



# CITY OF DEL REY OAKS

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

November 4, 2020

## AGENDA

### REGULAR DEL REY OAKS PLANNING COMMISSION MEETING

**TUESDAY** NOVEMBER 10, 2020 AT 6:00 P.M.

**MEETING TO BE HELD VIRTUALLY ONLY**

**AT THE FOLLOWING ZOOM LINK PER GOVERNOR NEWSOM'S  
EXECUTIVE ORDERS N-29-20 AND N-33-20 REGARDING COVID-19  
PROTOCOLS:**

***Click on link below***

Join Zoom Meeting

<https://us02web.zoom.us/j/89928964144>

Meeting ID: 899 2896 4144

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16699006833,,89928964144# US +(San Jose)

***If you are not able to,  
then copy and paste or type the link into your browser  
You must have a computer with a camera or smart phone to participate  
in the video portion of the meeting.***

1. ROLL CALL

2. CONSENT AGENDA:

A. Adopt , September 9, 2020 Planning Commission Meeting Minutes

**3. 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.*

**4. REPORTS: Building Activity Report September/October 2020**

**5. OLD BUSINESS: None**

**6. NEW BUSINESS:** *Action Items*

<b>A. Applicant's Name:</b>	Del Rey Oaks Garden Center
<b>Owner's Name:</b>	The City of Del Rey Oaks
<b>File Number:</b>	ARC 20-03 and to amend CUP 14-08
<b>Site Location:</b>	899 Rosita Rd
<b>Planning Area:</b>	APN# 012-551-006
<b>Project Description:</b>	Requesting Architectural Review to receive after-the-fact permission for a fence previously erected and to amend hours of operation listed in original Conditional Use Permit.

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

**8. NEXT MEETING: Wednesday, December 9, 2020 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.

## How do I join a Zoom meeting?

There are 3 ways to join a Zoom meeting:

- With the Zoom app on your desktop
- From the Zoom website
- Or via telephone dial-in

**Note:** The host will have to start the meeting first so you can join.

Meeting ID: **899 2896 4144**

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Jose) 14086380968,,89379117307# US

+(San Jose)

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**CITY OF DEL REY OAKS PLANNING COMMISSION REGULAR MEETING  
CONVENED AT 6:00 P.M. ON WEDNESDAY, SEPTEMBER 9, 2020 VIA ZOOM**

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

**Absent:** Commissioner Wood

**Also present:** City Manager Pick, City Attorney Lorca, Deputy City Clerk Minami and Deputy City Treasurer Carvalho

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

**CONSENT AGENDA:**

*Motion to approve: Commissioner Hayworth*

*Second: Commissioner Jaksha*

*Public Comment: None*

*Vote: Approved 6-0*

**PUBLIC COMMENT:**

**City Manager Pick:** Wishes to announce the retirement of Kim Carvalho, last day is October 9<sup>th</sup>. She is moving to Arizona to be with family and now we must figure out how to live without her. She will be missed. Wishes her the best!

**Chairman Donaldson:** Speaking for the entire Commission, they are all grateful to her.

**Deputy City Treasurer Carvalho:** It's been a pleasure.

**REPORTS:**

**Commissioner Hayworth:** Nice to see activity.

Accepted

**NEW BUSINESS:**

**Consider City Comment Letter to Airport Regarding Airport Master Plan EIR Addendum**

**Chairman Donaldson:** Requested this item to be put on the PC agenda, to send a clear message to the Airport. A road is against General Plan and has been for over 2 decades. Went into further explanation of the attachment to the letter.

**City Manager Pick:** Very short notice (in mail on Friday) on the Master Plan EIR Addendum regarding the north side access road. A contravention of all of the comments heard at the meeting and by the Chair of the Airport Committee. A round table is needed. The purpose for tonight is

to answer questions, to make edits and to recommend the City Council approval for the submission to the Airport.

**Commissioner Burton:** Searching his mind to find an objective to stop the road, what impact this will have on City.

**City Manager Pick:** Staff's objective is to comply with General Plan, clear prohibition of the road and to enforce it. This will be the 3<sup>rd</sup> letter and now on the environmental reports. Timing of the letter is important. The subsidence is the General Plan and the resident's concerns will all be part of the public report. This will not fade. It will be well documented what exactly the Planning Commission and City Council want for the City.

**Vice Chair Hayworth:** Why do they keep coming back, it's like they are beating a dead horse. The first 2 letters were clear and so if this one.

**Commissioner Hallock:** City Manager Pick very clearly explained and answered questions. Stands with City. Points out some grammatical errors that need to be corrected.

**City Manager Pick:** Letter needs a rewrite, thank you Commissioner Hallock.

**Commissioner Kreeger:** Too bad this is happening; it will happen again. We have stated very clearly that we don't want the road, hopefully won't bother us for the couple of years.

**Chairman Donaldson:** Lost Commissioner Jaksha due to technical difficulty and will come back for his input when he logs back on to zoom.

#### **PUBLIC COMMENT:**

**Kim Shirley:** Battling this for decades and glad it is at the Planning Commission. Excited about the round table idea, more communication will only benefit the City.

**Ken Rutherford:** Thanks Kim. Confused why it's going to the Planning Commission. Wants the letter to only address the short term to long term and the timing. The other items should be in another letter and don't delude it. Disappointed that more city staff wasn't at the meeting. This letter lets Leffel off the hook and it shouldn't. City shouldn't be making a recommendation regarding the north access service road, don't take a position on hanger location. The letter should be limited to the road and timing, only be in the benefit of the city and citizens.

**Chairman Donaldson:** Thank you, feedback and comments are important.

**Frederica Jones:** Been to many Airport Board meetings and a round table is an excellent idea, more transparency is important. Their M.O. is short turnaround time makes, it hard to respond. Ken had good comments.

#### **PUBLIC COMMENT CLOSED**

**Commissioner Jaksha:** Worries that they will step on little Del Rey Oaks and take advantage. At one point, years ago they asked for a road and it almost got approved. The Airport put millions of dollars into the Monterey area.

**Chairman Donaldson:** This is the time to get comments from Planning Commissioners and public on the record. We have an overwhelming majority of DRO residents against this road. Recommends approval as written or with edits.

**City Manager Pick:** Clear edits given by Commissioner Hallock. Communication paragraph need to have City Attorney look at it. Will reference tape to help integrate Ken's comments. Doesn't see any harm in how it is written but doesn't want to discount Ken's comments. Staff is looking for some broad direction tonight.

**Chairman Donaldson:** Asks City Attorney Lorca if he has additional comments?

**City Attorney Lorca:** City Manager Pick made a good point for broad direction. Will review letter with a fine-tooth comb.

**Chairman Donaldson:** Take into account Commissioner Hallock's edits, then have the City Council make the specific changes to narrow it down.

**Commissioner Kreeger:** Is there a time limit? Rewrite the short term ties into the long term?

**City Manager Pick:** The letter is after the fact, but sooner is better.

*Motion to approve item 6.A., City Comment Letter to Airport Regarding Airport Master Plan EIR Addendum as presented with the legal review of section 1, paragraph 3 of the letter*

*Second:*

*Commissioner Hallock*

*Public Comment:*

*Commissioner Jaksha*

*Vote:*

*None*

*6-0*

#### **MOTION PASSED UNANIMOUSLY VIA ROLL CALL VOTE**

**Chairman Donaldson:** Sending a stronger message with a better document, thanks the public.

#### **COMMISSIONER REPORTS:**

**Commissioner Jaksha:** Apologizes for losing connection. Letter is good and really likes the round table idea. Will miss Kim, sad to see her go.

**Commissioner Burton:** Thank you Kim for everything

**City Manager Pick:** Del Rey Oaks Garden Center CUP continued to a future meeting because TAMC requested more time to review. More staff work needs to be done. Deconfliction potential route of FORTAG. Should be heard in November.

**KimMarie Hanson:** The park land behind Safeway was donated, needs to be made beautiful, wants it kept an open space. Doesn't feel comfortable on walking path at Garden Center, not neat and clean. No construction is better, so no Airport road.

6:50 p.m., Adjourned to next meeting date October 14, 2020 at 6:00 pm.

Attest:

Date:

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October 2020 Building Permit Report

PERMIT#	DATE	ADDRESS	NAME	PROJECT DESCRIPTION	TYPE	STATUS
B-17-32	09/05/17	5 Quendale	Sampognaro/Zehn Const	Addition and remodel	R-1	Current
B-19-12	04/17/19	68 Carlton Drive	Larson/D. Young Const	Remodel	R-1	Current
B-19-22	07/09/19	924 Via Verde	Rutherford/Owner Builder	R&R awning, install sky ligh	R-1	Current
B-19-24	07/24/19	120 Calle Del Oaks	Sparx/DPR Construction	Tenant Improvement	C-1	Current
B-19-37	09/19/19	9 Los Encinos	Bowen/Scudder Roofing	Re-Roof	R-1	Current
B-19-39	09/23/19	15 Baxter Place	Burger/John Chatters	Addition and remodel	R-1	Current
B-19-40	09/24/19	831 Arlington	Walsh/Ricardo Munoz	Wall and stairs	R-1	Current
B-19-50	11/21/19	78 Work Ave	Ghavamian/Owner Builder	New windows	R-1	Current
B-19-52	11/26/19	926 Angelus	Clarke/Tarivet Const	Kitchen remodel	R-1	Current
B-19-55	12/19/19	800 Altura	Buckman/Kitchen Studio	Kitchen remodel	R-1	Current
B-20-03	02/04/20	1025 Rosita Rd	Souza/Earl Deal Roofing	Re-Roof	R-1	Current
B-20-06	03/10/20	45 Work Ave	Ezcurra/J Luna Const.	New Porch and roof	R-1	Current
B-20-07	03/16/20	10 Serrano	Jelleson/ Williams Roofing	Re-Roof	R-1	Current
B-20-09	05/17/20	924 Via Verde	Rutherford/Owner Builder	Interior remodel	R-1	Current
B-20-10	05/15/20	8 Greenock	Wigg/Jenkins Const	Stucco	R-1	Current
B-20-11	05/24/20	820 Arlington	Stentz/Infinity Energy	Solar	R-1	Current
B-20-12	05/28/20	827 Portola	Sanchez/Tesla Solar	Solar	R-1	Current
B-20-13	07/01/20	10 Alta Cir	Ventimiglia/Scudder	Re-Roof	R-1	Current
B-20-14	07/01/20	7 Boronda	Williams/Westphal	Remodel	R-1	Current
B-20-15	07/08/20	46 Los Encinos	Cabanillas/Miralem Hadzic	Solar	R-1	Current
B-20-16	07/09/20	1106 Rosita Rd	Prue/Avila Construction	New Deck	R-1	Current
B-20-17	07/09/20	212 Pheasant Ridge	Rodewald/Owner	Bathroom/Kitchen Remodel	R-1	Current
B-20-19	07/21/20	411 Quail Run Ct	Ursino/Donald Young	Bathroom Remodel	R-1	Current
B-20-21	08/04/20	38 Los Encinos Dr	Volmensky/Williams Roofin	Re-Roof	R-1	Current
B-20-22	08/18/20	1000 Rosita Rd	Shingleton/Sunlux	Solar	R-1	Current
B-20-23	09/10/20	4 Loch Pl	Campo/Owner	Addition and remodel	R-1	Current
B-20-24	09/17/20	988 Paloma Rd	Levi/Dioscoro Casas	ADU	R-1	Current
B-20-25	09/17/20	999 Paloma Rd	Barber / RW Construction	Kitchen remodel	R-1	Current
B-20-26	09/21/20	1000 Portola Dr	Nicholson / Costa DC Roofi	Re-Roof	R-1	Current
B-20-27	09/21/20	930 Angelus	Clarke / Lee Interrante	Deck Replacement	R-1	Current
B-20-28	09/22/20	4 Quendale	Sanchez / Guzman Roofing	Re-Roof	R-1	Current



**October 2020 Building Permit Report**

B-20-29	09/22/20	8 Carlton Dr	Currence / Premo	Re-Roof	R-1	Current
B-20-30	10/07/20	948 Rosita	Lorentz / Stanley Stimmel	Solar	R-1	Current
B-20-31	10/07/20	947 Portola	Giammanco / Earl Deal	Re-Roof	R-1	10/7/2020
B-20-32	10/21/20	815 Canyon Del Rey	Safeway / Tec Project Build	ADA Improvements	C-1	Current
B-20-33	10/21/20	4 Quendale	Sanchez / Solex/Stanley Se	Solar	R-1	Current
B-20-34	10/22/20	222 Quail Run Ct	Bankston / Owner	Bathroom Remodel	R-1	Current



# CITY OF DEL REY OAKS

## Staff Report

**Applicant's Name:** Del Rey Oaks Garden Center  
**Owner's Name:** The City of Del Rey Oaks  
**File Number:** ARC 20-03 and to amend CUP 14-08  
**Site Location:** 899 Rosita Rd  
**Planning Area:** APN# 012-551-006  
**CEQA Determination:** Categorically Exempt pursuant to CEQA Guidelines 15301 and 15304  
**Project Description:** Requesting Architectural Review to receive after-the-fact permission for a fence previously erected and to amend hours of operation listed in original Conditional Use Permit.  
**Recommended Action:** Approve Conditional Use Permit with the conditions of approval recommended below. Analyze provided material, make appropriate findings, impose conditions as appropriate, and give direction to staff.

The applicant requests amending the Conditional Use Permit (CUP) for 899 Rosita Road to include additional area, which applicant has encroached into since the original CUP was issued. The additional area is shown in the attached graphic. The Applicant also requests that the business be allowed to be open on Sundays year-round, rather than the current limit of 12 Sundays per year. Staff recommends approval of the Applicant's requests subject to the following conditions of approval:

1. The Applicant must satisfactorily renegotiate the lease with the City prior to opening additional Sundays.
2. The lease area boundaries shall be subject to change if the FORTAG trail project routing requires it.
3. No lawn mower or other mechanical repair shall be permitted on the premises.
4. The Applicant shall maintain a public access trail , with clear signage, free of debris, along the creek around the premises.

*Chairman Jaksha will need to step down*



# CITY OF DEL REY OAKS

Use Permit:  Conditional      Variance:  Yes  
 Choose all that Apply  Minor       No  
 Home Occupational  
 Signage  
 Auxiliary Building

Architectural Review Type:  
 Residential  
 Commercial

Applicants Name: Mitsugu Mori, Del Rey Oaks Gardens  
 Owner's Name: Mitsugu Mori  
 Project Address: 899 Rosita Pl.  
 Telephone#: 831-920-1231 APN #: \_\_\_\_\_  
 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.

**MAP is ATTACHED.**  
**AS well as description.**

Check here if additional materials are attached.

Mitsugu Mori  
 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 \_\_\_\_\_

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### -FOR OFFICE USE ONLY-

APPLICATION # CYP Amend 14-08 DATE: 5/27/20

FEE \$2990.00 CASH/CHECK/C# ARC 20-03 RECEIVED BY: Karen Minami  
\$620.00  
\$3610.00

DATE SCHEDULED FOR CONSIDERATION June 10, 2020 @ 6:00 pm

APPROVED \_\_\_\_\_ DENIED \_\_\_\_\_

# DEL REY OAKS GARDENS

899 ROSITA RD, DEL REY OAKS CA93940  
831-920-1231

5/20/20

Dear Sir&Madam:

This note is to explain the detail of our request for use permit.

Two maps are attached.

Use permit request 1

#1 is the area map of leased ground.

#2 is the map of extended area we are seeking for permit to use.

It also indicates the fence area we installed for security purpose. Since we opened our business, a number of theft and vandalism occurred. We had to erect fence in hurry.

The chain link fence seemed to be most reasonable fence around for the security for the appearance. So we proceeded. I did not realize we needed a permit.

Beyond our lease agreement, we built access road from Safeway and cleaned up the path along the reveue as well as golf light posts and half torn netting entire property all the way to Safeway at no cost to the city.

We have installed two large concrete drain pipes under the road way as well.

The area we are using beyond our lease agreement is marked with blue diagonal lines.

Use permit request 2

Current agreement does not allow us to open more than several months.

We would like to stay open more Sundays beyond October and Open early in Spring.

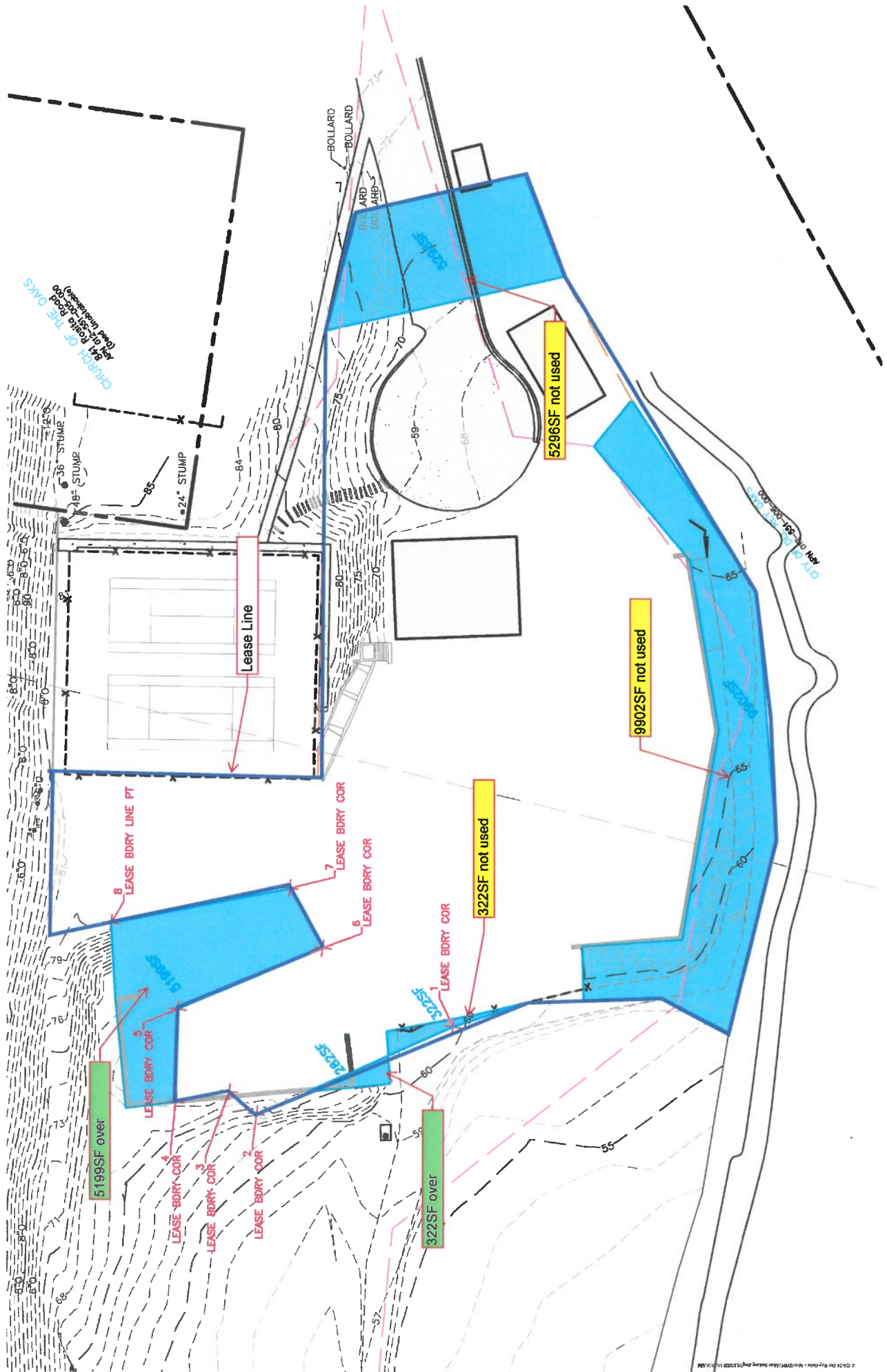
I would like the option to stay open year around, although we might want to close Sundays in January and February.

We would like to continue to be an asset to the community serving its need.

Thank you.



Mitsugu Ori  
President











600 ft

Google Earth

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