



Council Chamber
Few Memorial Hall of Records
Monterey, California

Final Annotated Agenda Planning Commission

Regular Meeting
August 22, 2006

4:00 P.M. – 5:30 P.M.
7:00 p.m. – 11:00 p.m.

Planning Commission

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

CALL TO ORDER

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

ROLL CALL

Commissioners Present: Bryant, Davis, Garden, McCrone (Arrived 4:01 PM), Osorio, Stocker, Widmar

Commissioners Absent: None

Staff Present: Community Development Director Bill Wojtkowski, Senior Planner Rick Marvin, Parking Superintendent Jo Lyons, Administrative Analyst Wayne Dalton, Recording Secretary Terry Lebda

APPROVAL OF MINUTES

August 8, 2006

ACTION: Approved as submitted. 7-0-0.

MOTION:

On a motion by Commissioner Davis, seconded by Commissioner Widmar, the Annotated Agenda of August 8, 2006 was approved as submitted. 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

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.

None.

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CONSENT ITEMS are to review those items recommended for approval on consent, or recommended to be continued, tabled or withdrawn, etc.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. Cannery Row and Lighthouse Avenue Parking Adjustment Subcommittee Recommendations. (Continued from August 8, 2006.)

Discussion and direction only.

ACTION: Planning Commission concurred that Items 1-6 will be recommended to City Council for policy direction with a minor change to Item #2 regarding the review of policy on resident parking permits and change to Item #5 that the Commission does not recommend waiving the petition requirement and they recommend that the City Council pre-approve all of the Lower New Monterey Streets up to Spencer Street (including side streets) for the program, provided that individual blocks conform to the 70% occupancy standard.

Staff Presentation/Commissioners Questions:

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

Public Comments:

Bob Evans, New Monterey Neighborhood Association, said that there is an interrelationship between all of the policies and that it is important to provide a residential parking program in Lower New Monterey. He said, if there is no parking permit program, then there will still be leakage into New Monterey. He said that with multi-family dwellings and high turn over, the residents have not been able to complete the petition requirement of 51%. He said that without the permit program, the other elements of the policies will not be effective because employees will still park in the residential area. He noted that the petition only informs existing residents of the program, but that signs are effective notification and future residents will be adequately informed of permit requirements. He urged the Commission to recommend waiver of the petition requirement.

Commissioner Comments:

In discussion of Policy recommendation #2, Commissioner Davis suggested that Policy 2.4 indicate that if at a future date the Parking Division is unable to accommodate any more residential permits in the garages, and no alternative locations can be provided, the policy for providing residential permits should be reviewed. In discussion of Policy recommendation #5, the majority of Commissioners could not support a waiver of the petition requirement for imposing a resident parking permit program. Commissioner Osorio suggested that, if the petition process is waived, language should be added explaining how the Hawthorne area is unique and to encourage or require businesses to contribute to a fund for use of public and private transportation alternatives. Commissioner McCrone said that he can not support the waiver of a petition because it is imposing something on those who do not think there is a problem. He said he could support an expansion of the City Council pre-approval and go three blocks up with side streets so that the residents have that tool already in place. Chair Garden said it is not only difficult to walk the block for 51% signatures, but that the Neighborhood Association says there is a parking problem in the daytime in that area. Commissioner Widmar said if parking becomes an issue, the residents will take action in their best interest and he does not want to solve a problem that is not yet recognized. Commissioner Stocker said that the subcommittee was formed because there was a problem.

MOTION:

On a motion by Commissioner McCrone, seconded by Commissioner Davis, it was moved to recommend that City Council implement resident parking program for streets in Lower New Monterey with petition, but to pre-approve the streets up to Spencer Street areas that meet the 70% occupancy standard. The motion passed by the following vote:

AYES:	4	COMMISSIONERS:	Davis, McCrone, Osorio, Widmar
NOES:	3	COMMISSIONERS:	Bryant, Garden, Stocker
ABSENT:	0	COMMISSIONERS:	None

Commissioner Stocker moved to recommend to Council the policies as discussed and presented with staff report but that a review of overall parking standards should be a separate discussion and a Work Program. Chair Garden said that this discussion further demonstrates that a review of parking standards is needed. Commissioner Bryant said this should be done but it will take time and more staff. Commissioner Widmar seconded the motion.

MOTION:

On a motion by Commissioner Stocker, seconded by Commissioner Widmar, it was moved to recommend to City Council that the Parking Adjustment Subcommittee recommendation be recommended for approval as discussed and that full review of Parking Standards come back as a work program task. 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

**Recess 5:40 p.m.
Reconvene 7:00 p.m.**

CALL TO ORDER

Chair Garden called the meeting to order at 7:00 P.M.

ROLL CALL

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

Commissioners Absent: None

Staff Present: Community Development Director Bill Wojtkowski, Senior Planner Rick Marvin, City Attorney Deborah Mall, Administrative Analyst Wayne Dalton, Associate Engineering Surveyor Norm Green, Recording Secretary Terry Lebda

PUBLIC COMMENTS

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None.

REVIEW OF EVENING 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 that are routine and a staff recommendation has been prepared. A member of the public or a Commissioner may request that an item recommended for approval on consent is heard on the regular agenda for further discussion.

PUBLIC HEARINGS

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2. **735 Pacific Street; Use Permit 06-260 and Parking Adjustment 06-261; Applicant Daryl Hawkins for JHW Architects, Inc.; Owner Monterey Institute of International Studies; C-O Zoning District; Exempt from CEQA Requirements.**

Use Permit and Parking Adjustment request to convert an existing convalescent hospital to a 17-unit apartment complex. The proposed conversion includes an approximate 1,200 square foot building addition. As proposed, the project is three (3) parking spaces below standard and a Parking Adjustment is required.

ACTION: On consent, approved Applicant's request for continuance to September 26, 2006. 6-0-1-(Abstain-Davis) -0

MOTION:

On a motion by Commissioner McCrone, seconded by Commissioner Bryant, it was moved to continue this item to September 26, 2006. The motion passed by the following vote:

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

3. **426 Alvarado Street; Use Permit 06-121; Applicant Anthony Lane for Planet Gemini, LLC; Owner David Nilsen; C-2 Zoning District; Exempt from CEQA Requirements.**

Request for approval of a Use permit for a bar with live entertainment within the Regency Theater building. The existing theater space will be remodeled to accommodate the new use.

ACTION: Application withdrawn as requested by applicant.

4. **426 Alvarado Street; Master Use Permit, Variance, Parking Adjustment, Historic Zoning Designation, Vesting Tentative Map and Condominium Plan 06-006; Applicant Alem Dermicek for Eric Miller Architects; Owner David Nilsen; C-2 Zoning District; Negative Declaration Filed.**

The application requests approval of a Master Use Permit, Variance, Parking Adjustment, Historic Zoning designation, Vesting Tentative Map and Condominium Plan to allow expansion of the Regency Theater building and conversion to a mixed-use building for residential and commercial condominiums. The project plan proposes to add a 4th floor to the existing theater building without exceeding the height of the Alvarado Street façade and construct a three story over basement addition at the rear of the property with orientation to Calle Principal. The existing theater building will be expanded by 13,764 square feet (SF) for a total building area of 25,697 SF. The proposed uses within the building are generally: 1,419 SF of retail; 3,883 SF of restaurant; 6,338 SF of office and 6,007 SF of residential in 11 units. The remaining building area is proposed as building support, service, access corridors and atrium. Two of the residential 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 Ordinance.

The existing building and addition will result in 100% lot coverage and will remove 3 existing on-site parking spaces. No new parking spaces are proposed and a Parking Adjustment for 17 spaces is required. A Variance is needed for 4-story and 48'-11" height. Use permits are needed for lot coverage over 50%, mixed-use and building area. H-2 Historic Zoning is proposed for preservation and restoration of the Alvarado Street façade, which is identified, as a potential historic resource. The Vesting Tentative Map is necessary to create for sale air space condominium units.

ACTION: Continued to September 12, 2006. 7-0-0

Staff Presentation/Commissioners Questions:

Rick Marvin presented the staff report and answered Commissioners' questions. He indicated that an added condition is needed for residential storage and that the height variances require careful consideration. Mr. Marvin provided a summary of the site factors that support approval of the height.

Applicant:

Eric Miller, Architect, distributed to the Commissioners a revised design for the Calle Principal elevations to address ARC comments. He explained that he has met with the Water District to see how much water was available, but that he understands if there is not enough water they will be placed on the Water Waiting List. He said he worked closely with HPC to be sure that the Alvarado Street façade is respected and brought closer to the original photograph of that building. He said they prefer not to have to supply or buy 11 spaces in the City Parking Garage, but that they will, if the Planning Commission feels strongly that they do so. He said that they concur with the added Condition of Approval for private storage. He answered Commissioners' questions regarding the proposed restaurant, offices, trash elevator, and affordable housing units.

Public Comments:

Dave Nilsen, owner of building, said that he can see endless opportunities with a project like this because it will bring people and jobs to the downtown area. Anthony Lane, owner of Planet Gemini thanked City staff for reviewing the entertainment application at this location and, although there was not enough water available for that proposal, he hoped to come back to the City in the near future with other high-quality entertainment venue proposals. He wished Mr. Nilsen well with his project. In answer to a question, Mr. Marvin said that building is considered historic due to the Alvarado façade.

Commissioner Comments:

Commission Stocker said that this is creative use of a site without destroying the fabric of downtown Alvarado. He said that he finds it interesting working with the variances and that this is clearly what he had in mind when they went through the General Plan process. He said he has no issue with the elevator and he agrees that he does not want to see another trash door on Calle Principal. Commission Bryant said that she is generally in agreement with the project and that she likes the new façade, but there are many questions remaining. In answer to Commissioner Osorio's question, Mr. Marvin said that it is reasonable for the Water Management District to bring up the concern over water when they don't have complete plans of all fixtures and uses. The

Water Management District has identified what water classifications they will assign to the building. But, he said, they don't know in detail what the project is nor how much water is assigned to the restaurant per seating count or residential units. Commissioner McCrone said that this is a good project, but asked if there is any necessity or findings regarding incentives for the parking adjustment? He suggested that the condition for the residential parking permit be modified to make it clear that at such time developer sold the units, that the condominium owners would be required to participate in the residential parking permit. Commissioner Widmar said that there needs to be a more refined housing agreement because there will be rental units converted to ownership condos and what triggers those events and conversion of the inclusionary housing to ownership. He suggested including that the applicant should be required to purchase the parking permits. Commissioner McCrone moved to continue this item to September 12, 2006 in order for staff to amend findings and revise conditions as discussed. Commissioner Bryant seconded the motion.

MOTION:

On a motion by Commissioner McCrone, seconded by Commissioner Bryant, it was moved to continue this item to September 12, 2006. 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).

5. Response to Commissioners' Comments at August 8, 2006 meeting.

ACTION: Report received.

New Comments:

- In answer to Commissioner Davis' question regarding downtown height issues, Mr. Wojtkowski said that Consultant Nore Winters will facilitate a meeting on September 7 to discuss the downtown mixed-use design guidelines and that height will be a discussion issue. Zoning Ordinance amendments will be a possible outcome of the guideline study.
- Mr. Wojtkowski answered Commissioner McCrone's question saying that the Open Space agenda item may not be scheduled for the September 26 Planning Commission meeting because of reorganization and staffing matters. He said that some Work Program items may be delayed, but that staff has made good progress on Parking Adjustment and Mansionization Subcommittees. He also indicated that Request for Proposals have been sent out for the Railroad Station and Valero sites.
- Regarding the Area B Del Monte Avenue widening, Mr. Wojtkowski said that this item will be scheduled for discussion at a joint meeting with Parks & Recreation.
- Chair Garden asked if it is time to retire the tape recording of the Planning Commission meetings now that the meetings are televised? Mr. Wojtkowski said that staff will discuss and get back to the Planning Commission with regard to this matter.
- In answer to Chair Garden's question regarding the County General Plan review process, Mr. Wojtkowski said that staff is working to schedule a presentation. He said that a Draft County General Plan is available along with a 1,000 page EIR. He said if the Commission is interested in reviewing it, to contact staff.
- Chair Garden said that he was at the Aquarium today and it seemed the area was busy and that the pedestrian experience was not hindered with the close of Cannery Row. He questioned what would it be like

if pedestrians were able to walk all the way down on the street of Cannery Row. Mr. Wojtkowski said that he felt merchants would be against a closure to vehicles.

- Commissioner Widmar asked about the new color of the Travel Lodge Hotel and if it had been reviewed by ARC. Mr. Wojtkowski said that the color was approved, but by a small sample and that the ARC will change their review procedure. The staff has talked to the management about repainting the building including the possibility of the City awarding façade grant money to do so. He also noted that the Manager has been receiving compliments.

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.

6. Director's Report

ACTION: Report received.

- Mr. Wojtkowski said that the ARC Design Awards program will soon be implemented and that the last time this was done was in 2002. Mr. Wojtkowski that the Façade Grants program will also be implemented and if the Commissioners had any suggested properties that might benefit, that staff will work with those property owners
- Mr. Wojtkowski reported that Council concurred with construction hours, but modified Sunday's hours. Chair Garden said that he will try to represent the Planning Commission at any meetings where they are addressing PC recommendations. He said there is a need to be as complete as possible so that the last comment the City Council hears does not sway their decision.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:05 P.M.

APPROVED:

ATTEST:

Leon Garden, Chair

Bill Wojtkowski, Secretary

Respectfully Submitted, Terry Lebda
Recording Secretary
Planning Commission