



Council Chamber
Few Memorial Hall of Records
Monterey, California

Planning Commission Final Annotated Agenda

Regular Meeting
April 24, 2007

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 4:03 p.m.), Osorio (arrived 4:07 p.m.), Widmar

Commissioners Absent:

Stocker

Staff Present:

Senior Planner Rick Marvin, Administrative Analyst Sandra Reeder, HCD-Coordinator Programs Jennifer Miller, Recording Secretary Terry Lebda

APPROVAL OF MINUTES

March 27, 2007 and April 10, 2007

ACTION: Approved as submitted. 4-0-3 (Absent- McCrone, Osorio, Stocker).

MOTION:

On a motion by Commissioner Bryant, seconded by Commissioner Davis, the Annotated Agendas of March 27, 2007 and April 10, 2007 was approved as submitted. The motion passed by the following vote:

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

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: Planning Division, 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CONSENT ITEMS are to review those items recommended for approval on consent, or recommended to be continued, tabled or withdrawn, etc.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. Recommendation to City Council and Monterey Redevelopment Agency for the FY2007-08 Housing and Community Development Budget and Action Plan (Administration Action-Categorically Exempt from Environmental Requirements).

ACTION: Recommended to City Council approval and adoption, as submitted, the FY 2007-08 Community Development Block Grant (CDBG) Action Plan and the proposed Housing and CDBG Program Budget for Fiscal Year 2007/08. 6-0-1 (Absent-Stocker)

Staff Presentation/Commissioners Questions:

Sandra Reeder and Jennifer Miller presented the staff report. Starla Warren of Monterey County Housing, Inc. spoke about their project and funding. Ms. Reeder, Ms. Miller and Ms. Warren answered Commissioners' questions. Ms. Reeder said that the neighborhood associations are being asked to review the draft Revitalization Strategy Plans, they will be provided for public review and comment at a later date submitted to HUD after approval by the City Council. She said that action on the HUD budget is due on May 15 by the City Council and it will not include the Revitalization Strategy Plans.

Public Comments:

None.

Commissioner Comments:

In answer to Commissioner Davis's questions, Ms. Reeder said that three agencies did not receive funding due to non-attendance at the Funding Committee Hearing and/or lack of valid information as to whom they are serving, but that those agencies can come back next year with new requests. In response to a Commissioner's question, she said that Seaside utilizes funds for grants like this but at a much lower level and Salinas provides a larger amount of monies to non-profits. Commissioner Widmar said that he is proud of the fact we do this as a community and need to continue the support. Ms. Reeder answered his question saying that the Suicide Prevention Services was granted \$5,000 which was above their request because the Police Department will use their program to train their officers to deal with suicide and trauma. Commissioner Bryant moved to approve the Action Plan and CDBG Budget as submitted. Commissioner McCrone seconded the motion.

MOTION:

On a motion by Commissioner Bryant, seconded by Commissioner McCrone, it was moved to recommend to City Council approval and adoption, as submitted, the FY 2007-08 Community Development Block Grant (CDBG) Action Plan and the proposed Housing and CDBG Program Budget for Fiscal Year 2007/08. The motion passed by the following vote:

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

2. 712 Hawthorne Street (Red Shift Internet Services); Application 07-116 to Re-Open Use Permit 90-22; Applicant/Owner Karl Van Lear and Tony Cricelli; R-3 Zoning District; Exempt from CEQA Requirements.

Accessory generator on site of existing non-conforming commercial office use in the R-3 Zoning District.

ACTION: Approved Use Permit as amended, revising Condition of Approval 3b to include testing of the generator to be limited to no more than one half hour in duration and no more than once per month. 5-0-1 (Abstain-Widmar)-1 (Absent-Stocker).

Staff Presentation/Commissioners Questions:

Commissioner Widmar recused himself due to a conflict of interest. Rick Marvin presented the staff report and presented a proposed revision of Condition of Approval 3b. He answered Commissioners' questions.

Applicant:

Karl Van Lear, President of Red Shift, said that the generator is a self-contained double walled fuel tank. He said, if necessary to reduce generator noise, they could plant sound deadening bushes and place a thicker hood on the generator or surround it with cinder block walls with sound deadening foam. He said they contemplated several areas to locate the generator on the site, but other locations impact parking and this location is better hidden. He said there is no problem with employee parking because the building is mostly used for supplies and equipment and employees who work from this building are on different shifts. He stated that customers do not come by very often. To answer Commissioners' questions, Mr. Van Lear said that the generator will run once a month for about two minutes during the day to make sure it is working and will serve its purpose.

Public Comments:

None.

Commissioner Comments:

Commissioner McCrone moved to approve the Use Permit subject to staff's Findings and Conditions of Approval, including revised Condition 3b. Commissioner Davis seconded the motion.

MOTION:

On a motion by Commissioner McCrone, seconded by Commissioner Davis, it was moved to approve the Use Permit as amended, revising Condition of Approval 3b to include testing of the generator to be limited to no more than one half hour in duration and no more than once per month. The motion passed by the following vote:

AYES:	5	COMMISSIONERS:	Bryant, Davis, Garden, McCrone, Osorio
NOES:	0	COMMISSIONERS:	None
ABSTAIN:	1	COMMISSIONERS:	Widmar
ABSENT:	1	COMMISSIONERS:	Stocker

Amended Condition of Approval:

3b. The periodic testing and refueling of the generator shall occur only on non-holiday weekdays between the hours of 10:00 a.m. and 4:00 p.m. Testing shall be limited to no more than one half hour in duration and no more than once per month.

**Recess 4:50 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, Widmar

Commissioners Absent: Stocker

Staff Present: Director of Plans, Engineering and Environmental Compliance Bill Reichmuth, Senior Planner Rick Marvin, City Engineer Tom Reeves, Recording Secretary Terry Lebda

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: Planning Division, 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 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

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.

3. 207 Dunecrest Avenue; Master Use Permit, Vesting Tentative Map, Condominium Plan and Parking Adjustment 07-014; Applicant Christine Gianascal Kemp; Owner Carlos Casas; R-3-10-S Zoning District; Exempt from CEQA Requirements.

Condominium conversion for four (4)-unit apartment building. Improvements are minor and generally consist of storage additions and paving additions. Parking adjustment is required to allow continued use of tandem parking driveway in front of garage.

ACTION: Recommendation to City Council for approval of the Master Use Permit, Vesting Tentative Map, Condominium Plan and Parking Adjustment as amended with revised Condition of Approval 3, that the driveway width will not exceed 32 feet at the street. 4-2 (Noes-Osorio, McCrone)-1 (Absent-Stocker).

Staff Presentation/Commissioners Questions:

Rick Marvin presented the staff report and indicated an error and clarified that the driveway width should not exceed 32 feet. He answered Commissioners' questions.

Applicant:

Christine Kemp, representing Carlos Casas, said that they are not changing the parking situation and that they can narrow the driveway to 32 feet and be sure to maintain the parking space on the street. She said that this is a four-unit project and that four or less units should be exempt from City Council review. She said that a Property Report has been done, they will be upgrading the units, and that all parking can be accommodated on site. She answered Commissioners' questions and said she is not sure how many cars routinely park on the site and that the common outdoor space will be along the balcony and landscaped areas. She said that she does not know the projected rates of the units, but maybe \$400,000, and that Mr. Casas has replaced the roof and one furnace and he has painted and upgraded the units including tile floors as tenants have moved.

Carlos Casas said that he has changed the roofs, repaired plumbing and will do more if the conversion is

approved, he has painted, changed the decking, repaired driveway cracks, and as tenants move out, he is remodeling the counter tops, and carpets with only one unit left to redo the interior. He said he will change the plumbing and electrical which will make the units almost brand new. He said the units will have separate electric and water meters. To answer Commissioners' questions, Ms. Kemp said they do not know the Floor Area Ratio or lot coverage and that they have notified the tenants of this project and of City programs available for purchasing, but that she does not know if any of the existing tenants will want to buy and that they have first right of refusal. Referring to Condition 15 and CC&R's limiting rental units to 25%, she said that is enforceable by the Homeowners Association but they will need to work out the terms and details as to which unit is to be the rented unit.

Public Comments:

Rene Ayers said that he is in favor of both the Dunecrest and Casanova condominium conversions because they provide opportunities for those in the community that would not otherwise have the chance for ownership.

Commissioner Comments:

In answer to Commissioner McCrone's question, Mr. Marvin said that the CC&R referring to the 25% rental matter is fully the responsibility of the Homeowner's Association to enforce that requirement. He said the restriction was viewed as addressing the concern that condominium conversions would create more vacation homes. Commissioner McCrone said that if this rule is not enforced, then nothing has been done to reduce the potential of more vacation homes. Ms. Kemp indicated that many Homeowners' Associations self impose that ruling because lenders won't finance the units if not imposed. To address Chair Garden's comment, Mr. Marvin said that the City Council has waived from any moratorium conversions of four or less units.

Commissioner McCrone said that this is the worst type of project to do a condominium conversion because it is nonconforming. He said that the Floor Area Ratio and lot coverage should be noted on the Map; tandem parking is nonconforming and the lot coverage impacts the common area and there is a question as to whether there is suitable space for air, ventilation and open space. He said he cannot in good faith grant the basis for the parking adjustment and he views this as losing market rate rentals. If approved, he does not believe this conversion is in accordance with a balance between ownership and rentals or the desires of the General Plan. He said that it is too early to tell whether the 25% rental policy will work and that the City Attorney should issue an opinion whether this is an unreasonable restraint on the property.

Commissioner Davis said that until the Ordinance is changed, the City cannot change the way projects are reviewed, most condominium conversions are nonconforming and old, and he does not see applying logic differently than what has been approved in the past. However, he said, this development has plenty of open space with three units on the first floor with patios, and tandem spaces. He said he cannot think of one driveway on his street that does not have tandem parking. He moved to approve the project with staff recommended Findings and Conditions with amended Condition 3, that the driveway width shall not exceed 32 feet at the street. Commissioner Widmar seconded the motion. Commissioner McCrone said that if the project was changed to two units rather than four, they would not need a parking adjustment. Commissioner Davis said if it was converted to only two units then it would not be affordable.

Commissioner Bryant said there are parking and open-space concerns here and there is the current Ordinance and standards that need to be considered. She said the owner knows what needs to be done with electrical and plumbing and the building will be brought up to a higher standard and they will provide one below market rate unit for sale, even though she is not sure how it will be affordable when insurance, taxes and association fees are factored in. Commissioner Osorio said there are conflicting objectives with the General Plan and that the reality is that a lot of the people in these apartments cannot buy these units. When asked to leave, he believes they will not find anything equivalent. He said he needs to be convinced with hard numbers that the units are affordable for someone who works in the city and who is not from out of town. He said there needs to be a balanced community and that he will not vote for this project. Commissioner Widmar said that he agrees with what Commissioner Osorio says about the balance of the community, but that the General plan encourages these types of ownership properties and that there is a lack of rentals, but not enough water to build new rentals. He

said that this project deserves to be passed on to the City Council for a decision. He said he supports the project and cannot make findings to deny it.

MOTION:

On a motion by Commissioner Davis, seconded by Commissioner Widmar, it was moved to recommend to City Council approval of the Master Use Permit, Vesting Tentative Map, Condominium Plan and Parking Adjustment as amended with revised Condition of Approval 3, that the driveway width will not exceed 32 feet at the street. The motion passed by the following vote:

AYES:	4	COMMISSIONERS:	Bryant, Davis, Garden, Widmar
NOES:	2	COMMISSIONERS:	McCrone, Osorio
ABSENT:	1	COMMISSIONERS:	Stocker

Amended Condition of Approval:

3. That four (4) tandem parking spaces are approved for a total of eight (8) parking spaces. The tandem spaces are recognized as available on the driveway in front of the four (4) garage parking spaces. The driveway width shall not exceed 32 feet at the street as shown in the parking exhibit presented to the Planning Commission at the April 24, 2007 Planning Commission Meeting.
4. **825 Casanova Avenue; Master Use Permit for Planned Unit Development (PUD), Vesting Tentative Map, Condominium Plan, and Parking Adjustment 06-435; Applicant Allen Robinson for the Sienna Company; Owner Monterey Townhouse Partners, LLC; R-3-20 and R-1-6 Zoning Districts; Negative Declaration Filed.**

Recommendation to City Council. The project proposes to convert a 90-unit apartment complex to air space for-sale condominiums. The application includes the following improvements and/or modifications to the property: 1) eight (8) studio units to be combined and converted to four (4) 1-bedroom units and the total number of condominiums will be reduced to 86 units; 2) the existing 94 parking spaces will be increased to 138 spaces by reconfiguring the parking layout to add 19 spaces and constructing a level parking area for 25 spaces over a steep slope at the rear of the property, which includes leasing land from the City of Del Rey Oaks to accommodate six (6) spaces. The project includes removal of seven (7) eucalyptus trees from 8" to 36" in diameter that are located on the rear slope in the proposed parking area and the rehabilitation of all units including interior and exterior alterations.

ACTION: Continued to May 22, 2007. A revised environmental initial study shall be filed to include the demolition of the single-family residence for the purpose of additional parking and the impact of the streetscape due to that loss, the history of the eucalyptus trees and benefits of the trees such as a wind break and their visual character, as well as the location of the retaining wall to the earthquake fault. 6-0-1 (Absent-Stocker).

Staff Presentation/Commissioners Questions:

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

Applicant:

Matt Lowe, a partner in the project, described the proposal. He said that their goals on this project are aligned with the City of Monterey's because the units will be marketed locally and moderately priced. He said the development will be a significant improvement to the neighborhood because the 40-year-old interior and exterior of the buildings will be rejuvenated, the landscape will be enhanced, security gates and lighting will be added, and there will be increased parking on site. Mr. Lowe said that they are financially trying to make a project that will make Monterey proud but affordable. He said there is a balance and that is the main reason they differ with staff regarding the side lot. He said they have met with the owner who is for the project, but he does not want a parking lot in his front yard. He also stated benefits to the City are increased revenue via taxes and more jobs for tradesmen. Allen Robinson of the Sienna Company of Monterey and the project architect said that there is

substantial renovation required because all of the stairs and balconies need to be replaced. He showed overhead simulations of the current site versus the proposed finished concept. Mr. Lowe answered Commissioners' questions regarding the project. Michael Martin and Tom Rehak, local Civil Engineer and Contract Engineer respectively, described the design of the proposed slope parking area; said the wall will be natural looking and structurally sound; and that they will work in collaboration with the soils engineer.

Public Comments:

Richard Ruccello, Casanova Oak Knoll Neighborhood Association, said that the staff report omitted one of their inserts regarding the parking problem on Melway Circle. He summarized his letter of concerns dated April 9, 2007 included in the staff report regarding deficiencies in the neighborhood, tree preservation, and the rear slope stability. Kevin Siemann, owner of the adjacent property, said that he supports the project conversion as proposed, he has several friends interested in the proposed units, but he said that there will be significant aesthetic impacts to his house if the front house is demolished and converted to a parking lot.

Rick Heuer said that staff is right to recommend continuance for one month. He said that a new project being built on this slope would not be considered, it is unknown if the retaining wall is feasible, a soil engineer has not yet been contracted and the information of how to screen the retaining wall is not yet available. He said the development currently has nonconforming parking, Floor Area Ratio as well as lot coverage of which may increase. He said there is no clear definition of affordable, the increased parking will not meet the standard and there will still be parking problems. He said there is a shortage of two to three bedroom rental units in Monterey and the current apartments are currently well below market rate. He concluded that more detailed information is needed.

Bob Churney said that he attended a meeting with tenants and he observed a great deal of excitement including families interested in buying their own unit in this project. He said he is in favor of the project as it will improve the neighborhood and the developers will come up with proper adjustments that will make this project work economically for both the public and the builders.

Marjorie Troutman said that her home overlooks the canyon and driving range and she sees hawks flying and landing on the 80-year-old Eucalyptus trees that provide wind protection and stability to the slope. She said removal of these trees does not make sense for a few parking spaces and planting new trees will not grow fast enough to replace the old trees. She said she supports the project, but another way to add parking needs to be found.

Kim Svetich said that she supports the project, but she also has concerns about the integrity of the hillside because the soil is loose and deep and she believes that an environmental impact report is needed. She said she questions the cost feasibility of parking spaces in this slope area, she would hate to go out on her porch and see a parking lot rather than the trees, and she feels her neighborhood is falling through the cracks between City of Monterey and Del Rey Oaks.

Mary Lea Horton said that rentals are important for young families because that is what they can afford and conversions are very expensive. She also said that parking on Melway Circle is incredibly difficult and at nighttime when all families are home, there are no parking spaces to be found. She believes there should be an environmental study on the trees and parking situation for the betterment of the community. She said Cypress Center has created a traffic problem.

Robert Azevedo, Manager of the townhouse apartments, said that a few more parking spaces is a good thing, renovation is needed, the developers will do a good job, and they will be bringing jobs to the area.

Christy Hogue said she hopes the developers think twice before tearing down the single-family home for additional parking. She said it is an extremely charming home, visually pleasing, and something the community needs.

Grant Sedgwick, business partner with Matt Lowe, said that speakers expressed concerns about the project, but several still support the project. He said they hope to purchase the property from the current owners and that the end of the contract is coming up soon. A solution to improve the parking problem is the 25 parking spaces associated with the slope and retaining wall. He said they will not cut down any tree unnecessarily and they will preserve the current mature landscaping.

Commissioner Comments:

Commissioner Bryant said that she does not want to see the single-family residence demolished for the purpose of additional parking at the front and she is concerned about the removal of the eucalyptus trees because they screen views of the future Safeway utility area. She said replacement trees will not screen for several years. She said she does not agree with several mitigation measures regarding the trees, she would want to see soil reports before she would approve parking over the canyon and she would want the agreement with the City of Del Rey Oaks in place and to be sure cracks in the exterior walls are fixed whether cosmetic or structural.

Commissioner Osorio said that a revised environmental initial review is necessary to include the demolition of the single-family residence for the purpose of additional parking and the impact of the streetscape due to that loss, the history of the eucalyptus trees and benefits of the trees such as a wind break and their visual character, as well as the location of the retaining wall to the earthquake fault. He said he agrees with staff to continue the project to a later date, he wants the best number of affordable units for the community, he encourages additional workforce units and more information regarding the parking needs. He said that he would encourage an outside playground and that he likes the architectural design.

Commissioner Davis said the City needs and wants affordable units, parking issues resolved, and retention of trees. However, these are in conflict and there needs to be some middle ground where those problems can find a balance.

Commissioner Widmar said, regarding parking, that the Casanova Oak Knoll neighborhood is one of the most severely impacted in the City along with New Monterey and something has to be done. He said with proper engineering of the wall some trees may be saved but it will not gain two spaces per unit. He said that he would like a parking study done sampling multiple days and times of the week and he would like to learn the average number of automobiles per purchaser of condominiums. He said the slope is difficult and he does not understand how the three-to-one replacement of trees will work since there is only three feet that remains between the end of the parking and the property line. He said that the project is not ready for a recommendation to City Council.

Commissioner McCrone said that there are really good things about the project and that he is pleased with the amount the developer is willing to spend on renovations and that sprinklers will be added to the units, but that he would like to see separate water meters. He said that how this costs out is not the job of the Planning Commission. He said the complex is currently nonconforming and will continue to be nonconforming if the project is approved. He said that there needs to be a balance in the Housing Element between rental units and ownership units and there needs to be an incentive to keep rental properties renovated and up to date. He said there are nonconforming issues such as parking, Floor Area Ratio, lot coverage, and encroachments as well as trees that need to come down. If it stays an apartment complex, he hopes the owner would spend money to renovate it; if not, it should be torn down and then the City would get a conforming project. As proposed, he said, the problems are going to be given to 86 owners and they will never agree to tear down and rebuild. He said the current rental rates are affordable and the proposed project does not follow the Housing Element or General Plan goals, therefore, he cannot support the project but he could support continuance for further review.

Commissioner Garden said that the project is not ready to go forward due to concerns regarding parking and that he does not believe it is appropriate to cut down trees and demolish a house to make room for more parking spaces.

Mr. Marvin said that staff will need time to review with the developers how the project will modify and if the single family lot will be used to provide for additional parking. He said he heard direction to possibly amend the

Negative Declaration; but the question is how are they going to look at redesign to try to improve the parking ratio? He said the way it is going, he only sees them reducing more units to add parking and at what point does that not work any more?

Commissioner Garden said that he would like to see that the single-family house is saved as well as the mature trees, and he would like to see the marketing plan to sell three-bedroom condominiums with one parking space and what plan will make this successful.

Commissioner McCrone said that he would like a survey of how many cars are currently at the complex and he would like to see a study of how many apartments have been converted to condominiums over the last couple of years to determine if the right balance has been met and if the balance is in accord with the General Plan.

Commissioner Osorio said that the proposed architectural design will be a significant improvement to the neighborhood. He said that he heard from the developers there might be alternatives to consider for additional parking rather than demolishing the single-family residence, that his vote for the project will depend on the number of affordable units available to the community, and the amount of additional parking ultimately proposed.

Commissioner Bryant moved to continue this item to May 22, 2007 with directions to staff to work with the project developers to resolve concerns as discussed and to process a revised environmental review as stated by Commission Osorio. Commissioner Osorio seconded the motion. In answer to Commissioner Widmar's question, Mr. Marvin said that staff would prefer to continue to a date certain rather than table this item and that staff will work diligently with the applicant to answer raised questions and concerns.

MOTION:

On a motion by Commissioner Bryant, seconded by Commissioner Osorio, it was moved to continue this item to May 22, 2007. A revised environmental initial study shall be filed to include the demolition of the single-family residence for the purpose of additional parking and the impact of the streetscape due to that loss, the history of the eucalyptus trees and benefits of the trees such as a wind break and their visual character, as well as the location of the retaining wall to the earthquake fault. The motion passed by the following vote:

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

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 April 10, 2007 meeting. Report Received. New Comments:**
- Commissioner Garden said that he will not be attending the May 22 Planning Commission meeting due to a prior commitment.

PLANNING DIVISION UPDATES

This report supplies information on activities or announcements and may request clarification or direction regarding scheduling of Commission meetings and study sessions.

6. **Planning Division Updates. Report Received.**
- Mr. Marvin reviewed the April 17, 2007 City Council items as outlined in the report.
 - He reviewed the May 8, 2007 Planning Commission Tentative Agenda. The Planning Commission concurred

that there is no need for a field trip.

- Mr. Marvin said that the Condominium Conversion Adhoc Committee Meeting is scheduled for Wednesday, May 2, at 12:00 p.m. in the Lord Nelson Room. He said that the following meeting will be held during the afternoon of May 8 and that the regularly scheduled Planning Commission meeting will be scheduled for evening only.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:15 p.m.

APPROVED:

ATTEST:

Leon Garden, Chair

Respectfully Submitted, Terry Lebda Recording Secretary

Richard S. Marvin, Senior Planner