November 7, 2019

AGENDA

REGULAR DEL REY OAKS PLANNING COMMISSION MEETING

WEDNESDAY NOVEMBER 13, 2019 AT 6:00 P.M.

CHARLIE BENSON MEMORIAL HALL, CITY HALL

1. ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. CONSENT AGENDA:
   
   A. Adopt October 9, 2019 Planning Commission Meeting Minutes

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 October 2019

6. OLD BUSINESS: None

7. NEW BUSINESS:

   A. Applicant’s Name: Aaron Tollefson
    Owner’s Name: Manny Ezcurra & Roxanne Buck
    File Number: ARC #19-08
    Site Location: 45 Work Ave
    Planning Area: APN# 012-492-032
Environmental Status: Categorically Exempt
Project Description: Requesting Architectural Review to add a 46 square foot covered front porch and to add stone veneer to exterior of chimney. Colors and materials to match existing.
Recommended Action: Analyze provided material, make appropriate findings, impose conditions as appropriate, and give direction to staff.

B. Applicant’s Name: Jason & Marijane Johnson
Owner’s Name: Jason & Marijane Johnson
File Number: ARC #19-09
Site Location: 892 Portola Drive
Planning Area: APN# 012-482-001
Environmental Status: Categorically Exempt
Project Description: Requesting Architectural Review to build a 2nd level deck on existing roof of living space at the west side of the single family dwelling, include spiral staircase that is accessible from the back yard. Colors and materials to match existing.
Recommended Action: Analyze provided material, make appropriate findings, impose conditions as appropriate, and give direction to staff.

8. ANNOUNCEMENTS/COMMENTS BY PLANNING COMMISSIONERS

9. NEXT MEETING: Wednesday, December 11, 2019 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, OCTOBER 9, 2019 IN THE
CHARLES BENSON MEMORIAL HALL, CITY HALL

Present: Commissioner Kreeger, Commissioner Roesner, Commissioner Hallock,
Commissioner Donaldson, Commissioner Burton, Vice Chair Hayworth and
Chairman Jaksha

Absent: None

Also present: City Manager Pick and Deputy City Clerk Minami

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

PLEDGE OF ALLEGIANCE:

PUBLIC COMMENT:
City Manager Pick: Gives a update on the ENRA and explained that the relationship between the
two developers dissolved and they did not sign the ENRA. They weren’t able to make it work
out. Now, there is an R.F.P. on the website and is busy with folks that are interested in giving
proposals for development. Had a great call with HCD and Denise Duffy, making progress.

Commissioner Kreeger: Is it at the working level, back and forth?
City Manager Pick: Exactly.
Commissioner Donaldson: Will HCD address the notes from the previous meetings?
City Manager Pick: They will be taken into consideration.

CONSENT AGENDA:

Motion to approve: Commissioner Hayworth
Second: Commissioner Hallock
Public Comment: None
Vote: Approved 7-0

REPORTS:
Accepted

Chairman Jaksha and Commissioner Hallock step down from dais.
NEW BUSINESS:

Applicant's Name: Barton Construction
Owner's Name: Valeria Batista
File Number: ARC#19-05
Site Location: 888 Portola Drive
Planning Area: APN# 012-473-006
Environmental Status: Categorically Exempt
Project Description: Requesting Architectural Review to build a 458 square foot addition to the single family dwelling to include a music room, master bedroom and master bathroom. Colors and materials to match existing.
Recommended Action: Analyze provided material, make appropriate findings, impose conditions as appropriate, and give direction to staff.

Charles Barton, Contractor: They are requesting for remodel and addition and explains the project.
Commissioner Kreeger: Drove by yesterday. Mostly in back and not an issue from 218 either.
Commissioner Roesner: Simple and straightforward.
Commissioner Donaldson: Nice addition.
Vice Chair Hayworth: Close to the bank. Issues?
Charles Barton, Contractor: 3’, has a soils test and will be using a 5’ footing in that one section.

Public Comment was received.
Jason Johnson, neighbor: 25 years of being neighbors. Ocean view is why they bought it, shows photos to Commission. Never going to see the ocean view again! Property value will go down. Wants to come to an agreement with neighbor.
Commissioner Roesner: Are there rules about “view shed”?
Vice Chair Hayworth: No. And usually this issue doesn’t come up.
Commissioner Burton: Have the neighbors talked about it?
Jason Johnson, neighbor: Met with her outside. They live outside in the yard and wants to figure out another option.
Vice Chair Hayworth: Asks staff about next steps and coming back with a new plan.
Deputy City Clerk Minami: Yes.
Commissioner Burton: Asks the applicant to come up and speak.
Valeria Batista: Her home is her only asset. Has health issues and will have to retire early. Needs more room. The roof line is low. Doesn’t want to impede the view. She asked neighbor about view from the house, and it’s just from the yard. The value of her home is important.
Charles Barton, Contractor: New addition will be lower than existing house, with a flat roof.
Jason Johnson, neighbor: Shows picture of what it will be from his house to Valeria.

Contractor and neighbor talk between themselves about project
Commissioner Donaldson: Appears that the western side of elevation where addition will be, will be lower than the house, so it’s not because of height of building.
Jason Johnson, neighbor: Why not go up or excavate?
Commissioner Burton: Went back and forth with neighbor years ago for a remodel and addition. Is there a way to talk about this and not hurry? Does this have to be done right now.
Vice Chair Hayworth: Can they come back with modifications?
City Manager Pick: Yes.
Charles Barton, Contractor: As a contractor, there is nothing more that can be done.
Commissioner Kreeger: From a Planning Commission stand point, the applicant has met the requirements, nothing to hold back the applicant.

Motion to approve item 7.A., ARC #19-05, as submitted.

Commissioner Kreeger
Second: Commissioner Donaldson
Public Comment: None
Vote: 4-1 Commissioner Burton
Motion passes

Commissioner Burton: Disagrees with accepting building plan. Wants neighbors to figure it out.
Commissioner Kreeger: Two weeks to hopefully work it out between the neighbors.

Commissioner Hallock comes back to dais
Commissioner Burton step down from dais

Applicant’s Name: Steve Avila
Owner’s Name: Daniella Prue
File Number: ARC #19-06
Site Location: 1106 Rosita Rd
Planning Area: APN# 012-591-001
Environmental Status: Categorically Exempt
Project Description: Requesting Architectural Review to enclose existing rear patio to add 64 square feet to single family dwelling. Colors and materials to match existing.
Recommended Action: Analyze provided material, make appropriate findings, impose conditions as appropriate, and give direction to staff.

Steve Avila: Explains that bumping out wall and enclosing patio will add 64 sq. ft. of living space.
Commissioner Kreeger: Straight forward project.
Commissioner Hallock: Clear flagging and natural borders. Nice addition.
Commissioner Donaldson: Master closet and bathroom doesn’t show windows, will they be the same size?
Steve Avila: The windows will be the same or they will go away.

No Public Comment was received.

Motion to approve item 7.B., ARC #19-06, as submitted.  
Commissioner Hallock
Second: Commissioner Kreeger
Public Comment: None
Vote: 5-0
Motion passes

THE PLANNING COMMISSION ROLE IN THE DESIGN AND USE OF PUBLIC PROPERTY AND SPACE.

City Manager Pick: Reviews role of Planning Commission. How the City processes requests of public space use. Mostly the City Manager using best judgement. Groups that are doing great things and the City needs a process. Commissioner Donaldson suggested that all of this fits in the Planning Commission purview. Spoke to staff and City Attorney about it and the issuance of Conditional Use Permits and the use of public spaces. Will go to City Council for approval of a reduced or waived fee for public spaces applications. The application process, which will include existing and proposed drawings, will be simple. Item will be put on agenda and approved or denied. Doesn’t want to go backwards, just forward.
Commissioner Burton: Never a fan of red tape and wants a base line. And what resources will be used?
City Manager Pick: The more context the better, we owe it to the Commission. Staff will review and assess man hours. Maybe a map with highlighted areas of public land.
Commissioner Burton: Really likes the idea of reduced fees.
Commissioner Donaldson: On public space item the site survey and other required items should be waived also.
Commissioner Hayworth: Likes the idea!
Commissioner Hallock: Public space management has been gold star thanks to City Manager Pick. But everyone deserves to be heard and treated the same.
Commissioner Kreeger: Why not put together a Parks and Recreation Committee? Not sure it’s a Planning Commission decision. Really likes the no fee idea. People work hard and shouldn’t pay fees.
City Manager Pick: Council asked staff to take a look at Parks and Rec Committee. These items are clearly defined in the responsibilities of the Planning Commission.
Chairman Jaksha: Keep it simple for the applicants. Adding a committee will be more work on staff. What about the cost of maintenance once the project is complete?
City Manager Pick: Problem in Monterey, when the N.I.P.’s approve amount of funds to do the work, it doesn’t include maintenance of project. Example: the bench that was built in Rosita triangle by volunteers was hit by a car and the City paid Ron to repair.

Chairman Jaksha: What about grants for groups that do the work, save staff time.

City Manager Pick: They will have to look at the grant requirements.

Commissioner Kreeger: Has the City spent money of project maintenance.

City Manager Pick: Limited to Ron’s time to maintain islands.

Commissioner Hayworth: This should be looked at as a project by project. And liability needs to be addressed.

City Manager Pick: Extra layer of protection is a liability waiver.

Commissioner Burton: Caution about setting up a thresh hold for no comment. Always needs to have public comment. Asks City Manager Pick to give an example of when he had to get involved in the public spaces planning.

City Manager Pick: One good example is when a resident wanted to plant flowers and install a bench at Carlton and Carlton. Then when there was an issue with a political sign going in at the very same location, the resident tore the flowers out of the ground and left it alone. Another good example is the butterfly garden space. It is planned where the DRO Garden Center wants to expand and FORTAG will be going through that same area. Also an example is art. It is very subjective and is uncomfortable on what “right” looks like.

Chairman Jaksha: All of this is much more than a Parks and Rec Committee.

PUBLIC COMMENTS:

Pat Lintell, Rosita Rd: Should permit be temporary? Is the city able to revoke it to put something up that makes money? What about structures? More complicated. No cost to the City is very important. Wants all of this considered.

Commissioner Kreeger: City Council will be deciding on these?

City Manager Pick: Preview on Conditional Use Permit is Planning Commission, not City Council. If there is a need for Council guidance, it will go the Council.

Susan Ragsdale-Cronin, Carlton Drive: Wants to set the record straight about the work that was done at Carlton and Carlton. She put in more than hundred hours of work, and thousands of dollars!! She had the permission from the resident and City to do the work. Then the political sign went up for Jerry and when she tried to talk to Kristin about it, the Police were called. That is the reason she pulled out all of the plants and stopped working on it. She would never vandalize a sign or anything.

Karen Harris, Rosita Rd: Offers to help with the setting up of thresh hold. Asks that Commission look at Zoning Ordinance-allowed uses are differently prioritized. Look at income, no cost to the city, storm water run-off, grant funding and public support. Wants to a line with the goals of the Housing Element. Reads from housing element.
Tennis courts, open space policy and goals are in the Housing Element, and butterfly garden would check off that box. Wants permits to be waived if it’s just landscaping.

**Commissioner Donaldson:** Reads from chapter 17 of the municipal code. Private or City owned projects within the charter of duties of the Planning Commission. This body is appointed to do this job. Purpose and objectives, plots and landscaping, harmony-not undesirable. Some will be easy and other won’t.

**Commissioner Hayworth:** C.U.P. is a process already, just moving it from City Managers desk to Planning Commission.

**Commissioner Hallock:** Reads from chapter 17 muni code, one year is the usual time frame.

**Commissioner Kreeger:** Wants it to be easy with no road blocks. Stay mindful.

**Chairman Jaksha:** Will be more complicated than just putting flowers in the island. It can be withdrawn. Groups should have a big picture, rather than piece meal.

**Commissioner Hayworth:** That is the reason for the approval process.

**Chairman Jaksha:** Hopefully it won’t be that big of a deal.

**COMMISSIONER REPORTS:**

**Commissioner Hallock:** Went to Monterey Bay Community Power meeting and Pure Water One ribbon cutting, the water was delicious. Thanks Scott for the 100 oaks, great job!

**Chairman Jaksha:** Thanks Jeremy for great report. Was traveling, but heard the picnic was a huge success!

7:15 p.m., Adjourned to next meeting date November 13, 2019 at 6:00 pm.

Attest: 

Date: 

Page 6of 6
<table>
<thead>
<tr>
<th>PERMIT#</th>
<th>DATE</th>
<th>ADDRESS</th>
<th>NAME</th>
<th>PROJECT DESCRIPTION</th>
<th>TYPE</th>
<th>STATUS</th>
</tr>
</thead>
<tbody>
<tr>
<td>B-16-26</td>
<td>08/16/16</td>
<td>1007 Paloma</td>
<td>Roesner/Owner-Building</td>
<td>Addition and remodel</td>
<td>R-1</td>
<td>Letter sent</td>
</tr>
<tr>
<td>B-17-32</td>
<td>09/05/17</td>
<td>5 Quendale</td>
<td>Sampognaro/Zehn Const</td>
<td>Addition and remodel</td>
<td>R-1</td>
<td>Current</td>
</tr>
<tr>
<td>B-18-07</td>
<td>02/16/18</td>
<td>1025 Paloma</td>
<td>Dreher/Sal DiMaggio</td>
<td>Addition and remodel</td>
<td>R-1</td>
<td>Letter sent</td>
</tr>
<tr>
<td>B-18-16</td>
<td>04/09/18</td>
<td>1056 Portola</td>
<td>Giammanco-Miller/Russo</td>
<td>Addition and remodel</td>
<td>R-1</td>
<td>Current</td>
</tr>
<tr>
<td>B-18-43</td>
<td>10/16/18</td>
<td>912 Portola</td>
<td>Boles/Owner-Building</td>
<td>Patio and deck</td>
<td>R-1</td>
<td>Extention</td>
</tr>
<tr>
<td>B-18-44</td>
<td>10/31/18</td>
<td>815 Canyon Del Rey</td>
<td>Safeway/H.A.Bowen</td>
<td>New Maven Cases</td>
<td>C-1</td>
<td>Current</td>
</tr>
<tr>
<td>B-19-09</td>
<td>03/05/19</td>
<td>989 Via Verde</td>
<td>Saleh/Owner-Building</td>
<td>Bathroom addition</td>
<td>R-1</td>
<td>Current</td>
</tr>
<tr>
<td>B-19-11</td>
<td>04/12/19</td>
<td>3 Malcolm Place</td>
<td>Nichols/Reborn Cab</td>
<td>Bathroom Remodel</td>
<td>R-1</td>
<td>Current</td>
</tr>
<tr>
<td>B-19-18</td>
<td>06/11/19</td>
<td>100 Carlton Drive</td>
<td>Zucca/Stanley Semmel</td>
<td>Solar Panels</td>
<td>R-1</td>
<td>Current</td>
</tr>
<tr>
<td>B-19-19</td>
<td>06/20/19</td>
<td>121 Calle Del Oaks#</td>
<td>Seaweed/DPR Construction</td>
<td>Tenant Improvement</td>
<td>R-1</td>
<td>Current</td>
</tr>
<tr>
<td>B-19-20</td>
<td>06/26/19</td>
<td>59 Carlton Drive</td>
<td>Moulton/Riparetti Roofing</td>
<td>Re-Roof</td>
<td>R-1</td>
<td>Current</td>
</tr>
<tr>
<td>B-19-22</td>
<td>07/09/19</td>
<td>924 Via Verde</td>
<td>Rutherford/Owner Builder</td>
<td>R&amp;R awning, install skylight</td>
<td>R-1</td>
<td>Current</td>
</tr>
<tr>
<td>B-19-23</td>
<td>07/23/19</td>
<td>106 Carlton Drive</td>
<td>Elischer/Solar 4 America</td>
<td>Solar Panels</td>
<td>R-1</td>
<td>Final</td>
</tr>
<tr>
<td>B-19-24</td>
<td>07/24/19</td>
<td>120 Calle Del Oaks</td>
<td>Sparx/DPR Construction</td>
<td>Tenant Improvement</td>
<td>R-1</td>
<td>Current</td>
</tr>
<tr>
<td>B-19-25</td>
<td>07/24/19</td>
<td>867 Portola Drive</td>
<td>Perales/DMD Construction</td>
<td>Update Elec.Plumb&amp;Demo</td>
<td>R-1</td>
<td>Current</td>
</tr>
<tr>
<td>B-19-26</td>
<td>07/29/19</td>
<td>69 Work Ave</td>
<td>Hopton/Ross Roofing</td>
<td>Re-Roof</td>
<td>R-1</td>
<td>Final</td>
</tr>
<tr>
<td>B-19-27</td>
<td>08/08/19</td>
<td>70 Work Ave</td>
<td>McDaniel/Ross Roofing</td>
<td>Re-Roof</td>
<td>R-1</td>
<td>Final</td>
</tr>
<tr>
<td>B-19-30</td>
<td>08/23/19</td>
<td>8 Quendale Ave</td>
<td>Kimber/Scudder Roofing</td>
<td>Re-Roof</td>
<td>R-1</td>
<td>Final</td>
</tr>
<tr>
<td>B-19-32</td>
<td>08/20/19</td>
<td>8 Quendale Ave</td>
<td>Kimber/Scudder Roofing</td>
<td>Solar Panels</td>
<td>R-1</td>
<td>Final</td>
</tr>
<tr>
<td>B-19-33</td>
<td>09/10/19</td>
<td>17 Saucito</td>
<td>Badal/A&amp;F Plastering</td>
<td>Stucco Exterior</td>
<td>R-1</td>
<td>Final</td>
</tr>
<tr>
<td>B-19-34</td>
<td>09/10/19</td>
<td>918 Portola Dr</td>
<td>Barko/Premo Roofing</td>
<td>Re-Roof</td>
<td>R-1</td>
<td>Final</td>
</tr>
<tr>
<td>B-19-36</td>
<td>09/19/19</td>
<td>2999 Mtry-Sal Hwy</td>
<td>Tarpy's/Juan Carlos</td>
<td>Smoker</td>
<td>C-1</td>
<td>Final</td>
</tr>
<tr>
<td>B-19-37</td>
<td>09/19/19</td>
<td>9 Los Encinos</td>
<td>Bowen/Scudder Roofing</td>
<td>Re-Roof</td>
<td>R-1</td>
<td>Current</td>
</tr>
<tr>
<td>B-19-39</td>
<td>09/23/19</td>
<td>15 Baxter Place</td>
<td>Burger/John Chatters</td>
<td>Addition and remodel</td>
<td>R-1</td>
<td>Current</td>
</tr>
<tr>
<td>B-19-40</td>
<td>09/24/19</td>
<td>831 Arlington</td>
<td>Walsh/Ricardo Munoz</td>
<td>Wall and stairs</td>
<td>R-1</td>
<td>Current</td>
</tr>
<tr>
<td>B-19-41</td>
<td>10/01/19</td>
<td>924 Via Verde</td>
<td>Rutherford/Owner Builder</td>
<td>Re-Roof</td>
<td>R-1</td>
<td>Current</td>
</tr>
<tr>
<td>B-19-42</td>
<td>10/01/19</td>
<td>939 Via Verde</td>
<td>Russo/Sunrun Solar</td>
<td>Solar Panels</td>
<td>R-1</td>
<td>Current</td>
</tr>
<tr>
<td>B-19-43</td>
<td>10/25/19</td>
<td>833 Portola</td>
<td>PGE/SAC Wireless</td>
<td>Cell tower modifications</td>
<td>C-1</td>
<td>Current</td>
</tr>
</tbody>
</table>
DATE: November 13, 2019
TO: Planning Commission
FROM: Karen Minami-Deputy City Clerk
SUBJECT: Agenda Item 7.A.- 45 Work Ave
CEQA: Categorically Exempt pursuant to Guidelines § 15061 and 15301

Applicant's Name: Aaron Tollefson
Owner's Name: Manny Ezcurra & Roxanne Buck
File Number: ARC #19-08
Site Location: 45 Work Rd
Planning Area: APN# 012-492-032
Project Description: Requesting Architectural Review to enclose existing rear patio to add 64 square feet to single family dwelling. Colors and materials to match existing.

Commissioner Kreeger will need to step down
CITY OF DEL REY OAKS

Application for:  Use Permit  Variance  Architectural Review

Applicants Name:  Aaron Tollefsen

Owner's Name:  Manny Ezcurra  &  Roxane Buck

Project Address:  45 Wolve Avenue

Telephone#:  (831) 578-3450  APN #: j 012-492-032

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.

+ 46.5' covered porch addition
+ In stucco veneer of exterior of chimney

☐ 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  Initial Here  11/11/19

******************************************************************************
APPLICATION #  ARC 19-08  DATE:  10/11/19

FEE  120.00  CASH/CHECK/CC # 3442  RECEIVED BY:  kmmiani

DATE SCHEDULED FOR CONSIDERATION  11/13/19 @ 6:00 pm

APPROVED  DENIED
DATE: November 13, 2019
TO: Planning Commission
FROM: Karen Minami-Deputy City Clerk
SUBJECT: Agenda Item 7.B.- 892 Portola Drive
CEQA: Categorically Exempt pursuant to Guidelines § 15061 and 15301

Applicant's Name: Jason and Marijane Johnson
Owner's Name: Jason and Marijane Johnson
File Number: ARC #19-09
Site Location: 892 Portola Drive
Planning Area: APN# 012-482-001
Project Description: Requesting Architectural Review to build a 2nd level deck on existing roof of living space at the west side of single family dwelling to include spiral staircase that is accessible from the back yard. Colors and materials to match existing.

Chairman Jaksha will need to step down
CITY OF DEL REY OAKS

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

Variance:
- Yes
- No

Architectural Review Type:
- Residential
- Commercial

Applicants Name: JASON AND MARIJANE JOHNSON

Owner's Name: JASON AND MARIJANE JOHNSON

Project Address: 892 Portola Dr

Telephone#: 831-224-4096 APN #: 012-482-001

Lot #: 7 Block: 2 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.

Repurposed new 2nd level deck over existing heated living space to include spiral staircase accessible from rear yard.

☐ Check here if additional materials are attached.

Applicant's Signature: [Signature]

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

APPLICATION # ARC 19-09 DATE: 10/30/19

FEE $200.00 CASH/CHECK/CC # 0444 RECEIVED BY: [Signature]

DATE SCHEDULED FOR CONSIDERATION Nov. 13, 2019 @ 6:00 pm

APPROVED ________ DENIED ________