



Council Chamber
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 Monterey, California

Planning Commission Annotated Agenda

Regular Meeting
 February 10, 2009

4:00 p.m. – 5:30 p.m.
 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

CALL TO ORDER

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

ROLL CALL

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

Commissioners Absent: McCrone, Widmar

Staff Present: Chief of Planning, Engineering, and Environmental Compliance Chip Rerig, Principal Planner Kimberly Cole, Senior Associate Planner Christy Hopper, Associate Planner Tricia Wotan, 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, 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

December 9, 2008 (Continued from January 27, 2009.)
 January 27, 2009

ACTION: Approved the December 9, 2008 Annotated Agenda as amended and approved the January 27, 2009 Annotated Agenda as submitted. 5-0-2 (Absent-McCrone, Widmar).

MOTION:

On a motion by Commissioner Garden and seconded by Commissioner Davis, the December 9, 2008 Annotated Agenda was approved as amended and the January 27, 2009 Annotated Agenda was approved as submitted. The motion passed by the following vote:

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

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ITEMS allows for a review of those items recommended for approval on consent or recommended to be continued, tabled or withdrawn, etc.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. **1200 Del Monte Center (P.F. Chang's China Bistro); Re-Opening of Use Permit 07-010; Applicant David Campos of P.F. Chang's China Bistro; Owner Representative Jill Vivanco of American Assets Real Estate Group for Owner Del Monte - POH LLC, DMSJH LLC, KMBC LLC, DMCH LLC; C-2-SC Zoning District; Exempt from CEQA Requirements. (Continued from January 27, 2009.)**

Consideration of Use Permit condition that at the end of the second six-month review period the Use Permit shall be re-opened and submitted to the Planning Commission for further review of noise levels and the causes of the noises occurring after 10:00 p.m.

ACTION: On consent, continued to the February 24, 2009 Planning Commission Meeting to allow staff time to review the noise study. 5-0-2 Absent-McCrone, Widmar.

MOTION:

On a motion by Commissioner Stocker, seconded by Commissioner Bryant, on consent, it was moved to continue this item to the February 24, 2009 Planning Commission Meeting to allow staff time to review the noise study. The motion passed by the following vote:

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

2. **851 Cannery Row; Major Use Permit 08-158; Applicant Bob McIntyre; Owner Chris Shake; Cannery Row (CR) Zoning District; Exempt from CEQA Requirements.**

Request for approval of a Major Use Permit to allow a mixed use development including an existing fast food restaurant and two new apartments. One apartment is proposed on the second floor of the existing building and the second apartment will be detached and located on the rear portion of the lot adjacent to the Recreation Trail.

ACTION: Approved Major Use Permit to allow a mixed use development including an existing fast food restaurant and two new apartments as submitted with staff findings and conditions of approval. 5-0-2 (Absent-McCrone, Widmar).

Staff Presentation/Commissioners Questions:

Christy Hopper presented the staff report and answered Commissioners' questions.

Applicant:

Bob McIntyre addressed Commissioners' questions stating that the patio at the rear of the property will be strictly for private use of the residents and that there is a gate in the back to serve as a fire exit. He said that the primary entrances to the apartments are from Cannery Row but that they can enter from the Recreation Trail. He said that due to topography issues, they were limited to a certain footprint for the new building. He said that they agree with the staff recommended conditions of approval.

Public Comments:
None.

Commissioner Comments:

Ms. Hopper answered Commissioners' questions saying that this item does not need to go back to the Historic Preservation Commission only to the Architectural Review Committee which is addressed in Condition of Approval 2. Commissioner Davis moved to approve the mixed use development as submitted. Commissioner Bryant seconded the motion. Commission Garden said that the Planning Commission and staff have future challenges to provide design guidelines for mixed use as it creates a unique set of circumstances for resident parking and the design guidelines will also need to address the concern that there is limited access to the Recreation Trail. In this case, however, he said that it is a proper use and the consideration for preservation of the historic structure is appropriate. Commissioner Bryant commented that there is provision for parking in this project.

MOTION:

On a motion by Commissioner Davis, seconded by Commissioner Bryant, it was moved to approve the mixed use development as submitted. The motion passed by the following vote:

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

3. 2969 Monterey Salinas Highway; Minor Subdivision (Commercial Condominium Subdivision) and Use Permit 08-235; Applicant Ken Jenvey for Wald, Ruhnke, Dost Architects; Owner John Anderson; I-R-130 D-2 Zoning District; Negative Declaration Filed.

Consideration of a Minor Subdivision (Commercial Condominium Subdivision) and Use Permit for two new office buildings (59,520 total square feet). Building A will be one-story and encompass 23,808 square feet. Building B will be two stories with 35,712 square feet. The offices will be individually owned as condominiums. Two hundred twenty four (224) parking spaces are proposed and satisfy the City's parking requirement for professional offices. Water will be provided to the site by wells.

ACTION: On consent, continued to the March 10, 2009 Planning Commission meeting as requested by the applicant. 5-0-2 (Absent-McCrone, Widmar).

MOTION:

On a motion by Commissioner Stocker, seconded by Commissioner Bryant, on consent, it was moved to continue this item to the March 10, 2009 Planning Commission Meeting. The motion passed by the following vote:

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

**Recess 4:25 p.m.
Reconvene 7:00 p.m.**

CALL TO ORDER

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

ROLL CALL

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

Commissioners Absent: McCrone, Widmar

Staff Present: Principal Planner Kimberly Cole, Principal Planner Elizabeth Caraker, Senior Associate Christy Hopper, Associate Planner Tricia Wotan, Traffic Engineer Rich Deal, Recording Secretary Terry Lebda

PUBLIC COMMENTS

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None.

REVIEW OF CONSENT ITEMS

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PUBLIC APPEARANCE

PUBLIC APPEARANCE items are reports on non-routine issues that might stimulate public discussion, but that do not require formal noticing as public hearings. You are welcome to offer your comments after being recognized by the Chair. The Chair may limit the time each speaker is allocated.

- 4. Receive Report from the Transportation Agency of Monterey County on the Conceptual Use of 1) the Monterey Branch Line Corridor for the Proposed Monterey Branch Transit Line; and, 2) 290 Figueroa (APN No. 001-701-011) for the Proposed Monterey Branch Line Station and the Proposed Monterey Salinas Transit Plaza for the Purposes of Developing a Project Description for the Required Environmental Review.**

ACTION: Comments received.

Staff Presentation/Commissioners Questions:

Ms. Caraker introduced TAMC staff that would give a presentation on the Monterey County Branch line.

Don Bachman, Deputy Executive Director, and Kristen Hoschouer, Project Manager, presented TAMC's Monterey Branch Line (Bus Rapid Transit, Light Rail Transit,) conceptual use of the Monterey Branch Line Corridor for the proposed Monterey Branch Transit Line; and, 290 Figueroa for the proposed Monterey Branch Line Station and the proposed Monterey Salinas Transit Plaza for the purposes of developing a project description for the required environmental review.

Mr. Bachman, Ms. Hoschouer, and City staff answered Commissioners' questions.

Public Comments:

Richard Rucello said that he has been following this project for years and that it needs more thought especially if it will require money from the tax payers. He stated his concerns that if the fishing industry returns, trucks would unload on the wharf and that the Figueroa intersection is already very congested; how will people get from their drop off point to their destinations such as the Sports Center or Cannery Row; that children and dogs will not stay off the tracks; as proposed, Window-on-the-Bay will no longer be a destination area; and that the function of vehicles in and out of the lot needs to be incorporated into the plan.

Commissioners Comments:

Commissioner Bryant said that she does not believe it makes sense to have the bridge to Portola Plaza as proposed; that the proposed improvements to the Figueroa intersection does not seem to take into consideration the amount of traffic during certain times of the day; and she expressed a concern regarding consistency with the proposed use of the old train station with the General Plan and Harbor Land Use Plan. Ms. Hoschouer said that the traffic impacts will be analyzed as part of the Environmental Impact Report. Commissioner Garden said that the proposed plan in the downtown area is not matching Monterey's smart growth plan for North Fremont, Lighthouse and Cannery Row. Chair Osorio said that, to a degree, he disagreed. He said that he sees this as the first phase of the 21st century bus system, that MST will need to improve their system to tie into the branch line and that buses will connect to the Lighthouse corridor and downtown areas. He expressed an interest in an analysis comparing the energy consumption of the vehicles. Commissioner Stocker said that this particular plan is a rough concept and only general comments are to be made at this time of the process.

5. Area Plan and General Plan Consistency Analysis; per California Code of Regulations Title 14, Chapter 3, Section 15061 b(3), this analysis does not constitute a project.

ACTION: Received the results of a consistency analysis of policies between the City of Monterey's adopted Area Plans and the General Plan.

Staff Presentation/Commissioners Questions:

Ms. Wotan presented the staff report and answered Commissioners' questions.

Public Comments:

Richard Rucello, President of Casanova Oak Knoll Neighborhood Association, said that the Casanova Oak Knoll Neighborhood Area Plan is 24 years old, and this is the first time that an inconsistency has been pointed out. He said that the neighborhood did not want more apartments built in the area and that it is a poorly planned, high density neighborhood with horrible parking and traffic problems as well as high crime statistics. He said that there is an increase of children, problems with parking, size of streets, and fire access. He said that the city needs to look at other neighborhoods that do not have their share of apartments. In addition, it can be dangerous crossing North Fremont. It is also difficult to deal with five governmental jurisdictions that border the neighborhood. He said that although many items have been accomplished, they look forward to updating the area plan to make it more concise. Regarding the Portuguese Hall, not all history has been carried forward through the years. In answer to Commissioners' questions, he said that rather than recommend an amendment to the Area Plan now to deal with inconsistencies, we need to leave everything on the table until everyone can participate in a new neighborhood plan of their own vision. He said that this one item had more affect on the future of the neighborhood than any other.

Commissioner Comments:

Commissioner Garden said that he thought there would be more inconsistencies reported and he commends staff for doing analysis and removing anxiety that there were many inconsistencies.

6. **Recommendation to City Council Sending a Letter to the Presidio of Monterey regarding the Presidio of Monterey Real Property Master Plan Environmental Impact Statement.**

ACTION: Recommendation to City Council for consideration of the letter, as submitted, to the Presidio of Monterey regarding the POM Real Property Master Plan Environmental Impact Statement. 5-0-2 (Absent-McCrone, Widmar).

Staff Presentation/Commissioners Questions:

Kim Cole presented the staff report and answered Commissioners' questions.

Public Comments:

None.

Commissioner Comments:

Commissioner Stocker said that he would rather see the troop housing established on the Presidio. He said the alternative site at Fort Ord would mean that they will need to drive in to town and that there should be a traffic analysis for each scenario. He suggested that by creating a mixed used village, essentially by walking to the Cannery Row area, would be beneficial.

Commissioner Garden preferred the use of the facility on the Presidio. He said that the Master Plan does not plan for the younger military attending school that come with their families. He said there are good demographics on growth, but no plan to put any more family housing on this particular site. In answer to Commissioner Garden's question, Ms. Cole said that there is no technical reason why the Chair of the Planning Commission could not sign the letter. She said that staff has perceived that it affects a larger community and by going to the City Council, it gives the plan more exposure and the Council will have a better opportunity to know what is happening.

Commissioner Davis said that he agrees with the letter, that it is an economic driver, and he would want to temper any comments denying that this is a benefit to the community. He said he would like to see constructive requests through the exercise and an analysis about how storm water and waste water issues will be resolved. He suggested that the topography is such that there should be multi level garages built into sloped areas.

Chair Osorio said that he is surprised that there was no discussion regarding water. He said he would want to know the impacts to the infrastructure and transit connections from Fort Ord to Monterey with the additional population in the city. Ms. Cole said that the Environmental Impact Report will address water, infrastructure and capacity.

Chair Osorio asked what will be the impacts on the city and infrastructure with the added amount of people who would live on the Presidio and what will we need to look for in the document that will tell of these impacts? He said he was thinking of an additional alternative that will have all of the facilities on Fort Ord. If not, he asked if there will be a transit facility between Fort Ord and the city to accommodate the additional people – having housing there and instructional facilities here transporting them with the bus line or transit line as it would be a natural thing if that is ever built. Chair Osorio referred to the proposed letter saying that he did not understand the second paragraph (Economics) regarding the buildings and that perhaps that should be reworded.

Ms. Cole said that it would help her if the Commissioners could clarify if the letter should suggest another alternative or a third alternative should be evaluated in the EIS as mentioned by Chair Osorio, that all new facilities be moved to Fort Ord supported by a transit system.

Commissioner Stocker said that he does not want to split housing and instruction. Commissioner Davis said that if the Presidio is moved, the vacated land would probably become medium to high residential density which would create more traffic impacts. The alternative for living and working on campus, has less impact.

Commissioner Stocker reiterated that living and working in close proximity will limit their trips in their cars and working and learning close to living quarters is an economic engine for the City of Monterey especially with the young people visiting the downtown area at night. He said it is the wrong sending them away to Fort Ord, but that he would like to see and analysis of living and working here versus Fort Ord.

Commission Davis asked, with this plan, do we ask them to move their facilities uphill so that Pine Street can be reinstalled as access? Ms. Cole said that anything like the Pine Street connection which is strategic and long term, should be considered.

Commissioner Bryant said that it would be valuable to analyze both living and learning in one location. She asked, would Fort Ord be just housing; would they put part of the campus or other training there? Ms. Cole said that they did discuss full language instruction at Fort Ord (creating a split campus). Commissioner Bryant suggested that they need to make a thorough analysis of their population before splitting the campus, Alternative 2.

Commissioner Garden said that they perceive circulation is adequate, but in both alternatives they have a parking impact.

Commissioner Stocker moved to approve the letter as submitted. Commissioner Bryant seconded the motion.

MOTION:

On a motion by Commissioner Stocker, seconded by Commissioner Bryan, it was moved to recommend to City Council consideration of the letter, as submitted, to the Presidio of Monterey regarding the POM Real Property Master Plan Environmental Impact Statement. The motion passed by the following vote:

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

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).

7. Response to Commissioners' Comments at January 27, 2009 meeting. Report received. New Comments:

- Commissioner Davis made comment that the old Valero site at 595 Munras Avenue is one of the first major intersections when entering downtown and he hopes that after using this lot for a staging site for the neighboring property, that the area can be beautified.

PLANNING, ENGINEERING, AND ENVIRONMENTAL COMPLIANCE DIVISION UPDATE

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

8. Planning, Engineering, and Environmental Division Update. Report received and reviewed.

- Commissioner Bryant informed that she will not be able to attend the February 23 Field Trip for the February 24 Planning Commission Meeting.
- Ms. Caraker announced that there will be a Housing Element Public Workshop tomorrow, February 11, at

6:00 p.m. She said that the February 24 Planning Commission Meeting item will focus on policy and programs and which need to be updated. The March 25 joint meeting with City Council and Planning Commission is to review the draft Housing Element that will be forwarded to the State Housing Community Development Department. She requested that the Commissioners advise staff if they are able to attend the March 25 joint meeting.

- Ms. Cole announced that due to current budget situations there are no funds available for traveling to conferences as has been available in the past.
- Ms. Cole informed the Commission that the Airport Land Use Commission may be putting together a workshop for cities.
- Commissioner Garden reported that the Climate Action Subcommittee continues to meet before the regularly scheduled Planning Commission Meetings and that Engineering Technician Jeff Condit is getting close to the carbon footprint of the City of Monterey.

ADJOURNMENT

There being no further business, the meeting adjourned at 9:25 P.M.

APPROVED:

ATTEST:

Planning Commission Chair Luis Osorio

Principal Planner Kimberly Cole, AICP

Respectfully Submitted, Terry Lebda
Recording Secretary
Planning Commission