



CITY OF DEL REY OAKS

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May 5, 2016

AGENDA
REGULAR DEL REY OAKS PLANNING COMMISSION MEETING
WEDNESDAY, MAY 11, 2016 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, April 2016
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: Building Activity Report, April 2016
6. OLD BUSINESS: None

7. NEW BUSINESS:

Applicant's Name: Jerry Scott Abbanat
Owner's Name: Same
File Number: ARC #16-01/CUP #16-03
Site Location: 13 Alta Circle
Planning Area: APN# 012-591-027
Environmental Status: Categorically Exempt
Project Description: Requesting Architectural Review for an addition of a new 600 square foot detached shop/garage and a Conditional Use Permit for auxiliary housing in existing space previously used as garage. All colors and materials to match existing.

8. ANNOUNCEMENTS/COMMENTS BY PLANNING COMMISSIONERS

9. NEXT MEETING: Wednesday, June 8, 2016 at 6:00 P.M.

10. 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.

**CITY OF DEL REY OAKS PLANNING COMMISSION
REGULAR MEETING CONVENED AT 6:00 P.M. ON
WEDNESDAY, APRIL 13, 2016 IN THE CHARLES BENSON
MEMORIAL HALL, CITY HALL**

Present: Commissioner Green, Commissioner Cecilio, Commissioner Jaksha, Commissioner Hayworth, Commissioner Donaldson and Chairman Gaglioti

Absent: Commissioner Weir

Also present: City Manager Dawson, City Attorney Trujillo, Deputy City Clerk Carvalho and Deputy City Clerk Minami

Meeting came to order at 6:00 p.m. and roll call was taken.

PLEDGE OF ALLEGIANCE:

PUBLIC COMMENT:

CONSENT AGENDA:

Commissioner Green: asks to pull item regarding minutes. Handed out notes that she should have typed up in the first place. Wants to add the language from her notes so the minutes can be revised.

City Attorney Trujillo: For 3.A. take whole paragraph out from minutes and put Commissioner Green's version in it.

Motion to approve: *Commissioner Cecilio*

Second: *Commissioner Jaksha*

Public Comment: *None*

Vote: *Approved 6-0*

REPORTS:

Accepted

Chairman Gaglioti: A lot of solar being installed, that's great.

Commissioner Jaksha: The remodels are coming around again.

OLD BUSINESS: None

NEW BUSINESS:

Applicant's Name: Jeanne C. Byrne, FAIA, Architect

Owner's Name: Mile and Cina Sornesen

File Number: ARC #16-04

Site Location: 20 Quendale

Environmental Status: Categorically Exempt

Project Description: Requesting Architectural Review to add a new entryway to the front and master bedroom/bath to the rear of the single family dwelling. Request also includes a new addition to the rear of garage. All colors and material to match existing.

Commission Hayworth and Commissioner Green step down from dais.

Jeanne Byrne, Architect: Staying within the 288 sq. ft. garage. Didn't want to go up, keeping it simple.

Commissioner Donaldson: At the rear set back, netting is encroaching about a foot and a half into set back. Maybe netting moved.

Jeanne Byrne, Architect: Netting was installed from the survey, might have moved.

Commissioner Jaksha: Porch on plans.

Jeanne Byrne, Architect: Explains plans.

Commissioner Cecilio: Wants to hear from person that wrote email.

Public Comment:

Mr. Badal of 17 Saucito: Wrote an email to everyone about his concern about lack of privacy, with only a 6 foot fence and new windows. Would the applicant consider, instead of windows on wall, maybe windows 5 or 6 feet up from ground. Kind enough to consider changing the plan to start a neighborly relationship. They can see the top of the window from his house.

Donna Merillat of 16 Quendale: Who is going to supervise and how long will it take. Thanks them for taking down the vegetation, because that was a mess.

Jeanne Byrne, Architect: Steve Kobel is the Contractor and he will be doing the work and supervising. Won't take more than 6 months and fence can't be more than 6 feet. Wants to avoid putting a high window like the one in front like Mr. Badal wants. Landscaping and fencing will help with privacy.

Chairman Gaglioti: The role of the Commission is not to help with project design, but to look at the proposed design. Recommends that the new home owner and the Mr. Badal get together and talk about a compromise.

Jeanne Byrne, Architect: Windows that are facing the home of Mr. Badal are only for ventilation, they measure 2 feet by 4 feet.

City Attorney Trujillo: There isn't anything in the Muni Code regarding privacy, no ordinance on record about protecting privacy.

Mr. Badal: Walks up to City Attorney Trujillo and asks her to repeat what she said.

City Attorney Trujillo: Repeats statement regarding privacy.

Chairman Gaglioti: Asks Mr. Badal to go back to podium and tells him again that he can talk to the home owner but they are not the body for this issue.

City Manager Dawson: Add 18 inch lattice on top of fence or go to TG&Y and get some privacy blinds. We don't have the responsibility to make sure privacy is insured.

Commissioner Jaksha: Unfortunately, the home owner isn't here and can't help with the privacy issue and neighborhood relationships. It's happened before for 20 years and the Commission have worked out this type of thing during the meetings. If they go and decide on something different, they will have to bring it back to us. Mr. Badal can appeal the decision.

City Attorney Trujillo: We don't want to go down that road.

Chairman Gaglioti: The concerns of the neighbor isn't a concern of this decision.

Commissioner Donaldson: Look at the plan, they are very small windows. They are only 2 by 4 windows, that should ease concerns.

Chairman Gaglioti: There is a due process that is be followed and an appeal process.

Closed Public Comment

Motion to approve: Commissioner Donaldson

Second: Commissioner Cecilio

Public Comment: None

Vote: Approved 4-0

Jeanne Byrne, Architect: Twenty day appeal period, not ten day?

Chairman Gaglioti: Twenty days.

Commissioner Hayworth and Commissioner Green return to the dais.

Existing General Plan review and discussion lead by Denise Duffy:

City Manager Dawson: Introduces Denise Duffy.

Dennis Duffy: Going from the top down tonight. Each section has an element to be considered, it's a big process. Commissioner Green requested a review.

City Manager Dawson: No city in California ever meets the affordable housing element of their General Plan, is that true?

Denise Duffy: For the most part. Reviews the cost of building a data base and other elements. Referring to hand out, elements of General Plans.

Commission Donaldson: What comes first the Vision or General Plan?

Denise Duffy: The Vision comes first and General Plan has the structure. The first General Plan that she can remember for the City.

City Manager Dawson: The update takes a long time and can cost up to a half million dollars, even for a small city.

City Attorney Trujillo: County dealt with their General Plan Area to build and will be a lot less with a small city.

The following is the overhead presentation from Denise Duffy:

Elements of General Plans

SEVEN MANDATORY ELEMENTS

Land Use

Circulation

Housing

Conservation

Open Space

Noise

Safety

**OPTIONAL ELEMENTS MAY BE INCLUDED, BUT
MUST BE CONSISTENT WITH OTHER ELEMENTS.**

Basic Requirements of General Plans:

General Plan Consistency

Equal status among elements

CONSISTENCY

Data, analysis, goals and policies within each element must be consistent with and compliment one another.

Contents of General Plans:

Typically the general plan consists of diagrams and text describing goals, objectives, policies and programs.

The level of detail in each element shall reflect the needs of the community.

The city or county may adopt any format appropriate, including combining elements.

Contents of General Plans:

Goals, objectives, policies and programs.

The level of detail in each element shall reflect the needs of the community.

Adoption of General Plans:

Adoption by the local agency

Recommendation made by Planning Commission (§ 65354)

Adoption made by City Council

Notice and hearing (§ 65353 and 65355)

Adopting or amending a General Plan is an action subject to CEQA

City of Del Rey Oaks General Plan -1988

March 1988 City General Plan – current plan for areas outside former Fort Ord

City wide meetings and review prior to adoption

Planning Commission review and recommendation of Draft Plan to City Council

City Council consideration of Draft Plan

City wide General Plan approved by City Council

March 1988 General Plan Policies within document

General Plan Update 1997 Former Fort Ord Property:

July 1997, City General Plan – current plan for areas within former Fort Ord

City wide meetings and review including Planning Commission review of Draft Plan and City Council consideration of Draft Plan

July 1997, the City Council adopted the current July 1997, City General Plan

This plan approved land use designations and policies for the area within the former Fort Ord

December, 1998, City adopted Resolution No. 98-20

General Plan Update in conformity with the Fort Ord Reuse Plan and Authority Act

Del Rey Oaks General Plan GP and Land Use Policies:

1988 Plan - last comprehensive General Plan

Update 1997 focused on Former Fort Ord Property

Current General Plan – is a combination of 1988 Policies the 1997 General Plan

Update for the Former Fort Ord

Implementation of General Plans:

General Plan

Land Use Decisions

Zoning Subdivisions

Specific Plans

Public Works

Review of General Plan:

After adoption by the local agency, there are requirements for review and Reporting.

Office of Planning and Research (OPR) under § 65400 requires Planning Commissions to review and report to City Council on implementation of General Plans

City Councils then adopt a resolution on the report/progress and provide this to OPR

General Plan Role: Land Use Element:

The General Plan is the foundation for zoning regulations, subdivisions and public works plans. It also addresses other issues related to the City's physical environment, such as noise and safety.

Land Use Plan is the guiding document for the City's physical development and open space.

GP includes goals, policies and graphics intended to convey a long term vision and guide local decision-making to achieve that vision.

Land Use Element Policies Review

City Policies: Land Use Element

Project Consistency with Del Rey Oaks General Plan Policies		
Policy Number	Policy Summary	Status - Implementation
CITY OF DEL REY OAKS GENERAL PLAN		
Land Use Element		
L-1	The city of Del Rey Oaks shall work with adjoining cities, special districts, County, Fort Ord Reuse Authority and regional agencies on matters of zoning, land use planning, transportation planning and water shed management to assure that all development projects and actions are consistent with the goals and policies contained in the City's General Plan, and that such projects and actions shall minimize adverse community and environmental impacts.	
L-2	The City shall work with the Local Agency Formation Commission (LAFCO) to define the City's Sphere of Influence and prepare a plan for providing services for the Fort Ord reuse area to facilitate annexation.	
L-3	The City shall continue to work with the Monterey Peninsula Airport District to ensure land use compatibility of the airport's proposed north side development plan. The City shall work with the Airport District to ensure that the District will implement a buffer/open space area that reduces the impact on the adjoining residential units in the City.	
L-4	The City shall work with the Airport District to ensure that the Airport District will not compete with the City's market for future development of light industry, research, visitor serving, and office uses.	
L-5	The airport shall not expand its present aviation operation. If expansion is necessary to accommodate projected passenger demand, it should be moved away from populated areas prior to further improvement and capital investments.	
L-6	New commercial uses shall be compatible with the character of the community and not generate impacts that would create a significant adverse effect on existing uses.	
L-7	Undergrounding of utilities and other forms of encroachment shall be pursued as practicable on public and private property.	
L-8	New development along Canyon Del Rey should be reviewed from the standpoint of the "view from the road," in addition to normal site plan review criteria. Buildings should be modulated for interest and softened by trees and landscaping.	
L-9	Native vegetation along Canyon Del Rey should be preserved and entrances to the City enhanced by landscaping.	
L-10	New commercial uses shall consider its' affects on glare, bright lights, or electrical interference that would affect airport operations.	
L-11	Commercially zoned areas shall include standards for: visual appearance, landscaping, screening of storage and trash, building bulk, height, exterior treatment, and relationship to Canyon Del Rey Road and Highway 68.	
L-12	New and/or remodeled and expanded residential structures shall be visually attractive and compatible with the existing residential neighborhoods and their appearance.	
L-13	Efforts shall be made to control long-term parking of vehicles on streets, and boats, trailers and recreation vehicles on property where they detract from the orderly appearance of the neighborhood.	
L-14	The City should continue to support the Association of Monterey Bay Area Governments in its efforts to disseminate information and to develop technical assistance programs.	
L-15	The City shall facilitate community input and feedback in various methods including the City's ACORN publication.	
L-16	The City should encourage volunteer participation for their citizens.	

Existing General Plan review and discussion lead by Denise Duffy:

Commissioner Jaksha: Hasn't changed because the city has been land locked and would we have to start over? Because of Ft Ord.?

Denise Duffy: Good question and will answer on next slide.

Denise Duffy: Del Rey Oaks was the first city that adopted a resolution for a General Plan update that included the former Ft. Ord.

Chairman Gaglioti: Habitat conservation plan?

City Manager Dawson: The Habitat Conservation Plan will be available on line in July, the final one will be out in October.

City Manager Dawson: We have an ordinance about ordinances.

There is a lot of overlapping responsibility between agencies.

Denise Duffy: It's all part of the management program of the General Plan. On the corner of GJM and SB, it's a habitat conservation.

City Manager Dawson: It took 4 years to remove restrictions on 104 acres so there can be some residential building out there. We can't get the Cal Trans easement removed. Cal Trans owns a section where RV pad will be and in 30 years if they finally build freeway, the RV pad can be relocated.

Denise Duffy: Residential housing, draft housing element and general plan together, all the back ground of the City.

City Manager Dawson: Airport master plan includes a road through Del Rey Oaks and that didn't happen, some of one were on the Commission at the time.

Chairman Gaglioti: Is the matrix defined? Looks like homework for us?

Commissioner Donaldson: Where are we as a City, to implement this?

The will or the ability. To afford it?

City Manager Dawson: The City Council can ask you to do it.

Denise Duffy: Every decision you make, you implement the General Plan.

Commissioner Hayworth: Are we talking about reviewing it and changing it?

City Manager Dawson: Separate it for now, will help by reviewing for now.

Denise Duffy: Hands out examples of City policies that need to be reviewed.

Commissioner Green: Important to make the statement of why we want to keep an item or delete an item.

Chairman Gaglioti: We need apples to apples. Make sure to have a section for why we are choosing to keep or delete. But in order to check off the review process, keep it short.

Denise Duffy: Review for the update. Matrix is important, has it been implemented or not. Hands out examples of elements. All at one time, or one at a time or a section at a time.

Chairman Gaglioti: Can this be sent to us electronically and in larger print.

Commissioner Green: Doesn't want to make it so comments are optional, must be required.

Chairman Gaglioti: Agrees with Commissioner Green.

Denise Duffy: Will end up on a tabular format at the end in a report to the City Council and for public input and comment.

City Manager Dawson: All comments will be recorded and given to the City Council as part of public record.

Chairman Gaglioti: We can take input from Planning Commissioners, with a standard method and not free for all with comments, in order to tabulate it later.

Commissioner Hayworth: We will end up with this printed for each of us, with note section and get together and talk about it.

Commissioner Cecilio: There are 16 different questions, and that's just one. Need the time to read through each one and don't want to do them all at one time

City Manager Dawson: No deadline for this.

Chairman Gaglioti: Has to leave and catch a plane, this is homework for another time.

COMMISSIONER REPORTS:

Commissioner Jaksha: Apologized about talking with Mr. Badal, but the Commission has helped with design features in the past.

City Manager Dawson: It is there responsibility, not yours.

Commissioner Jaksha: Spoke with his neighbor regarding his remodel and made an adjustment based on their conversation.

Commissioner Cecilio: Found mutual ground, we did the right thing tonight.

City Manager Dawson: When his house is proposed the neighbor will complain of too much shade. The City doesn't have an ordinance.

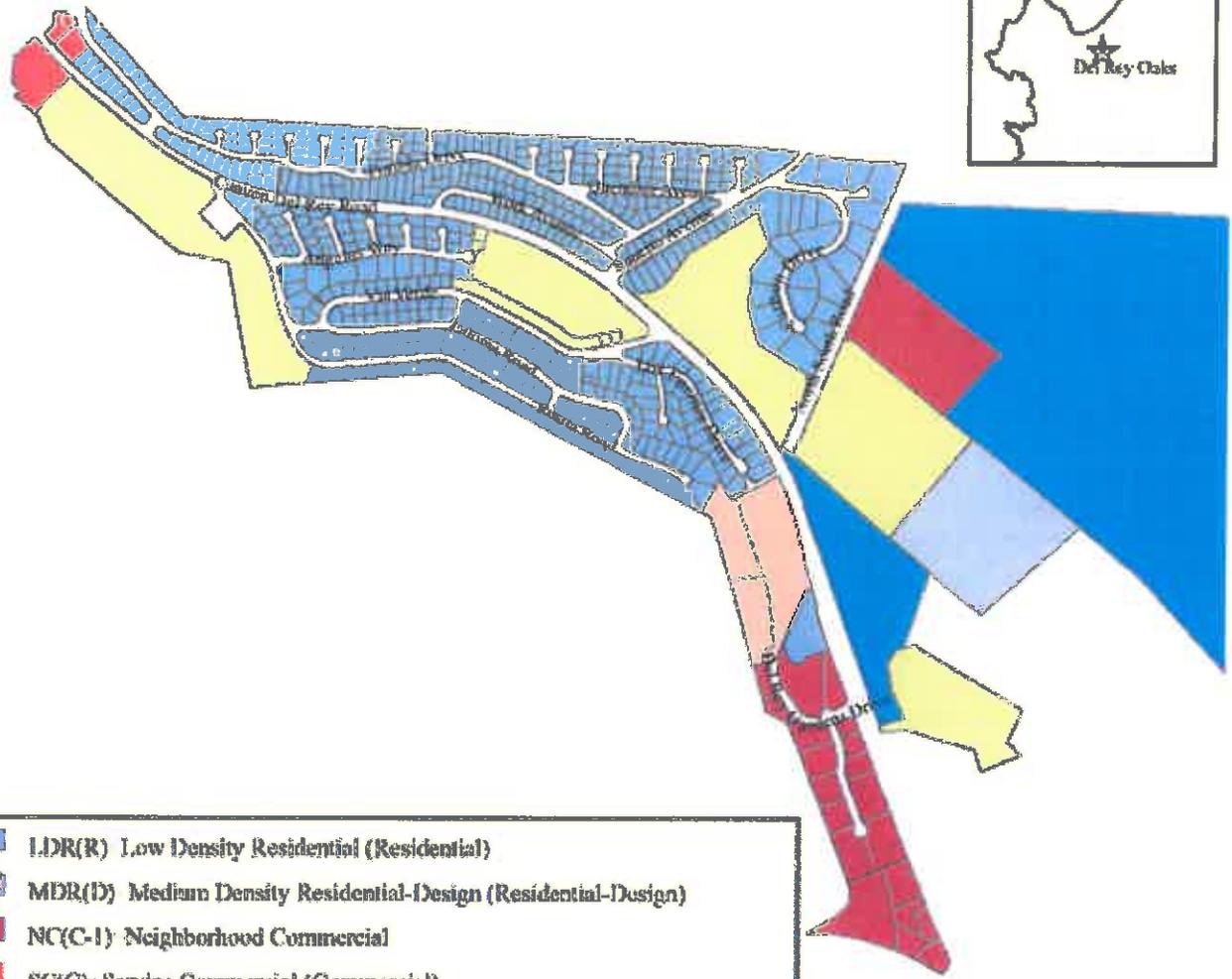
Commissioner Green: The City needs to think about creating a view shed ordinance. Thank you for the statue.

7:35p.m., ADJOURNED

Adjourned to next meeting date May 11, 2016 at 6 pm.

Attest:

Date:



-  LDR(R) Low Density Residential (Residential)
-  MDR(D) Medium Density Residential-Design (Residential-Design)
-  NC(C-1) Neighborhood Commercial
-  SC(C) Service Commercial (Commercial)
-  GC(C-1-V) General Commercial-Visitor (Neighborhood Commercial-Visitor)
-  GC(C-1-V)(O) Office-Professional
-  P Public/Quasi-Public (Public)



Current City of Del Rey Oaks General F

**CITY OF DEL REY OAKS
BUILDING ACTIVITY REPORT
April 2016**

PERMIT#	DATE	ADDRESS	NAME	PROJECT DESCRIPTION	TYPE	STATUS	LAST INSP.
B-15-20	05/18/15	1007 Portola	Donaldson/Owner-Builder	Addition and remodel	R-1	Current	4/26/2016
B-15-22	07/23/15	817 Portola	Baumann/Owner-Builder	Re-Roof	R-1	Final	3/27/2016
B-15-24	07/27/15	900 Paloma	Baker/Positive Results	Re-Roof	R-1	Current	7/27/2015
B-15-26	08/17/15	58 Los Encinos	Richmond/Young	Exterior Steps	R-1	Current	8/17/2015
B-15-42	10/29/15	75 Carlton	Edelen/Ross Roofing	Solar Panels	R-1	Current	10/29/2015
B-15-45	11/17/15	66 Work	Mason/Owner-Builder	Rebuild Sun Room	R-1	Final	4/27/2016
B-15-47	11/23/15	988 Rosita	Wood/Owner-Builder	Retaining Wall	R-1	Current	11/23/2015
B-15-49	12/01/15	1067 Rosita Rd	Hatch/Owner-Builder	Bathroom remodel	R-1	Current	12/1/2015
B-15-50	12/17/15	1048 Paloma	Burton/KelCon	Addition and remodel	R-1	Current	2/3/2016
B-16-01	01/05/16	21 Quendale	Pestic/Owner-Builder	Fence and Pillars	R-1	Current	1/5/2016
B-16-02	01/13/16	888 Portola	Mason/A1 Solar	Solar Panels	R-1	Current	1/13/2016
B-16-03	01/15/16	322 Pheasant Ridge	Sunwoo/Owner-Builder	New shower	R-1	Current	1/15/2016
B-16-04	01/28/16	826 Portola	Espinola/Owner-Builder	Wall and Fence	R-1	Current	1/28/2016
B-16-06	02/03/16	27 Quendale	Bridges/All Star Windows	New Windows	R-1	Final	4/22/2016
B-16-07	02/29/16	914 Angelus	Sietz/Burkleo Roofing	Re-Roof	R-1	Current	2/29/2016
B-16-08	02/29/16	66 Work Ave	Mason/Williams Roofing	Re-Roof	R-1	Current	2/29/2016
B-16-10	03/04/16	26 Los Encinos	Bennett/Solar City	Solar Panels	R-1	Final	3/22/2016
B-16-11	03/04/16	33 Carlton	Sherman/Solar City	Solar Panels	R-1	Final	4/27/2016
B-16-13	03/09/16	1007 Paloma	Roesner/Owner-Builder	Partial Addition	R-1	Current	3/14/2016
B-16-14	04/06/16	810 Avalon	Hardy/Owner-Builder	Retaining Wall	R-1	Final	4/20/2016
B-16-15	04/07/16	74 Carlton	Cecilio/Frank Russo	Addition and remodel	R-1	Current	4/19/2016

DATE: May 11, 2016
TO: Planning Commission
FROM: Karen Minami - Deputy City Clerk
RE: Agenda Item 7.A. – 13 Alta Circle

Applicant's Name: Jerry Scott Abbanat
Owner's Name: Same
File Number: ARC #16-01/CUP #16-03
Site Location: **13 Alta Circle**
Planning Area: APN# 012-591-027
Environmental Status: Categorically Exempt
Project Description: Requesting Architectural Review for an addition of a new 600 square foot detached shop/garage and a Conditional Use Permit for auxiliary housing in existing space previously used as garage. All colors and materials to match existing.

Commissioner Jaksha will need to step down, as he owns home within 500 feet of the project.



CITY OF DEL REY OAKS

RECEIVED
JAN 27 2016
CITY OF DEL REY OAKS
CITY CLERK

Use Permit: [] Conditional [] Minor [] Home Occupational [] Signage [x] Auxiliary Building
Variance: [] Yes [x] No
Architectural Review: [x] Residential [] Commercial

Applicants Name: JERRY SCOTT ARBANAT

Owner's Name: JERRY SCOTT ARBANAT

Project Address: 13 ALTA CIRCLE, PRO, 93940

Telephone#: 851.297.0348 APN #: 012-591-027

Lot #: 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 details plot plan.

THE ATTACHED PLANS AND REQUEST FOR USE PERMIT IS TO ERECT A 600 SQ FOOT WORKSHOP / GARAGE ON THE PROPERTY AT 13 ALTA CIRCLE. THIS APPLICATION INCLUDES A USE PERMIT FOR AUXILIARY HOUSING IN EXISTING SPACE REFERRED TO AS GARAGE. SEE SECTION 17.08.100

Check here if additional materials are attached.

Jerry Scott Arbanat
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 JSA

-FOR OFFICE USE ONLY-
APPLICATION # ARC 16-01 CUP 16-03 DATE: 1/27/16
FEE \$200.00 CASH/CHECK/CC # 201 RECEIVED BY: Karen Miramir

DATE SCHEDULED FOR CONSIDERATION Feb 10, 2016 @ 6:00pm

APPROVED DENIED
March 9, 2016
May 11, 2016 @ 6:00pm

Karen Minami

From: Mike Ventimiglia <mikevent4@gmail.com>
Sent: Monday, February 01, 2016 5:01 PM
To: Karen Minami
Cc: Daniel Dawson; Kim Carvalho
Subject: Notice of Public Hearing #13 Alta Circle

To Planning Commission

I have lived at 10 Alta Circle since 1982 and I am quite aware of the problems that have occurred over the years at #13 Alta Circle. The house prior to Mr. Abbanat purchasing the property was a hoarder house, where I witnessed over 10 junk trucks were used to cleaned the home.

The home was in total disrepair Mr. Abbanat has made improvements over the years in the yard and the interior. The lot is a large lot and sets well on the property. My home is across the street from #13 Alta Circle. He has been a good neighbor, utilizing his driveway for parking cars, making an extreme effort not to cause a burden in anyway to his neighbors.

I would have no problem should the planning commission approve a new 600 square foot detached shop/garage on his property, and allow the conditional use permit for auxiliary housing in the existing space that was previously use as a garage.

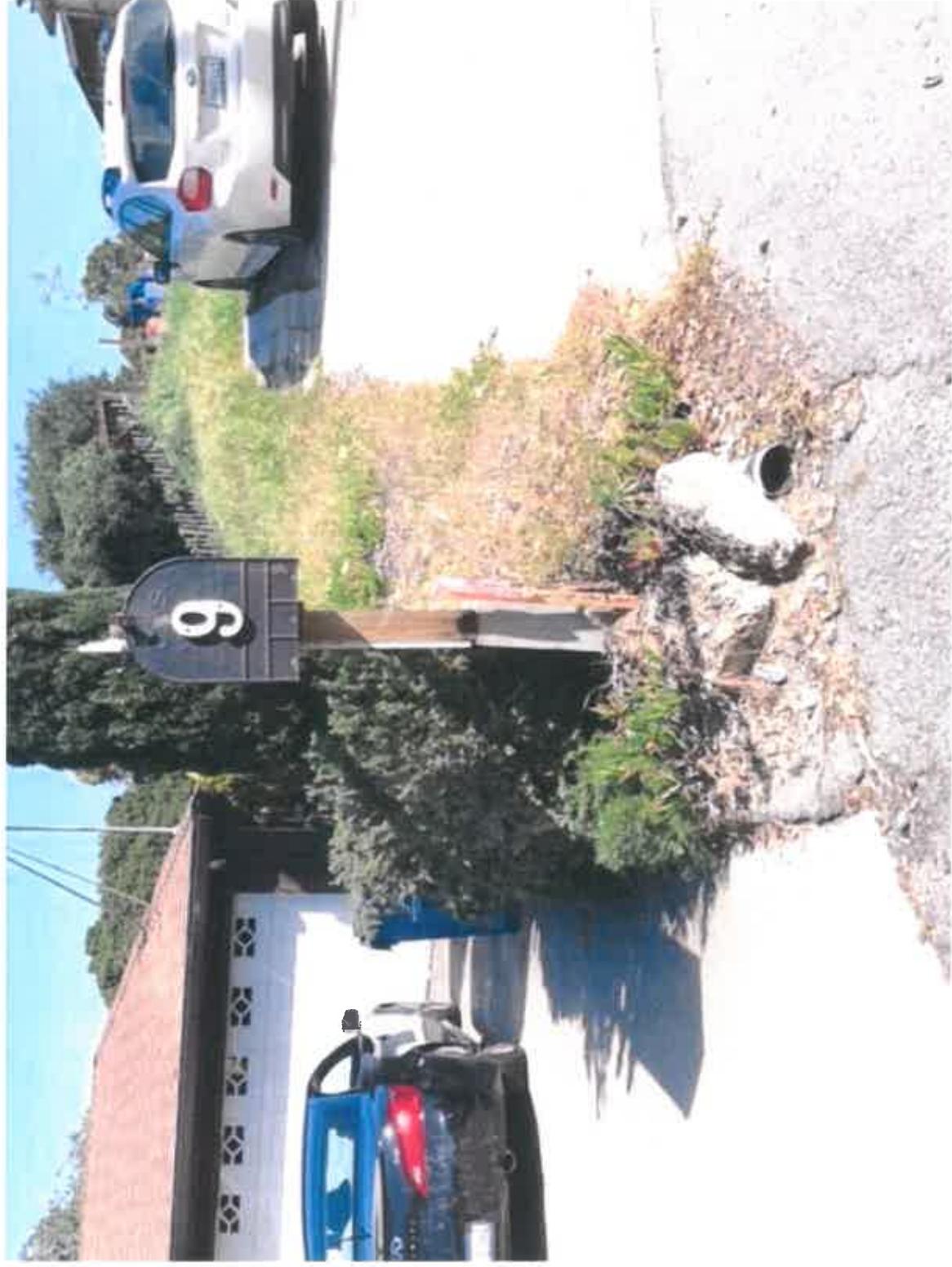
Respectfully,

Mike Ventimiglia
Home Owner
10 Alta Circle
831-596-0657

April 13, 2016. 13 Alta Circle Project. Comments from Douglas L. Westphal, Owner 9 Alta Circle. Addition is okay by me but he needs to stabilize his hillside as part of the project. Even now, sand slides downhill onto my fence (causing rot; left photo) and onto my property causing me to have to continually shovel the soil off of the fence and back uphill onto his property. The ice plant grows through also (right photo). The addition will destabilize it even more and make matters worse. Now is the time to fix it. We recently shoveled it back uphill so the situation does not look too bad in some of the photos below. I request a retaining wall on his property designed to reduce the slope such that soil always stays on his property.



This shows the elevation difference between 9 Alta (on left) and 13 Alta (on right.)



These show the ice plant growing through.

