



# CASANOVA OAK KNOLL

## NEIGHBORHOOD ASSOCIATION

July 2004

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### Policy 38, Programs 38a & 38b

#### Appeal of Longs extended hours – Tuesday July 20<sup>th</sup>. 7:00 p.m. @ City Council

Last April 27<sup>th</sup>, the Monterey Planning Commission held a public hearing on Longs request for 24-hour operation.

In March, our association had voted unanimously to oppose any commercial activities on N. Fremont beyond 10:00 p.m. Association members have been consistent in their concerns over commercial impacts since the adoption of our Neighborhood Plan.

The Neighborhood Plan is specific in requesting more restrictive zoning to protect adjacent homes.

After a two-year public process, the Casanova Oak Knoll Neighborhood Plan was adopted by the City of Monterey as an element of the General Plan in 1985.

**Policy 38:** Require use permits for all commercial businesses with night-

time activity that are adjacent to residential areas.

**Program 38a:** Develop more restrictive zoning regulations for commercial businesses adjacent to residential areas.

**Program 38b:** Review commercial zoning regulations for setbacks, access, height, lighting, noise buffers and other standards.

*The commission voted to extend the operation hours of Longs from 10:00 p.m. to a 12:00 midnight closing.* Not one commissioner even mentioned the Neighborhood Plan. It is their job to be completely informed of all the neighborhood plans in our city and address the issues raised in those plans.

Our membership vote was very clear, we had to **appeal the decision to**

**the City Council and it will be heard at 7:00 p.m. on July 20<sup>th</sup>.**

The adjacent residents to Longs request that our members support them at that City Council meeting.

After considerable research, CONA has finally documented the failure to enforce Safeway's 24 hour noise restrictions imposed by the Monterey Planning Commission in 1992. Changing Safeway management, lack of city enforcement, neighbors who are frustrated by lack of action, have all lead to a condition where residents either endure or move. Adjoining apartments have even had to lower the rent to attract tenants. Residents fear the same of other businesses that want late night hours.

**Please support your neighbors and come to the meeting.**

### 2004 Neighborhood Improvement Program approved!

During Monterey City Council's July 6<sup>th</sup> meeting, the council voted approval of this years Neighborhood Improvement Program budget without any changes.

This was a very difficult year on the NIP committee. Almost one hundred qualified projects were proposed. Some were a few thousand dollars while others several hundred thousand. After a very difficult decision process these CONA projects are now funded and

ready for the design and construction process:

1. Decking for the CONA preschool play area, \$5,000.
2. CONA traffic calming Phase III, \$200,000.
3. CONA community center power windows for 20' high windows, \$4,000.
4. CONA driveway access reconstruction (20) \$60,000 by future lottery for qualified homes (see story inside).

5. Airport Road speed enforcement solar powered interactive signs. \$30,000.

Parks, traffic calming, a sport center remodeled women's locker room, sidewalks and a special plaque honoring the late Councilwoman Ruth Vreeland, along with others were approved.

About 30 projects out of the 100 projects succeeded at a cost \$1.8 million dollars in new improvements for our neighborhoods and city.

**CONA PARK DAY–AUGUST 8, 2004 @ 1:00 P.M.**

## CONA driveway access project

Over the years, resurfacing and asphalt overlays of our neighborhood streets has resulted in crowned streets. This situation results in low cars dragging their rear bumpers on the street and their front bumpers on the sidewalk as they try to access their driveways.

This project will allow twenty homeowners to have their driveway curbs and the street in front of them reconfigured to allow their cars access without damage. Since so many people would want this done CONA has proposed a lottery system to be fair to all.

1. Everyone who applies and has a qualified entry problem, (qualification will be determined by angles of approach by the city engineers) will be eligible to enter the lottery.

2. **All qualified entered properties will be in a lottery with the first 20 drawn to be constructed.**

Given the large backlog of city building projects, it will be some time before the lottery will take place. When the city is ready we will distribute an application flyer to all residents in the neighborhood detailing the requirements.

## Neighborhood News highlights

**CONA community center-** Due to severe budget cuts our community center will now be closed on Saturdays. The building and the barbeque areas can still be reserved for parties. Please call the center with questions at 646-5665.

**CONA traffic calming Phase I & II** – The latest news is that these phases are presently in design awaiting city staff reviews and recommendations. We are told that final designs with property owner reviews and with construction to follow will occur this fall.

### July 4<sup>th</sup>. needs your help!

The State of California budget crisis has reached into every city in our state. **The Monterey City Council is committed to continuing our 4<sup>th</sup>. July celebrations and they have asked for our financial help.**

**Financial contributions are tax deductible.** Please support this wonderful community's celebration and the founding of our independence. Send your donation made out to the **"City of Monterey" to Kay Russo, Director of Recreation, City Hall, Pacific and Madison Streets, Monterey, California 93940.**

A letter of acknowledgement will be sent to each person that contributes.

Ensure that our traditions carry on for future generations. If you want to volunteer your time to help put on the events, please enclose a note.

The parade, lawn party and a beautiful fireworks show gives us the best show on the West Coast!

## Cypress Center progresses

Chevron's building plans have gone through all the city's review processes and are now approved. The Architectural Review Commission made several plan changes. The office retail/building plan has been returned to the developer for further changes. The Monterey City Council ruled that the building height not exceed 30'. Utility permits have been issued for sewer, water and other uses with construction under way. The traffic median on N. Fremont is under construction.

## Reggae Festival coming back!

The Fairgrounds board gave the Festival permission to come back this Labor Day weekend. The Reggae Festival promoters agreed to a very long list of requirements because of the problems they had here a couple of years ago. The promoters will be required to provide the cost of extra Monterey Police, extra security guards will be required also on Fairgrounds road and in our neighborhood. There will be time curfews, noise level limits and a multitude of other requirements, including the cost of our parking program.

The tentative dates are Sunday, September 5 ending on Monday September 6, 2004. The Fair staff took into account the multiple comments made by CONA members and the Monterey Police department in establishing new guidelines.

## Alcohol Beverage Control Appeal denied

On March 18, 2004 the Alcohol Beverage Control department held a public appeal hearing at Hilltop Center in Monterey. This appeal, delayed for almost a year, was held in Monterey specifically to hear our resident's appeal of the Chevron gas stations proposal for alcohol sales at their convenience market. 158 residents signed a protest form with 53 signing a special legal form filing the actual appeal.

The meeting was held before an administrative law judge with a court reporter. All testimony was under oath and subject to a cross examination by Chevron's corporate attorneys. Over a dozen of our residents testified.

The State of California has set up a difficult standard to deny alcohol licenses. It is evident that the level of documentation needed to overcome the statues is seldom met. Under a cross examination, the local ABC investigator testified that in his experience an alcohol license has never been denied in the city of Monterey. A March 25<sup>th</sup>. article of the Coast Weekly newspaper is entitled **"The Drunk Tank is Full"** with a subtitle of **"Arrests for public intoxication in Monterey exceed California's big cities". Ironic?**

Last month we finally received the news. **The judge denied the appeal.** A further appeal would require the appellant to pay the full costs of said appeal. Literally running into the thousands of dollars. Given the state law, there would be almost no chance for a reversal.

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Gina lives in the Casanova Oak Knoll neighborhood. Let her assist you in all of your real estate needs.

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**"The Fairest Fair of All" 2004 Monterey County Fair August 17-22**

We hope that you will join us at the 2004 Monterey County Fair. This year will feature food, fun and great family entertainment including Radio Disney's Stevie Brock on Tuesday, August 17th, Tower of Power returning on Thursday, August 19th and WAR on Friday, August 20th. Buy your pre-sale tickets either at the Fair Office or Safeway for only \$5.00! Bring this coupon into the Fair Office to receive two free ride coupons with purchase of fair ticket! One coupon per family. Call 372-5863 for more information.

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