

**FINAL
MONTEREY COUNTY PLANNING COMMISSION
MARCH 12, 2008
MINUTES**

The Planning Commission met at 9:00 a.m. in the Board of Supervisors Chambers of the Courthouse, 168 West Alisal Street, Salinas, California.

I. ROLL CALL

Present: Jay Brown, Nancy Isakson, Aurelio Salazar, Jr. (Chairman), Mathew Ottone, Juan Sanchez, Cosme Padilla, Keith Vandevere (Vice Chair)
Absent: Steve Pessagno, Martha Diehl, Don Rochester

11. COMMENT PERIOD: NONE

III. APPROVAL OF MINUTES – January 30 and February 13, 2008

It was moved by Commissioner Vandevere, seconded by Commissioner Brown and passed by the following vote to approve the minutes of January 30, 2008 as edited.

AYES: Brown, Isakson, Salazar, Ottone, Sanchez, Vandevere
NOES: None
ABSENT: Pessagno, Diehl, Rochester
ABSTAIN: Padilla

It was moved by Commissioner Vandevere, seconded by Commissioner Brown and passed by the following vote to approve the minutes of February 13, 2008 as presented.

AYES: Brown, Isakson, Salazar, Ottone, Sanchez, Padilla, Vandevere
NOES: None
ABSENT: Pessagno, Diehl, Rochester

IV. AGENDA ADDITIONS, DELETIONS AND CORRECTIONS - NONE

V. COMMISSIONER COMMENTS, REQUESTS & REFERRALS

Commissioner Brown inquired about oak tree issues. Acting Secretary Holm reported that planning staff received Board direction to work on an Oak Woodland Management Program and ordinance. This item would come before the Commission for recommendation to the Board because it is land use related.

VI. ACTION ITEMS

1. MOLLENTINE NANCY MORLEY (PLN040581)

(PUBLIC HEARING CONTINUED FROM OCTOBER 10, 2007.) COMBINED DEVELOPMENT PERMIT CONSISTING OF: COASTAL ADMINISTRATIVE PERMIT AND DESIGN APPROVAL TO DEMOLISH AN EXISTING 2,704 SQUARE FOOT SINGLE FAMILY RESIDENCE AND 426 SQUARE FOOT GARAGE (3,130 SQUARE FEET TOTAL), CONSTRUCTION OF A NEW 5,167 SQUARE FOOT, 3-LEVEL SINGLE FAMILY RESIDENCE WITH A 1,498 SQUARE FOOT SUBTERRANEAN GARAGE, RETAINING WALLS, GRADING (400 CUBIC YARDS CUT) [3,229 SQ. FT. ABOVE GRADE; 1,938 SQ. FT. LOWER HABITABLE LEVEL; 1,498 SQ. FT. IS GARAGE; 6,665 SQ. FT. TOTAL ALL]; VARIANCE

TO REDUCE THE SIDE (REVERSE CORNER) SET BACK FROM FIVE FEET TO THREE FEET ALONG A PRIVATE EASEMENT; VARIANCE TO REDUCE THE FRONT SET BACK FROM SCENIC ROAD FROM 20 FEET TO 16 FEET; AND COASTAL DEVELOPMENT PERMIT TO ALLOW DEVELOPMENT WITHIN 750 FEET OF AN ARCHAEOLOGICAL SITE. THE PROPERTY IS LOCATED AT 26195 SCENIC ROAD, CARMEL (ASSESSOR'S PARCEL NUMBER 009-422-023-000), COASTAL ZONE.

Liz Gonzales, Project Planner, presented the project . At that time the Planning Commission adopted a **Resolution of Intent to approve** the project subject to staff preparing findings and evidence, reviewing changes proposed by applicant, and revising the draft Mitigated Negative Declaration to incorporate recent changes to the project and recirculating the MND if necessary, and Planning Commission consideration of the revised MND.

Wendy Strimling, Deputy County Counsel, advised the Commission that the Resolution of Intent was not binding.

Vandevere had questions regarding flagging and staking requirements. Brown inquired about setbacks.

Miriam Schikat, representative for the applicants, presented arguments in favor of the project. Ms. Schikat requested that the Commission approved the project as requested with the lower level set back 16 feet from Scenic Road and that the Commission delete Condition 3.

Public Comment: David Sweigert, Mary Ann Matthews, Barbara Rainier, Connell Custer, Dr. Myron; Brian Oseth, Public Services Manager for the City of Carmel, submitted a letter from the City.

Chairman Salazar left at 10:00 a.m. and Vice Chairman Vandevere presided.

John Kasunich, project engineer, presented rebuttal for the applicant.

BREAK – 10:40 a.m. RECONVENED – 10:50 a.m.

Miriam Schikat, representative, presented rebuttal.

Commissioner Isakson noted Finding 7d references Condition 20/Mitigation 2 and questioned if that should read Condition 21. Staff stated that the Finding 7d should be amended to state Condition 21/Mitigation 2.

Commission discussion ensued.

After discussion, it was moved by Commissioner Isakson, seconded by Commission Brown and passed by the following vote to approve staff's recommendation to:

1. Adopt the revised Initial Study/Mitigated Negative Declaration and associated Mitigation Monitoring Program;
2. Approve the project, excluding a variance from the front set back from Scenic Road;
3. Approve and adopt the findings, evidence and conditions of the staff report with the correction to the condition number referenced in Finding 7d.

AYES: Brown, Isakson, Padilla, Ottone, Sanchez

NOES: Vandevere

ABSENT: Pessagno, Rochester, Diehl, Salazar

2. YUKI FARMS LIMITED PARTNERSHIP (PLN070646)

APPEAL OF ADMINISTRATIVE INTERPRETATION OF THE DIRECTOR OF PLANNING TO GRANT TWO (2) CERTIFICATES OF COMPLIANCE ON THE YUKI FARMS LIMITED PARTNERSHIP III LP REQUEST FOR THREE (3) CERTIFICATES OF COMPLIANCE (PLANNING FILES CC060024, CC060025 AND CC060026). THE PROPERTY IS LOCATED WEST OF HWY 183, AT THE INTERSECTION OF HWY 183 AND SAN JON ROAD, SALINAS (ASSESSOR'S PARCEL NUMBER 414-011-011-000) GREATER SALINAS AREA PLAN.

Staff requested a continuance to allow time for the applicant to post the hearing notices.

It was moved by Commissioner Brown, seconded by Commissioner Isakson and passed by the following vote to continue the hearing to March 26, 2008.

AYES: Brown, Isakson, Padilla, Ottone, Sanchez, Vandevere
NOES: None
ABSENT: Pessagno, Rochester, Diehl, Salazar

VII. ACTION/INFORMATION ITEMS - NONE

VIII. OTHER MATTERS

CARMEL VALLEY LUAC –

It was moved by Commissioner Isakson, seconded by Commissioner Sanchez and passed by the following vote to **reappoint Judith J. MacClelland**

AYES: Brown, Isakson, Padilla, Ottone, Sanchez, Vandevere
NOES: None
ABSENT: Pessagno, Rochester, Diehl, Salazar

SOUTH COAST LUAC –

It was moved by Commissioner Isakson, seconded by Commissioner Brown and passed by the following vote to **reappoint Ken Harlan**.

AYES: Brown, Isakson, Padilla, Ottone, Sanchez, Vandevere
NOES: None
ABSENT: Pessagno, Rochester, Diehl, Salazar

GREATER MONTEREY PENINSULA LUAC –

It was moved by Commissioner Isakson, seconded by Commissioner Brown and passed by the following vote to **reappoint Philomene Smith**.

AYES: Brown, Isakson, Padilla, Ottone, Sanchez, Vandevere
NOES: None
ABSENT: Pessagno, Rochester, Diehl, Salazar

DEL MONTE FOREST LUAC –

It was moved by Commissioner Isakson, seconded by Commissioner Brown and passed by the following vote to accept the **resignation of Lloyd Townley**.

AYES: Brown, Isakson, Padilla, Ottone, Sanchez, Vandever
NOES: None
ABSENT: Pessagno, Rochester, Diehl, Salazar

TORO LUAC –

It was moved by Commissioner Isakson, seconded by Commissioner Sanchez and passed by the following vote to accept the **resignation of Steve Pessagno**.

AYES: Brown, Isakson, Padilla, Ottone, Sanchez, Vandever
NOES: None
ABSENT: Pessagno, Rochester, Diehl, Salazar

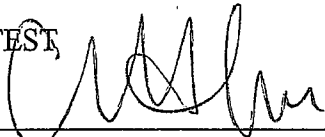
IX. DEPARTMENT REPORT

GENERAL PLAN: Carl Holm, Acting Secretary, relayed that the Draft EIR for the General Plan is scheduled for release mid to late April and that copies of the DEIR will be provided to the Commission when it is released to the public. Staff reported that staff intends to begin hearings on the draft General Plan with the Commission after the comment period on the DEIR ends and suggests completion of the Commission hearings after the FEIR is issued. Final hearings on the General Plan by the Board are anticipated for August 2008. Commissioner Isakson suggested that the Commission have an informational workshop on the DEIR shortly after it is released and before the hearings begin on the General Plan.

CHEVRON FIELD TRIP: Carl Holm, Acting Secretary, asked which Commissioners would be attending this field trip and if they were planning to meet at the County offices or at the site. Commissioner Brown indicated he was attending and would meet the group at the site. Commissioners Vandever and Sanchez indicated they were going to attend and would meet the group at the County offices. It was noted that the belief is that Commissioner Diehl planned to attend. Holm noted to wear heavy shoes and bring a hat.

X. ADJOURNMENT - 11:53 a.m.

ATTEST



CARL HOLM, ACTING SECRETARY

MN:kb/ca