



Planning Commission Final Annotated Agenda

Regular Meeting
May 22, 2007

Planning Commission

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

Council Chamber
Few Memorial Hall of Records
Monterey, California

Evening Only
7:00 p.m. – 11:00 p.m.

CALL TO ORDER

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

ROLL CALL

Commissioners Present: Bryant, Davis (Arrived 7:55 p.m.), McCrone, Osorio, Stocker, Widmar

Commissioners Absent: Garden

Staff Present: Senior Planner Rick Marvin, Traffic Engineer Rich Deal, City Engineer Tom Reeves, Planning Intern Mowafig Alanazi, Recording Secretary Terry Lebda

APPROVAL OF MINUTES

May 8, 2007

ACTION: Approved as submitted. 5-0-2 (Absent-Davis, Garden).

MOTION:

On a motion by Commissioner Widmar, seconded by Commissioner Stocker, the Annotated Agenda of May 8, 2007 was approved as submitted. The motion passed by the following vote:

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

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CONSENT ITEMS are to review those items recommended for approval on consent, or recommended to be continued, tabled or withdrawn, etc.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.

Mr. Marvin said that based on the previous discussions on 825 Casanova Avenue at the April 24 meeting, staff believes that it is important to have as many Commissioners as possible present during the hearing. He said that Commissioner Davis will be attending tonight's meeting, but he had a meeting conflict and will be arriving later. Therefore, staff recommends that item #1, 825 Casanova Avenue, be moved to the third item in the evening.

MOTION:

On a motion by Commissioner Osorio, seconded by Commissioner Bryant, it was moved to change the order of presentations by moving Item #1, 825 Casanova Avenue, to the last—item #3, in order to have as many Commissioners present as possible to hear and decide on this item. The motion passed by the following vote:

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

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. 825 Casanova Avenue; Master Use Permit 06-435 for Planned Unit Development (PUD), Vesting Tentative Map, Condominium Plan and Parking Adjustment 06-435 and Zoning Map Amendment to change the Zoning of Two Adjacent Parcels from R-1-6 to R-3-20; Applicant Allen Robinson for the Sienna Company; Owner Monterey Townhouse Partners, LLC; R-3-20 and R-1-6 Zoning Districts; Negative Declaration Filed. (Continued from April 24, 2007.)**

Recommendation to City Council. This is a revised project 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) fourteen (14) studio units to be combined and converted to seven (7) 1-bedroom units and the total number of condominiums will be reduced to 83 units; 2) the existing 94 parking spaces will be increased to 148 spaces by reconfiguring the parking layout to add 54 spaces including constructing a level parking area for 27 spaces on an adjacent single-family residential lot. The project has been revised to eliminate removal of seven (7) eucalyptus trees on the rear slope. The project includes rehabilitation of all units including interior and exterior alterations. The development of parking on the adjacent lot requires a zone change from R-1 to R-3 and removal of one single-family dwelling.

ACTION: Recommendation to City Council for approval of Master Use Permit 06-435 for Planned Unit Development (PUD), Vesting Tentative Map, Condominium Plan and Parking Adjustment 06-435 and Zoning Map Amendment, amending Public Works Condition of Approval 8.b. and 8.g. A variance was also recommended for approval for a trash enclosure that is not within the 150 foot standard finding that meeting the standard would require the removal of parking spaces or units. 6-0-1 (Absent-Garden).

Staff Presentation/Commissioners Questions:

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

Applicant:

Matt Lowe, a partner in the project, noted concerns from the last meeting and how those concerns were addressed such as increased parking, conservation of trees, stabilization of the back slope, mitigating the previously proposed unsightly parking deck from across the canyon. The visual impact to the residential street, adding a lot, and confirming that the project is not in the earthquake fault zone. Traffic Engineer Keith Higgins of Higgins and Associates reported on the parking study that was included in the staff report. He said that the proposed project's parking arrangement is a significant improvement over the existing conditions with very little spillover onto Casanova Avenue. Mr. Lowe said that their goals and marketing plan are geared for current Monterey residents' homeownership, the moderately priced units appeal to the work force, the development will be an improvement to the neighborhood, they are improving the interior and exterior of the building, and there is a substantial increase in parking. He answered Mr. Reeves' question saying that Del Rey Oaks granted a perpetual easement to allow parking to extend off the property at the rear of the site.

Public Comments:

Bob Churney said developers see the positive benefits of City and County employees owning their own homes where they work. He said this project can accomplish that objective, that he supports the project and that the developers have done an incredible job. Richard Ruccello, President of Casanova Oak Knoll Neighborhood, thanked the developers for listening and addressing the neighborhood concerns and meeting with them in the spirit of compromise to make the project work. He said that this project as currently designed will improve the deteriorating property and will help to encourage home ownership that will change the ratio of rentals in their neighborhood. He noted that the revised plan improved the slope area, added parking spaces, preserved the eucalyptus trees, and included the tot lot. He said that he emailed the information to his neighborhood membership list and he received positive responses. David Shipnuck said that this plan is a long-term solution to the parking problems and that the developers went more than half way in meeting neighborhood concerns. He said he does not want to lose any single-family houses, but in its place there will be 83 ownership units. He said that this project will create a much better social scene. Sharon Dwight said that she was glad to see the tot lot and she expressed her concerns to be sure that there is enough open space, adequate noise insulation, required storage, and washers and dryers provided. She said that she hopes the new 831B Casanova Avenue will be merged with the rest of the land, she voiced her concerns about the potential of losing affordable housing and owners converting the homes to rentals, and whether the parking standards were being met. Robert Azevedo, Manager of the townhouse apartments, said that he was pleased with the way the developers came up with a parking plan to take cars off the street. Mr. Lowe said that they met with about 30 potential tenant homeowners and they were encouraged by the opportunity.

Vice Chair McCrone called for a Recess at 9:25 p.m. The meeting reconvened at 9:35 p.m.

Commissioner Comments:

Mr. Marvin answered concerns stating that open space will not be reduced any more than what currently exists, that storage areas and noise insulation is up to code, that there are washers and dryers in each unit and that the property at 831B Casanova Avenue shall be incorporated in the project as shown on the May 16, 2007 Map. He said that the City is more stringent now than in the past and developers are required to provide marketing efforts aimed at the local market. He said that the loss of affordable housing is a balancing matter and the Condominium Conversion Adhoc Committee is reviewing that key issue. Commissioner Osorio said that he is content that the applicant worked with the neighborhood association, that the tot lot and trees were addressed, and that the developers addressed concerns and accommodated what the Commissioners expected. He said he only questions whether prices will remain as stated when the units are for sale and whether the ownership of the units will be to local people. Commissioner Bryant said that her concerns were addressed and that this will be an overall improvement to the neighborhood. She said they have a strong neighborhood association and that the neighbors are in favor of the project. She moved to recommend to City Council approval of the project with amendments regarding Public Works Condition of Approval 8.b. and 8.g. regarding the Del Rey Oaks easement and storm water and the support for the trash enclosure variance with findings as discussed. Commissioner Osorio seconded the motion.

Commissioner Stocker said that since he was not able to attend the meeting when this item was first heard, he watched the recorded meeting. He said that he will support the motion, that the developers did a good job in answering concerns, compromising and working with the neighborhood association, and that it is a perfect project on this site. He said that the development in its current state is in horrible condition; and whether they are rentals or condos, it needs to be brought back to a useful life. Commissioner Widmar said that one goal was to take some cars off the street and the parking study provides good evidence and was helpful. He said that he will support the motion because it is a good project and positive for the neighborhood. Commissioner Davis said that he agrees with everything said. He said that recommendations were given to the developers that may have been conflicting but the end result was positive. He thanked the developers for meeting with the neighborhood association, which increased the value of changes made tonight. Vice Chair McCrone said that he will support the motion, but he continues to believe that the City is losing affordable workforce units; however, this is the best project it can be. He said the buildings are at the end of their useful life and if torn down, it would be rebuilt to today's standards. With this project, there are reduced impacts of non-conformities, but it is still nonconforming;

and he hopes to get a much better handle on this in the future.

MOTION:

On a motion by Commissioner Bryant, seconded by Commissioner Osorio, it was moved to recommend to City Council approval of Master Use Permit 06-435 for Planned Unit Development (PUD), Vesting Tentative Map, Condominium Plan and Parking Adjustment 06-435 and Zoning Map Amendment, amending Public Works Condition of Approval 8.b. and 8.g. A variance was also recommended for approval for a trash enclosure that is not within the 150 foot standard finding that meeting the standard would require the removal of parking spaces or units. The motion passed by the following vote:

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

2. Review of Proposed Fiscal Year 2007/2008 Neighborhood Improvement Program (NIP) and Capital Improvement Program (CIP); Exempt from CEQA Requirements.

Recommendation to City Council. Review of proposed Fiscal Year 2007/2008 Neighborhood Improvement Program (NIP) and Capital Improvement Program (CIP) Program for consistency with the General Plan.

ACTION: Recommendation to City Council for approval of Fiscal Year 2007/2008 Neighborhood Improvement Program (NIP) and Capital Improvement Program (CIP) as submitted. 5-0-2 (Absent-Davis, Garden).

Staff Presentation/Commissioners Questions:

Rick Marvin presented the staff report. Les Turnbeaugh answered Commissioners' questions regarding the proposed Dog Park at El Estero Eucalyptus Grove and the New Monterey Underground Utilities. .

Public Comments:

Sharon Dwight, Alternate NIP Spokesperson, said that the dog park is in a good location that meets all criteria and that the little dogs will be separate from the big dogs to avoid competition between each other. She said that if there is a desire to enlarge the park in the future, it will come back for discussion. Regarding the underground utilities, an assessment district needs to be established and 60% of the owners need to vote in favor of project. She said that the NIP list is good list, not in conflict with any other, and contingencies are in place.

Commissioner Comments:

Commissioner Stocker moved to recommend to City Council approval of the Neighborhood and Capital Improvement Programs as submitted. Commissioner Bryant seconded the motion. Commissioner Widmar said that he appreciates the work that the NIP/CIP citizens do towards these programs. Vice Chair McCrone concurred and said that the program is successful because now smaller programs are being accomplished.

MOTION:

On a motion by Commissioner Stocker, seconded by Commissioner Bryant, it was moved to recommend to City Council approval of Fiscal Year 2007/2008 Neighborhood Improvement Program (NIP) and Capital Improvement Program (CIP) as submitted. The motion passed by the following vote:

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

3. Planning Division Recommendation to Approve Resolution to Adopt New Parking Space Dimensions and Access Standards.

ACTION: Tabled this item for further study and information. 4-1 (Noes-Stocker) 1 (Abstain-Davis)-1 (Absent-Garden).

Staff Presentation/Commissioners Questions:

Rick Marvin introduced Planning Intern Mowafiq Alanazi who presented the staff report. Rich Deal showed examples of parking problems as they exist with compact parking spaces and impacts created by cars not parked correctly. Mr. Marvin and Mr. Deal answered Commissioners' questions.

Public Comments:

Carl Outzen said that this is an enforcement problem, not a parking standard problem; and if there is proper signage, then people know where they can park their cars. He said he does not believe that there is an increase in larger cars because smaller cars use less gas. He said that expanding parking spaces when developing property is considerable and that he has not heard of any accident with his properties utilizing current standards. He said he was opposed to the ruling becoming effective tonight if approved because applicants have already submitted projects after spending thousands of dollars with architects who have designed projects based on today's standards. He said he would like to see State standards and that there is not enough information for the Planning Commission to make a decision. Sharon Dwight, speaking as a resident of New Monterey, asked if there were provisions for variances and if the criteria for giving variances was spelled out in this resolution? She said that by making parking spaces larger will be a hardship to developers and will not allow for landscaping. She said that she does not want the length of parallel parking spaces to be changed and she, too, believes that because of the gas prices, people will be replacing their larger cars with smaller cars. Allen Robinson, Architect, said that he would like to have an understanding of how these standards apply to parking structures with diagrams.

Commissioner Comments:

In answer to questions, Mr. Marvin said that policy allows the Traffic Engineer to approve or waive parking standards based on unique circumstances of specific sites. He said that staff reviews and approves parking on site plans and there is a field inspection after construction to make sure requirements are met, but there is no enforcement after the project is built.

Commissioner Davis arrived 7:55 p.m.

Commissioner Widmar said that as presented, the standards are too open ended, not specific enough, and there needs to be more thought into the variables of parking structures versus parking lots versus parallel parking and how it affects current projects. He said that resolutions brought to the Planning Commission in the future needs to address all parking with standards with back up and support with State and/or Federal standards. Commissioner Stocker said that he disagrees with the concept that there are more large cars as he has read that the trend is towards smaller cars. He said that there is a problem in City garages and at the Whole Foods parking lot, but he does not believe this should be established for all projects because of isolated instances of problems. He said that this will be a development limiting tool and that developers should work out parking on their sites. Vice Chair McCrone said that he does not see hard evidence to make the suggested changes. He said that people are going to park in compact spaces no matter what parking spaces are available. He said there are difference of opinions and suggested the need for a survey to find out how many compact spaces are occupied with non-compact cars. He added that he does not want to change parallel parking standards. Commissioner Bryant said that there may need to be different standards in areas like Ryan Ranch versus Del Monte Center. She said that staff needs to return with more information, but that she would like to see parallel parking remain the same length. Commissioner Osorio said that he agrees with most of what was said and this is a good beginning, but that he cannot support the proposal at this time. Commissioner Widmar moved to table this item until staff can return with simple easily understandable information. He said that width is more important than length and enforcement is unlikely. Commissioner Bryant seconded the motion.

MOTION:

On a motion by Commissioner Widmar, seconded by Commissioner Bryant, it was moved to table this

item for further study and information. The motion passed by the following vote:

| | | | |
|----------|---|----------------|---------------------------------|
| AYES: | 4 | COMMISSIONERS: | Bryant, McCrone, Osorio, Widmar |
| NOES: | 1 | COMMISSIONERS: | Stocker |
| ABSTAIN: | 1 | COMMISSIONERS: | Davis |
| ABSENT: | 0 | COMMISSIONERS: | Garden |

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 agendaize a matter of business on a future agenda (G.C. 54954.2).

4. Response to Commissioners' Comments at May 8, 2007 meeting. Report Received. New Comments:

- Commissioner Davis said that he is pleased that the Architectural Review Committee is pressing for good design and that they are raising the level of design in the Downtown. He further indicated that high level design is what is needed for the Downtown to compete and attract successful businesses. He also asked for a status report on Downtown projects such as Trader Joe's, Honest Engines, Valero, Work building, Regency Theater, Monterey Hotel, Casa Munras, Mixed-use Design Guidelines, Calle P Streetscape.
- Commissioner Bryant said that she will not be able to attend the June 26 meeting. Commissioner Davis said that he will not be able to attend the June 26 nor the July 10 meetings.

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.

5. Planning Division Update. Report received and reviewed.

- Mr. Marvin said that the June 12 Planning Commission Meeting will be an evening only session. He said that the Condominium Conversion Adhoc Subcommittee will meet at 4:00 p.m.
- The Planning Commission concurred that the topic for the June 11 Mayor's Meeting will be an update of the Condominium Conversion Adhoc Subcommittee. Mr. Marvin said that on June 19, the City Council will decide whether to extend the moratorium and that staff's point of view is the need to extend the moratorium until there are substantive changes to the ordinance that will improve future condo conversions. He said issues to be considered are the balances between rentals and affordable ownership as well as parking ratios.
- Referencing the Green Placard regulations, Commission Osorio said that he does not have a placard and would like to obtain one. Staff will request one from the Parking Division.

ADJOURNMENT

There being no further business, the meeting adjourned at 10:00 P.M.

APPROVED:

ATTEST:

Leon Garden, Chair

Richard S. Marvin, Senior Planner

Respectfully Submitted, Terry Lebda
Recording Secretary

