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**MINUTES**  
**JOINT SAND CITY COUNCIL AND REDEVELOPMENT AGENCY**  
**City Council Meeting**  
**Regular Meeting - April 5, 2005**  
**7:00 PM**

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Mayor Pendergrass opened the meeting at 7:00 pm.

Reverend Snyder led the invocation.

Police Chief Klein led the Pledge of Allegiance.

Present: Council Member Jerry Blackwelder  
Vice Mayor, Mary Ann Carbone  
Council Member, Craig Hubler  
Mayor David Pendergrass  
Council Member Morris, Absent

Staff: Kelly Morgan, City Administrator  
Michael Klein, Police Chief  
Steve Matarazzo, Community Development Director  
Jim Heisinger, City Attorney  
Mike Bittner, City Engineer  
Linda Scholink, City Clerk  
Connie Horca, Deputy City Clerk

**AGENDA ITEM 4, COMMUNICATIONS**

- A. Additional written communications distributed to the City Council this evening included a Draft Funding Recommendation report for Proposition 50 Water Desalination Grants, (Item 9d), a letter from Monterey-Salinas Transit regarding Sand City's MST contribution and a Cal-Am proposed rate increase notice.
- B. The floor was opened at 7:04 p.m. There were no comments from the public. Council member Hubler talked about his trip to Japan, and that he had brought back photo's for the planning department on mixed use

buildings in Japan. The Mayor told the audience that item 8B and 8D would be continued to the next meeting due to a lack of a voting quorum.

**AGENDA ITEM 5, CONSENT CALENDAR:**

The Consent Agenda consists of routine items for which City Council approval can be taken with a single motion and vote. A Council member may request that any item be placed on the Regular Agenda for separate consideration.

A. Conditional Use Permits (CUP) and Coastal Development Permits (CDP) are subject to annual review by the City Council and City staff. Upon review of each of the following Use Permits, staff is recommending continued operation of the Use Permits to the City Council based on the finding that these uses are in compliance with their permits.

- (1) CUP #188, Performance Automotive (Auto Body Shop), 531 Elder Avenue
- (2) CUP #214, Nadar Agha (Apartment Building), 679 Redwood Avenue
- (3) CUP #216, Monterey Auto Supply Inc. (Machine Shop), 371 Orange Avenue
- (4) CUP #217, Ross Roofing (Open Storage), 1795 California Avenue
- (5) CUP #246, Inter-City Manufacturing Inc. (Manufacturing), 501 Redwood Avenue
- (6) CUP #253, Barry Hartzell Automotive (Auto Repair), 510 & 520 California Avenue
- (7) CUP #405, Frances & Albert Paley (Art Studio), 1788 Holly Street
- (8) CUP #416, Gus & Millie Randazzo (Floor Contractor), 443 Orange Avenue
- (9) CUP #417, John Avery D.B.A. A-1 Tile (Tile Shop), 801-A Scott Street
- (10) CUP #451, Pacific Grove Millworks & Glass (manufacturing). 637 Ortiz Avenue

- (11) Variance #169, Monterey Fish Company (Encroachment), 841 Fir Avenue
  - (12) CDP #98-02, Freelance Gilding (Manufacturing), 1815-A Contra Costa Street
  - (13) CDP #99-02, Robert & Andrea Williams (Woodshop), 1 John Street
  - (14) CDP #02-03, Meadows Property Co. (Temporary Storage), Railroad Right of Way behind 650 Ortiz Avenue
  - (15) CDP #03-01, Fastenal Company Services (Distributor), 2-A John Street
- B. There was no discussion of the March 1, 2005 Minutes.
  - C. There was no discussion of the March 15, 2005 Minutes.
  - D. There was no discussion of the Monthly Fort Ord Reuse Authority (FORA) Report, March 2005.

Motion to approve Consent Calendar was made by Council member Carbone, seconded by Council member Hubler. AYES: Council members Blackwelder, Carbone, Pendergrass, and Hubler. NOES: None. ABSENT: Council member Morris. ABSTAIN: None. Motion carried.

**AGENDA ITEM 6, CONSIDERATION OF ITEMS PULLED FROM CONSENT CALENDAR**

There were no items pulled from the consent calendar.

**AGENDA ITEM 7, PRESENTATION (S)**

- A. The TAMC staff presented a Power Point presentation on "How the Monterey branch Rail Line could meet the transportation needs of the Monterey Peninsula". There are eight different alternatives under consideration. There are several different modes of transportation being reviewed, beginning with bus service and ending with intercity rail service. They are currently going through an evaluation process to learn what the residents and public officials want. They are looking to the federal government for up to \$75 million in funding and they will not be asking local

government for any subsidy. TAMC is projecting the Transit services to begin in 2009, which they admit is very optimistic.

**AGENDA ITEM 8, PUBLIC HEARINGS:**

***{Council Member Blackwelder stepped down due to the 500-foot rule}***

- A. The Community Development Director presented the application for conditional use permit 457 for Artisan's Interior & Fabric Gallery Authorizing a Manufacturing Sewing Shop in the Commercial Unit of a Mixed-Use Building at 370-A Shasta Avenue (APN 011-253-018) in Sand City. This will be a relocation of the applicants existing workshop in Pacific Grove.

OUTA HARTMAN, (the applicant) said that she would have 5 sewing machines and 2 cutting tables and she agreed with all the conditions of the permit.

Motion to approve **Resolution of the City Council Approving Conditional Use Permit 457 to Artisans' Interior & Fabric Gallery Allowing a Manufacturing Sewing Shop in the Commercial Unit of a Mixed-Use Building at 370-A Shasta Avenue in Sand City** was made by Council member Carbone, seconded by Council member Hubler. Ayes: Council members Pendergrass, Carbone, Hubler. NOES: None. ABSENT: Council member Morris. ABSTAIN: Council member Blackwelder.

***{Council Member Blackwelder returned to the dais}***

- B. Consideration of City **RESOLUTION** approving an amendment of conditional Use Permit 441 for Steve Avila Regarding a Mixed-Use Building at 549 Elder Avenue. The project qualifies as a categorical exemption under State CEQA Guidelines, Section 15303, and is within a non-coastal Planned Mixed-Use (MU-P) zoning district.

***{Public Hearing continued to April 19, 2005 due to lack of a qualified quorum}***

- C. The Community Development Director presented the application for Conditional Use Permit 458, Coastal Development Permit 05-02, and Site Plan Permit 04-02, Authorizing the Development, General Site Design, and Commercial Use Property at 490 Orange Avenue in Sand City. He reported that this was the old boat works property on the left of Contra Costa as you enter Sand City. They are requesting discretionary permits for a new commercial building and tile cutting operation located at 490 Orange Avenue. The project will demolish existing buildings and grade the entire

site. The new commercial building is 2,955 square feet, which includes a 2,106 square foot manufacturing area, a 522 square foot lobby/showroom, and 327 square foot upper level office above the showroom. The proposed building is triangular in shape and modern in design. The proposed maximum height will be approximately 42 feet. He stated that he had concerns with the noise level and the second entrance to the property off of Orange Avenue. Proposed conditions of approval address these concerns.

7:55 p.m.

ALAN ROBINSON (architect and representing the applicant) explained that it was a challenging site plan. To allow for maximum parking, the building needed to be triangular in shape. They included in their planning of this site a secondary future use as a retail building. He questioned the need for the extensive landscaping along Orange Avenue where a proposed service yard wall would block the view. The Mayor referred the landscaping issues back to the Design Review Committee. Mr. Robinson stated that with new tile cutting technology he felt the noise levels should be less than expected and did not feel that a separate room would be needed to control the noise. TODD KRUPER, resident and former Council member, spoke in support of the secondary access point along Orange Avenue.

8:24 p.m.

Floor Closed to Public Comment

The Council referred the landscaping and Orange Avenue access to the Design Review Committee. Motion to approve **Resolution of the City Council approving Conditional Use Permit 458, Coastal Development Permit 05-02, and Site Plan 04-02, Authorizing the Development, General Site Design, and Commercial Use of Property at 490 Orange Avenue in Sand City**, with amendments to #3, (site plan) and # 24, (noise requirements) of the Resolution was made by Council member Blackwelder, seconded by Council member Carbone. AYES: Council members Blackwelder, Carbone, Pendergrass, and Hubler. NOES: None. ABSENT: Council member Morris. ABSTAINED: None. Motion carried.

- D. Consideration of Agency RESOLUTION adopting a Mitigated Negative Declaration (MND) for the Design Center Development and Disposition Agreement (DDA), at 625 Elder Avenue, between the Railroad Right-of-Way and Ortiz Avenue at the southerly terminus of Hickory Street.

***{Public Hearing continued to April 19, 2005 due to lack of a qualified quorum}***

## **AGENDA ITEM 9, OLD BUSINESS**

- A. Jim Vossen of People's Radio stated that he had lowered the rates down a bit for the joint radio advertising program and that he would be responsible for recruiting the necessary Sand City businesses and securing their financial contributions. He also thought the City should have signs installed when entering Sand City that said, "Why Shop Anywhere Else?". Council member Hubler stated he would like to receive copies of the ads. Motion to approve **RESOLUTION Approving Three Time Order Contracts with People's Radio Inc.** was made by Council member Pendergrass, seconded by Council member Hubler. AYES: Council member Blackwelder, Carbone, Pendergrass, and Hubler. NOES: None. ABSENT: Council member Morris. ABSTAIN: None. Motion carried.
- B. The Community Development Director reported that the Coastal Commission had not sent a staff report on the desalination project. The staff report should be available in mid April. They have assured him that they are recommending approval. The May Coastal Commission meeting will be held at Stanford (Palo Alto) in Mid-May.

Mike Bittner, City Engineer, reported that the bike path lighting project is coming along nicely and the lights should be delivered on April 11, 2005.

The City Administrator brought the Council's attention to the Cal-Am proposed rate increases, and the additional incentive this provides the City to continue with the water supply project.

- C. The City Administrator reported to the Council on the "Ahwahnee Water Principles" that was recently adopted by the Local Government Commission. He feels the Council and staff should review these water principles and possibly incorporate them as guidelines in developing Sand City's water program. The Community Development Director expressed concerns over certain items in the Community Principles, and no action was taken. The Council directed staff to resolve outstanding issues prior to presenting a recommendation to the Council.
- D. The Community Development Director reported the City had been ranked # 4- just below the funded projects (for construction) regarding State Funding Assistance for desalination projects.

## **Agenda Item 10, NEW BUSINESS:**

- A. Greg Hawthorne discussed the West End Event coming up. The Art Committee has been discussing having a Friday night Masquerade Ball. The location is still being discussed. One of the ideas is to rent a large tent for

the 3-day event. A large tent for the Friday night activities could include a band and a bar, with artwork hung on the walls. It could be used Saturday for the event and Saturday night for the after event activities. The tent could hold approximately 400 people. The cost of the tent, walls, exits, signage, lighting packet, banners and entrance would be about \$4,250.00. Mr. Hawthorne asked for the Council's input and said the Art Committee will continue to look for a corporate sponsor to help with the event.


- B. There was no discussion on Upcoming Events or Meetings.

#### **AGENDA ITEM 11, CLOSED SESSION**

- A. It was determined the City Council did not need to adjourn to Closed Session to confer with legal counsel regarding existing litigation pursuant to §54956.9(a) of the Ralph M. Brown Act (1 case) - CalAm Water v. Seaside, Sand City et al.
- B. Closed session was not held.

#### **AGENDA ITEM 12, ADJOURNMENT**

- A. Motion to adjourn was made by Council member Blackwelder, seconded by Council member Hubler, to the next regularly scheduled meeting on April 19, 7:00 p.m. There was unanimous consensus of the City Council to adjourn at 9:08 p.m.

  
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Linda K. Scholink, Interim City Clerk