



CITY OF DEL REY OAKS

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PHONE (831) 394-8511 • FAX (831) 394-6421

June 6, 2014

AGENDA

REGULAR DEL REY OAKS PLANNING COMMISSION MEETING
WEDNESDAY, JUNE 11, 2014 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, May 28, 2014

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, May 2014

6. NEW BUSINESS:

- A. **Owner's Name:** Russell Strouse
Applicant's Name: Dylan Tescher
File Number: ARC#14-04
Site Location: 5 Boronda Way
Planning Area: APN: 012-481-013
Environmental Status: Categorically Exempt
Project Description: Requesting Architectural Review to build an addition of 170 square feet to the North West portion of the single family dwelling. Materials and colors to coincide with the Municipal code.

7. ANNOUNCEMENTS/COMMENTS BY PLANNING COMMISSIONERS
8. NEXT MEETING: Wednesday, July 9, 2014 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, MAY 28, 2014 AT 6:00 P.M. CHARLIE BENSON MEMORIAL HALL

Present: Commissioner Jaksha, Hayworth, Green, Gaglioti, Reikes and Vice Chair Weir
Absent: None
Also Present: City Attorney Trujillo, City Manager Dawson and Deputy City Clerk Minami

CONSENT AGENDA:

The Commission considered **ITEM 3.A.**, Planning Commission Meeting Minutes, April 9, 2014.

Vice Chair Weir: The word “differ” should be “detour”, on page 3.

Motion by Commissioner Hayworth to approve, seconded by Commissioner Gaglioti

There were no public comments received

Motion passed 6-0

PUBLIC COMMENT:

Sharon Moreli, 963 Paloma: (Tapes a piece of paper with her phone number on the podium and pulls a large bag of rocks from her bag and holds it up) Humbling herself to the commission and wants someone to help her with her property. Asks for people to stop listening to rumors about her. There are plugs in her yard: something or someone is digging holes and putting poison in holes to plug them. Gophers don't do that. Cat's were attacked after putting non pick able locks on her house. Seventeen years is too long for this to go on, help her stop the violence. Mother and her were conserved by the same Judge at different times, which is illegal. If someone helps her, then she will help them. Pray that there isn't a dead canary on her front porch when she gets home.

Chris Palma, 854 Portola: Wants the City to stop using the old golf driving range as a dump.

BUILDING REPORT:

The Commission accepted **ITEM 5.A.**, Building Activity Report, May 2014

NEW BUSINESS:

- A.** Chairman Lucido's Letter of Resignation and Nomination of New Planning Commission Chairperson.

Motion by Commissioner Gaglioti to accept Chairman Lucido's Letter of Resignation, seconded by Commissioner Reikes.

There were no public comments received

Motion passed 6-0

Vice Chair Weir: Write the name of the person on the paper for the Chairman position. With an ill husband at home, doesn't want to position.

City Manager Dawson collects the ballots and hands them Deputy City Clerk Minami.

Deputy City Clerk Minami: Tallies and announces the results.

Commissioner Gaglioti received 3 votes, Commissioner Jaksha received 2 votes and Commissioner Hayworth received 1 vote. Congratulates Commissioner Gaglioti.

Commissioner Gaglioti: Wants Vice Chair Weir to continue the meeting.

Vice Chair Weir: Agrees to continue.

B.	Owner's Name:	Clifton
	Applicant's Name:	Nathan Benich
	File Number:	ARC#14-03
	Site Location:	17 Los Encinos
	Planning Area:	APN: 012-592-005
	Environmental Status:	Categorically Exempt
	Project Description:	Requesting Architectural Review to legalize addition of enclosed patio room at the rear of the house and to convert the garage back to original intended use. Materials and colors to coincide with the Del Rey Oaks Municipal Code.

Commissioner Jaksha and Commissioner Reikes step down, they own homes within 500 feet of the project.

Nathan Benich, Applicant: Hands out photos of house to Commission. Wants to get permission to bring house up to code, and then continue with buying the house. Will convert the one car garage and "man cave" to a two car garage and bring enclosed patio addition up to code. Will follow City codes and ordinances and the will totally renovate the property.

Commissioner Green: Glad to hear that stilt structure will be re-done, it's not safe.

Commissioner Hayworth: Structural issues will be through plan check process.

Commissioner Gaglioti: Own it?

Nathan Benich, Applicant: Not yet, contingent on the outcome of the meeting tonight.

Vice Chair Weir: Solar panels permitted? Any other exterior work needs to go to ARC. Pleased to see improvement.

Nathan Benich, Applicant: Yes, they are permitted. Isn't planning on doing any other work to exterior.

Motion by Commissioner Hayworth to approve ARC #14-03 as presented, seconded by Commissioner Gaglioti.

There were no public comments received

Motion passed 4-0

Commissioners Reikes and Jaksha return to the dais.

- C. **Owner's Name:** Mark Bordonaro
- Applicant's Name:** Andy Tope
- File Number:** ARC#14-02&CUP#14-08
- Site Location:** 899 Rosita Rd
- Planning Area:** APN: 012-551-006
- Environmental Status:** Initial Study and Mitigated Negative Declaration to be prepared per CEQA.

Project Description: Requesting Architectural Review and Conditional Consideration of Plans and Request for Use Permit to build a facility that will function as a work yard surrounded by displays of pathways, ponds, flowers, plants and supplies at the old driving range site. The main showroom, saw shop and trucks both on location and in the service yard, the equipment is usually shut down by 5:00 pm. The entrance to Tope's Sustainable Garden Center will be from a proposed remodel of the clubhouse building at the end of the driveway off of Rosita Road. Inside building will have landscaping products on display. Outside toward the yard will be the Home and Outdoor Living Courtyard with fireplaces, fountains, trellises, arbors, pergolas and more. Proposed parking will be located at the right side entrance designed to be ADA compliant. The driveway on the left side of the main building will serve as access to the Courtyard, Maintenance Area, Material Cribs, Mulch Area and Service Yard. At the center of the site will be two bio ponds on each side of a newly constructed bridge that connects the Courtyard to the Service yard. This bridge will be surrounded by native plants, perennial plants, trees, material cribs and like products/materials. The entire site will be designed to conform to the Monterey Regional Post-Construction Stormwater Requirements Program. The applicant's stated goal is to provide quality tree care and landscaping materials to the community at affordable rates. Customer satisfaction is guaranteed with all of the services Tope's Sustainable Garden Center provides. Materials and colors to coincide with the Del Rey Oaks Municipal Code.

Commissioner Jaksha steps down, he owns a home within 500 feet of the project.

City Manager Dawson: The project isn't CEQA exempt. No decision will be made tonight. CEQA stands for California Environmental Quality Act. An Initial Study is needed and it will address needs to be mitigated and will be paid for by the applicant, not the City.

Josh Harwayne, Denise Duffy and Associates: A concept right now to find out what environmentally can be done on the property. An initial study is the second level of the CEQA process which includes public participation, disclosure and public comments.

Commissioner Gaglioti: How long does process take?

Josh Harwayne, Denise Duffy and Associates: After tonight's meeting will know more, but generally it takes 90 days. Base line study takes 15 to 30 days, documents take 15 to 30 days, and public review takes 30 days.

Commissioner Gaglioti: Will the Final Initial Study with a CEQA checklist go to Commission for approval?

Josh Harwayne, Denise Duffy and Associates: Yes.

City Manager Dawson: Must go to Commission and then if appealed it will go to the Council.

Commissioner Gaglioti: Scoping meetings?

Josh Harwayne, Denise Duffy and Associates: Scoping throughout with an Initial Study, perfect timing.

Frank Lucido, Surveyor for the Applicant: Topes wants to turn a quickly run down area of the City into a good piece of local life. Clubhouse will be renovated into a retail store. Describes project. At the beginning of the property will be the pretty and visually appealing and as one would drive through, it's more industrial supplies. Refers to pictures that was left on his door step of Topes at the Airport Property, some area of the pictures aren't even Topes equipment and it will not be like the picture! Comments were listened to at a City Council meeting for a walk way and now it's included in the preliminary drawing.

Mark Bordonaro, Applicant: Glad to answer any questions.

Commissioner Reikes: Big equipment?

Mark Bordonaro, Applicant: The larger equipment won't be down there.

Frank Lucido: The tree splitting operation, the noisy stuff will be somewhere else.

Mark Bordonaro, Applicant: Still talking to the City about another location.

Commissioner Gaglioti: Public walkways?

Mark Bordonaro, Applicant: Berm and fence on top along walkway.

Commissioner Hayworth: Reads muni code 17.24.040.B.1.H referring to parking. Zoning? City owned? Concerned about lighting and hours of operation. Encourages no lighting that will affect any residents.

Frank Lucido: It isn't a Nursery.

Commissioner Hayworth: The code reads for nursery sales, display yards, building materials and lumber yards.

City Manager Dawson: The City owns the property.

Commissioner Green: The orange ties and wood sticks didn't help to see what the size would be. Limited information makes it hard to visualize what it will look like. Because of the canyon, any chipper will be a problem. Habitat shouldn't be disturbed. Daycare center parents coming and going. For safety, needs to have a side walk allowing Rosita to proposed area.

Frank Lucido: Concept idea is the reason for limited netting and orange markers, it was meant to start a conversation. All needs will be addressed, including safety and sidewalk.

Commissioner Gaglioti: Federal Nexus?

Josh Harwayne: Some work has been done there previously. Juristically there are several things to consider, after more work is done. If it is jurisdictional wetlands, delineation, permit and mitigation will be needed.

Commissioner Gaglioti: Any base recommendations yet?

Josh Harwayne: The City still has to collect the recommendations with any and all recommendations from the meeting are considered. There is a preliminary list.

Commissioner Gaglioti: Wants to see it.

Josh Harwayne: Some items that were discussed are biological, sound, light and traffic.

Commissioner Gaglioti: FEMA map states it's in a tsunami zone. Lived there 47 years and has seen it flood.

Commissioner Hayworth: Pesticides?

Josh Harwayne: All part of the hydro and toxic study.

Commissioner Gaglioti: Who pays for the study?

City Manager Dawson: The applicant.

Commissioner Gaglioti: Ultimately it's the Cities responsibility.

Public Comment:

Sydney Richardson of 1072 Paloma: Where do the public notices get posted after the initial study?

Josh Harwayne: Published in the paper, will be at all locations that any City notice would be and anyone may request a copy.

Sydney Richardson of 1072 Paloma: Sustainable garden? Like McShanes?

Mark Bordonaro, Applicant: A multi-business not a nursery like McShanes. Retail will sell hard scapes for home and yard.

Sharon Moreli: What money will the City get.

City Manager Dan Dawson: Sales tax, lease revenue, business license and permits generated from the Contractors.

Marjorie Trutman of Ralston Drive, Monterey: Concerned about noise, chippers, customers driving back and forth. It's peaceful now, wants it to stay that way. Lighting at night, open on Saturday's?

Mark Bordonaro, Applicant: Open on Saturday's. Will work with City about lighting.

Chris Palma, 854 Portola: Does NOT want this on the old driving range. Consolidated, why? How many cranes, back hoes and other heavy equipment? Will all the equipment be on property. Trucks being gassed up down there?

Mark Bordonaro, Applicant: No equipment will gas up there. Still in negotiation with City about the heavy equipment and the location.

Frank Lucido: There are regulations in place for chemicals and such. They will follow the Monterey Regional Stormwater Requirements.

Chris Palma: Hear a can thrown in the dumpster at Safeway now. Don't sell us out and let this go in.

Warren Kaufman, 9 Ralston Drive, Monterey: Nursery sounds like a good idea. Doesn't want equipment noise and up lighting.

Jim Kirby, 49 Melway, Monterey: Totally opposed to this! Watched dirt moved from Airport to build up what is now Safeway. Raised here. Lives in Clovis. Industry shouldn't be the first thing someone sees entering a City. Trucks in and out too early. City cleared brush and trees. Be like Seaside and Monterey and continue the green belt. Regional Peninsula ball field.

Charles Williams, 1012 Paloma: The Garden Center will be a nice assist to the City, there needs more information on the part of the project closer to Safeway. Favorable project after some items are addressed.

Pat Lintell, 860 Rosita: Strongly opposed! Needs to be somewhere else. Noise not acceptable. Industrial doesn't belong in residential. Trucks, noise and traffic hazards. How many vehicles does Topes have? Pictures look like the City dump. Vague terms in description. A \$1.00 fine if the lease is violated? More specific information is needed.

Mark Bordonaro, Applicant: Doesn't know exactly how many vehicles total, but will submit to City Manager.

Vice Chair Weir: If anyone has comments other than concerns about lights, noise, equipment, traffic and safety they can come up and speak.

Resident of 49 Melway, Monterey: The next generation of home owners and wants her children to be able to raise their children in the home. House values will go down. City cleared brush and trees and now they don't see deer. (Shows a picture of deer from her patio). Not neighborly! Very concerned with Wilson Way and traffic. Wakes at 5:30am from trucks at Safeway.

Kim Svetich-Will of 57 Melway, Monterey: Agrees with all comments so far and doesn't want to repeat. Really sad there isn't any wild life left since the City cut trees. Denise Duffy, City Attorney? Points to an area on the map of proposed project that she says is a flood zone. Lots of great idea's on Facebook: Community Center, a pond, ball fields.

Josh Harwayne: Denise Duffy and Associates are the environmental agency that the City hired.

Vice Chair Weir leaves the meeting for personal reasons and Commissioner Gaglioti takes over as Chairman.

George Jaksha, 1060 Paloma: Should be two separate applications. Garden center is a slam dunk. People live here and people should work here. Progress needs to be made, move if you want farm land. The people that don't want progress on that property, needs to rent it from the City.

David Pifley, 1052 Paloma: Intersection is a nightmare, someone is going to get killed. Stop this project!

Jim Clark, 988 Paloma: Grinder noise and traffic will be a problem, glad to hear Initial Study will be done.

Sharon Moreli: Won't feel safe after 5:00pm. Needs to have traffic light on Rosita and 218. A different business other than what they are proposing.

Mike Cocrane, 1068 Paloma: Compare to Tanaka's nursery and advertising. How much will be passing equipment? Wetland issues. Great blue egrets are in the wetlands, hate to see them go.

Frank Lucido: Haven't gotten that far. What will work best for the City. Topes will be paying for the initial study. Won't be open at night. Hometown feel.

Gordon Brewer, 908 Rosita: Could be a win-win for everyone. Safety on the path. Fantastic idea for bike bath, except for crossing Fremont and Del Monte, bikes can go to the ocean.

Frank Lucido: Comments are exactly what they were looking for, thank you! Mark and Frank grew up here, want something to be proud of too. Not "spinning it", laying it all out. Look what is down there now, and look at the beautiful ideas presented or go visit the Franklin Street location. It's friendly to neighborhood and it will look great.

Chairman Gaglioti: Asks for comments from the Commission.

Commission Reikes: Both retail and wholesale?

Mark Bordonaro, Applicant: Yes.

Commissioner Green: Great comments and questions.

Commissioner Hayworth: Takes it all to heart and thanks all.

Chairman Gaglioti: Will the draft Initial Study be reviewed by the Commission?

City Manager Dawson: Yes.

Josh Harwayne: The scoping began tonight and will continue.

Chairman Gaglioti: Lease term?

City Manager Dawson: Still in negotiation, minimum will be 10 years.

Commissioner Jaksha returns to the dais.

OLD BUSINESS: None

ANNOUNCEMENTS/COMMENTS:

Chairman Gaglioti: Planning Commissioner position is available.

NEXT MEETING: Wednesday, June 11, 2014 at 6:00 p.m.

8:04 p.m. Meeting Adjourned

Approved:

**CITY OF DEL REY OAKS
BUILDING ACTIVITY REPORT
May 2014**

PERMIT#	DATE	ADDRESS	NAME	PROJECT DESCRIPTION	TYPE	STATUS	LAST INSP.
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-13-31	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/Slns Hwy	Tarpys/Wolffy's Roofing	Re-Roof	C-1	Final	5/30/2014
B-13-35	10/18/13	908 Via Verde	Budrick/Sharp Const.	Foundation work	R-1	Current	4/1/2014
B-14-03	01/14/14	15 Brae Place	Trenner/Owner Builder	Interior remodel	R-1	Current	2/28/2014
B-14-04	01/22/14	19 Work Ave	Bouroughs/Knox Roofing	Re-Roof	R-1	Current	2/28/2014
B-14-07	03/06/14	463 CDR (Dentist)	AG Davi/Mtry. Custom Bld.	Tenant Improvement	C-1	Current	3/6/2014
B-14-11	04/02/14	800 Portola	Masscudi/Saroyan	Tenant Improvement	C-1	Current	4/2/2014
B-14-13	04/07/14	939 Paloma Rd	Akins/Williams Roofing	Re-Roof	R-1	Final	4/7/2014
B-14-14	04/16/14	54 Work	O'Donnell/Wolffy's	Re-Roof	R-1	Current	4/16/2014
B-14-15	04/25/14	1130 Rosita	Jaksha/Acosta Builders	Interior remodel	R-1	Current	4/25/2014
B-14-16	05/01/14	1000 Rosita	Forrest/Hare Construction	Kitchen remodel	R-1	Current	5/1/2014
B-14-17	05/08/14	907 Angelus Way	Von Essen/Reim Const.	Fire Remodel	R-1	Current	5/1/2014
B-14-18	05/08/14	1084 Rosita	Leonard/ Photovoltaic	Solar Panels	R-1	Current	5/8/2014
B-14-21	05/19/14	1084 Rosita	Leonard/Noble Pride	Re-Roof	R-1	Final	6/2/2014

STAFF REPORT

City of Del Rey Oaks

Office of the City Clerk

DATE: June 11, 2014
TO: Planning Commission
FROM: Karen Minami - Deputy City Clerk
RE: Agenda Item 6.A.-5 Boronda Way

Project Name: Dylan Tescher/Russell Strouse
File Number: ARC#14-04
Site Location: 5 Boronda Way
Planning Area: APN# 012-481-013
Environmental Status: Categorically Exempt
Project Description: Requesting Architectural Review to build an addition of 170 square feet to the North West portion of the single family dwelling. Materials and colors to coincide with the Del Rey Oaks Municipal Code.

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



CITY OF DEL REY OAKS

Use Permit: [] Conditional
Choose all that Apply [] Minor
[] Home Occupational
[] Signage
[] Auxiliary Building

Variance: [] Yes [] No

Architectural Review Type: [x] Residential [] Commercial

Applicants Name: DYLAN TESCHER

Owner's Name: RUSSELL STROUSE

Project Address: 5 BORONDA WAY

Telephone#: 831-915-6941 APN #: j 012-481-013

Lot #: 32 Block: 3 Subdivision: DEL REY WOODS

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 details plot plan.

ADDITION OF 170 sqft TO THE NORTH WEST SECTION OF THE HOUSE, TO IMPROVE THE COMFORT AND FLOOR PLAN OF THE HOUSE. WE WILL BE USING THE SAME EXTENSION FINISHES AS THE EXISTING HOUSE HAS NOW. WE WILL BE ADDING A MASTER BATH TO THE HOUSE AS WELL.

[] Check here if additional materials are attached.

Dylan Tescher
Applicant's Signature

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

APPLICATION # ARC 14-04 -FOR OFFICE USE ONLY- DATE: 5/28/14

FEE 200.00 CASH/CHECK/CC # cc # 2353 RECEIVED BY: K Mirani

DATE SCHEDULED FOR CONSIDERATION June 11th 2014 @ 6:00pm

APPROVED _____ DENIED _____