPECIAL MEETING

Monday, November 4, 2019

4:30 PM

TOUR

Tour Time 3:00 p.m.

Tour - regarding consideration of Mills Act Historical Property Contract (MA 19-246, DiGirolamo-Morshead) for a historic resource known as the Albert Henry Hill House located at Lopez Avenue 3 northwest of Fourth Avenue

CLOSED SESSION TIME 3:30 p.m.

CALL TO ORDER AND ROLL CALL

Mayor Potter called the meeting to order at 3:01 p.m.

Present: Council Members: Baron, Reimers, Theis; Mayor Pro Tem Richards; Mayor Potter

Council Member Baron stated he would not be attending the Tour of Inspection due to the proximity of the property involved to his home.

Mayor Potter adjourned the meeting to the Tour of Inspection followed by Closed Session at 3:02 p.m.

TOUR OF INSPECTION

CLOSED SESSION

Mayor Potter reconvened the meeting at 4:36 p.m.

PLEDGE OF ALLEGIANCE

City Attorney Brian Pierik

PUBLIC APPEARANCES

None

CLOSED SESSION

Item A: Conference with Labor Negotiators (§54957.6) Agency Designated Representative: Maxine Gullo, Assistant City Administrator. Employee organization: POA, Ambulance, General and Management.

Item B: Conference with Legal Counsel – Anticipated Litigation (§ 54956.9)(b) Case Name Unspecified - Two Cases

Item C: Conference with Real Property Negotiators (§ 54956.8). Property: 25800 Hatton Road. Agency Negotiators: Director of Contracts & Budgets Sharon Friedrichsen, and Director of Public Works Robert Harary. Negotiating Parties: Prospective Residential Curators 1 and 2. Under Negotiation: Terms and Conditions for New Residential Curatorship) Lease

Item D: Conference with Legal Counsel – Existing Litigation (§ 54956.9)(d)(1) Case Name: Foremost Insurance Company v. City of Carmel-by-the-Sea, Case No. 19CV003654

ORDERS OF BUSINESS

Item 1: Discussion on draft amendments to the City's Residential Zoning Code and Design Guidelines.

Director of Planning & Building Marc Weiner provided the staff report for this item.

Addressing the City Council on this item:

Don Goodhue
Lynn Ross
Sue McCloud

Discussion among the City Council and staff included discussion of lot mergers, lot merger bonuses, owner-occupied accessory dwelling units, exterior lighting, garage setbacks, garbage enclosures, retaining the simple design and simple cottages as it relates to homes and ensuring the design fits in the forest. Additional discussion included creatively preserving existing housing stock, incentivizing new construction and the need for the Coastal Commission's approval.

Item 2: Status Report for the Police Building Renovation Project.

Director of Public Works, Bob Harary provided the status report for this item.

Addressing the City Council on this item:
Richard Kreitman

Discussion among the City Council and staff included discussion of Planning Commission's approval and discussion of the handicap ramp.

Item 3: Consideration of an Encroachment Permit (EN 19-152, CPines 7, LLC) application for a hydraulic driveway ramp with safety warning gates extending along the sidewalk, and two second-story balconies that extend beyond the front property line above the adjacent sidewalk. The encroachments are associated with a proposed new mixed-use building in the Service Commercial (SC) Zoning District located on Dolores Street two southeast of 7th Avenue.

Council Member Reimers recused herself due to the proximity of the property involved to property her family owns and left the dais at this time.

Director of Planning & Building Marc Weiner provided the staff report for this item.

Item 3 Continued...

The Applicant discussed the history leading up to proposing the ramp and discussed how he anticipates the ramp working with the sidewalk and potential use of strobe lights as opposed to beeping. The architect for the project discussed the design of the ramp as a safety feature and discussed the intent of the inclusion of balconies in the design.

Addressing the City Council on this item:

Christine Kemp
Kristy
Brian Trollington
Sue McCloud

Discussion among the City Council and staff included discussion of the impact on the parking and the Use Permit for the restaurant 7th and Delores and the seven standards associated with encroachment permit listed in the Staff Report.

On a motion by Mayor Potter and seconded by Council Member Baron, the City Council denied the Encroachment Permit (EN 19-152) application subject to the Findings for Denial listed in Attachment 2 of the Staff Report, including denial of the hydraulic ramp and balconies, by the following vote:

Discussion took place regarding the balconies in the proposed permit and possibly allowing the balconies and denying the ramp.

Council Member Baron, as the Council Member who seconded the motion stated he would not support an amended motion to allow the balconies.

Director of Planning & Building Marc Weiner discussed existing structures that encroach and are legal non-conforming, stated new construction should conform to setback requirements and stated these balconies would extend beyond the property line.

AYES: BARON, THEIS, RICHARDS, POTTER
NOES: NONE
ABSENT: NONE
RECUSED: REIMERS

Council Member Reimers returned to the dais at this time.

Item 4: Receive Verbal Report from Sunset Cultural Center.

Christine Sandin, Executive & Artistic Director Sunset Cultural Center, Inc. provided the report for this item.

Discussion among the City Council and staff included discussion of the endowment fund provided for in the agreement.

PUBLIC HEARING

Item 5: Consideration of a recommendation to the City Council to approve a Mills Act Historical Property Contract (MA 19-246, DiGirolamo-Morshead) for an existing historic residence known as the Albert Henry Hill House located on Lopez Ave 3 northwest of Fourth Avenue.

Council Member Baron recused himself due to the proximity of the property involved to where he lives and left the dais at this time.

Senior Planner, Marni Waffle provided the staff report for this item.

Mr. DiGirolamo provided the history of the architecture for the home.

Addressing the City Council on this item:
Richard Kreitman

On a motion by Mayor Pro Tem Richards and seconded by Council Member Reimers, the City Council approved the Mills Act Historical Property Contract (MA 19-246, DiGirolamo-Morshead) for a historic resource known as the Albert Henry Hill House located on Lopez Ave 3 northwest of Fourth Avenue, by the following vote:

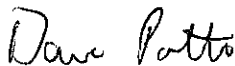
AYES: REIMERS, THEIS, RICHARDS, POTTER
NOES: NONE
ABSENT: NONE
RECUSED: BARON

ADJOURNMENT

Mayor Potter adjourned the meeting at 6:58 p.m.

APPROVED:

ATTEST:



Dave Potter, Mayor



Britt Avrit, MMC
City Clerk