

FINAL
MONTEREY COUNTY PLANNING COMMISSION
WEDNESDAY, DECEMBER 9, 2009
MINUTES
9:00 A.M.

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

PLEDGE OF ALLEGIANCE

A. ROLL CALL

Present: Paul Getzelman, Don Rochester, Aurelio Salazar, Keith Vandevere (Chair), Martha Diehl, Cosme Padilla, Matthew Ottone
Absent: Juan Sanchez, Jay Brown (*arrived later*), Nancy Isakson (*arrived later*)

B. PUBLIC COMMENTS - None

C. AGENDA ADDITIONS, DELETIONS AND CORRECTIONS

Secretary Novo stated that the agendized minutes will be pulled from this agenda and will be available for the January hearing.

D. APPROVAL OF MINUTES: October 28 and November 18, 2009

The minutes were removed from this agenda and will be available at the January hearing.

E. COMMISSIONER COMMENTS, REQUESTS AND REFERRALS

Commissioner Rochester inquired about an increase to their stipend. Secretary Novo and Deputy County Counsel Strimling explained that the process required to increase the stipend is to amend the County Code by ordinance.

F. SCHEDULED ITEMS

1. **9:00AM - MEYER CARL & MARINA - PLN090227.**
PLANNING AREA: DEL MONTE FOREST AREA. **PROJECT PLANNER:** DELINDA ROBINSON. **ENVIRONMENTAL STATUS:** CATEGORICALLY EXEMPT. **PROJECT DESCRIPTION:** COMBINED DEVELOPMENT PERMIT CONSISTING OF: 1) A COASTAL ADMINISTRATIVE PERMIT TO ALLOW THE DEMOLITION OF AN EXISTING 2,900 SQUARE FOOT SINGLE FAMILY DWELLING WITH AN ATTACHED CARPORT, THE CONSTRUCTION OF A 5,889 SQUARE FOOT TWO-STORY SINGLE FAMILY DWELLING WITH A 1,814 SQUARE FOOT HABITABLE BASEMENT, AN ATTACHED 822 SQUARE FOOT BASEMENT GARAGE AND GRADING OF APPROXIMATELY 880 CUBIC YARDS OF CUT AND 512 CUBIC YARDS OF FILL; 2) A COASTAL DEVELOPMENT PERMIT TO ALLOW THE CONSTRUCTION OF A 472 SQUARE FOOT DETACHED CARETAKER UNIT; AND 3) DESIGN APPROVAL. THE PROPERTY IS LOCATED AT 1451 RIATA ROAD, PEBBLE BEACH (ASSESSOR'S PARCEL NUMBER 008-331-020-000), WEST OF CORTEZ ROAD, DEL MONTE FOREST AREA, COASTAL ZONE.

Project Planner Delinda Robinson presented the project.

Commissioner Isakson arrived at 9:05 a.m.

Staff also discussed changes and modifications that are listed in the errata.

PUBLIC COMMENT: June Suliano, representative for applicant agreed to the conditions and changes discussed in the errata. Counsel Strimling stated that an indemnification agreement condition should be added. The representative agreed to the addition of the condition.

It was moved by Commissioner Diehl, seconded by Commissioner Padilla, and passed by the following vote to approve the project:

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

2. 9:00AM -PRISTINE DEVELOPMENT LLC (FORMERLY GARDINER'S TENNIS RANCH) - PLN080558

PLANNING AREA: CARMEL VALLEY MASTER PLAN AREA. **PROJECT PLANNER:** DAVID MACK. **ENVIRONMENTAL STATUS:** MITIGATED NEGATIVE DECLARATION PREPARED. **PROJECT DESCRIPTION:** USE PERMIT AND GENERAL DEVELOPMENT PLAN TO PERMIT THE CONTINUATION OF AN EXISTING "TENNIS RANCH" CONSISTING OF GUEST ACCOMMODATIONS (24 UNITS), DORMITORIES (91 BEDS), RESTAURANT/DINING (3 AREAS), SWIMMING POOLS (3 POOLS), CLUBHOUSE (2500 SQUARE FEET), BAR, HOT TUBS/SPAS (5), SAUNAS (2), GYM, GENERAL RETAIL/PRO SHOP/OFFICE (1180 SQUARE FEET), TENNIS COURTS (16 TOTAL), LAUNDRY FACILITY (1,000 SQUARE FEET), STORAGE FACILITIES/SHEDS (13) OF UNKNOWN SQUARE FOOTAGE, OFFICE/MANAGEMENT FACILITIES (1,540 SQUARE FEET), PHYSICAL THERAPY; AND VARIOUS SPECIAL EVENTS. THE PROJECT IS LOCATED AT 114 W CARMEL VALLEY ROAD (ASSESSOR'S PARCEL NUMBERS: 189-121-001-000, 189-201-003-000, 189-201-013-000, 189-251-014-000, 189-251-015-000, 189-251-016-000, 189-261-001-000, 189-261-005-000, 189-261-009-000, 289-261-010-000, 189-261-011-000, 189-261-012-000, 189-261-013-000, 189-261-015-000, 189-261-016-000, 189-261-017-000), CARMEL VALLEY MASTER PLAN AREA.

Project planner David Mack presented the project and an errata memorandum.

PUBLIC COMMENT: John Bridges, representative agreed with the conditions and errata presented and asked to make modifications to condition #10.

NOTE: 9:32 a.m. Commissioner Brown arrived.

PUBLIC COMMENT (continued): Christine Williams, Sandra Schachter, Dale McCauley, Margaret Robbins, Mibs McCarthy, Tim Sanders, Michael Crall, Charles Franklin, Darius Sareq, Jr., Priscilla Walton, Bobby Fried, Grant Sedgwick, Mike Downey, Robert Zeichick, Joseph Hertlein, Peter Scott, Glen Gurries, Thomas A Gardiner, Paul Ingram, Hugo Bernan.

John Bridges, representative, provided rebuttal to public comment.

BREAK: 1030 a.m. – RECONVENE: 10:46 a.m

David Mack, project planner, and John Ford, Planning Manager, discussed the number of restaurant seats and site operations in relation to this permit. Janna Faulk, Environmental Health discussed issues regarding the well.

Commissioners discussed project issues, including the well, operations and events, septic systems, short-term rental of houses, and project baseline.

It was moved by Commissioner Rochester, seconded by Commissioner Isakson, and passed by the following vote to adopt the mitigated negative declaration, approve the General Development Plan and Use Permit, based on the findings and evidence and subject to the conditions of approval, including the the revisions to the findings and conditions in the errata memorandum and an additional finding related to wells, and adopt the Mitigation Monitoring and Reporting Program:

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

3. **9:45AM - MID VALLEY FIRE PROTECTION DISTRICT - GPZ090003.**
PLANNING AREA: CARMEL VALLEY MASTER PLAN AREA. **PROJECT PLANNER:** ERIC SNIDER. **ENVIRONMENTAL STATUS:** STATUTORILY EXEMPT. **PROJECT DESCRIPTION:** CONTINUED FROM 11/18/09. GENERAL PLAN AMENDMENT TO CHANGE GENERAL PLAN LAND USE DESIGNATION FROM "PUBLIC-QUASI-PUBLIC" TO "LOW DENSITY RESIDENTIAL"; REZONE A 0.35 ACRE PARCEL FROM "PUBLIC-QUASI-PUBLIC" ZONING DISTRICT TO "LOW DENSITY RESIDENTIAL" DISTRICT. COMBINED DEVELOPMENT PERMIT CONSISTING OF: 1) MINOR SUBDIVISION TENTATIVE MAP TO ALLOW A DIVISION OF A 1.98 ACRE PARCEL INTO TWO PARCELS OF 0.35 ACRES (PARCEL 1) AND 1.63 ACRES (PARCEL 2). PARCEL 1 INCLUDES AN EXISTING SINGLE FAMILY DWELLING, AND PARCEL 2 INCLUDES THE EXISTING MID-VALLEY CARMEL VALLEY FIRE STATION; 2) A VARIANCE TO ALLOW A REDUCTION OF THE MINIMUM LOT SIZE FROM 1 ACRE TO .35 ACRES IN THE "LOW DENSITY RESIDENTIAL" DISTRICT. THE PROPERTY IS LOCATED AT 8455 CARMEL VALLEY ROAD, CARMEL (ASSESSOR'S PARCEL NUMBER 169-061-014-000), CARMEL VALLEY MASTER PLAN AREA.

Project planner Eric Snider presented the project.

BREAK 11:30 a.m. – RECONVENE 11:40 a.m.

Chair Vandever announced that Item #4 Carmel Valley Ranch will be heard at 1:30 p.m.

PUBLIC COMMENT: Dorothy Priolo, Deputy Fire Marshal for the Monterey County Regional Fire District, applicant; Margaret Robbins; Christine Williams; Michael Urquides, Interim Fire Chief for the Carmel Valley Fire District.

Counsel Strimling advised the Commission that their role is to recommend an action to the Board of Supervisors and suggested changes to the resolution to reflect that action, including omission of proposed finding 10 regarding appealability and changing the decision to a recommendation to the Board.

It was moved by Commissioner Diehl, seconded by Commissioner Salazar and passed by the following vote to recommend that the Board of Supervisors deny the project as set forth in the proposed resolution, including the revisions to the resolution suggested by Counsel Strimling:

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

LUNCH BREAK 12:10 P.M. – RECONVENE 1:30 P.M.

Chair Vandevere announced that Item #5 (Unity Care Group) has been withdrawn and Item #6 (Castroville Community Plan) is asking for a continuance, and Item #7 (Cypress Community Church) will be the second item to be heard.

Commissioners present for the afternoon session are Getzelman, Brown, Rochester, Salazar, Vandevere, Diehl and Padilla. Commissioners Isakson, Sanchez and Ottone were absent.

4. **10:30AM - CARMEL VALLEY RANCH (CVR HSGE LLC) - PLN090322**
PROJECT PLANNER: ERIC SNIDER. **ENVIRONMENTAL STATUS:** ADDENDUM TO AN ADOPTED MITIGATED NEGATIVE DECLARATION. **AMENDMENT PROJECT DESCRIPTION:** AMENDMENT TO A PREVIOUSLY APPROVED USE PERMIT (PLN070350, AMENDING PLN060056) AND DESIGN APPROVAL FOR THE CONVERSION OF FIVE EXISTING LODGE UNITS INTO A 4,248 SQUARE FOOT FITNESS/SPA FACILITY AND THE DEVELOPMENT OF A FIRST FLOOR 1,160 SQUARE FOOT ADDITION. THE PROPERTY IS LOCATED AT 1 OLD RANCH ROAD, CARMEL (ASSESSOR'S PARCEL NUMBER 416-522-010-000), CARMEL VALLEY MASTER PLAN AREA

Project Planner Eric Snider presented the project and an errata memorandum.

PUBLIC COMMENT: Anthony Lombardo, representative, agreed to recommended conditions; Tom Sweeney; Margaret Robbins; Woody Plum; Harold Way; Robert Floor. Anthony Lombardo presented a rebuttal.

Staff discussed the errata that include eight additional conditions. Applicant's representative Anthony Lombardo agreed to all conditions.

It was moved by Commissioner Diehl, seconded by Commissioner Padilla, and passed by the following vote to approve the project including the errata memorandum:

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

5. **11:00AM - THE UNITY CARE GROUP INC - PLN080532**
PLANNING AREA: GREATER SALINAS AREA. **PROJECT PLANNER:** VALERIE NEGRETE. **ENVIRONMENTAL STATUS:** STATUTORILY EXEMPT **PROJECT DESCRIPTION:** CONSIDER THE DENIAL OF A USE PERMIT EXTENSION REQUEST (PLN020316) FOR A BOARDING SCHOOL FACILITY CONSISTING OF THREE MODULAR CLASSROOMS (960 SQUARE FEET EACH) SERVING TWO EXISTING RESIDENTIAL YOUTH TREATMENT RESIDENTIAL HOMES. THIS PROJECT IS LOCATED AT 680 AND 684 HARRISON ROAD, SALINAS (ASSESSOR'S PARCEL NUMBERS 113-271-006-000 AND 113-271-008-000) GREATER SALINAS AREA PLAN

It was noted that the applicant has withdrawn the application for the permit extension for the Unity Care project.

6. **1:30PM - CASTROVILLE COMMUNITY PLAN - A - PLN090014**
SITUS LOCATION: CASTROVILLE AREA. **PLANNING AREA:** NORTH COUNTY (NON-COASTAL AREA). **PROJECT PLANNER:** ANNA QUENGA. **ENVIRONMENTAL STATUS:** ADDENDUM TO A PREVIOUSLY CERTIFIED ENVIRONMENTAL IMPACT REPORT. **PROJECT DESCRIPTION:** PUBLIC HEARING TO CONSIDER RECOMMENDATION TO BOARD OF SUPERVISORS TO: 1) AMEND SECTION 21.08 OF THE MONTEREY COUNTY ZONING ORDINANCE TO CREATE A NEW COMMUNITY PLAN ZONING DISTRICT (CP) TO APPLY COMMUNITY PLAN DEVELOPMENT STANDARDS TO AREAS OF THE COUNTY FOR WHICH A COMMUNITY PLAN HAS BEEN ADOPTED; 2) AMEND THE SECTIONAL ZONING DISTRICT MAP 21-104 TO REZONE THE CASTROVILLE COMMUNITY PLAN INLAND AREAS FROM THEIR FORMER ZONING TO A "CP" DISTRICT; AND 3) ADOPT A GENERAL PLAN AMENDMENT TO AMEND THE CASTROVILLE COMMUNITY PLAN (CCP) AS APPLIED TO THE INLAND AREA TO ADOPT CCP DESIGN GUIDELINES AND SITE DEVELOPMENT STANDARDS AS APPENDICES TO THE CASTROVILLE COMMUNITY PLAN. THE PROPERTIES ARE LOCATED WITHIN THE CASTROVILLE COMMUNITY PLAN BOUNDARY, INLAND AREA.

Secretary Novo requested a continuance of the hearing on the project to the January 13, 2010 Planning Commission meeting. It was moved by Commissioner Padilla, seconded by Commissioner Brown, and passed by the following vote to continue the hearing to the January 13, 2010 meeting:

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

7. **1:30PM - CYPRESS COMMUNITY CHURCH - PLN040308**
PLANNING AREA: TORO AREA. **PROJECT PLANNER:** PAULA BRADLEY.
ENVIRONMENTAL STATUS: ADDENDUM TO AN ADOPTED MITIGATED NEGATIVE DECLARATION. **PROJECT DESCRIPTION:** ADDENDUM TO THE MITIGATED NEGATIVE DECLARATION FOR INTERSECTION IMPROVEMENTS IN THE CALTRANS RIGHT OF WAY NOT INCLUDED IN THE JULY 30, 2004 MITIGATED NEGATIVE DECLARATION. THERE ARE NO CHANGES TO THE ORIGINAL PROJECT DESCRIPTION: ADMINISTRATIVE PERMIT TO ALLOW THE CONSTRUCTION OF A DRIVEWAY CONNECTING TO THE NORTH SIDE OF THE INTERSECTION OF CORRAL DE TIERRA ROAD AND HIGHWAY 68 IN A VS (VISUAL SENSITIVITY) ZONE; GRADING (734 CU. YDS. OF CUT/1,698 CU. YDS OF FILL); AND DESIGN APPROVAL. THE PROPERTY IS LOCATED AT 681 MONTEREY SALINAS HIGHWAY, SALINAS (ASSESSOR'S PARCEL NUMBER 161-251-010-000, 161-251-011-000, 161-251-012-000), TORO AREA

Project Planner Paula Bradley presented the project and an errata memorandum.

PUBLIC COMMENT: Anthony Lombardo, representative; Mike Weaver; Mike Armstrong

Rick Sauerwein, Public Works, clarified the size of the berm and retaining wall.

It was moved by Commissioner Diehl, seconded by Commissioner Rochester, and passed by the following vote to adopt a resolution to consider the Addendum for the project and implement the earlier

required mitigation measure requiring a driveway connection to Highway 68 and its associated improvements:

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

The Commission then considered Items F9 and F10 before returning to Item F8.

9. **1:30PM - GENERAL PLAN 2007 - PLN070525**
PROJECT PLANNER: ALANA KNASTER AND CARL HOLM. **ENVIRONMENTAL STATUS:** ENVIRONMENTAL IMPACT REPORT PREPARED. **PROJECT DESCRIPTION:** DISCUSS SCHEDULE AND PROCESS FOR FUTURE HEARINGS ON GENERAL PLAN UPDATE.

Alana Knaster stated that the FEIR will not be ready by December 15. The General Plan Update is expected to be before the Planning Commission in mid February. Carl Holm stated that the General Plan process and schedule item will stay on the agenda for future meetings.

PUBLIC COMMENT: Jan Mitchell

10. **2:00PM - PERMIT EXTENSIONS - PD090361**
PLANNING AREA: COUNTY-WIDE. **PROJECT PLANNER:** CARL HOLM. **PROJECT DESCRIPTION:** CONTINUED FROM 11/18/09. RECOMMEND THAT THE BOARD OF SUPERVISORS ADOPT ORDINANCES AMENDING TITLE 20 (COASTAL) AND TITLE 21 (NON-COASTAL) TO ESTABLISH A ONE-TIME, 24-MONTH, EXTENSION FOR VALID PERMITS IN EFFECT AS OF JANUARY 1, 2009 (COUNTYWIDE).

Carl Holm presented the proposed ordinances. Counsel Strimling advised the Commission. Commissioner Brown asked about the steps applicants needed to take. Mr. Holm said the extensions would be automatic.

Public Comment: Tim Sanders, Rod Mills, Dale Egron, Margaret Robbins, Jan Mitchell

The Commission discussed limiting the applicability of the ordinance to applications that had not received prior extensions.

It was moved by Commissioner Brown, seconded by Commissioner Diehl, and passed by the following vote to recommend adoption of the ordinances to the Board of Supervisors, with changes to limit their applicability to projects that had not previously received or been denied extensions.

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

The Commission then considered Item F8.

8. **2:30PM - HOLMAN RANCH HOLDINGS LLC - PLN080450**
PLANNING AREA: CARMEL VALLEY MASTER PLAN AREA. **PROJECT PLANNER:** PAULA BRADLEY. **ENVIRONMENTAL STATUS:** MITIGATED NEGATIVE DECLARATION PREPARED. **PROJECT DESCRIPTION:** CONTINUED FROM 11/18/09. COMBINED DEVELOPMENT PERMIT CONSISTING OF: 1) A USE PERMIT FOR A 3,330 SQUARE FOOT AGRICULTURAL PROCESSING PLANT FOR A WINERY PRODUCING UP TO 5,000 CASES PER YEAR, A 3,050 SQUARE FOOT WINE STORAGE CAVE, A 240 SQUARE FOOT EQUIPMENT STORAGE BUILDING; 2) A USE PERMIT FOR THE REMOVAL OF NINE PROTECTED OAK TREES; 3) A USE PERMIT FOR DEVELOPMENT ON SLOPES IN EXCESS OF 30%; 4) AN ADMINISTRATIVE PERMIT FOR DEVELOPMENT IN A SITE PLAN REVIEW DISTRICT; 5) DESIGN APPROVAL. A NEW SMALL WATER SYSTEM WAS INSTALLED AND GRADING IS APPROXIMATELY 3,960 CUBIC YARDS (1,980 CUBIC YARDS CUT AND 1,980 CUBIC YARDS FILL, BALANCED ON-SITE; THE PROPERTY IS LOCATED AT 60 HOLMAN ROAD, CARMEL VALLEY

(ASSESSOR'S PARCEL NUMBER 187-481-001-000) CARMEL VALLEY MASTER PLAN AREA.

Secretary Novo requested a continuance to January 13, 2010 to allow staff time to respond to comments received on the Initial Study.

PUBLIC COMMENT: Margaret Robbins.

It was moved by Commissioner Salazar, seconded by Commissioner Brown, and passed by the following vote to continue the hearing on the project to January 13, 2010:

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

G. OTHER MATTERS: SPRECKELS NEIGHBORHOOD DESIGN REVIEW COMMITTEE - APPOINT: TOM CHASE AND BRIAN SGHEIZA

It was moved by Commissioner Brown, seconded by Commissioner Rochester, and passed by the following vote to appoint Tom Chase and Brian Sgheiza to the Spreckels Neighborhood Design Review Committee:

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

H. DEPARTMENT REPORT

Secretary Novo stated that Commissioner Isakson's last meeting will be January 13, 2010.

BREAK: 2:49 P.M. - RECONVENE 3:08 P.M.

11. **3:00PM - MOELLER MICHAEL & PATRICIA - PLN060251**
PLANNING AREA: CARMEL AREA. **PROJECT PLANNER:** CARL HOLM.
ENVIRONMENTAL STATUS: MITIGATED NEGATIVE DECLARATION PREPARED.
PROJECT DESCRIPTION: COMBINED DEVELOPMENT PERMIT CONSISTING OF: (1) COASTAL DEVELOPMENT PERMIT FOR A LOT LINE ADJUSTMENT CONSISTING OF AN EQUAL EXCHANGE OF LAND BETWEEN TWO LEGAL LOTS OF RECORD RESULTING IN NO CHANGE OF AREA: LOT 5 (ASSESSOR'S PARCEL NUMBER: 243-181-005-000/192 SAN REMO ROAD) HAS 0.61 ACRES AND LOT 6 (ASSESSOR'S PARCEL NUMBER: 243-181-006-000/194 SAN REMO ROAD) HAS 0.85 ACRES; (2) COASTAL ADMINISTRATIVE PERMIT AND DESIGN APPROVAL TO ALLOW THE CONSTRUCTION OF A THREE-STORY 3,994 SQUARE FOOT SINGLE FAMILY DWELLING WITH A 643 SQUARE FOOT THREE-CAR GARAGE, 858 SQUARE FEET OF DECK AREA, AND GRADING (APPROXIMATELY 523 CUBIC YARDS OF CUT AND 89 CUBIC YARDS OF FILL); (3) COASTAL DEVELOPMENT PERMIT FOR DEVELOPMENT ON SLOPES IN EXCESS OF 30%; (4) COASTAL DEVELOPMENT PERMIT FOR THE REMOVAL OF 9 MONTEREY PINE TREES AND 8 COASTAL LIVE OAK TREES. THE PROPERTIES ARE LOCATED AT 192 & 194 SAN REMO ROAD, CARMEL (ASSESSOR'S PARCEL NUMBER 243-181-005-000 AND 243-181-006-000, EAST OF HIGHWAY ONE, CARMEL HIGHLANDS AREA, COASTAL ZONE.

Project planner Carl Holm presented the project and provided and discussed a revised resolution. The Commissioners asked questions about access easements, which were responded to by Mr. Holm and Counsel Strimling.

PUBLIC COMMENT: Pam Silkwood, representative for applicant, accepted the recommended conditions; Anthony Lombardo, representative for Leland Lewis; William Daniels, representative for Mary Delarosa; Brian Call, representative for Mary Whitney; Leland Lewis; David Garnam; Steve Wilson, Monterey Bay Engineers; Misaki Ifalson; Richard Denier; Mark Mondragon, Carmel Highlands FPD; Judy Lewis; Dr. Moeller; Carla Garman.

Pam Silkwood presented a rebuttal.

Note: Commissioner Rochester left before the vote was taken on this item at 4:20 p.m.

It was moved by Commissioner Diehl, seconded by Commissioner Salazar, and passed by the following vote to adopt a motion of intent to deny the project, direct staff to come back to the Commission with a resolution with findings and evidence to deny the project and the fee waiver request, and continue the hearing on the project to the January 27, 2010 Planning Commission hearing.


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

Commissioner Salazar asked that the amount of dollars at issue be included in resolutions pertaining to decisions on requests for fee waivers.

I. ADJOURNMENT - 4:59 p.m.

Date Adopted: January 27, 2010

ATTEST



Mike Novo, Secretary