



Final Annotated Agenda Planning Commission

Planning Commission

Leon Garden, Chair
Willard McCrone, Vice-Chair
Paul W. Davis
Toynette Bryant
Luis Osorio
David Stocker
Ralph Widmar

Regular Meeting
August 8, 2006

Council Chamber
Few Memorial Hall of Records
Monterey, California

AFTERNOON ONLY
4:00 p.m. – 6:00 p.m.

CALL TO ORDER

Chair Garden called the meeting to order at 4:00 P.M.

ROLL CALL

Commissioners Present: Bryant, Davis, Garden, McCrone, Osorio, Stocker, Widmar

Commissioners Absent: None

Staff Present: Community Development Director Bill Wojtkowski, Director of Plans, Engineering and Environmental Compliance Bill Reichmuth, Senior Planner Rick Marvin, City Engineer Tom Reeves, Administrative Analyst Sandra Reeder, Recording Secretary Terry Lebda

APPROVAL OF MINUTES

July 25, 2006

ACTION: Approved as submitted. 5-0-2- (Abstain Osorio, Stocker) -0.

MOTION:

On a motion by Commissioner Bryant, seconded by Commissioner McCrone, the Annotated Agenda of July 25, 2006 was approved as submitted. The motion passed by the following vote:

AYES:	5	COMMISSIONERS:	Bryant, Davis, Garden, McCrone, Widmar
NOES:	0	COMMISSIONERS:	None
ABSTAIN:	2	COMMISSIONERS:	Osorio, Stocker
ABSENT:	0	COMMISSIONERS:	None

PUBLIC COMMENTS

PUBLIC COMMENTS allows the public to speak for a maximum of three minutes on any subject, which is not on the agenda. Any person or group desiring to bring an item to the attention of the Planning Commission may do so by addressing the Commission during Public Comments or by addressing a letter of explanation to: Community Development Director, City Hall, Monterey CA 93940. The appropriate staff person will contact the sender concerning the details. Note: Public Comments are taken during the afternoon session and continued at the evening session. Individuals may choose to speak once for up to three minutes at either session, but not both.

No public comments. Mr. Wojtkowski introduced and welcomed newly appointed Commissioner Luis Osorio.

REVIEW OF AFTERNOON AGENDA AND CONSENT ITEMS

REVIEW OF AGENDA AND CONSENT ITEMS are to review those items recommended for approval on consent, or recommended to be continued, tabled or withdrawn, etc. CONSENT ITEMS consists of those items which are routine and for which a staff recommendation has been prepared. A member of the public or a Commissioner may request that an item recommended for approval on consent be heard on the regular agenda for further discussion.

PUBLIC HEARINGS

PUBLIC HEARINGS are held to receive public comment on certain items pending Planning Commission action. You are welcome to offer your comments after being recognized by the Chair. The Chair may limit the time allocated to each speaker.

1. 116 Mar Vista Drive; Master Use Permit and Variance 06-185 for Planned Unit Development (PUD), Tentative Map and Condominium Plan; Applicant Wald Ruhnke & Dost Architects; Owner Stan Weiss; R-3-20 Zoning District; Exempt from CEQA Requirements.

Recommendation to City Council. This application requests approval to convert a 41-unit apartment complex to condominiums. The application indicates that 36 parking spaces will be added to increase on-site parking to 75 spaces, but that the total parking is seven (7) spaces less than standard. Eight (8) units will be dedicated as inclusionary units affordable to qualified low and/or moderate income families as required by the City of Monterey Inclusionary Housing Ordinances.

ACTION: Recommendation to City Council for approval of Master Use Permit and Variance 06-185 for Planned Unit Development (PUD), Tentative Map and Condominium Plan amending Condition #8 to show that the buildings are to be renovated and that more than 50% of the exterior perimeter walls shall be preserved so that the work is not classified as a demolition. 6-1 (Noes-McCrone)-0.

ACTION: Recommendation to City Council to give direction to Planning Commission to further study the Condominium Conversion Ordinance regarding impacts to the housing and rental markets as well as review of standards such as Floor Area Ratios, setbacks and allowable percentages of condo conversions in the City. 7-0-0

Staff Presentation/Commissioners Questions:

Rick Marvin presented the staff report and answered Commissioners' questions.

Applicant:

Henry Ruhnke of Wald, Ruhnke, and Dost said that the project has been analyzed by many professionals because the property is in poor condition. He said that this conversion will greatly improve the complex, it will be an enhancement to the neighborhood and will allow for affordable homeownership opportunities. In answer to Commissioner Bryant's question, he said that special construction techniques they use to minimize noise between units would exceed requirements. Matt Tanzi, a project partner, in answer to Chair Garden's question, said that three residents expressed an interest to buy a unit under the inclusionary program and three residents expressed an interest to buy under the discount market program that reduces prices by 7%. He said that the developers have conducted town hall meetings with tenants, and they are meeting with the tenants individually to help them with their specific needs through this process. He said that all tenants will need to vacate the property due to the proposed scope of rehabilitation work.

Public Comments:

Stanley Weiss, co-owner of the property, said that he has owned the property for 45 years and he understands that it is in need of renovation. He said that he has reviewed the developers' credentials and found that they are local developers, they are experts in their field, they have done a wonderful job with other projects and this project will improve the neighborhood. Carl Outzen suggested that the Planning Commission implement a moratorium on condominium conversions and to analyze current housing needs in the City of Monterey. He said he is also concerned that more people will be buying vacation homes in Monterey since they are priced out of surrounding cities like Carmel. Mr. Outzen suggested that studio units and one-bedroom units could be combined to meet the parking standards. Robin Coin, a high school teacher, said that this plan is a golden opportunity for entry level local buyers to buy affordable housing. He said the developers are local and they want to give back to the community by creating affordable housing. Mike Kelly, a local high school coach, said he knows of many of his former players who say that they cannot come back to Monterey because they can't afford

to live here and this is an opportunity for some of them to live here. Eugene Donovan said that he is retired and looking forward to this type of opportunity.

Commissioner Comments:

Commissioner McCrone said that the City cannot deny condominium conversions in light of Council policy, but there is not have enough data at this time to determine its impacts to the housing balance including possible vacation rentals. He said that this is different from the last few condo conversions because it is at the end of its useful life of 50 years. He said the option is to tear it down or substantially renovate it and either way it will take a lot of work to bring this site up to acceptable living standards. He said that he does not see any reason why the variance should be perpetuated because it is too dense, the only justification for the parking adjustment is that the plan will be better than it is now, and that is not a justification under current rules for approving a variance. This is a special privilege and the project is already in excess of Floor Area Ratio, but all of that can be solved if it is reduced to 38 units. He said he could support all other findings, but not the parking variance. Commissioner Widmar said that he has no problem granting the parking variance, he said it is an exchange between the opportunity for residential ownership housing and taking rental housing off the market. He said he is, however, concerned that nearly 1/3 of the trees will disappear from the site. Commissioner Stocker said that the complex could be left as a deteriorating building or a new project can be built which would create less more expensive units or it could be converted to condominiums. With this proposed development, he said that there will be much better parking conditions and that the dramatic maintenance upgrade is worth this project. He said that the City needs to study and track the condo conversions to determine what it is doing to our housing balance and if it is creating more vacation homes.

In answer to Commissioners' questions regarding parking spaces, Mr. Marvin said that the CC&R's will address how the parking spaces will be assigned. He said that the Planning Division, City Attorney's office and the City Engineer will review the draft CC&R's prior to approval. He said that the projects will provide at least one covered parking space per unit and that the tandem spaces will be assigned jointly to one unit and that the Homeowners Association will address the additional costs in this regard. Mr. Reeves said that in this case the parking is a common area use.

Commissioner Bryant said that she has concerns that there is no place for visitors to park onsite and that the walls should be adequately soundproofed. She said she has confidence that the site will be improved with the proposed landscaping and additional parking. She said she will recommend approval of this project but suggested one or two fewer units to reduce the Floor Area Ratio and to allow for an increase in size of some units or added storage. Commissioner Osorio said that he would like to see additional language in Condition 8 that the Final Map will comply with City guidelines regarding demolition versus remodel. Chair Garden said he would like some language that protects the City from this becoming a demolition. Mr. Wojtkowski said that staff will work with the City Attorney to expand Condition 8 to specify that this is a renovation and not a demolition. Commissioner Davis moved to approve this condominium conversion. Commissioner Bryant seconded the motion. Commissioner Osorio suggested for further consideration, that if a developer requests variances then, in exchange, they could add an additional affordable housing unit to their project.

MOTION:

On a motion by Commissioner Davis, seconded by Commissioner Bryant, it was moved to approve this condominium conversion amending Condition 8 to show that the buildings are to be renovated and that more than 50% of the exterior perimeter walls shall be preserved so that the work is not classified as a demolition. The motion passed by the following vote:

AYES: 6 COMMISSIONERS: Bryant, Davis, Garden, Osorio, Stocker, Widmar
NOES: 1 COMMISSIONERS: McCrone
ABSENT: 0 COMMISSIONERS: None

Commissioner Widmar moved to recommend to City Council that they direct Planning Commission to further

study the Condominium Conversions Ordinance regarding impacts to the housing and rental markets as well as a review of the conversion standards. Commissioner Bryant seconded the motion. Mr. Wojtkowski recommended that Chair Garden draft a letter to the Council requesting that this item be placed on an upcoming Council agenda.

MOTION:

On a motion by Commissioner Widmar, seconded by Commissioner Bryant, it was moved to recommend to City Council to give direction to Planning Commission to further study the Condominium Conversions Ordinance regarding impacts to the housing and rental markets as well as review of standards such as Floor Area Ratios, setbacks and allowable percentages of condo conversions in the City. The motion passed by the following vote:

AYES: 7 COMMISSIONERS: Bryant, Davis, Garden, McCrone, Osorio, Stocker, Widmar
NOES: 0 COMMISSIONERS: None
ABSENT: 0 COMMISSIONERS: None

Amended Conditions of Approval

8. That prior to submittal of the Final Map the applicant shall prepare plans *to show that the buildings are to be renovated and that more than 50% of the exterior perimeter walls shall be preserved so that the work is not classified as a demolition* and prepare a detailed schedule for constructing improvements necessary to comply with all requirements of the Building Division.

2. Cannery Row and Lighthouse Avenue Parking Adjustment Subcommittee Recommendations.

Discussion and direction only.

ACTION: Adjourned to the afternoon session of the August 22, 2006 Planning Commission meeting.

MOTION:

On a motion by Commissioner Stocker, seconded by Commissioner McCrone, it was moved to adjourned to the afternoon session of the August 22, 2006 Planning Commission meeting. The motion passed by the following vote:

AYES: 7 COMMISSIONERS: Bryant, Davis, Garden, McCrone, Osorio, Stocker, Widmar
NOES: 0 COMMISSIONERS: None
ABSENT: 0 COMMISSIONERS: None

COMMISSION COMMENTS

Commissioners may ask a question for clarification, make a brief announcement or make a brief report on his or her activities. In addition, the Commission may provide a referral to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning any City matter, or direct staff to place a request to agendize a matter of business on a future agenda (G.C. 54954.2).

3. Response to Commissioners' Comments at July 25, 2006 meeting.

ACTION: Report received. There were no new comments.

DIRECTOR'S REPORT

The Community Development Director's report supplies information on activities or announcements. He may also ask for clarification or direction regarding scheduling of Commission meetings and study sessions.

4. Director's Report

ACTION: Report received.

- Mr. Wojtkowski reviewed the August 22, 2006 Planning Commission Meeting and said that this evening's Parking Adjustment item will be scheduled during the afternoon session.
- He said that the August 14 Mayor's Meeting topic will be regarding open space and that Chair Garden may wish to let them know of the recommendation for further study regarding condo conversions.
- He reminded the Commissioners regarding the Seaside, August 23rd Ethics Training seminar. He also advised the Commission that there will be a special meeting on Friday, August 11, regarding the Public Service Center referendum.
- Mr. Wojtkowski said that a pamphlet entitled "Citizen's Guide to Residential Ordinances" was circulated via the Focus last summer and that it has also been placed on the City's web site. He said it will again be referred to in an upcoming issue of the Focus.
- Mr. Wojtkowski answered Chair Garden's inquiry regarding the closure of Cannery Row for the construction of the hotel. He said that the construction is to start shortly after this week and that the street will be closed sometime this month.
- Mr. Marvin handed out to the Commissioners information regarding an ongoing parking dispute at Ryan Ranch. He said that staff is looking into it to see how it can be resolved and that this matter may come to the Planning Commission in the future.
- He advised the Commission that the Construction Hours Ordinance is scheduled for City Council review on August 15. He said that the Traffic Engineer added an exception to the Ordinance allowing oversized vehicles associated with a construction project to travel at night with a transportation permit.

ADJOURNMENT

There being no further business, the meeting adjourned at 5:54 P.M.

APPROVED:

ATTEST:

Leon Garden, Chair

Bill Wojtkowski, Secretary

Respectfully Submitted, Terry Lebda
Recording Secretary
Planning Commission