



AGENDA

Thursday, January 14, 2016

6:30 P.M.

**REGULAR MEETING
PLANNING COMMISSION**

**Council Chambers
211 Hillcrest Avenue
Marina, California**

VISION STATEMENT

Marina will grow and mature from a small town bedroom community to a small city which is diversified, vibrant and through positive relationships with regional agencies, self-sufficient. The City will develop in a way that insulates it from the negative impacts of urban sprawl to become a desirable residential and business community in a natural setting. **(Resolution No. 2006-112 - May 2, 2006)**

MISSION STATEMENT

The City Council will provide the leadership in protecting Marina's natural setting while developing the City in a way that provides a balance of housing, jobs and business opportunities that will result in a community characterized by a desirable quality of life, including recreation and cultural opportunities, a safe environment and an economic viability that supports a high level of municipal services and infrastructure. **(Resolution No. 2006-112 - May 2, 2006)**

1. CALL TO ORDER 
2. ROLL CALL & ESTABLISHMENT OF QUORUM (Planning Commission Members)
Katherine Biala, David Burnett, Margaret Davis, Tim Ledesma, Virgil Piper, Adam Urrutia
(one vacancy)
3. MOMENT OF SILENCE & PLEDGE OF ALLEGIANCE (Please stand)
4. SPECIAL ANNOUNCEMENTS AND COMMUNICATIONS FROM THE FLOOR:
Announcements of special events or meeting of interest as information to Board and Public. At this time any person may comment on any item, which is not on the agenda. Please state your name and address for the record. Action will not be taken on an item that is not on the agenda. If it requires action, it will be referred to staff and/or placed on the next agenda. Planning Commission members or City staff may briefly respond to statements made or questions posed as permitted by Government Code Section 54954.2. In order that all interested parties have an opportunity to speak, please limit comments to a maximum of Four (4) minutes. Any member of the public may comment on any matter listed on this agenda at the time the matter is being considered by the Planning Commission.

5. CONSENT AGENDA: *Background information has been provided to the Planning Commission on all matters listed under the Consent Agenda, and these items are considered to be routine. All items under the Consent Agenda are normally approved by one motion. If discussion is requested by anyone on any item, that item will be removed from the Consent Agenda and placed at the end of Other Action Items if separate action is requested.*
 - a. None

6. PUBLIC HEARINGS: Time will be set aside during the Public Hearing to receive oral comments on all items listed as Public Hearings. Staff will present the project brought forth for Planning Commission consideration and possible action and answer questions from the Planning Commissioners. The applicant will then have the opportunity to raise any issues. The public will then be invited to approach the podium to provide up to four (4) minutes of public testimony.
 - A. It is requested that the Planning Commission:
 1. Open a public hearing, take any testimony from the public, and consider:
 2. Adopting Resolution No. 2016- , approving Conditional Use Permit UP 2015-09 to allow a school use of a ±1,482 square-foot tenant space in the UC MBEST Center located at 3180 Imjin Road, Suite 153 (APN 031-111-027), subject to conditions.

7. OTHER ACTION ITEMS: *Action listed for each Agenda item is that which is brought forth for Planning Commission consideration and possible action. The Planning Commission may, at its discretion, take action on any items. The public is invited to approach the podium to provide up to four (4) minutes of public comment.*
 - a. None

8. COMMISSIONERS AND STAFF INFORMATIONAL REPORTS:
 - a. City Council, Design Review Board, Tree Committee and other meetings of note.
 - b. Upcoming items scheduled for future meetings.
 - c. Ad Hoc Committee

9. CORRESPONDENCE:
 - a. None

10. ADJOURNMENT

CERTIFICATION

I, Judy Paterson, Administrative Assistant for the City of Marina, do hereby certify that a copy of the foregoing agenda was posted at Marina City Council Chambers bulletin board, 211 Hillcrest Avenue; City Kiosk at the corner of Del Monte Boulevard and Reservation Road; and Monterey County Free Library Marina Branch at 190 Seaside Circle on or before 6:30 p.m. Monday, January 11, 2016.

PLANNING COMMISSION NOTES:

1. The Marina Planning Commission regularly meets at 6:30 P.M. on the second and fourth Thursdays of each month.
2. The Planning Commission follows procedures intended to allow for project applicants and members of the public the fullest possible opportunity to be heard, while enabling the Commission to complete its meetings within a reasonable time.
3. Copies of staff reports are available to the public on the Friday afternoon, prior to the Thursday meetings at the Community Development Department office located at 209 Cypress Avenue.
4. Planning Commission subcommittees include the Marina Design Review Board (DRB) and Tree Committee. The DRB regularly meets at 6:30 P.M. on the third Wednesday of each month and the Tree Committee meets quarterly on the 2nd Wednesday of January, April, July and October... All meetings take place in the Council Chambers unless otherwise noticed... Public notices and agendas are posted at the following locations: Monterey County Library Marina Branch, Kiosk at the corner of Del Monte Blvd. and Reservation Rd., and Marina City Council Chambers Bulletin Board.
5. The public is invited and encouraged to participate in all meetings of the Planning Commission and its subcommittees.
6. ALL MEETINGS ARE OPEN TO THE PUBLIC. THE CITY OF MARINA DOES NOT DISCRIMINATE AGAINST PERSONS WITH DISABILITIES. Council Chambers are wheelchair accessible. Meetings are broadcast on cable channel 25 and recordings of meetings can be provided upon request. To request assistive listening devices, sign language interpreters, readers, large print agendas or other accommodations, please call (831) 884-1278 or e-mail: marina@ci.marina.ca.us. Requests must be made at least **48 hours** in advance of the meeting.

January 7, 2016

Item No: ____

Honorable Chair and Members
Of the Marina Planning Commission

Planning Commission Meeting
of January 14, 2016

REQUEST TO OPEN A PUBLIC HEARING, TAKE ANY TESTIMONY FROM THE PUBLIC AND CONSIDER ADOPTING RESOLUTION NO. 2016 - , APPROVING CONDITIONAL USE PERMIT UP 2015-09 TO ALLOW A SCHOOL USE OF A ±1,482 SQUARE-FOOT TENANT SPACE IN THE UC MBEST CENTER LOCATED AT 3180 IMJIN ROAD, SUITE 153 (APN 031-111-027), SUBJECT TO CONDITIONS

RECOMMENDATION:

It is requested that the Planning Commission:

1. Open a public hearing, take any testimony from the public, and consider:
2. Adopting Resolution No. 2016- , approving Conditional Use Permit UP 2015-09 to allow a school use of a ±1,482 square-foot tenant space in the UC MBEST Center located at 3180 Imjin Road, Suite 153 (APN 031-111-027), subject to conditions.

BACKGROUND:

The project site is a ±1,482-square-foot tenant space in the University of California Monterey Bay Education, Science, and Technology (UC MBEST) Center Headquarters complex located at 3180 Imjin Road, Suite 153 (APN 031-111-027). The property is designated “Multiple Use” on the General Plan Land Use Map and is located within the “Business Park (BP)” Zoning District. Surrounding land uses include: Marina Municipal Airport Hangar 507 to the north; and undeveloped land within the UC MBEST Center to the west, south and east.

The site is developed with four existing buildings. The proposed school use of the subject tenant space would be located in the northern end of the building known as the small business incubator building (“building C”) in suite 153 (“**EXHIBIT A**”).

Primary driveway access is provided from Imjin Road. The subject property provides 72 off-street parking spaces. Tenant spaces are occupied with a variety of office uses (e.g., consulting firms, economic development organizations, veterans service organization, natural reserve organization, air resource agency, internet service provider, food technology company, packaging technology company).

At the regular meeting of July 20, 1999, the City Council adopted Resolution No. 1999-57, approving the Memorandum of Agreement between UC and the City for design, construction and ownership improvements of the UC MBEST Center Headquarters buildings and oversight of the Marina small business incubator. The project included the construction of ±26,000 square-feet of building space, a new parking lot, landscaping, outdoor paths, and the extension of utilities. Approximately 11,500 square-feet of building space was leased by the City and used for the Marina small business incubator (aka Marina Technology Center) until 2014.

On November 24, 2015, the applicant, Tara Bevington, on behalf of Second Start Learning Disabilities Programs, Inc., filed an application for a Conditional Use Permit UP 2015-09 to allow a school use of a

±1,482 square-foot tenant space in the UC MBEST Center located at 3180 Imjin Road, Suite 153 (APN 031-111-027).

PROJECT DESCRIPTION

The applicant is proposing to operate a private school for students with disabilities in grades 5 through 9. The tenant space would be used by Second Start as a one-room classroom for up to five students. The proposed class time is Monday through Friday from 8:30 a.m. to 3:00 p.m. Two teachers would be onsite. Students would be dropped off at 9:00 a.m. and picked up at 2:00 p.m.

Second Start is a non-profit 501(c)(3) organization that provides educational programs for students with learning disabilities. Kenyon Hopkins, Executive Director of Monterey County Special Education Location Plan Area, has provided a letter of support for Second Start dated November 16, 2015 (“**EXHIBIT B**”). The letter states that the Second Start program would help alleviate the shortage of necessary supports serving the students of Monterey, Santa Cruz and San Benito Counties.

ANALYSIS:

Staff has evaluated the use permit request according to MMC Chapter 17.29 (BP District regulations) and applicable sections of the Marina General Plan.

CONSISTENCY WITH THE GENERAL PLAN

General Plan Policy 2.58 states that a non-profit educational use is permitted on land designated “Multiple Use.”

The proposed use helps bring together commercial and other uses that meet the needs of the community. As such, the General Plan goal for integration of uses (Goal 1.18.11) is met by the proposed use. Staff finds that this project is consistent with the Marina General Plan.

CONDITIONAL USE PERMIT REQUIREMENT

The BP Zoning District allows the proposed school use subject to first obtaining a Conditional Use Permit, pursuant to MMC Section 17.29.030.B.

PARKING

An aerial photograph shows the location of existing onsite parking (“**EXHIBIT C**”). A total of 72 parking spaces and four handicap parking spaces are provided. According to Graham Bice, Managing Director, UC MBEST Center, each suite is allowed four parking spaces. Only two employees would park onsite. As such, available parking is in excess of the proposed number of employees.

According to the Fire Chief, the proposed educational use of a ±1,482-square-foot tenant space could result in an occupancy of 74 students. A school of this size would exceed available parking onsite. A Condition of Approval has been added to the draft Resolution to limit the school use to a class size of up to nine students and no more than four employees.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

The proposed project involves the conversion of a ±1,482-square-foot tenant office space for school use within an existing building of the UC MBEST Center Headquarters complex. As such, the proposed project is categorically exempt from environmental review pursuant to Section 15301 of the California Environmental Quality Act (CEQA) Guidelines (Class 1 – operation, permitting, leasing, licensing, or minor alteration of existing structures or facilities not expanding existing uses).

CONCLUSION:

The request is submitted for Planning Commission consideration and possible action.

Respectfully submitted,

Justin Meek, AICP
Senior Planner
City of Marina

REVIEWED/CONCUR:

Theresa Szymanis, AICP CTP
Acting Director, Community Development Department
City of Marina

RESOLUTION NO. 2016-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MARINA APPROVING CONDITIONAL USE PERMIT UP 2015-09 TO ALLOW A SCHOOL USE OF A ±1,482 SQUARE-FOOT TENANT SPACE IN THE UC MBEST CENTER LOCATED AT 3180 IMJIN ROAD, SUITE 153 (APN 031-111-027), SUBJECT TO CONDITIONS

WHEREAS, on November 24, 2015, the applicant, Tara Bevington, on behalf of Second Start Learning Disabilities Programs, Inc., filed an application for a Conditional Use Permit UP 2015-09 to allow a school use of a ±1,482 square-foot tenant space in the UC MBEST Center located at 3180 Imjin Road, Suite 153 (APN 031-111-027), and;

WHEREAS, the subject property is designated “Multiple Use” on the General Plan Land Use Map and is located within the “Business Park (BP)” Zoning District, and;

WHEREAS, General Plan Policy 2.58 states that a non-profit educational use is permitted on land designated “Multiple Use,” and;

WHEREAS, the proposed use helps bring together commercial and other uses that meet the needs of the community. As such, the General Plan goal for integration of uses (Goal 1.18.11) is met by the proposed use, and;

WHEREAS, the BP Zoning District allows the proposed school use subject to first obtaining a Conditional Use Permit, pursuant to Section 17.29.030.B of the Marina Municipal Code, and;

WHEREAS, on January 14, 2016, at a regularly scheduled meeting, the Planning Commission of the City of Marina conducted a duly noticed public hearing to consider approving Conditional Use Permit UP 2015-09 to allow a school use of a ±1,482 square-foot tenant space in the UC MBEST Center located at 3180 Imjin Road, Suite 153 (APN 031-111-027), subject to conditions, considered all public testimony, written and oral, presented at the public hearing, received and considered the written information, and;

WHEREAS, the project is categorically exempt from environmental review in accordance with Section 15301 of the California Environmental Quality Act (CEQA) Guidelines (Class 1 – operation, permitting, leasing, licensing, or minor alteration of existing structures or facilities not expanding existing uses).

NOW, THEREFORE BE IT RESOLVED by the Planning Commission of the City of Marina that it hereby approves Conditional Use Permit UP 2015-09 to allow a school use of a ±1,482 square-foot tenant space in the UC MBEST Center located at 3180 Imjin Road, Suite 153 (APN 031-111-027), making the following findings and subject to the following conditions of approval:

FINDINGS

1. That, as conditioned, the establishment, maintenance and operation of the use applied for will not be detrimental to health, safety, peace, morals comfort and general welfare of persons residing or working in the neighborhood of the proposed use, in that, in that the subject property is well maintained and is professionally managed and that the proposed use is compatible with onsite and surrounding uses and development.

2. That the establishment, maintenance and operation of the use applied for will not be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City, in that, the proposed use is compatible with the Commercial Multiple Use land use designation and Business Park (BP) Zoning District of the site and the surrounding vacant and airport land uses.

CONDITIONS OF APPROVAL

1. **Class Size and Occupancy Limit:** The school use of suite 153 (\pm 1,482-square-feet) shall be limited to a maximum class size of nine (9) students, and maximum occupancy shall not exceed thirteen (13) persons, including up to four (4) staff persons.
2. **Permits:** Prior to issuance of a business license, the applicant shall request that the Chief Building Official shall conduct a building inspection and therefore shall obtain any and all building permits, as required by the Chief Building Official.
3. **Fire Sprinkler System:** Prior to issuance of a business license, the applicant shall provide the Fire Chief proof of certification for the building's fire sprinkler system, and shall resubmit said certification every five years following the issuance of the business license. Five year reports shall be in accordance with the inspection, testing and maintenance requirements of the National Fire Protection Association (NFPA) 25 (2011 edition), as amended by California Code of Regulations, Title 19, Chapter 5 Automatic Fire Extinguishing Systems. Any needed upgrades to the building's fire sprinkler system shall be installed to the satisfaction of the Fire Chief.
4. **Expiration:** This use permit shall expire and shall be null and void if a certificate of occupancy is not obtained within one year from the date of Planning Commission's approval action on this permit request. The Planning Commission may extend this deadline for a period not to exceed 12 months if the applicant submits an application for an extension of this use permit prior to the expiration date. The application fee for an extension is \$488.
5. **Indemnification:** The applicant shall agree as a condition of approval of this project to defend, at its sole expense, indemnify and hold harmless from any liability the City and reimburse the City for any expenses incurred resulting from, or in connection with, the approval of the project, including any appeal, claim, suit or legal proceeding. The City may, at its sole discretion, participate in the defense of any such action, but such participation shall not relieve the applicant of its obligations under this condition.

PASSED AND ADOPTED by the Planning Commission of the City of Marina at a regular meeting duly held on the 14th day of January 2016, by the following vote:

AYES, PLANNING COMMISSION MEMBERS:
NOES, PLANNING COMMISSION MEMBERS:
ABSENT, PLANNING COMMISSION MEMBERS:
ABSTAIN, PLANNING COMMISSION MEMBERS:

David Burnett, Chairperson

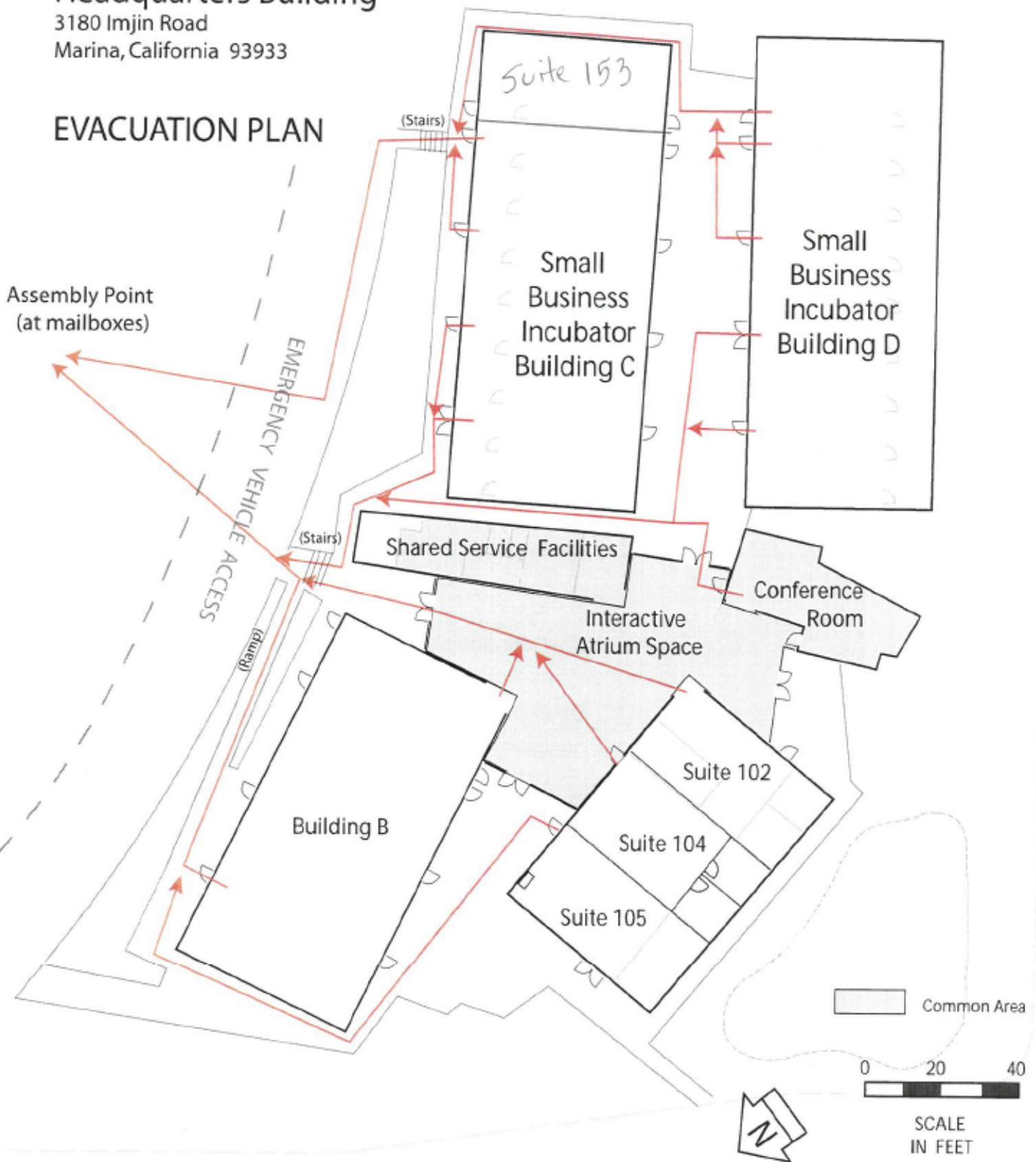
ATTEST:

Theresa Szymanis, AICP CTP
Acting Community Development Director

UC MBEST Center Headquarters Building

3180 Imjin Road
Marina, California 93933

EVACUATION PLAN





Monterey County Special Education Local Plan Area
Regional Collaboration for Student Success

November 16, 2015

Greg Zieman
Director of Educational Programs
Second Start Learning Disabilities Programs Inc.
1325 Bouret Drive
San Jose, CA 95118

Dear Greg Zieman,

This letter is in response to the Second Start Learning Disabilities Programs Inc. (Second Start) application for the development of a Non Public School within Monterey County for the delivery of school-based services. I wish to express our full support of this program. It is a critical step in alleviating the shortage of necessary supports serving the students of Monterey, Santa Cruz, and San Benito Counties.

During the past two school years, we have been working with Second Start in the development of a program to ensure that the needs of students within the 25 Local Educational Agencies (LEAs) of Monterey County SELPA will be met. We continue to observe that the tri-county area has a critical and severe need for programs similar to those offered by Second Start that can serve public school students.

We appreciate the cooperative efforts of Second Start with the local education agencies and community stakeholders in the development of this program. The administrators of Second Start have actively collaborated with Monterey County leaders in the design and development of this program with regard to philosophical orientation, educational goals, and contact emphasis.

We intend to work closely with Second Start throughout the development and continued growth of their program. This program will work because of the cooperation that exists between the local education agencies in the tri-county region and the professional expertise of the staff of Second Start Learning Disabilities Programs Inc..

We are delighted that Second Start has chosen to develop a special education program within our region. Therefore, I am pleased to write this letter in support of Second Start's application for the development of a Non Public School. We are welcoming the opportunity to continue to work with Second Start and consider the new Pine Hill South as a potential placement option when the school program matches the student's needs.

Sincerely,

Kenyon Hopkins
Executive Director
Monterey County SELPA



UC MBEST Center

Anzu Corporation

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