



Council Chamber
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Planning Commission Minutes

Regular Meeting
September 22, 2009

**Afternoon Session Only
4:00 p.m. – 6:00 p.m.**

Commissioners

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

CALL TO ORDER

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

ROLL CALL

Commissioners Present: Bryant, Garden, McCrone, Osorio, Stocker
Commissioners Absent: Davis, Widmar
Staff Present: Principal Planner Kimberly Cole, Housing Property Manager Rick Marvin, Administrative Analyst Sandra Reeder, 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 MINUTES

September 8, 2009

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

MOTION:

On a motion by Commissioner Bryant, seconded by Commissioner Osorio, the Minutes of September 8, 2009 were approved as submitted. The motion passed by the following vote:

AYES:	5	COMMISSIONERS:	Bryant, Garden, McCrone, Osorio, Stocker
NOES:	0	COMMISSIONERS:	None
ABSENT:	2	COMMISSIONERS:	Davis, 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ITEMS allows for a review of those items recommended for approval on consent, or recommended to be continued, tabled or withdrawn, etc.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 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.

- C1. **685 Cannery Row, Suite 101 (Cannery Row Pizzeria); Major Use Permit 08-136; Applicant Michael Olivetti; Owner Cannery Row Company; C-R Zoning District; Exempt from CEQA Requirements. (Continued from August 25, 2009.)**

Request for a use permit for live entertainment, including live entertainment and karaoke, and outdoor seating in conjunction with a full-service restaurant. Use permit is required for live entertainment and outdoor seating.

ACTION: On consent, approved Use Permit 08-136 with findings and conditions as submitted. 5-0-2 (Absent-Davis, Widmar).

MOTION:

On a motion by Commissioner McCrone, seconded by Commissioner Osorio, on consent it was moved to approve Use Permit 08-136 with findings and conditions as submitted. The motion passed by the following vote:

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

- C2. **643 Cannery Row; Extension 09-169 of Use Permit 07-098; Applicant/Owner Turie Cavaliere; C-R Zoning District; Exempt from CEQA Requirements.**

Request for extension of use permit for a two-story addition to an existing one-story commercial building.

ACTION: On consent, approved Extension 09-169 of Use Permit 07-098 with conditions as submitted. 5-0-2 (Absent-Davis, Widmar).

MOTION:

On a motion by Commissioner McCrone, seconded by Commissioner Osorio, on consent it was moved to approve Extension 09-169 of Use Permit 07-098 with conditions as submitted. The motion passed by the following vote:

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

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.

3. **Recommendation to Planning Commission for the FY 2008-09 Consolidated Annual Performance and Evaluation Report (CAPER) for Housing and Community Development Programs (Administrative Action-Categorically Exempt from Environmental Requirements).**

ACTION: Received report and authorized submittal of the Consolidated Annual Performance and Evaluation Report (CAPER) for Housing and Community Development Programs to the U.S. Department of Housing and Urban Development (HUD). 5-0-2 (Absent-Davis, Widmar).

Staff Presentation/Commissioners Questions:

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

Public Comments:

None.

Commissioner Comments:

Mr. Marvin answered Commissioners' questions. Regarding the City's ownership/resale of affordable housing units, he said that the practice has been to exercise the option of re-purchasing units from the seller and to then rehabilitate the units for resale. For some time this was successful, but in the last several years the city has wound up owning units and unable to resell them. Regarding the status of the Monterey Hotel, he said that the City is currently negotiating funding and weather protecting the building.

Commissioner Osorio said that he appreciates the amount of work and programs that the city works on. He moved to accept the report and authorized the City to submit it to HUD for review. Commissioner Bryant seconded the motion. Chair Stocker said that he always appreciates staffs' presentations and it is wonderful to see how programs are doing.

MOTION:

On a motion by Commissioner Osorio, seconded by Commissioner Bryant, it was moved to receive the report and authorize submittal of the Consolidated Annual Performance and Evaluation Report (CAPER) for Housing and Community Development Programs to the U.S. Department of Housing and Urban Development (HUD). The motion passed by the following vote:

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

4. 414 Larkin Street; Appeal 09-153 of ARC Application 08-296; Appellant Guiseppe Managuerra; Owner Nelson Vega; R-3-6 Zoning District; Exempt from CEQA Requirements.

Appeal of the Architectural Review Committee approval of Preliminary Design Review for exterior modifications to the existing multi-family residential building.

ACTION: On consent, the appeal of 414 Larkin Street was continued to October 13, 2009. 5-0-2 (Absent-Davis, Widmar).

MOTION:

On a motion by Commissioner Garden, seconded by Commissioner McCrone, the 414 Larkin Street appeal was moved to consent to be continued to October 13, 2009. The motion passed by the following vote:

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

5. Response to Commissioners' Comments at September 8, 2009 meeting. Report received.

New Comments:

- Commissioner McCrone submitted to staff the article in the San Francisco Chronicle regarding density/zoning in order to increase livability of our cities. Staff will electronically forward the articles to the Commissioners.
- Commissioner Stocker said that he received two mailings from the City this past week that cost \$4.50 for the PC packet and .75 for another mailing. He said via modern technology there must be a more efficient way to send communications saving staff time and city money. The Commission discussed suggested that a

subcommittee be formed to pursue this matter further and to consider eliminating the Planning Commission Tentative Agenda as it was not useful due to changes that occur. Commissioner Garden and Commissioner Stocker were appointed to serve on this subcommittee.

- Commissioner Osorio said that for the October 27 PC Retreat he would like to agendize better ways to utilize the Custom House Plaza and learn what restrictions there are for utilization of the Waterfront Community Room. He said that he would like to see the Plaza come alive all year long rather than only during times when there are annual festivities.

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.

6. Planning, Engineering, and Environmental Compliance Division Update. Report received and reviewed.

- Ms. Cole said that the October 13, 2009 Planning Commission Tentative Agenda may now be an afternoon and evening session due to the added item of 414 Larkin Street.
- Ms. Cole reminded the Commission to furnish the City Manager with their Top Five Issues before the end of this month.

ADJOURNMENT

There being no further business, the meeting adjourned at 4:40 P.M.

APPROVED:

ATTEST:

Planning Commission Chair David Stocker

Principal Planner Kimberly Cole, AICP

Respectfully Submitted, Terry Lebda
Recording Secretary
Planning Commission