Council Chamber
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Monterey, California

Planning Commission
Annotated Agenda

Regular Meeting
July 22, 2008

EVENING ONLY
7:00 p.m. – 11:00 p.m.

Commissioners

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

The Planning Commission meeting packet may be reviewed by the public in the Monterey Library, in the Planning, Engineering and Environmental Compliance Division (PEEC), or on the web at www.monterey.org beginning late Friday afternoon prior to the date of the meeting.

CALL TO ORDER
Vice Chair Stocker called the meeting to order at 7:00 P.M.

ROLL CALL
Commissioners Present: Bryant, Davis, Garden, McCrone, Stocker, Widmar

Commissioners Absent: Osorio

Staff Present: Principal Planner Kimberly Cole, Recording Secretary Lisa Hanes

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, Engineering and Environmental Compliance Division (PEEC), 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.

APPROVAL OF ANNOTATED AGENDAS
July 8, 2008

ACTION: Approved as submitted. 5-0-1 (Abstained-Stocker)-1 (Absent-Osorio).

MOTION:
On a motion by Commissioner Garden, seconded by Commissioner Davis, the Annotated Agenda of July 8, 2008 was approved as submitted. The motion passed by the following vote:

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

REVIEW OF CONSENT ITEMS

REVIEW OF CONSENT ITEMS allows for a review of those items recommended for approval on consent or recommended to be continued, tabled or withdrawn, etc.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. Project representation is required.

1. **541 Tyler Street; Application 08-167 to Reopen Use Permit 05-396; Applicant Gurdish Kumar of Smoke N Stuff; Owner T. G. Anderson Trust; C-2 Zoning District; Exempt from CEQA Requirements.**

Application 08-167 to Reopen Use Permit 05-396 to allow the sale of single cans of beer at an existing convenience market.

ACTION: Continued to August 12, 2008, because the applicant was not present. 6-0-1 (Absent-Osorio).

MOTION:

On a motion by Commissioner McCrone, seconded by Commissioner Widmar, it was moved to continue the item to August 12, 2008, because the applicant was not present.
The motion passed by the following vote:

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

2. **685 Spencer Street and 701 Prescott Avenue; Master Use Permit and Planned Unit Development (PUD), Tentative Subdivision Map and Condominium Plan and Variance 08-116; Applicant Philip C. Johnson; Owner Spencer Street Partners; R-3-5 Zoning District; Exempt from CEQA Requirements.**

Recommendation to the City Council. Request for a Master Use Permit and Planned Unit Development (PUD), Tentative Subdivision Map and Condominium Plan to allow for the conversion of an existing apartment building to five (5) condominium units. A Variance is required to allow one of the parking spaces to be located in-tandem.

ACTION: Recommendation to City Council for approval of Master Use Permit and Planned Unit Development as submitted. 5-1 (Noes-McCrone)-1 (Absent-Osorio).

Staff Presentation/Commissioners Questions:
Principal Planner Kim Cole presented the staff report and answered Commissioners' questions.

Applicant:
Phil Johnson, Johnson Architecture Group said that the project renovates the five-unit apartment complex in order to bring it up to current building codes. He said that the staff report, under Codes, Covenants and Restrictions (CC&R's) parking conditions is incorrect in stating that each unit will be assigned a garage space, rather it should read that each unit will have a covered space. He said the project is removing a large portion of the pavement and replacing it with landscaping. He also said that the tandem parking space is a recommendation from staff and allows for significantly more landscaping and site amenities. He responded to issues raised in the Neighborhood Association letter submitted at the meeting. He confirmed that there will be ladders for attic storage areas but said that he has added significantly more exterior storage. Mr. Johnson answered Commissioner Garden's question regarding the current renters having an opportunity to purchase the units by stating that the current occupants have been properly noticed making them aware that they will be moved out during the renovation and he is hoping that some will pursue a purchase. He also stated that if the current residents do not purchase the units, they will be compensated according to the length of time they rented.

Public Comments:
Ansel Thoeny, property owner said that he is concerned that the Defense Language Institute (DLI) will close down if affordable rental properties are not available. He also said that the Neighborhood Association needs to address this concern.

Commissioner Comments:
Vice Chair Stocker commented on the financial grid reflecting household incomes that was shown at the meeting stating that we should not show documents with names and incomes. He said that the General Plan encourages ownership opportunities and he concurs with Commissioner Davis that the building size will remain even if it is not approved. He also said that in the future he would like to have background information available.

Commissioner McCrone suggested that in the future, documents showing income information should have the names screened. He said that the project is non-conforming for floor area ratio and parking, and said that the New Monterey Area Plan states that there should be no Planned Unit Developments (PUD's). He also said that the project will create more work force housing.

Commissioner Garden said that the Commission has an expectation to provide work force housing, but has not had enough time to review in depth all the details in the new Condominium Ordinance. He also said that this is a very complex application and requires more detailed information, but does think that it will significantly improve the area.

Commissioner Bryant said that there is a conflict with the issue that the FAR is higher than we would approve today, and she is concerned about the turn around and exit in the parking lot. She concurred with Commissioner Garden stating that the project will improve the site, but is reluctant to approve because of the FAR issue and the non-compliance with City standards.

Commissioner Davis said that he does not see a problem with converting the building if it is already over FAR because the building is not increasing in size. He also said that he is confident in staff that they have reviewed the details of this project.

Commissioner Widmar said that he concurs with Commissioner Davis' comment. He said that if one unit is removed to meet FAR requirements, the price of the other units would rise. He also said that the City of Monterey has 32.5% of it's housing units in the five plus unit category which makes our City the highest in the county and therefore, he does not see any economic damage if these units are taken out of the rental pool. He made a motion to recommend to the City Council approval of Master Use Permit and Planned Unit Development and amend Condition 12 so that "garage space" be changed to "covered parking space". Commissioner Davis seconded the motion.

MOTION:
On a motion by Commissioner Widmar, seconded by Commissioner Davis, it was moved to recommend to City Council approval of Master Use Permit and Planned Unit Development and amend Condition 12 so that "garage space" be changed to "covered parking space".
The motion passed by the following vote:

AYES:	5	COMMISSIONERS:	Bryant, Davis, Garden, Stocker, Widmar
NOES:	1	COMMISSIONERS:	McCrone
ABSENT:	1	COMMISSIONERS:	Osorio

Amended Condition of Approval:

12. **CC&R's Parking Conditions.** That a minimum of nine (9) on-site parking spaces shall be provided and maintained as shown on the architectural site plan. The CC&R's shall address maintenance of the parking spaces and ensure that each individual condominium unit is assigned a

~~garage~~ covered parking space. The CC&R's shall establish rules and procedures for resolving on-site parking disputes. All on-site parking spaces shall only be used for vehicle parking. Special provisions shall also be specified for the in-tandem parking space.

3. **2600 Sand Dunes Drive (Beach Resort Monterey or Monterey Beach Hotel); Use Permit 06-117; Applicant Paul E. Davis; Owner ZHG, Inc. (formerly CHATMAR, Inc.); VAF Zoning District; Negative Declaration Filed.**

The project proposes to reopen an existing use permit to allow the expansion and remodel of an existing hotel complex. The existing hotel contains 196 rooms. The proposed project maintains the current number of rooms (196) and expands these existing rooms by enclosing the perimeter hallways and re-utilizing existing interior spaces. The project also demolishes the existing administrative/meeting room building in front of the hotel and replaces it with a new two-story conference center. Parking (325 spaces) is provided onsite.

ACTION: Certified the Negative Declaration and approved the project based on Findings for Decision and Conditions of Approval. 5-0-1(Abstained-Davis)-1 (Absent-Osorio).

Staff Presentation/Commissioners Questions:
Principal Planner Kim Cole presented the staff report and answered Commissioners' questions.

Applicant:
Paul E. Davis, ZHG, Inc. said that the resort is 40 years old and the project began almost 20 years ago. He said that work has begun on the sea wall which will extend the life of the sea wall for another 40 to 50 years. Mr. Davis explained the project in further detail and said that he has an expected completion date of at least two years. Vice Chair Stocker asked if the exterior slump stone walls are bearing walls, or are the floors and posts bearing, and is the project intending on tearing down the building? Mr. Davis replied by stating that the project does not demolish the building and the masonry walls will stay, but the exterior doors and windows will be moved out.

Sharon Reagan representing the Monterey Beach Hotel said that she would consider the parking ratio to be 20% day use and 80% hotel guest.

Public Comments:
None.

Commissioner Comments:
Commissioner Bryant motioned to certify the Negative Declaration and approve the project based on Findings for Decision and Conditions of Approval. Commissioner Widmar seconded the motion.

MOTION:
On a motion by Commissioner Bryant, seconded by Commissioner Widmar, it was moved to certify the Negative Declaration and approve the project based on Findings for Decision and Conditions of Approval. The motion passed by the following vote:

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

COMMISSION COMMENTS
Commissioners may ask questions for clarification, make brief announcements 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).

4. Response to Commissioners' Comments at the July 8, 2008 meeting. Report received.
New Comments:

- Commissioner Widmar will not be present at the August 12, 2008 meeting.
- Commissioner McCrone questioned if we have an ordinance or policy in place for business' advertising with "human" signs by having people wave large posters on the corners of the streets.
- Vice Chair Stocker said that he would like to explore the concept of having a portion of Alvarado Street closed off and turned into a pedestrian park.

PLANNING, ENGINEERING & ENVIRONMENTAL COMPLIANCE DIVISION UPDATE

The Planning, Engineering & Environmental Compliance Division Update furnishes information to the Planning Commission on upcoming activities or announcements including the scheduling of future meetings, study sessions, or retreats.

5. Planning Division Updates. Report received and reviewed.

- Principal Planner Kim Cole made a correction to Item C stating that Chair Osorio clarified he will be able to attend the meeting and has requested through an email that the Commission not review the Green Building Ordinance, instead look at the TAMC proposal and discuss the rail and alternative transportation coming to the Peninsula as a topic for the Mayor's Meeting. The Commission suggested that Chair Osorio discuss the Green Building Ordinance at the Mayor's Meeting because the TAMC proposal will be discussed at a joint session.
- Commissioner Garden requested that there be no field trip for the August 12, 2008 meeting. The Commission concurred.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:55 P.M.

APPROVED:

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Planning Commission Vice Chair David Stocker

ATTEST:

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Principal Planner Kimberly Cole, AICP

Respectfully Submitted, Lisa Hanes
Recording Secretary
Planning Commission