



# CITY OF DEL REY OAKS

650 CANYON DEL REY RD. • DEL REY OAKS, CALIFORNIA 93940  
PHONE (831) 394-8511 • FAX (831) 394-6421

March 8, 2012

## AGENDA

REGULAR DEL REY OAKS PLANNING COMMISSION MEETING  
WEDNESDAY, MARCH 14, 2012 AT 6:00 P.M.  
CHARLIE BENSON MEMORIAL HALL, CITY HALL

1. ROLL CALL
2. PLEDGE OF ALLEGIANCE
3. CONSENT AGENDA:
  - A. Planning Commission Meeting Minutes, February 2012
4. PUBLIC COMMENTS:

Anyone wishing to address the Commission on matters not appearing on the Agenda may do so now. The public may comment on any other matter listed on the Agenda at the time the matter is being considered by the Commission. *There will be a time limit of not more than three minutes for each speaker. No action will be taken by the Commission on matters brought up under this item and all comments will be referred to staff.*
5. REPORTS:
  - A. Building Activity Report, February 2012
6. NEW BUSINESS:
  - A. Applicant's Name: Ralph Rodriguez  
File Number: ARC#12-02  
Site Location: 1012 Rosita Rd.  
Planning Area: APN# 012-535-018  
Environmental Status: Categorically Exempt  
Project Description: Requesting Architectural Review to add a 14'3" X 12'3" deck to north side of the single family dwelling.

7. ANNOUNCEMENTS/COMMENTS BY PLANNING COMMISSIONERS
8. NEXT MEETING: Wednesday, April 11, 2012 at 6:00 P.M.
9. ADJOURNMENT

All enclosures and materials regarding this agenda are available for public review at Del Rey Oaks City Hall. Information distributed to the Planning Commission at the meeting becomes part of the public Record. A copy of written material, pictures, etc. should be provided to the Secretary for this purpose.

**REGULAR MONTHLY MEETING DEL REY OAKS PLANNING  
COMMISSION WEDNESDAY, FEBRUARY 8, 2012 AT 6:00 P.M.  
CHARLIE BENSON MEMORIAL HALL**

**Present:** Commissioner Larson, Thayer, Lucido, Hayworth, Weir, Ventimiglia,  
and Chairman Jaksha

**Absent:** None

**Also Present:** City Attorney Callihan and Deputy City Clerk Minami

**PLEDGE OF ALLEGIANCE:** Lead by Chairman Jaksha

**CONSENT AGENDA:**

The Commission considered **ITEM 4.A.**, Planning Commission Meeting Minutes,  
January, 2012.

*Motion by Commissioner Ventimiglia to approve, seconded by Commissioner  
Lucido.*

*There were no comments received*

*Motion passed 7-0*

**PUBLIC COMMENT:**

None

**REPORTS:**

The Commission considered **ITEM 5.A.** Building Activity Report,  
January 2012

*Report was accepted.*

**Commissioner Ventimiglia:** Solar panel installation, is the fire regulation  
followed?

**Deputy City Clerk Minami:** Yes, the City of Monterey approves plans and  
performs the building inspections and all of the regulations are followed.

**NEW BUSINESS:**

The Commission considered **ITEM 6.A.**,

- A. Project Name:** Aaron Tollefson  
**Owner's Name:** Kevin Raskoff and Kim Shirley  
**File Number:** ARC#12-02

**Site Location:** 4 Baxter Place  
**Planning Area:** APN# 012-501-017  
**Environmental Status:** Categorically Exempt  
**Project Description:** Requesting Architectural Review to add a 408 square foot single story addition to an existing 1,152 square foot single family dwelling.

**Aaron Tollefson, Applicant:** Size of family has increased and the children need room.

**Commissioner Larson:** No variance is needed.

**Commissioner Weir:** Impressed with the quality of the plans.

**Commissioner Ventimiglia:** The carbon monoxide detectors are not on the plans(?)

**Deputy City Clerk Minami:** That will be required when City of Monterey does the plan check.

**Commissioner Ventimiglia:** It looks great.

**Commissioner Weir:** The project is within the City's guidelines.

**Kevin Raskoff, Home Owner:** When the addition is complete, they will retrofit the landscaping.

**Commissioner Hayworth:** Neighbors opinion (?)

**Kevin Raskoff, Home Owner:** The neighbors really like the idea. The roof line and foot print is minimal.

**Commissioner Lucido:** Great job. A signed version of the survey is needed, according to paragraph #5 of the building guidelines.

**Deputy City Clerk Minami:** Can they provide a wet stamp to the City staff?

**Commissioner Lucido:** Yes.

**Chairman Jaksha:** Plenty of room for kids to play in the yard.

**Public Comment:** None

**Motion by Commissioner Weir to approve item #6.A:** Kevin Raskoff and Kim Shirley, ARC #12-02, 4 Baxter Place, APN #012-501-017, Environmental Status is Categorically Exempt, to add a 408 square foot single story addition to an existing 1,152 square foot single family dwelling, *seconded by Commissioner Hayworth.*

**Motion passed 7-0**

The Commission considered **ITEM 6.B.,**

**Project Name:** Tom and Sean Hillesheim  
**File Number:** ARC #12-03  
**Site Location:** 100 Calle Del Oaks  
**Planning Area:** APN #012-601-002  
**Environmental Status:** Categorically Exempt

**Project Description:** Requesting Architectural Review, to install several new lighted sign for new Monterey Garage and Towing business at 100 Calle Del Oaks.

*Commissioner Hayworth steps down from dais; he has sold auto parts to the applicant in the past.*

**Sean Hillesheim, Applicant:** Returning tonight to get approval on signs.

**Commissioner Ventimiglia:** Several signs, how many?

**Sean Hillesheim:** Three.

**Commissioner Weir:** No questions.

**Commissioner Lucido:** Noticed netting for only 2 signs.

**Sean Hillesheim:** The third sign is at entrance.

**Commissioner Lucido:** Maybe didn't see it because of all the other netting on the fence.

**Commissioner Larson:** Painted sign (?), and will they be lit?

**Tom Hillesheim:** Yes, they will be painted and have dim lights, facing in toward signs.

**Commissioner Weir:** Is concerned that they will be repairing more than just their own trucks in the garage area. If they decide to start repairing other vehicles will it have to be approved? The signage application doesn't mention "repair".

**City Attorney Callihan:** Yes, the change of use has to come back to the City.

**Commissioner Ventimiglia:** The application last month was very vague.

**Chairman Jaksha:** The retaining wall and the fence was the issue last month.

**City Attorney Callihan:** The use is not before the Planning Commission tonight.

**Commissioner Lucido:** The minutes have notes on the parking being brought back this month and it isn't here with the sign application.

*Public Comment: None*

*Motion by Commissioner Thayer to approve item #6.B:* Tom and Sean Hillesheim, ARC #12-03, 100 Calle Del Oaks, APN #012-601-002, Environmental Status is Categorically Exempt, to install three new lighted signs for Monterey Garage and Towing, *seconded by Commissioner Lucido.*

*Motion passed 6-0*

*Commissioner Hayworth returns to the dais.*

**Tom Hillesheim:** Questions about the use of the building for the future. Realizing it very large, and have some ideas about dividing it up.

**Chairman Jaksha:** Start at City Hall with questions and staff can direct.

**Deputy City Clerk Minami:** The City wants to see a “Tenant Improvement Plan”. It needs to include exact details of what type of business activity, and details of any chemicals to be used. At that point we can review the use of the building.

#### 7.A. SIGN ORDINANCE DISCUSSION:

**Commissioner Lucido:** The signage and the dancing Statue of Liberty at Liberty Tax Service looks tacky. Beautiful monument sign at the entrance of the city and it’s ruined by all of the advertisement on the corner. Calle Del Oaks signs are not allowed in the island. If the city allows them to get away with it, then everyone will have them.

**Commissioner Ventimiglia:** Signage on the sidewalks not allowed, they are pushing the envelope. Agrees with Commissioner Lucido.

**Commissioner Weir:** The City has to do something about it, the dancing Statue of Liberty is too much.

**Chairman Jaksha:** Can the City Council do something? Maybe send City of Seaside a letter because the Liberty Tax Service advertising is in Seaside’s city limits.

**Commissioner Lucido:** Several jurisdictions are involved with this corner. So, it isn’t an easy fix. We should do what we can, as a City.

**Commissioner Larson:** Was the small sign with the phone numbers approved? If so, who approved?

**Deputy City Clerk Minami:** Yes, it was approved by the City Manager. And it is valid through the tax season.

**Commissioner Hayworth:** Commercial signs should be consistent and they aren’t. The building at 800 Portola Ave already had signage that Liberty Tax Service should have been part of and they wanted it to be separate and lighted.

**Commissioner Lucido:** In hind sight, Commissioner Hayworth was right last month.

**Commissioner Thayer:** Has City Hall received a lot of calls regarding the extra advertisement at Liberty Tax Service? Agrees that he wants someone from the City to contact Liberty Tax and Seaside about the dancing Statue of Liberty and the unpermitted signs on the Portola Drive side of the building.

**Deputy City Clerk Minami:** We had a few at first, but it was mostly from the Planning Commissioners and Council Members.

**Commissioner Hayworth:** That business was located in Seaside. They are all over the State and all have the same signage and dancing Statue of Liberty.

**Chairman Jaksha:** Thinks the City Manager should follow up with the business and Seaside.

**Commissioner Hayworth:** Wants to be business friendly, and wants the business to follow the sign ordinance.

**Commissioner Ventimiglia:** Public Storage sign that was before the Commission a few months ago, wasn’t approved. But that was “grandfathered” in, years ago.

**Commissioner Thayer:** According to the sign ordinance “animated” signs are not allowed. The Statue of Liberty sign is animated.

**Commissioner Weir:** A letter needs to be sent.

**Chairman Jaksha:** Does the City of Seaside allow animated signs? This is out of the Commissions realm of duties.

**Commissioner Ventimiglia:** Why not just 30 days rather than through tax season.

**Commissioner Lucido:** Doesn’t agree with staff’s the decision to give Liberty Tax Service a temporary sign, that isn’t allowed according to the sign ordinance. The other signage and the dancing Statue of Liberty is a traffic hazard, and there has to be something we, as a City, can do about them.

**Chairman Jaksha:** Agrees.

**Commissioner Larson:** Page 10 of the Sign Ordinance states that window signs don’t require a permit if they are within the guidelines of sign ordinance. But the window signs at the Chiropractor office doesn’t fit the guidelines. Understands that this is a tough building to be in and wants to work with the businesses, within the City’s municipal code. Ultimately, signs that don’t meet the signage guidelines, must have Planning Commission approval.

**Commissioner Ventimiglia:** All of this is for a good reason, but it is hard to review the ordinance without something in front of us. It’s all very individual.

**Chairman Jaksha:** Since this is all legal wording, it isn’t easy to review and make recommendations to change.

**OLD BUSINESS:** None

#### **ANNOUNCEMENTS/COMMENTS:**

**Commissioner Hayworth:** Won’t be at next month’s meeting.

**Chairman Jaksha:** Problem with having a 24 hour business in the City and realizing now that questions should have been asked at last month’s meeting.

**Commissioner Ventimiglia:** The use will not bring in much revenue into the city and that is what the City Manager mention after last month’s meeting.

**Commissioner Lucido:** Felt like, as a Commission, they were given more power after the City Manager spoke with them.

**City Attorney Callihan:** A conditional use permit is for “use”, not for the height of a wall. If the City Manager to have a meeting to review scope of responsibility, glad to do it.

**Deputy City Clerk Minami:** When the applicant from Monterey Garage brings the tenant improvement plan, and to change the use, can that be handled at the staff level?

**City Attorney Callihan:** Would be glad to assist with the tenant improvement plan and then make the call if it needs to go to planning commission or not.

**Chairman Jaksha:** Wants to set up meeting with City Manager before the Planning Commission meeting, to review any issues that might come up at the meeting.

**Commissioner Larson:** Last month the process was bad, all the way around. It was all vague and now we are questioning the decision. Finding sources of revenue isn't in our realm of responsibilities as Planning Commissioners.

**Commissioner Weir:** The plans were bad, should have handed them back and told applicant to come back with better plans and a more complete application. The Commission has the right to expect suitable plans.

**Commissioner Thayer:** Staff should be held accountable, and blame shouldn't be on the Planning Commission.

**Commissioner Larson:** The staff took total responsibility. The way it was presented, it was taken lightly and it should have been more taken more seriously.

**Commissioner Lucido:** Staff should keep us in the loop.

**Deputy City Clerk Minami:** 100 percent the fault of the Clerk's office.

**Commissioner Lucido:** Wants to be on the same page as the General Plan.

**Commissioner Hayworth:** The only thing that was in front of the Commission was a fence, and a retaining wall, not the use of the building and a 24 hour business.

**Commissioner Ventimiglia:** It would be helpful to have some guidelines about the Commission's responsibility, maybe with bullet points. Easier to make decisions with guidelines.

**Commissioner Lucido:** Check list will be helpful and some training.

**Chairman Jaksha:** Wants the Commission to have additional education and brown act training. Maybe a retreat.

**Commissioner Ventimiglia:** If Monterey Garage and Storage changes use to repairing outside vehicles, the use changes.

**Commissioner Larson:** A resident came to him and wants to stay anonymous, but they really don't like the idea of 24 business. The appeal period was missed, but wants to follow up with staff. Issue with back up beeping, cars coming and going. Wonders if there is a legal issue if we allow a business to be open 24 hours.

**Commissioner Thayer:** Congratulations to Commissioner Ventimiglia for having his book published.

**NEXT MEETING:** Wednesday, March 14, 2012 at 6:00 p.m.

**7:35 p.m.** Meeting Adjourned

Approved: \_\_\_\_\_

CITY OF DEL REY OAKS  
 BUILDING ACTIVITY REPORT  
 FEBRUARY  
 2012

PERMIT#	DATE	ADDRESS	NAME	PROJECT DESCRIPTION	TYPE	STATUS	LAST INSP.
B-11-33	11/04/11	65 Work Ave	Jones/Owner-Builder	Addition	R-1	Current	11/29/2011
B-11-35	11/17/11	983 Portola	Phillips/Lepage Const.	Sunroom Addition	R-1	Final	2/29/2012
B-11-38	12/27/11	820 Rosita Rd.	Peck/Reliable Roofing	Re-Roof	R-1	Current	12/27/2011
B-12-01	01/04/12	1054 Portola	Spadaro/Ross Roofing	Re-Roof	R-1	Current	1/4/2012
B-12-02	01/09/12	988 Portola	Bettiga/Wolffy's Roofing	Re-Roof	R-1	Final	1/31/2012
B-12-03	01/12/12	830 Altura	Canright/Winkleback	Addition	R-1	Current	2/22/2012
B-12-04	01/19/12	811 Altura	Frye/RealGood Solar	Solar Panels	R-1	Current	2/5/2012
B-12-06	02/09/12	988 Via Verde	Clark/Turbridy	New Windows	R-1	Current	2/15/2012
B-12-07	02/16/12	840 Portola	Wolffy's	Re-Roof	R-1	Current	2/22/2012
B-12-08	02/23/12	1072 Paloma	Mickel/Owner-Builder	Foundation stabilization	R-1	Current	2/23/2012

DATE: March 14, 2012  
TO: Planning Commission  
FROM: Karen Minami - Deputy City Clerk  
RE: Agenda Item 6.A.- 1012 Rosita Road

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**Project Name:** Ralph Rodriguez  
**File Number:** ARC#12-04  
**Site Location:** 1012 Rosita Road  
**Planning Area:** APN# 012-535-018  
**Environmental Status:** Categorically Exempt  
**Project Description:** Requesting Architectural Review to add a 14' 3" X 12' 3" deck to north side of the single family dwelling.

**Recommended Action:** Analyze provided material, make appropriate findings and give direction to staff.



**RECEIVED**  
FEB 10 2012  
CITY OF DEL REY OAKS  
CITY CLERK

### CITY OF DEL REY OAKS

APPLICATION FOR:

USE PERMIT       VARIANCE       ARCHITECTURAL REVIEW  
 Conditional       Residential  
 Aux. Housing       Commercial  
 Signage  
 H.O.U.P.  
 Minor

APPLICANT'S NAME RALPH RODRIGUES JR.  
 OWNER'S NAME RALPH RODRIGUES JR.  
 PROJECT ADDRESS 1012 ROSITA RD. - DELREY OAKS, CA. 93940  
 TELEPHONE# 831-901-7810      APN # 012-535-018  
 LOT# 31      BLOCK # 4      SUBDIVISION TRACT #195 DEL REY TERRACE

**INSTRUCTIONS:**

- Briefly, using as much detail as possible, describe the nature of your permit request.
- For variance request, also include in writing A, B & C of section 17.44.020., along with a detailed plot plan.

DECK ADDITION TO NORTH SIDE OF THE HOUSE. SIZE OF THE DECK IS 14'3" X 12'3".

Check here if additional materials are attached.

Applicant's Signature

I HAVE RECEIVED A COPY OF THE CITY'S FLAGGING/NETTING POLICY AND UNDERSTAND THE REQUIREMENTS THAT MUST BE MET GLA

\*\*\*\*\*

-FOR OFFICE USE ONLY-

APPLICATION # ARC 12-04      DATE 3/14/12 <sup>2/10/12</sup>  
 FEE \$ 100.00      CASH/CHECK # 2248      RECEIVED BY [Signature]  
 DATE SCHEDULED FOR CONSIDERATION MARCH 14, 2012 @ 6:00  
 APPROVED \_\_\_\_\_      DENIED \_\_\_\_\_