



CITY OF DEL REY OAKS

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

November 8, 2013

AGENDA

REGULAR DEL REY OAKS PLANNING COMMISSION MEETING
WEDNESDAY, NOVEMBER 13, 2013 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, October 13, 2013

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, October 2013

6. NEW BUSINESS:

- A. **Owner's Name:** Jaksha, Bessant, Richmond and Shapley
Applicant's Name: Frank Lucido, Jr.
File Number: Lot Line Adjustment
Site Location: 1130 Rosita Rd (lot #1), 54 Los Encinos (lot #2), 58 Los Encinos (lot #3) and 62 Los Encinos (lot #4)
Planning Area: APN: 012-591-007, 012-591-037, 012-611-006 & 012- 533-014
Environmental Status: Categorically Exempt
Project Description: Requesting lot line adjustment approval to adjust common lot line between lot #1 and lots #2, #3 and #4.

B. **Owner's Name:** John and Catey Trenner
 Applicant's Name: Same
 File Number: ARC#13-11
 Site Location: 15 Brae Place
 Planning Area: APN: 012-501-032
 Environmental Status: Categorically Exempt
 Project Description: Requesting Architectural Review to replace front French doors with dual pane window and to replace door and window in rear of single family dwelling with French doors.

7. **ANNOUNCEMENTS/COMMENTS BY PLANNING COMMISSIONERS**

8. **NEXT MEETING:** Wednesday, December 11, 2013 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, OCTOBER 9, 2013 AT 6:00 P.M.
CHARLIE BENSON MEMORIAL HALL**

Present: Commissioner Green, Weir, Thayer, Gaglioti, Hayworth, Lucido and
Chairman Jaksha

Also Present: City Manager Dawson, City Attorney Callihan and
Deputy City Clerk Minami

CONSENT AGENDA:

The Commission considered **ITEM 3.A.**, Planning Commission Meeting Minutes,
September 2013.

Commissioner Green: Points out two corrections in the verbiage and sequence.

*Motion by Commissioner Hayworth to approve with changes in place, seconded by
Commissioner Lucido*

There were no public comments received

Motion passed 7-0

PUBLIC COMMENT:

None

BUILDING REPORT:

The Commission accepted **ITEM 5.A.**, Building Activity Report September 2013

OLD BUSINESS:

- A. Review the changes and recommendations from the September 11, 2013 Planning
Commission Meeting for Livestock Ordinance.

Chairman Jaksha: There is a revised version in our packet from last month. We have the
CC&R's (Covenants, Conditions and Restrictions) now have to decide on 20 chickens as
originally proposed or consider the amount in the CC&R's, which are 50 chickens. Will this
over ride the CC&R?

City Manager Dawson: The City's Municipal Code over-rides the CC&R's.

PUBLIC COMMENT:

Jim Clark, 988 Via Verde: Wants each resident that lives at the house to be able to have two
chickens. There are several things about the wording of this that will make it more confusing,
and anything over 10 will be more of a farm.

Commissioner Green: The question is do we increase the number based on the CC&R's or not. Inclined to increase to 50 for the Carlton Estates. In response to public comment, 5 or 6 is a good number for the smaller lots.

Commissioner Hayworth: Has the attorney looked at it?

City Attorney Callihan: Wording is fine, if the Commission recommends the wording tonight the document will be put in a proposed ordinance format and put on the City Council agenda for the next meeting.

City Manager Dawson: Be careful getting into regulating amounts of chickens for people in the house. A lot of issues with the meaning of "family member".

Commissioner Thayer: Easier to count chickens outside than people inside.

Commissioner Weir: Should be based on land size and not amount of residents in house. Favors 20 chicken limit in the Carlton Estates, concerned because higher than that is more of a commercial use.

Commissioner Lucido: Doesn't want the City to be a farming community. 20 chickens is too many, 5 is plenty. 20 chickens could be for commercial use. 20 of any animal is too many, would you allow 20 lizards? Just too many.

Commissioner Thayer: Needs to address the "gorilla in the room" and talk about paragraph 2 of the CC&R's. Since the CC&R's were presented in this public forum. It's the most racist, horrible wording he has EVER READ and implores the City Manager to have it removed! Is ashamed to be associated with a City that has such a document. Need to convene a home owner's association meeting and have the wording removed.

Commissioner Green: Great comment didn't see the paragraph at first.

Commissioner Weir: It's unrelated to the chickens.

City Manager Dawson: The City doesn't recognize the document, and it's not a city document, it is a document from 1948 and the Carlton Estates. It's not worth the paper it's written on. The reason this was brought forward is because it has to do with chickens and it was at the request of the Commission. Not appropriate to use it to make a new ordinance.

Commissioner Thayer: Wants the wording removed, it's illegal and racist.

City Manager Dawson: Everyone here agrees, the best thing to do is to use the 3 minutes during City Council meeting and voice your concerns.

Commissioner Thayer: Or they can watch the video.

Chairman Jaksha: Let's move on, with the chickens.

Commissioner Thayer: No problem with the chickens.

Commissioner Gaglioti: Agrees with Commissioner Thayer whole heartedly and will support him and go to the City Council about the very offensive paragraph. Wants to keep it to 20 chickens in the Carlton Estates as originally proposed.

City Manager Dawson: The number of 20 chickens was from information gathered from Council Member Cecilio and then given to Commissioner Green.

Commissioner Green: Another reason this came up is that Susan Ragsdale-Cronin's chickens fluctuates and sometimes has more than 20 and then she slaughters them, uses meat for family. No commercial use is already on the books.

City Manager Dawson: Great job putting all of this together talked to the right people and

reviewed other ordinances.

Chairman Jaksha: Mentioned 50 chickens to several residents and they hated the idea. They didn't realize that there were chickens allowed in the city. No problem with the way it was proposed last month. 20 chickens are enough in the Carlton Estates.

Commissioner Lucido: Commends the Ad Hoc Committee, good job. 20 chickens are too many but otherwise everything is great.

Motion by Commissioner Weir to accept the proposed wording realizing that the City Council needs to approve once it is put into ordinance format seconded by Commissioner Thayer.

There were no public comments received

Motion passed 6-1 (Commissioner Lucido)

ANNOUNCEMENTS/COMMENTS:

Commissioner Weir: Paragraph 2 of the CC&R's from Carlton Estates needs to be deleted, does it need to be on the City Council Agenda?

City Attorney Callihan: There isn't a Home Owners Association and it's not a City document. The CC&R's unconstitutional and not enforceable.

Commissioner Thayer: How was the document acquired?

Deputy City Clerk Minami: From a title company, because Helen Ragsdale referred to it and the Planning Commission requested a copy to review.

Commissioner Gaglioti: Paragraph 14 is in reference to protective restrictions.

Commissioner Lucido: Seen worse CC&R's than this, mostly in older cities. They are historical documents that go with property deeds, shouldn't be destroyed however upsetting. Change of title searches are very expensive, each and every lot will have to change the title. The document is with the deed and not with the City.

Commissioner Thayer: Ashamed of the City he lives in and represents! Wants it to change because it's part of the City!! The residents that live in the Carlton Estates need to have the wording removed immediately!

Commissioner Lucido: It is not part of the City records.

Commissioner Thayer: YES IT IS, TAKES OFFENCE TO IT AND WANTS IT REMOVED!!!! Will send a letter to all Council Members and speak at the City Council Meeting and, if need be, WILL GO PUBLIC!! Will send it to the Herald!!

Commissioner Weir: It's not a City document and there isn't an H.O.A. (Home Owner's Association), lived in the Carlton Estates for over 30 years.

Chairman Jaksha: Can an H.O.A. change the document?

Commissioner Thayer: Asked City Manager Dawson to pursue!

Chairman Jaksha: It's not up to the City to pursue; it's up to the residents of Carlton Estates.

City Manager Dawson: It's totally up to the residents to pursue. And at that point, new CC&R's can be reconstructed.

Commissioner Lucido: It's a very hard and expensive process to change anything that goes with a deed and especially if several residents in one neighborhood need to change all of their deeds. If CC&R's are being reconstructed, each and every lot must be change. There are 30 something lots that this affects. It's expensive.

Chairman Jaksha: Commissioner Thayer you have a few residents here that live in the Carlton Estates, maybe you can organize something with them.

NEXT MEETING: Wednesday, November 13, 2013 at 6:00 p.m.

6:35p.m. Meeting Adjourned

Approved:

**CITY OF DEL REY OAKS
BUILDING ACTIVITY REPORT
October 2013**

PERMIT#	DATE	ADDRESS	NAME	PROJECT DESCRIPTION	TYPE	STATUS	LAST INSP.
B-12-40	11/06/12	833 Portola Drive	PG&E/Diversified Comm.	Cell tower extension	C-1	Final	10/16/2013
B-13-01	02/22/13	1024 Portola	Milam/Owner-Builder	Kitchen Remodel	R-1	Current	5/31/2013
B-13-09	04/05/13	541 Pheasant Ridge	Minkirgasonra/Polmex	Kitchen Remodel	R-1	Final	10/16/2013
B-13-11	04/16/13	112 Quail Run Ct	Soulis/Jon Cochran	Kitchen Remodel	R-1	Final	9/10/2013
B-13-14	05/03/13	908 Rosita Rd	Gordon/J.Matt McNickle	Foundation work	R-1	Current	5/3/2013
B-13-24	06/18/13	911 Angelus Way	Coburn/Green Stone Const.	Restroom Remodel	R-1	Current	7/12/2013
B-13-25	07/08/13	425 Canyon Del Rey	7-Eleven/Powerhouse Const.	Lighting upgrade	R-1	Current	7/8/2013
B-13-28	08/20/13	908 Rosita Rd	Brewer/Owner Builder	Attic Vent and deck repair	R-1	Current	10/28/2013
B-13-29	08/26/13	815 CDR	Safeway/Eric Anderson	Wells Fargo expansion	C-1	Current	10/25/2013
B-13-30	08/29/13	14 Work Ave	Nelson/Slaton Roofing	Re-Roof	R-1	Current	9/2/2013
B-13-31	09/18/13	1012 Rosita Rd	Rodrigues/Owner Builder	Framing and Electrical	R-1	Current	9/18/2013
B-13-33	10/15/13	2999 Mtry/Slins Hwy	Tarpys/Wolfs Roofing	Re-Roof	C-1	Current	10/15/2013
B-13-34	10/18/13	1036 Paloma	Anderson/Bechner Const.	Addition/Remodel	R-1	Current	10/18/2013
B-13-35	10/18/13	908 Via Verde	Budrick/Sharp Const.	Foundation work	R-1	Current	10/18/2013

STAFF REPORT

City of Del Rey Oaks

Office of the City Clerk

DATE: November 13, 2013
TO: Planning Commission
FROM: Karen Minami - Deputy City Clerk
RE: Agenda Item 6.A. – Lot Line Adjustment

Project Name: Frank Lucido, Jr.
File Number: LotLineAdjustment
Site Location: 1130 Rosita Rd, 54 Los Encinos, 58 Los Encinos,
and 62 Los Encinos
Planning Area: APN# 012-591-007, 012-591-037, 012-611-006 and 012-533-014
Environmental Status: Categorically Exempt
Project Description: Requesting lot line adjustment approval to adjust common lot line
between lot #1 and lots #2, #3 and #4.
Recommended Action: Analyze provided material, make appropriate findings and give
direction to staff.

Chairman Jaksha and Commissioner Lucido will need step down for this item



CITY OF DEL REY OAKS

APPLICATION FOR:

 USE PERMIT VARIANCE ARCHITECTURAL REVIEW

- Conditional
- Aux. Housing
- Signage
- H.O.U.P.
- Minor

Lot Line Adjustment

- Residential
- Commercial

APPLICANT'S NAME FRANK LUCIDO JR

OWNER'S NAME JANISHA BESSANT, RICHMOND, SIMPLET

PROJECT ADDRESS 1130 RESITA RENO

TELEPHONE# 831-620-5032 APN # 012-591-007

LOT# 7 BLOCK # SUBDIVISION

INSTRUCTIONS:

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

LOT LINE ADJUSTMENT (SEE DRAWING)

Check here if additional materials are attached.

[Handwritten Signature]

Applicant's Signature

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

-FOR OFFICE USE ONLY-

APPLICATION # ARC-13-10

DATE 9/27/13

FEE \$ 200 CASH/CHECK # 1150

RECEIVED BY: *[Handwritten Signature]*

DATE SCHEDULED FOR CONSIDERATION Wed. Nov. 13th 2013 @ 6pm

APPROVED DENIED

STAFF REPORT

City of Del Rey Oaks

Office of the City Clerk

DATE: November 13, 2013
TO: Planning Commission
FROM: Karen Minami - Deputy City Clerk
RE: Agenda Item 6.B. – 15 Brae Place

Project Name: John & Catey Trenner
File Number: ARC#13-11
Site Location: 15 Brae Place
Planning Area: APN# 012-501-032
Environmental Status: Categorically Exempt
Project Description: Requesting Architectural Review to replace front French doors with dual pane windows and to replace door and window in rear of single family dwelling with French doors.
Recommended Action: Analyze provided material, make appropriate findings and give direction to staff.

Commissioner Green will need to step down, she owns a home within 500 feet of the project.

\$200.⁰⁰



RECEIVED
OCT 30 2013
CITY OF DEL REY OAKS
CITY CLERK

CITY OF DEL REY OAKS

APPLICATION FOR:

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

APPLICANT'S NAME John & Catey Trenner

OWNER'S NAME John & Catey Trenner

PROJECT ADDRESS 15 Brae Place

TELEPHONE# 831-392-1561 APN # 012501032

LOT# _____ BLOCK # _____ SUBDIVISION _____

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.

- Move Washer/Dryer w/ all water lines & drains
- Replace front French doors w/ dual pane window in existing opening
- Replace back door & window w/ French doors
- Replace kitchen, laundry & 1/2 bath windows w/ dual pane in existing openings

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 CS1

-FOR OFFICE USE ONLY-

APPLICATION # ARC 13-11

DATE 10/30/13

FEE \$ 200.⁰⁰ CASH/CHECK # 4888

RECEIVED BY K. Mami

DATE SCHEDULED FOR CONSIDERATION 11/13/13 @ 6:00pm

APPROVED _____ DENIED _____