

FINAL

**MONTEREY COUNTY PLANNING COMMISSION
October 13, 2004
MINUTES**

The Planning Commission met at 9:07 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, John Wilmot
Absent: Don Rochester

B. COMMENT PERIOD

PUBLIC

Tom Carvey, Common Ground, presented binders of Refinement Group work.

Marjorie Kay gave update on community issues.

Wendy Strimling, County Counsel, advised Commission.

COMMISSION

Commissioner Parsons described an article from the Monterey Herald on October 11, 2004 on preventing urban sprawl and LAFCO duties.

Commissioner Padilla gave an update on the visitors from Mexico and the development of the fountain for the Plaza in Castroville.

C. APPROVAL OF MINUTES

Commissioner Vandevere corrected Item #5 Potter (PLN030547) motion "failed."

Wendy Strimling, County Counsel, corrected Section B, Commission Comment Period, to change the last sentence of Jeff Main's comments to "All Commissioners *concurred to put the item on the Agenda.*" In Item D-1 CWN (PLN040477), changed Anthony Lombardo gave a brief overview of the "issue." Item D-4 Rancho San Juan (PC94025) changed last sentence in first paragraph to read "*including* the EIR." Amended "The Commission further discussed the "*relationship of the*" tentative map to the Specific Plan." Item D-6 Kitaji (PLN020357) eighth paragraph changed "septic system "*well*" left off the public notice."

Commissioner Diehl corrected her comments on Item D-7 Dena Sala (PLN040458) to "*We have similar issues and request a status report.*"

After corrections, Commissioner Vandevere moved to approve the minutes of September 8, 2004, as corrected, seconded by Commissioner Errea, and passed by the following vote:

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

D. SCHEDULED ITEMS

Jeff Main brought forward Other Matters – Department Report and gave proposal for East Garrison project related to public hearings and field trip.

There was discussion regarding the consideration of the Specific Plan, Environmental Impact Report, Tentative Map, Development Agreement, and public responses for East Garrison.

1. NEW CITIES LAND COMPANY INC – PLN040242

David Lutes, Associate Planner, requested a continuance and explained the Subdivision Committee continued the public hearing for the project at their last meeting after the notices for the present Planning Commission hearing were published.

There was discussion among Commissioners regarding the project and the requested continuance .

Commissioner Hawkins moved to continue the item to December 8, 2004, seconded by Commissioner Errea and passed by the following vote:

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

2. EASTMAN SAM TR ET AL – PLN040443

Therese Schmidt, Senior Planner requested continuance to October 27, 2004.

Commissioner Parsons moved to continue this item to October 27, 2004, seconded by Commissioner Padilla and passed by the following vote:

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

3. TIERNEY JOSEPH & DOROTHY – PLN040451

Paul Mugan, Senior Planner, presented the project. The Toro Land Use Advisory Committee recommended approval.

Allen Robinson, architect for the project, gave an overview of the extremely difficult project.

There was discussion regarding 30% slope, tree removal, septic plan, fire issues, water tanks, excess fill, average natural grade, elevation drawings, site plans, and assigning address.

Mr. Robinson, John Hodges of Environmental Health, and Jeff Main of Planning and Building Inspection responded to the issues.

Commissioner Diehl moved to trail this item to the end of the Agenda to make proposed changes related to the discussion, seconded by Vandevere. The motion passed.

4. ORTIZ ARCADIO & KEIKO – PLN040473

Paul Mugan, Senior Planner, presented the project.

There was discussion regarding ridgeline development, moving site of house, scenic easement, drainage, and septic problems.

Mr. Mugan, Jeff Main of Planning and Building Inspection, John Hodges of Environmental Health, and applicant Keiko Ortiz responded to the concerns.

Keiko Ortiz agreed to the conditions.

Commissioner Hawkins moved to approve staff's recommendation of approval, seconded by Commissioner Padilla and passed by the following vote (Resolution #04047):

AYES: Errea, Hawkins, Padilla, Diehl, Salazar, Wilmot
NOES: Parsons, Vandever, Sanchez
ABSENT: Rochester

Motion passes 6-3.

Break from 10:45 a.m. to 11:57 a.m.

5. AVILA DON & GAY – PLN980516

Therese Schmidt, Senior Planner, described the project and made updates and revisions to Condition #46 Drainage Note, #51 Preliminary Drainage Analysis, and #52 Drainage Plan.

Lynne Mounday will prepare a Resolution of Intent.

Marti Noel, Housing and Redevelopment recommended: 1) replacement of Condition #55 to reflect that applicants shall comply with the County's Inclusionary Housing requirements that were in effect at the time the application was deemed complete and 2) add a Finding that the project was deemed complete in November of 1999, prior to the effective date of the County's new Inclusionary Housing Ordinance and Administration Manual.

Bryce Hori, Public Works amended Mitigation Monitoring Measure #25 to install and maintain a stop sign *on the subdivision access road at River Road* and #27 to construct a commercial driveway connection *to River Road*.

There was discussion regarding Zone Changes, omitting property taxes, Rezoning, and clarification on Findings and Evidence at first hearing.

Wendy Strimling, County Counsel, advised the Commission.

Anthony Lombardo, on behalf of the applicants, accepted the amended conditions.

Public Comment

The public was advised to speak only on the new Findings and Evidence and Conditions of Approval.

Jan Mitchell, Sonia Rodriguez, Douglas Fay, Pat Hearnberger, Jennifer Flores, Dale Hillard, Diered O'Grady, David Padrazzi, Christine Gianacol Kemp, Gerard Dominquez, Han Vandever Brocklin, Lynn Rickersmont, and Planning Commission

Kevin McGabe spoke in opposition of the project. Their concerns among others were: no Environmental Impact Report, further degradation of rural integrity, more homes than current legal lots of record, stopping "Leapfrog Development," no jobs/housing balance, no public services, save taxpayers dollars, protect the agricultural buffer, chemical analysis of soil samples, General Plan, turn lane recommendation, cattle easement through property, well use, road, water usage, erosion control and viable tax purposes, and economic purposes.

Jim Price spoke in favor of the project.

Mr. Lombardo addressed issues raised on rebuttal.

There was discussion among other things on changing agricultural buffer from 200' to 100', soils, inconsistency with General Plan, not designated growth area, "leapfrog development," Leeper Settlement issues, water issues, traffic, and public benefit.

Robert Roach, Agricultural Commissioner, responded to the agricultural buffer issue.

Mr. Lombardo concurred with the condition changes.

Commissioner Sanchez moved to adopt the Mitigated Negative Declaration and Mitigation Monitoring Program, approve the General and Toro Area Plan Land Use Map amendments, approve the rezoning required to implement the General Plan and Toro Area Plan amendments, approve the Standard Subdivision of 14-five acre lots for Mohsin and Samoske, approve the Lot Line Adjustment between the Riehl and Mohsin parcels as part of the Standard Subdivision application, eliminate the set back totally, adopt language by Staff and County Counsel,.

There was further discussion on the setback and Commissioner Errea amended the motion to approve staff's recommendation and amend 100' setback and reduce variance from 200' to 100'. Commissioner Sanchez, maker of the motion, accepted the amendment, seconded by Commissioner Salazar and passed by the following vote (Resolution #04048):

AYES: Errea, Sanchez, Hawkins, Padilla, Salazar, Wilmot
NOES: Parsons, Vandevere, Diehl
ABSENT: Rochester

Motion passes 6-3.

RECONVENED ON ITEM #3 TIERNEY (PLN040451)

Mr. Mugan reviewed with Mr. Robinson and verified that the Exhibit provided to him represented the proposed changes to the existing project as presented earlier on 10/13/04, and that they reflect the revisions and reduce the scope of the project by moving one of the elevations.

Wendy Strimling, County Counsel, stated Condition #1 be amended to reflect, "The project shall be in accordance with the plans dated October 13, 2004."

Commissioner Vandevere moved to recommend approving the project subject to the changes in conditions. Commission Diehl seconded and added a request that condition for a construction management plan to deal with the potential dirt going off site.

Chair Wilmot asked for public testimony, seeing none, brought it back to the Dias.

Commissioner Errea called for the question.

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

Motion passed (Resolution #04046).

6. COELHO PHILIP – PLN010252

Staff requested continuance to November 10, 2004.

Commissioner Wilmot moved for continuance as recommended by staff to November 10, 2004, seconded by Commissioner * and passed by the following vote:

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

E. OTHER MATTERS

Department Report

Jeff Main, Secretary to the Commission, stated Commissioner Hawkins and Salazar would attend the upcoming Planning Commissioner Conference.

At the suggestion of Marjorie Kay and Jan Mitchell, a field trip to North County will be scheduled.

Amending Land Use Advisory Procedures and boundary changes to Bradley/Parkfield and establish a new Jolon/Lockwood/Bryson-Hesperia Land Use Advisory Committee will be on the agenda for October 27, 2004.

F. ADJOURNMENT

The meeting was adjourned at 12:42 p.m.

ATTEST

Jeff Main, Secretary

JM/lmr