

FINAL

**MONTEREY COUNTY PLANNING COMMISSION
February 25, 2004
MINUTES**

The Planning Commission met at 9:05 a.m. at the Board of Supervisors Chambers of the Courthouse at 240 Church Street, Salinas, California.

A. ROLL CALL

Present: Miguel Errea, Sharon Parsons, Laurence Hawkins, Cosme Padilla, Keith Vandevere, Juan Sanchez,
Martha Diehl, Aurelio Salazar, Don Rochester, John Wilmot
Absent: None

B. COMMENT PERIOD:

PUBLIC – Margie Kay spoke regarding a petition being circulated to keep local revenue locally.

COMMISSION – None

C. APPROVAL OF MINUTES

Jeff Main requested that approval of the Minutes of the January 28, 2004, Planning Commission meeting be continued to March 10, 2004.

D. SCHEDULED ITEMS

1. CATHREIN ESTATES (PLN990330)

Taven Kinison Brown presented the project and recommended adoption of the Mitigated Negative Declaration and Mitigation Monitoring Reporting Program and approval of the Combined Development Permit.

John Bridges, representing the applicant Don Chapin, addressed the water issue, traffic, tree removal, provided background on the developer, and addressed letters received by *Land Watch*. He requested “appropriate fee” replace the “\$9,648” in Condition #12.

Don Chapin, owner and applicant for the subdivision, highlighted the application was applied for in 1999 and addressed five page opponent letter criticizing tree removal, the road system, and a box canyon area.

Public Comment:

Margie Kay, Doug Kasunich, Jan Mitchell, and Hans Jongens spoke in opposition of the project citing concerns of water, open space, traffic by-pass, public safety, schools, possible bus stop, housing, and aquifer.

Mike Galizio, from CalTrans, supported the traffic mitigation fee.

Michael Roberson, Fire Marshall, North County Fire District, reviewed the project and spoke in favor of the project.

Mr. Bridges, on rebuttal of comments made by the public, addressed the open space, bus stop, and traffic mitigation issues.

Several Commissioners commended the developer for a fine project and their record of accomplishment.

There was discussion among Commissioners regarding the water supply and well issues, availability of water from Granite Ridge area, recharge, overdraft and fee of water, traffic, LUAC input, placement of excess fill, Pesante Road going through, CC&R's, Mitigated Negative Declaration and impacts that have been identified. There was discussion adding wording that a copy of the paid receipt for traffic mitigation be sent to CalTrans and confirmation to Condition #12.

Efren Iglesia, County Counsel, addressed the CC&R's and future implementation of the conditions.

John Bridges agreed to the amended conditions.

Commissioner Hawkins moved, seconded by Commissioner Sanchez and passed by the following vote to adopt the Mitigated Negative Declaration and Mitigation Monitoring Reporting Program and to approve the Combined Development Permit with the amendment to add CalTrans to Condition #12 (Resolution #04007).

AYES : Errea, Sanchez, Hawkins, Padilla, Parsons, Salazar, Rochester, Wilmot
NOES: Vandever, Diehl
ABSENT: None
ABSTAIN: None

4. BJORKLUND GARY C & CAROLYN (PLN030552)

This item was taken out of sequence, since there was a request for this project to be continued to May 12, 2004.

Christine Gianasco-Kemp, representative, indicated that applicant and appellant agreed to the continuance.

Commissioner Hawkins moved, seconded by Commissioner Errea and passed by the following vote to continue this item to May 12, 2004:

AYES : Errea, Sanchez, Hawkins, Padilla, Vandever, Parsons, Diehl, Salazar, Rochester, Wilmot
NOES: None
ABSENT: None
ABSTAIN: None

Break 10:40 a.m. to 10:55 a.m.

2. MOSS LANDING HARBOR DIST (PLN020485)

Carl Holm presented the project and addressed the letter from Mike Galizio of Department of Transportation requiring the approval of an encroachment permit from District 5, and recommended the Planning Commission certify that the Commission reviewed and considered the information, affirm the conclusions contained in the Harbor District's Mitigated Negative Declaration and Mitigation Monitoring Reporting Program adopted by the District Board on June 27, 2002 and amended September 18, 2003, and approve the Combined Development Permit.

Wendy Strimling, County Counsel, clarified that Planning Commission need not take action on the Mitigated Negative Declaration, but must review and consider it.

Diehl returned at 11:05 a.m.

Mark Davis, Manager of North Harbor District, agreed to the conditions.

Commissioner Parsons moved, seconded by Commissioner Padilla and passed by the following vote to review, consider, and approve Combined Development Permit (Resolution #04008).

AYES : Errea, Sanchez, Hawkins, Padilla, Vandevere, Parsons, Salazar, Rochester, Wilmot
NOES: None
ABSENT: None
ABSTAIN: Diehl

3. CATANIA GIUSEPPE & NELLA (PLN030489)

Carl Holm presented the project, which was continued from January 28, 2004, and recommended approval. The continuance allowed the applicant to redesign the project to avoid the need for a variance from the Pescadero Watershed impervious limitations.

The Del Monte Forest Land Use Advisory Committee reviewed the original design of the proposed project identifying concern with the size and bulk of the house in relation to the lot size and the overall compatibility to the neighborhood and a different design and recommended denial. As conditioned and redesigned the project is consistent with applicable codes and policies for the area.

Paul Davis, representative, agreed to the conditions.

Commissioner Rochester moved, seconded by Commissioner Errea and passed by the following vote to approve the Combined Development Permit (Resolution # 04009).

AYES: Errea, Sanchez, Hawkins, Padilla, Vandevere, Parsons, Diehl, Salazar, Rochester, Wilmot
NOES: None
ABSENT: None
ABSTAIN: None

4. **BJORKLUND GARY & CAROLYN (PLN030552)** was taken out of order as Item #2.

5. **D'ARRIGO BROS CO (PLN020069)**

Due to the scope and nature of this project, a Spanish Interpreter was present to translate from English to Spanish for the benefit of the audience. Jeff Main described the process for using the translator devices and Commissioner Sanchez translated the information into Spanish. The interpreter was Charles Steves, Monterey County Interpreter Services.

Luis Osorio presented the project, which was continued from December 10, 2003. Staff recommended adoption of the Mitigated Negative Declaration and Mitigation Measures and approval of the proposed project based on the recommended Findings and Evidence.

Brian Finnegan, representative for D'Arrigo Brothers, spoke to the merits of the project and supported the staff recommendation.

Public Comment

Santo Picasso Lopez, Ramirez Sanchez, Morey Martinez, Douglas Faye, Gary Patton, Darlene Din, Mary Mecartney, Margie Kay, and John Macovich spoke in opposition of the project citing concerns of traffic, traffic accidents, farmland, offices, parking spaces, respect for the law, coolers, and facility bringing benefits to the community. A request for an Environmental Impact Report was made.

Jim Bogart, Bob Perkins, Paul Johnston, Tom Carvey, and Kirk Golnick spoke in favor of the project.

Lunch Break 12:15 p.m. – 1:45 p.m.

Reconvened at 1:45 p.m. - **D'ARRIGO BROS CO (PLN020069)**

John Cullack and John Inman spoke in favor of the project.

Hans Jongens and Elizabeth Panetta spoke in opposition of the project citing concerns with traffic, other available sites, land use, hazardous materials and agriculture or industrial facility.

Brian Finnegan testified in rebuttal and agreed to the amended conditions.

The Commission addressed the traffic issues, coolers using ammonia, impact on environment and public interest, CEQA issue, whether an Environmental Impact Report was necessary, and hazardous materials issues.

Commissioner Rochester moved, seconded by Commissioner Errea and passed by the following vote to adopt Mitigated Negative Declaration and Mitigation Monitoring Reporting Program and to approve the Use Permit (Resolution #04010).

AYES : Errea, Sanchez, Hawkins, Padilla, Parsons, Rochester, Wilmot
NOES: Vandevere, Diehl, Salazar
ABSENT: None
ABSTAIN: None

6. MO CO PLANNING & BUILDING (PD040141)

Scott Hennessy, Director of Planning and Building Inspection, gave an update on the proposed interim ordinance for the Department due to current budget crisis and its impact on the staff resources. He reported that the department anticipates budget reductions affecting up to 24% of the planning and technical staff. Code Enforcement returned to the department from Environmental Health on July 1, 2003. Plan check is fully staffed and very few plans are going to outside agencies. The department is also looking at a fee increase to meet the net cost.

Alana Knaster, Chief Assistant Director of Planning and Building Inspection, stated the department is working with County Counsel to complete the ordinance and went over the department's reasons for the ordinance. The Department is proposing that large projects would be sent to the Land Use Advisory Committee twice to get their input. The Department is also proposing suspending some of the LUAC activities and focus on the larger projects. She reported that the Department is currently in the midst of reorganization within the Planning Division due to budget cuts and six positions will tentatively be eliminated. The department has 24 vacant positions at the present time.

There was discussion regarding the Land Use Advisory Committee's role with the Planning Commission. In addition, there was discussion regarding ways to reduce the cost of mailing out packets to Commissioners and possibly e-mailing staff reports or putting them on CD. The Commissioners thanked Scott Hennessey and Alana Knaster for their presentation.

E. OTHER MATTERS

Advisory Committee Appointments

It was moved by Diehl, seconded by Commissioner Vandevere, and passed by the following vote to accept the resignation of George Pysor from the Big Sur Land Use Advisory Committee.

AYES : Errea, Sanchez, Hawkins, Padilla, Vandevere, Parsons, Diehl, Salazar, Rochester, Wilmot
NOES: None
ABSENT: None
ABSTAIN: None

It was moved by Hawkins, seconded by Commissioner Rochester, and passed by the following vote to accept the resignation of Art Barrientos from the Toro Land Use Advisory Committee.

AYES: Errea, Sanchez, Hawkins, Padilla, Vandevere, Parsons, Diehl, Salazar, Rochester, Wilmot
NOES: None
ABSENT: None
ABSTAIN: None

Department Report

Jeff Main, Secretary to the Commission, had no further Department report.

F. ADJOURNMENT

The meeting was adjourned at 3:20 p.m.

ATTEST

Jeff Main, Secretary

JM/lr