

**FINAL
MINUTES
MONTEREY COUNTY PLANNING COMMISSION
WEDNESDAY, JUNE 24, 2009**

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

PLEDGE OF ALLEGIANCE

A. ROLL CALL

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

B. PUBLIC COMMENTS - None

C. APPROVAL OF MINUTES: April 29, 2009.

It was moved by Commissioner Ottone, seconded by Commissioner Rochester and passed by the following vote to approve the Planning Commission minutes for April 29, 2009:

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

D. AGENDA ADDITIONS, DELETIONS AND CORRECTIONS - None

E. COMMISSIONER COMMENTS, REQUESTS AND REFERRALS

Commissioner Diehl requested that the Community Wildfire Protection Plan and what is currently allowed for fire clearance be put on an agenda for the Commission.

Commissioner Pessagno said he would be leaving around 11:00 a.m.

F. SCHEDULED ITEMS

- 9:00 AM – POTTIER CHARLES C AND MONICA P – PLN080348. PLANNING AREA: BIG SUR COAST. PROJECT PLANNER: JOE SIDOR. ENVIRONMENTAL STATUS: CATEGORICALLY EXEMPT. PROJECT DESCRIPTION: AFTER THE FACT COASTAL DEVELOPMENT PERMIT TO ALLOW DEVELOPMENT WITHIN THE BIG SUR CRITICAL VIEWSHED AND A DESIGN APPROVAL FOR THE CONSTRUCTION OF A 147 SQUARE FOOT ADDITION TO AN EXISTING 2,356 SQUARE FOOT TWO-STORY SINGLE FAMILY RESIDENCE WITH AN EXISTING 600 SQUARE FOOT DETACHED GARAGE AND AN EXISTING 480 SQUARE FOOT DETACHED BARN, AND REQUEST FOR WAIVER OF FEES FOR THE COASTAL DEVELOPMENT**

PERMIT. THE PROJECT IS LOCATED AT 36496 HIGHWAY ONE, GARRAPATA RIDGE (ASSESSORS PARCEL NUMBER 243-301-010-000), COASTAL ZONE.

Project Planner Joe Sidor presented the project. Commissioner Diehl stated that the finding for the fee waiver does not sufficiently explain the circumstances supporting the waiver and wanted more information on the required vegetation screening in the conditions.

Public comment: Charles Pottier, project representative.

The Commission trailed the item until after Agenda Item F.2 for staff to provide evidence for a fee waiver and specific language regarding vegetation screening.

2. **9:30 AM – THE SHOMAC GROUP LLC - PLN090069. PLANNING AREA: GREATER MONTEREY PENINSULA AREA. PROJECT PLANNER: MARIA LOPEZ. ENVIRONMENTAL STATUS: ADDENDUM TO THE ENVIRONMENTAL IMPACT REPORT (SANTA LUCIA PRESERVE). PROJECT DESCRIPTION:** EXTENSION OF A PREVIOUSLY APPROVED COMBINED DEVELOPMENT PERMIT (PLN060548) CONSISTING OF : 1) A USE PERMIT FOR THE REMOVAL OF 19 HEALTHY PROTECTED OAK TREES, 8 PROTECTED OAK TREES IN FAIR TO POOR CONDITION, AND THE RELOCATION OF 18 PROTECTED OAK TREES; 2) A USE PERMIT FOR DEVELOPMENT ON SLOPES IN EXCESS OF 30%; 3) AN ADMINISTRATIVE PERMIT FOR DEVELOPMENT WITHIN A SITE PLAN REVIEW ZONING DISTRICT OR “S” DISTRICT TO ALLOW THE CONSTRUCTION OF A SPLIT LEVEL 5,388 SQ. FT. SINGLE FAMILY DWELLING WITH AN ATTACHED 1,134 SQ. FT. FOUR-CAR GARAGE, A DETACHED 640 SQ. FT. ONE-STORY GUESTHOUSE, A 270 LINEAR FOOT RETAINING WALL, A 2,597 SQ. FT. POOL DECK, A 284 SQ. FT. MASTER SUITE DECK, A 1,250 SQ. FT. DECK AT NORTH ELEVATION, A SEPTIC DISPOSAL SYSTEM, AND GRADING (APPROX. 1,169 CU. YDS. CUT/1,043 CU. YDS. FILL); 4) AN ADMINISTRATIVE PERMIT FOR A 1,195 SQ. FT. ONE-STORY CARETAKER’S UNIT WITH DETACHED 440 SQ. FT. CARPORT AND SEPTIC DISPOSAL SYSTEM; AND 5) A DESIGN APPROVAL. THE PROJECT IS LOCATED AT 13 CANTERA RUN, CARMEL (ASSESSORS PARCEL NUMBER 239-011-023-000), SANTA LUCIA PRESERVE.

Project Planner Maria Lopez presented the project and an errata handout with suggested revisions to findings. Deputy County Counsel Strimling suggested deleting a sentence in Finding 5, evidence (e).

Public comment: Joel Panzer, project representative, said the conditions were acceptable.

It was moved by Commissioner Padilla, seconded by Commissioner Rochester and passed by the following vote to consider the Addendum and approve the extension subject to the recommended findings and conditions as revised:

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

The Commission recessed briefly and resumed at 10:00 a.m. The Commission then returned to Agenda Item F.1.

1. **9:00 AM – POTTIER CHARLES C AND MONICA P – PLN080348 (trailed from earlier; full description above)**

Project Planner Joe Sidor presented revisions to finding 8 related to the fee waiver and condition number 5 clarifying the landscaping requirements.

It was moved by Commissioner Diehl, seconded by Commissioner Sanchez and passed by the following vote to approve the Coastal Development Permit and a fee waiver (minus the cost of a Design Approval), subject to the findings and conditions as revised:

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

The Commission resumed with Agenda Item F.3, which was considered concurrently with Item F.4.

3. **10:00 AM – CARMEL UNIFIED SCHOOL DISTRICT - PLN060652. PLANNING AREA: CARMEL LAND USE PLAN. PROJECT PLANNER: ELIZABETH GONZALES. ENVIRONMENTAL STATUS: CATEGORICALLY EXEMPT. PROJECT DESCRIPTION: COMBINED DEVELOPMENT PERMIT CONSISTING OF A COASTAL ADMINISTRATIVE PERMIT TO ALLOW FOR THE RELOCATION OF SIX MODULAR CLASSROOMS TO INCLUDE CONNECTION TO EXISTING ELECTRICAL, FIRE ALARM, DATA AND PHONE SYSTEMS IN ORDER TO CLEAR CODE VIOLATION CE060265; AND A COASTAL DEVELOPMENT PERMIT TO ALLOW MODIFICATION OF PARKING REQUIREMENTS DUES TO THE UNUSUAL CHARACTERISTICS OF THE SITE VICINITY. THE PROJECT IS LOCATED AT 2770 15TH AVENUE, CARMEL (ASSESSORS PARCEL NUMBER 009-511-001-000).**
4. **10:00 AM – CARMEL UNIFIED SCHOOL DISTRICT - PLN060651. PLANNING AREA: CARMEL LAND USE PLAN. PROJECT PLANNER: ELIZABETH GONZALES. ENVIRONMENTAL STATUS: CATEGORICALLY EXEMPT. PROJECT DESCRIPTION: COASTAL ADMINISTRATIVE PERMIT AND DESIGN APPROVAL TO ALLOW THE CONSTRUCTION OF A 3,232 SQUARE FOOT CLASSROOM WING (BUILDING P) CONTAINING THREE REGULAR CLASSROOMS AND THREE SMALLER SPACES TO REPLACE THREE MODULAR STRUCTURES UPON COMPLETION OF CONSTRUCTION,; AND A COASTAL ADMINISTRATIVE PERMIT TO ALLOW 5,400 SQUARE FOOT MULTI-PURPOSE BUILDING (BUILDING Q) TO REPLACE THE REMAINING THREE MODULAR STRUCTURES UPON COMPLETION OF CONSTRUCTION. THE PROJECT IS LOCATED AT 2770 15TH AVENUE, CARMEL (ASSESSORS PARCEL NUMBER 009-511-001-000).**

Project Planner Elizabeth Gonzales and Assistant Director of Planning Carl Holm presented the project with a change to condition 11. Deputy County Counsel Strimling suggested a correction to Finding 5, evidence a.

Commissioners asked questions about parking, access, and open space requirements for schools.

Public Comment: Anthony Lombardo, project representative. Adrienne Grover, Mildred Kline, Nancy Chira-Garcia, Rahaf Misto, Bart Hancock, Victoria Beach, Rosaleen Ryan Trambley, F. Scott Pereles, Gary Langford, Nina Patel, Akshai Patel, Evan Patel, Libby McMahon, Patricia Roden. Anthony Lombardo, representative, presented a rebuttal and answered questions from the Planning Commission. Chad Alinio, Monterey County Public Works, spoke about traffic and signs. School Superintendent Biasotti discussed safety concerns.

It was moved by Commissioner Diehl, seconded by Commissioner Sanchez and passed by the following vote to adopt the resolution approving the Combined Development Permit (PLN060652) and Coastal Administrative Permits (PLN060651) with the corrections to Finding 5 and condition 11 suggested by staff and deletion of condition 14, allowing the gates to remain open as the school district decides:

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

Commissioner Pessagno left at 11:30 a.m.

5. **10:00AM – THE CARMEL PRESBYTERIAN CHURCH – PLN090070.**
PLANNING AREA: CARMEL VALLEY MASTER PLAN. PROJECT PLANNER: DAVID MACK. ENVIRONMENTAL STATUS: N/A. PROJECT DESCRIPTION: REQUEST FOR A VESTED RIGHTS DETERMINATION FOR A PREVIOUSLY APPROVED COMBINED DEVELOPMENT PERMIT FOR A COMMUNITY LIFE CENTER; AND REQUEST FOR WAIVER OF THE APPLICATION FEE. THE PROPERTY IS LOCATED AT THE TERMINUS OF RIO ROAD AND EAST OF VAL VERDE DRIVE, CARMEL VALLEY (ASSESSOR'S PARCEL NUMBER 015-021-004-000).

Project Planner David Mack presented a request for a continuance to July 29, 2009 because the applicant failed to post the required public notice.

Public comment: Todd Bessire, project representative, stated the date was acceptable. Margaret Robbins.

It was moved by Commissioner Diehl, seconded by Commissioner Rochester and passed by the following vote to continue the hearing to July 29, 2009 due to applicant's failure to post the required public notice:

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

The Commission recessed for lunch. At 1:30 the Commission resumed its meeting.

Secretary Novo stepped down to serve as project planner on agenda item F.6. . Jacqueline Onciano served as Planning Commission Secretary for agenda item F.6.

6. **1:30 PM – STAGECOACH TERRITORY (RED BARN) – PD080726. PLANNING AREA: NORTH COUNTY. PROJECT PLANNERS: MIKE NOVO/STEVE MASON. ENVIRONMENTAL STATUS: N/A. PROJECT DESCRIPTION:** PUBLIC HEARING TO CONSIDER MODIFICATION OR REVOCATION OF USE PERMITS ZA-3117, ZA-3567 AND ZA-3629 FOR THE “RED BARN” OPERATION AT 1000 HIGHWAY 101, AROMAS, DUE TO THE RED BARN’S EXPANSION OF OUTDOOR SALES BEYOND THE BOUNDARIES ALLOWED BY THE USE PERMITS AND VIOLATION OF CERTAIN CONDITIONS OF APPROVAL. THE EXISTING USE PERMITS ALLOW OUTDOOR RETAIL SALES, BEER TASTING, SNACK FOOD BAR, WINE TASTING AND SALES, AND PARKING. THE REASON FOR THE PUBLIC HEARING IS FOR THE PLANNING COMMISSION TO TAKE TESTIMONY AND THEN CONSIDER WHETHER TO REVOKE OR MODIFY THE USE PERMITS. THE PROPERTY IS LOCATED AT 1000 HIGHWAY 101, AROMAS.

Chair Vandevere announced the availability of Spanish translation. Because the number of individuals desiring translation exceeded the number of headsets, it was decided that sequential translation would be used.

Project Planners Mike Novo and Steve Mason presented the project.

Commissioners asked questions of staff, including inquiring about parking, the earlier permits, and the violations.

Break 2:30 P.M. Reconvene 2:55

Because of room overcrowding and potential fire hazard from exceeding room capacity, project planner Novo requested a continuance of the hearing to July 29 or August 5.

Public Comment (on the issue of request for continuance): Gordon Sonne; Sandra Gonzalez; Lou Vences; Steve Donovan; Antonio Sanchez; Juanita Lopez; Ms. Lopinos, and Blanco Naranjo. Commissioner Diehl and Commissioner Ottone clarified the need for the continuance. Myron Etienne, project representative, stated that he had no objection to continuing the hearing to August 5, 2009.

It was moved by Commissioner Padilla and seconded by Commissioner Sanchez to continue the hearing to a special meeting on August 5, 2009 to begin at 9:00 a.m. The Applicant’s representative, Christine Kemp, asked if it could be an evening meeting.

The maker of the motion revised the motion, with the concurrence of the second: It was moved by Commissioner Padilla and seconded by Commissioner Sanchez to continue the public hearing to an evening special meeting to start at 5:00 p.m. on August 5, 2009.

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

ABSENT: Isakson, Pessagno

Secretary Novo resumed serving as Planning Commission Secretary.

7. **1:30PM - GENERAL PLAN 2007 - PLN070525 PLANNING AREA: INLAND COUNTY AREA. PROJECT PLANNER: ALANA KNASTER/CARL HOLM. ENVIRONMENTAL STATUS: DRAFT ENVIRONMENTAL IMPACT REPORT PREPARED. PROJECT DESCRIPTION: DISCUSS SCHEDULE AND TOPICS FOR FUTURE COMMISSION REVIEW.**

Carl Holm, Assistant Director of Planning, reported that staff is ready for a July 8, 2009 discussion before the Commission.

Public comment: None.

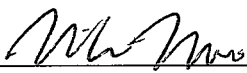
G. OTHER MATTERS - None

H. DEPARTMENT REPORT - None.

I. ADJOURNMENT - 3:26 p.m.

Date Adopted: October 28, 2009

ATTEST



Mike Novo, Secretary

MN:ca