

**FINAL
MONTEREY COUNTY PLANNING COMMISSION
WEDNESDAY, SEPTEMBER 30, 2009
MINUTES**

PLEDGE OF ALLEGIANCE - 9:00 A.M.

A. ROLL CALL

Present: Getzelman, Brown, Isakson, Rochester, Vandevere, Diehl, Padilla, Ottone (arrived at 9:20 a.m.)
Absent: Sanchez, Salazar (Salazar present for the afternoon session.)

Chair Vandevere introduced and welcomed new commissioner Paul C. Getzelman.

B. PUBLIC COMMENTS - No public comments

C. AGENDA ADDITIONS, DELETIONS AND CORRECTIONS - None.

D. APPROVAL OF MINUTES: - JUNE 24 and AUGUST 12, 2009

The Secretary of the Commission removed the June 24, 2009 minutes from the agenda.

It was moved by Commissioner Brown, seconded by Commissioner Isakson and passed by the following vote to approve the August 12, 2009 minutes.

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

E. COMMISSIONER COMMENTS, REQUESTS AND REFERRALS - None

F. SCHEDULED ITEMS

1. **PERSALL SAMUEL F & LINDA S - PLN040470. PLANNING AREA: TORO AREA. PROJECT PLANNER: ELISA CAVALIERE. ENVIRONMENTAL STATUS: MITIGATED NEGATIVE DECLARATION PREVIOUSLY ADOPTED. PROJECT DESCRIPTION: A REPORT TO THE PLANNING COMMISSION ON THE STATUS OF THE CONDITION COMPLIANCE REPORTING PLAN FOR FILE NO. PLN040720 (PERSALL/COREY HOUSE RESTORATION). PLANNING FILE NO. PLN040720 WAS APPROVED IN 2005 AS A COMBINED DEVELOPMENT PERMIT ALLOWING THE FOLLOWING: 1) A USE PERMIT TO ALLOW ALTERATION OF (COREY HOUSE) A HISTORIC RESOURCE; 2) A USE PERMIT TO ESTABLISH A HOTEL RESORT IN AN EXISTING STRUCTURE; 3) A USE PERMIT FOR AN ONSITE CARETAKER UNIT IN AN EXISTING STRUCTURE; 4) CONSIDERATION OF A GENERAL DEVELOPMENT PLAN AND DESIGN APPROVAL; AND 5) CONVERSION OF AN EXISTING ACCESSORY STRUCTURE TO A SPA; AND RELEASE OF CE030342.**

Project Planner Elisa Cavaliere presented the report on condition compliance.

Commissioners asked about the conditions and the monitoring.

NOTE: Commissioner Ottone arrived at 9:20 a.m.

PUBLIC COMMENT: Aaron Johnson, representative for applicant; Christine Kemp, representative for Las Palmas HOA; Don Bachman; Cathryn Bachman; Donna McCullough; Dr. Robert McNabb, president Las Palmas Homeowner's Association; Don Meister; Jeanne Porter; Virginia McDonald; Bill Hurst. Aaron Johnson presented a rebuttal.

It was moved by Commissioner Rochester, seconded by Commissioner Isakson and passed by the following vote to accept the report and take no further action.

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

2. **COUNTY OF MONTEREY RESOURCE MANAGEMENT AGENCY - HOUSING AND REDEVELOPMENT - GPZ090001 SITUS LOCATION: COUNTY-WIDE. PLANNING AREA: COUNTY-WIDE. PROJECT PLANNER: MARTI NOEL. ENVIRONMENTAL STATUS: UNDER PREPARATION. PROJECT DESCRIPTION: CONTINUED FROM SEPTEMBER 9, 2009. PUBLIC WORKSHOP TO DISCUSS PRELIMINARY DRAFT OF THE UPDATE OF THE HOUSING ELEMENT OF THE COUNTY GENERAL PLAN.**

Marti Noel, Housing and Redevelopment and Veronica Tam, consultant, gave a presentation.

Public Comment: Margaret Robbins, who is on the Housing Advisory Committee and the Subcommittee to update the Housing Element, spoke of the work done by those groups.

Commissioners discussed the draft element, including the housing market, inclusionary housing, farmworker housing and homeless shelters.

No motion was needed.

Break: 10:40 - Reconvene 10:57

3. **HERITAGE OAKS - PLN980503. PLANNING AREA: NORTH COUNTY (NON-COASTAL AREA). PROJECT PLANNER: BOB SCHUBERT. ENVIRONMENTAL STATUS: FINAL ENVIRONMENTAL IMPACT REPORT PREPARED. PROJECT DESCRIPTION: CONTINUED FROM AUGUST 26, 2009. COMBINED DEVELOPMENT PERMIT CONSISTING OF A STANDARD SUBDIVISION TO DIVIDE APPROXIMATELY 79 ACRES INTO 32 PARCELS RANGING IN SIZE FROM 1.0 ACRES TO 15.91 ACRES, INCLUDING ONE LOT (LOT 32) WITH FOUR INCLUSIONARY RENTAL UNITS; USE PERMIT FOR REMOVAL OF APPROXIMATELY 367 PROTECTED OAK TREES (271 FOR ROADS AND UP TO 96 ON THE INDIVIDUAL LOTS). USE PERMIT FOR FOUR INCLUSIONARY RENTAL UNITS; AND GRADING (APPROXIMATELY 5,100 CUBIC YARDS CUT AND 5,100 CUBIC YARDS FILL). THE PROJECT IS LOCATED EASTERLY OF SAN JUAN ROAD (ASSESSOR'S PARCEL NUMBERS 267-123-031-000 AND 267-051-014-000), APPROXIMATELY 600 FEET SOUTHERLY OF THE INTERSECTION OF SAN JUAN ROAD AND AROMAS ROAD AT THE TERMINUS OF REA AVENUE, AROMAS AREA, NORTH COUNTY NON-COASTAL ZONE. RECOMMENDED ACTION: CERTIFY EIR, ADOPT MITIGATION MONITORING AND REPORTING PLAN, AND APPROVE PROJECT**

Secretary Novo identified the handouts that were distributed to the Commissioners for this project.

Project planner Bob Schubert, and Deputy RMA Director Alana Knaster presented the project. Assistant Building Director Albert Salvador addressed alleged code violations on the site.

The Commissioners asked about the water supply. Tom Moss, Water Resources Agency, responded to the questions.

Public Comment: Wayne Holman, applicant; Peter Haase, Fall Creek Engineering, working on the project;

Break 12:00 - Reconvene at 1:30

Reconvene at 1:34. Commissioners absent: Ottone and Sanchez

Public Comment (continued): Peter Haase, engineer; Wayne Holman concluded the applicant presentation; Rona Sowash; Molly Erickson, Aromas Citizens for Planned Growth; Cathy Chavez Miller; George Morton; Jim Delamonico, Cal Fire Dept.; Margie Kay; Carolyn Anderson; Marcus Dutra; Bill Littleman; Ed Mitchell; Leslie Austin; Vicky Morris; Carol Simpson; Diana Elwin; Miriam Saunders; Diane Russell; James Harris; Robin Dutra; Enrique Mallory; Jason Emmitt; Marcella Zoba; Linda Conlin; Victor Vasquez; Kale Beck; Scott Geile; David Portello; Amy White, LandWatch; Jan Mitchell, Prunedale's Neighbors Group.

Break 3:35 p.m. Reconvene 3:50 p.m.

Wayne Holman and Peter Haase, engineer, provided a rebuttal. Derinda Messenger, representative for applicant, spoke and recommended some corrections to Findings.

Deputy County Counsel Strimling advised the Commission.

Chad Alinio, Public Works, Ava Bryant, EIR consultant for the County, Bob Schubert, project planner, Tom Moss, Water Resources Agency, Roger VanHorn, Environmental Health, and Alana Knaster, RMA, addressed questions that had arisen during testimony.

The Commission discussed the project

Tom Moss, WRA, responded to further questions.

It was moved by Commissioner Diehl, seconded by Rochester and passed by the following vote to adopt a motion of intent to deny the project, direct staff to prepare and bring back for consideration a resolution with findings and evidence to deny the project based on lack of consistency with General Plan policies, and continue the hearing to October 28, 2009.

AYES: Isakson, Rochester, Vandever, Diehl, Padilla

NOES: Brown

ABSTAIN: Getzelman, Salazar

ABSENT: Sanchez, Ottone

4. **STEINY DOUGLAS & LISA - PLN090060 PLANNING AREA: CARMEL VALLEY MASTER PLAN AREA. PROJECT PLANNER: ANNA QUENGA. ENVIRONMENTAL STATUS: ADDENDUM TO ADOPTED MITIGATED NEGATIVE DECLARATION. PROJECT DESCRIPTION: CONTINUED FROM SEPTEMBER 9, 2009. AMENDMENT TO A PREVIOUSLY APPROVED COMBINED DEVELOPMENT PERMIT AND GENERAL DEVELOPMENT PLAN (PLN060638) CONSISTING OF A STANDARD SUBDIVISION VESTING TENTATIVE MAP TO ALLOW THE DIVISION OF AN EXISTING 1.57 ACRE PARCEL INTO ONE PARCEL OF 5,135 SQUARE FEET (UNIT 1); ONE PARCEL OF 2,365 SQUARE FEET (UNIT 2); AND FOUR PARCELS OF 1,329 SQUARE FEET (UNITS 3, 4, 5, AND 6); AND A 1.39 ACRE COMMON AREA PARCEL (PARCEL A), RESPECTIVELY. THE PROPOSED SUBDIVISION WILL SEPARATE THE SIX BUILDINGS WHICH WERE APPROVED UNDER FILE NO. PLN060638 INTO SEPARATE CONDOMINIUM UNITS. THE PROPERTIES ARE LOCATED AT 25 WEST CARMEL VALLEY ROAD, CARMEL VALLEY (ASSESSOR PARCEL NUMBER'S 187-433-017-000 AND 187-433-018-000)**

CARMEL VALLEY MASTER PLAN. RECOMMENDED ACTION: CONSIDER THE ADOPTED MITIGATED NEGATIVE DECLARATION AND ADDENDUM AND ADOPT MITIGATION MONITORING REPORTING PLAN AND APPROVE PROJECT

Commissioners Rochester and Salazar stated that they listened and/or watched the video from last hearing and will be able to participate in this hearing.

Commissioner Getzelman left the meeting at this time.

Project planner Anna Quenga presented the project, including revisions to the staff report.

Deputy County Counsel Strimling suggested a correction to Condition 7.

Public Comment: Jason Retterer, representative, agreed to conditions; Christine Williams, Carmel Valley Association; Tim Sanders.

Jason Retterer presented a rebuttal to public comment.

Les Girard, Assistant County Counsel, clarified the issue of what happens to this project if Carmel Valley incorporates. Secretary Novo explained the implications of a board resolution affecting Carmel Valley subdivisions. Planning Manager Lawrence read language for conditions 7 and 52 in report.

It was moved by Commissioner Isakson, seconded by Commissioner Rochester and passed by the following vote to consider the adopted Mitigated Negative Declaration and Addendum, adopt the Subdivision Scoring recommended by staff, approve the Amendment to the Combined Development Permit and General Development Plan based on the findings and evidence and subject to the conditions as modified by staff and counsel, and adopt the Mitigation Monitoring Reporting Program.

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


G. OTHER MATTERS: NONE

H. DEPARTMENT REPORT - None

I. ADJOURNMENT - 5:38 p.m.

Date Adopted: November 18, 2009

ATTEST



Mike Novo, Secretary

MN/ca