

**FINAL  
MONTEREY COUNTY PLANNING COMMISSION  
JANUARY 14, 2009  
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, Martha Diehl, Don Rochester, Nancy Isakson, Juan Sanchez, Cosme Padilla, Keith Vandevere, Mathew Ottone  
Absent: Aurelio Salazar, Jr., Steve Pessagno

Vice-Chair Commissioner Vandevere served as Chair of the meeting in the absence of Chair Salazar.

**II. PUBLIC COMMENT: NONE**

*The Villalobos and Christensen projects, Items VII.1, VII.2, and VII.3 were considered prior to actions on other agenda items.*

**VII. ACTION ITEMS**

**1. VILLALOBOS RICHARD ET AL (PLN070482)**

COMBINED DEVELOPMENT PERMIT (PLN070482/VILLALOBOS) CONSISTING OF: (1) A USE PERMIT TO CLEAR CODE ENFORCEMENT VIOLATION (CE070222) TO ALLOW DEVELOPMENT ON SLOPES EXCEEDING 30% FOR THE GRADING OF A 3,121 LINEAR FOOT RANCH ROAD TO INCLUDE APPROXIMATELY 11,410 CU. YDS. CUT AND 11,410 CU. YDS. FILL AND IMPROVEMENTS (THE INSTALLATION OF NINE 5,000 GALLON WATER TANKS) TO FACILITATE COMPLIANCE WITH FIRE DEPARTMENT REQUIREMENT FOR ROAD AND DRIVEWAY; AND (2) A TREE REMOVAL PERMIT TO ALLOW THE REMOVAL OF 3 PROTECTED COAST LIVE OAKS (18 INCHES, 19 INCHES AND 28 INCHES IN DIAMETER). THE PROPERTY IS LOCATED ALONG A PRIVATE ROAD (CORRAL DE CIELO) OFF 387 & 383 SAN BENANCIO ROAD, SALINAS (ASSESSOR'S PARCEL NUMBERS 416-641-012-000 AND 416-641-013-000), TORO PLANNING AREA.

**2. CHRISTENSEN STEPHANIE LYNN (PLN060296)**

ADMINISTRATIVE PERMIT FOR DEVELOPMENT WITHIN A VISUAL SENSITIVITY DISTRICT OR "VS" DISTRICT TO ALLOW THE CONSTRUCTION OF A ONE-STORY 1,170 SQUARE FOOT SINGLE FAMILY DWELLING WITH AN ATTACHED 774 SQUARE FOOT COVERED PORCH, AND DETACHED 576 SQUARE FOOT TWO-CAR GARAGE WITH AN ATTACHED 240 SQUARE FOOT CARPORT, A DETACHED 600 SQUARE FOOT ONE-STORY GUESTHOUSE, 2,160 SQUARE FEET OF BARN AND STABLES, AND A SEPTIC DISPOSAL SYSTEM. THE PROPERTY IS LOCATED AT 383 SAN BENANCIO ROAD, SALINAS (ASSESSOR'S PARCEL NUMBER 416-641-012-000), TORO PLANNING AREA.

**3. VILLALOBOS RICHARD A/ELSA R (PLN060101)**

COMBINED DEVELOPMENT PERMIT CONSISTING OF: (1) AN ADMINISTRATIVE PERMIT FOR DEVELOPMENT IN A VISUALLY SENSITIVITY OR "VS" DISTRICT TO ALLOW THE CONSTRUCTION OF A 5,158 SQUARE FOOT ONE-STORY SINGLE FAMILY DWELLING WITH AN ATTACHED 864 SQUARE FOOT ONE-STORY THREE-CAR GARAGE, A DETACHED 576 SQUARE FOOT GUESTHOUSE, AND INSTALLATION OF A SEPTIC DISPOSAL SYSTEM; (2) AN ADMINISTRATIVE PERMIT FOR DEVELOPMENT IN A VISUALLY SENSITIVITY OR "VS" DISTRICT

TO ALLOW A THE CONSTRUCTION OF A SECOND TWO-STORY 4,998 SQUARE FOOT SINGLE FAMILY DWELLING WITH ATTACHED ONE-STORY 828 SQUARE FEET THREE-CAR GARAGE, INSTALLATION OF A SEPTIC DISPOSAL SYSTEM, AND GRADING (APPROX. 14,647 CU. YDS. CUT/14,647 CU. YDS. FILL. THE PROPERTY IS LOCATED AT 387 SAN BENANCIO ROAD, SALINAS (ASSESSOR'S PARCEL NUMBER 416-641-013-000), TORO PLANNING AREA.

Project Planner Elisa Manuguerra recommended that items VII.1, VII.2, and VII.3 be considered together and recommended that the hearing on the items be continued to January 28, 2009.

Public comment: none

It was moved by Commissioner Brown, seconded by Commissioner Isakson and passed by the following vote to continue the hearing on these items to January 28, 2009.

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

*Return to Item III.*

**III. CLOSED SESSION** – Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: Number of cases - 1, regarding the consideration of the Carlsen Estates subdivision. 9:00 a.m.

Les Girard, Assistant County Counsel, presented the request for closed session.

The Commissioners discussed the request.

Public Comment: Molly Erickson, Chris Fitz for Landwatch Monterey County, Jan Mitchell for Prunedale Preservation Alliance, Ed Mitchell for Prunedale Neighbors Group, Jack O'Brien.

After further Commission discussion, it was moved by Commissioner Diehl, seconded by Commissioner Rochester and passed by the following vote to not go into Closed Session at this time.

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

*The Carlsen Estates project, Item VII.4 was then considered.*

**VII.4 CARLSEN ESTATES (PLN000196)**

REVISED CARLSEN ESTATES SUBDIVISION PROPOSAL (FINAL REVISION DATED 08/19/08; FIVE PLAN SHEETS WITH REVISIONS 10, 13, 12, 10, AND 11 RESPECTIVELY). THE PROPOSAL IS A COMBINED DEVELOPMENT PERMIT REQUEST CONSISTING OF: 1) A STANDARD SUBDIVISION VESTING TENTATIVE MAP FOR THE DIVISION OF THREE PARCELS TOTALING APPROXIMATELY 95.5 ACRES INTO 33 RESIDENTIAL LOTS RANGING IN SIZE FROM 1.02 ACRES TO 13.29 ACRES; AND 2) USE PERMIT FOR REMOVAL OF APPROXIMATELY 302 OAKS OVER 6 INCHES IN DIAMETER FOR ROAD AND DRIVEWAY CONSTRUCTION AND ADDITIONAL OAKS FOR SEPTIC AND BUILDING ENVELOPE AREAS; AND 3) USE PERMIT FOR THE EXPANSION OF A PUBLIC WATER SYSTEM. DEVELOPMENT OF THE PROJECT WOULD REQUIRE APPROXIMATELY 8,600 CUBIC YARDS OF GRADING (4,300 CUBIC YARDS OF CUT AND 4,300 CUBIC YARDS OF

FILL.) THE PROPERTY IS LOCATED SOUTHERLY OF BERTA CANYON ROAD, EAST OF HIGHWAY 101, SALINAS (ASSESSORS PARCEL NUMBERS 125-051-005-000, 125-051-008-000 AND 125-051-017-000), PRUNEDALE AREA, NORTH COUNTY NON-COASTAL ZONE.

Project Planner Taven Kinison Brown requested that the hearing on this item be continued to January 28, 2009 for a status report.

Public Comment: Molly Erickson, William Coffey (applicant), David Brown, Ed Mitchell for the Prunedale Neighbors Group, Jan Mitchell for the Prunedale Preservation Alliance, Margaret Joy, Paul Hart, Jack O'Brien.

The Commission asked questions related to the status report request, the status of violations, and procedures to clear violations.

It was moved by Commissioner Diehl, seconded by Commissioner Isakson and passed by the following vote to continue the public hearing to January 28, 2009 for a status report.

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

It was moved by Commissioner Rochester, seconded by Commissioner Brown and passed by the following vote to add a Closed Session item to the January 28, 2009 agenda following the Carlsen Estates item on that agenda.

AYES: Brown, Isakson, Rochester, Ottone, Padilla  
NOES: Diehl, Sanchez, Vandevere  
ABSENT: Salazar, Pessagno

*Return to IV. Minutes.*

#### **IV. APPROVAL OF MINUTES – OCTOBER 29, 2008**

It was moved by Commissioner Diehl, seconded by Commissioner Isakson and passed by the following vote to approve the minutes for October 29, 2008.

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

#### **APPROVAL OF MINUTES – NOVEMBER 12, 2008**

It was moved by Commissioner Rochester, seconded by Commissioner Diehl and passed by the following vote to approve the minutes for November 12, 2008.

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

#### **APPROVAL OF MINUTES – DECEMBER 10, 2008**

It was moved by Commissioner Sanchez, seconded by Commissioner Ottone and passed by the following vote to approve the minutes for December 10, 2008.

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

**V. AGENDA ADDITIONS, DELETIONS AND CORRECTIONS - NONE**

**VI. COMMISSIONER COMMENTS, REQUESTS & REFERRALS – NONE.**

*The Commission decided to consider Items IX and X next.*

**IX. OTHER MATTERS:** Commissioner Vandevere stated that the Commission would accept the resignation of Louise Bishop from the Cachagua Land Use Advisory Committee and directed staff to send a letter of appreciation.

**X. DEPARTMENT REPORT:** Secretary Novo noted the new Code Enforcement Ordinance adopted by the Board of Supervisors.

*Return to VII.5.*

**VII. ACTION ITEMS**

**5. BLACKIE ROAD SAFETY IMPROVEMENT (PLN080273)**

COMBINED DEVELOPMENT PERMIT CONSISTING OF: 1) A COASTAL DEVELOPMENT PERMIT FOR THE CONSTRUCTION OF APPROXIMATELY 47,293 SQUARE FEET OF PAVED SHOULDERS AND DRAINAGE IMPROVEMENTS TO BLACKIE ROAD; 2) A COASTAL DEVELOPMENT PERMIT TO ALLOW THE REMOVAL OF 19 TREES (14 EUCALYPTUS AND 5 OAK); AND GRADING CONSISTING OF APPROXIMATELY 950 CUBIC YARDS OF CUT AND 4,965 CUBIC YARDS OF FILL. THE PROJECT SITE IS AN APPROXIMATELY .75 MILE SEGMENT OF BLACKIE ROAD COUNTY RIGHT-OF-WAY LOCATED BETWEEN MILEPOSTS MARKERS 3.25 AND 4.00 (ASSESSOR'S PARCEL NUMBER 000-000-000-000), BETWEEN THE COMMUNITY OF CASTROVILLE AND HIGHWAY 101, NORTH COUNTY COASTAL LAND USE PLAN, COASTAL ZONE.

Planner Joseph Sidor presented a request for a continuance to February 11, 2009.

Public Comment: None.

It was moved by Commissioner Diehl, seconded by Commissioner Padilla, and passed by the following vote to continue the hearing to February 11, 2009.

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

*The Commission broke for lunch, returning at 1:33 p.m. Commissioner Padilla was absent for the rest of the agenda.*

**6. SAN JERARDO WATER SYSTEM IMPROVEMENT AND WELL REPLACEMENT  
(PLN080736)**

USE PERMIT FOR THE PLANNED SAN JERARDO WATER SYSTEM IMPROVEMENT PROJECT CONSISTING OF: 1) INSTALLATION OF A NEW WATER SUPPLY WELL AND PUMPING STATION ON ZABALA ROAD; 2) CONSTRUCTION OF NEW WATER TRANSMISSION PIPELINE TO CONNECT NEW WELL TO SAN JERARDO STORAGE TANK; 3) CONSTRUCTION OF NEW WATER STORAGE SYSTEM AT SAN JERARDO WITH BOOSTER PUMP AND DISTRIBUTION SYSTEM IMPROVEMENTS; AND 4) AN INTERTIE WITH THE NEARBY FOOTHILL ESTATES POTABLE WATER SUPPLY WELLS FOR EMERGENCY AND SECONDARY SERVICE TO BOTH SYSTEMS.

Planner Taven Kinison Brown presented the project and distributed errata with suggested revisions. Nicole Silva, Environmental Health, answered questions. Discussion centered on modifications to conditions 4, 22 and 35.

Ed Muniz, representative from the Monterey County Public Works Department, accepted the recommended conditions of approval.

Public Comment: Terry Davis.

It was moved by Commissioner Brown, seconded by Commissioner Rochester, and passed by the following vote to adopt the Mitigated Negative Declaration and Mitigation Monitoring Reporting Plan and approve the Use Permit with the staff recommendation, including suggested changes to findings and evidence and changes to conditions 4, 22 and 35.

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

**7. SHOOK STEVE WAYNE ET AL (PLN070391)**

COMBINED DEVELOPMENT PERMIT INCLUDING: (1) A GENERAL DEVELOPMENT PLAN, ASSOCIATED WITH: (A) INDUSTRIAL COMMERCIAL USES EXCEPT FOR AUTO REPAIR, AND (B) INCLUSION OF TRADESMEN'S SHOPS AND OTHER LIGHT COMMERCIAL USES. THE GENERAL DEVELOPMENT PLAN IS FOR TWO BUILDINGS, PROVIDING A TOTAL 37,680 SQUARE FEET (BUILDING A: 21,280 SQUARE FEET; BUILDING B: 16,640 SQUARE FEET). GRADING IS APPROXIMATELY 132 CUBIC YARDS CUT AND 6,890 CUBIC YARDS FILL, ON A 2.23 ACRE SITE. THE PROPERTY IS LOCATED AT 2 SPRECKELS LANE, SALINAS (ASSESSOR'S PARCEL NUMBER 207-053-006-000), GREATER SALINAS AREA PLAN.

Planners Melody Gillete and Taven Kinison Brown presented the project and distributed errata with corrections and revisions to findings and evidence and conditions. Shaunna Juarez, Water Resources Agency, answered questions relating to the floodplain.

The Commission discussed concerns related to uses of the site, floodplain, water use limits, and drainage, and requested framing conditions as outcome-based.

Howard Hugo, applicant, accepted the conditions.

Public Comment: Mike Lindstrom.

It was moved by Commissioner Isakson, seconded by Commissioner Diehl, and passed by the following vote to continue this hearing on this item to January 28, 2009 to address the issues outlined by the Commission and correct the conditions.

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

**8. CHAPIN DONALD D JR/BARBARA (PLN080039)**

REZONE FOR PORTIONS SOUTHWEST OF THE DAVIS STREET RIGHT OF WAY FROM HDR\*/Z (HIGH DENSITY RESIDENTIAL) TO HDR/18 (HIGH DENSITY RESIDENTIAL, 18 UNITS PER ACRE) AND REZONE FOR PORTIONS NORTHEAST OF THE DAVIS STREET RIGHT OF WAY FROM MDR/1-Z (MEDIUM DENSITY RESIDENTIAL, ONE UNIT PER ACRE) TO HDR/18 (HIGH DENSITY RESIDENTIAL, 18 UNITS PER ACRE); A COMBINED DEVELOPMENT PERMIT CONSISTING OF: 1) A VESTING TENTATIVE MAP TO ALLOW THE MERGER AND RESIDENTIAL SUBDIVISION OF EIGHT PARCELS RANGING IN SIZE FROM 0.115 TO 1.531 ACRES, RESPECTIVELY. CONSISTING OF: ONE PARCEL (APPROXIMATELY 3.391 ACRES) FOR A 59 UNIT APARTMENT COMPLEX, AND SIX PARCELS (APPROXIMATELY 0.125 ACRE EACH) FOR SINGLE FAMILY RESIDENCES, ONE PARCEL TO SEPARATE/SUBDIVIDE AN EXISTING SINGLE FAMILY DWELLING, WITH A WELL LOT (0.046 ACRE), AND A REMAINDER PARCEL OF APPROXIMATELY 0.466 ACRES; AND 2) USE PERMIT TO ALLOW THE CONSTRUCTION OF A 58 UNIT APARTMENT COMPLEX WITH A 935 SQUARE FOOT MANAGERS UNIT AND A 1,215 SQUARE FOOT RESIDENTS CENTER ON PARCEL B AND GRADING (APPROXIMATELY 3,500 CUBIC YARDS OF CUT AND 10,800 CUBIC YARDS OF FILL). THE PROJECT IS LOCATED ON THE NORTHERN CORNER OF AXTELL STREET AND PRESTON STREET AND AREAS NORTH AND WEST OF DAVIS STREET, CASTROVILLE (ASSESSOR'S PARCEL NUMBERS 030-041-001-000, 030-041-003-000, 030-041-004-000, 030-041-005-000, 030-041-008-000, 030-011-009-000 AND 030-011-011-000), CASTROVILLE COMMUNITY PLAN AREA.

Planner Anna Quenga requested a continuance of the hearing on the project to January 28, 2009 to allow staff time to incorporate new information in the staff report.

Public Comment: None.

It was moved by Commissioner Rochester, seconded by Commissioner Isakson, and passed by the following vote to continue the hearing on the project until January 28, 2009.

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

*Commissioner Sanchez left.*

**9. KEARNS JAMES P TR (PLN080022)**

COMBINED DEVELOPMENT PERMIT TO ALLOW 1) COASTAL ADMINISTRATIVE PERMIT AND DESIGN APPROVAL CONSISTING OF THE PARTIAL DEMOLITION AND REMODEL OF A 6,579 SQ. FT. SINGLE FAMILY DWELLING INCLUDING THE DEMOLITION OF 1,000 SQ. FT. ON THE FIRST FLOOR AND THE ADDITION OF 1,234 SQ. FT. TO THE FIRST FLOOR (234 SQ. FT., NET); THE DEMOLITION OF 339 SQ. FT. ON THE SECOND FLOOR AND THE ADDITION OF 577 SQ. FT. TO THE SECOND FLOOR (238 SQ. FT., NET); REPLACEMENT OF EXISTING 416 SQ. FT. POOL WITH NEW 618 SQ. FT. LAP POOL; AND IMPROVEMENTS AND RECONFIGURATION OF PATIO AND

COURTYARD AREAS; 2) A COASTAL DEVELOPMENT PERMIT TO ALLOW DEVELOPMENT WITHIN THE CRITICAL VIEWSHED. PROJECT IS LOCATED AT 35500 HIGHWAY 1 (AT GARRAPATA CREEK,) MONTEREY (ASSESSOR'S PARCEL NUMBER: 243-231-024-000) WEST OF HIGHWAY 1, BIG SUR LAND USE AREA.

Planner Craig Spencer presented the project.

Robert Carver, architect, accepted the conditions.

Public Comment: Henry Hicks, DeDe Hicks-Whiteside.

It was moved by Commissioner Diehl, seconded by Commissioner Isakson, and passed by the following vote to approve the Combined Development Permit.

AYES: Brown, Isakson, Diehl, Rochester, Ottone, Vandevere

NOES: None

ABSENT: Pessagno, Salazar, Padilla, Sanchez

## **VIII. ACTION/INFORMATION ITEMS**

### **10. PLANNING COMMISSION NOMINATING COMMITTEE**

Secretary Novo stated that the Planning Commission Rules for the Transaction of Business require that, at the first regular meeting in January, the Chair of the Planning Commission appoint a nominating committee for the Chair and Vice Chair, with the election to be held at the first February Commission meeting.

Public Comment: None

Acting Chair Vandevere appointed a nominating committee of Commissioners Rochester, Diehl, and Isakson.

### **11. GENERAL PLAN 2007 (PLN070525)**

CONSIDER THE GENERAL PLAN UPDATE HEARING PROCESS AND SCHEDULE (ORAL PRESENTATION ONLY)

Resource Management Agency Assistant Director Alana Knaster reported that the comment period on the EIR will close on February 2, 2009. She suggested beginning discussions at the first Planning Commission meeting in February, February 11, or setting a special meeting for February 18. Commissioners asked the purpose of the meeting. Ms. Knaster stated that it was to obtain input toward responses to comments received. Commissioners directed staff to hold the first hearing on February 11, with the subsequent process and timeline to be determined following the February hearing.

Public Comment: None.

**X. DEPARTMENT REPORT (continued):** Secretary Novo handed out a chart showing staff performance in meeting customer service goals and discussed the possibility of allowing permits a longer initial time period to begin construction due to the economy.

Director Novo described a new unit within the Planning Department which would provide environmental review for Public Works and Redevelopment Agency projects.

XI. ADJOURNMENT: 3:11 p.m.

Date adopted: February 25, 2009

ATTEST:

A handwritten signature in cursive script, appearing to read "Mike Novo", written in dark ink.

MIKE NOVO, SECRETARY