

DRAFT
MONTEREY COUNTY PLANNING COMMISSION
WEDNESDAY, JANUARY 12, 2011
MINUTES

PLEDGE OF ALLEGIANCE - 9:00 A.M.

A. ROLL CALL

Present: Commissioners Getzelman, Vandever, Roberts, Rochester, Salazar, Mendez,
Brown, Diehl, Padilla, Ottone

Absent: None

B. PUBLIC COMMENTS

Hans Jongens.

C. AGENDA ADDITIONS, DELETIONS AND CORRECTIONS - None

D. APPROVAL OF MINUTES - None

E. COMMISSIONER COMMENTS, REQUESTS AND REFERRALS

Commissioner Mendez gave a brief introduction of his experience.

F. SCHEDULED ITEMS

- 1. OMNI ENTERPRISES LLC - PLN020344. Project Planner:** Luis Osorio.
Environmental Status: Environmental Impact Report prepared. **Project Description:**
CONTINUED FROM DECEMBER 8, 2010. Combined Development Permit consisting of: 1) Use Permit for development of a new 126,500 square foot shopping center including retail and office space, 508 parking spaces and landscaping; 2) General Development Plan; and 3) Design Approval. The Applicant also requests Rezoning of the subject property to remove the "B-8" Overlay Zoning District from the property's overall "LC-B-8-D" Zoning Designation. The property is located in the southeast corner of the State Highway 68 and Corral De Tierra Road intersection, Salinas (Assessor's Parcel Numbers 161-571-003-000 & 161-581-001-000), Toro area.

Commissioners Padilla and Mendez announced that they had viewed the DVD of the December 8th hearing and reviewed the materials related to the project.

Project planner John Ford and Deputy RMA Director Alana Knaster presented the staff report and draft resolution and answered questions from the Commissioners.

Break 9:55 a.m. Reconvene 10:18 a.m.

Secretary Novo and Deputy County Counsel Strimling responded to Commission questions concerning the application of the General Plan Interim Ordinance to the project application. Tom

Moss, Monterey County Water Resources Agency, responded to questions. The Commission decided to take additional public comment.

Public Comment: Carl Davis, Hans Jongens, James Eagle, Mike Weaver, Jan Mitchell, Molly Erickson, Jordan Daniels, Dan Bowen, Al Ferreira, Dr. Spencer Myers.

Brian Finegan, applicant's representative, gave rebuttal to public comment. Gary Black, Hexagon Traffic Consultant, discussed traffic.

It was moved by Commissioner Ottone and seconded by Commissioner Getzelman to accept staff's recommendation, with staff-recommended changes and corrections, to certify the Environmental Impact Report, adopt statements of Overriding Considerations, adopt the Mitigation Monitoring Plan, and approve the Combined Development Permit for reduced density, and recommend to the Board of Supervisors to deny the removal of the B-8 overlay to rezone the property. The motion failed by the following vote:

AYES: Brown, Getzelman, Mendez, Ottone, Padilla
NOES: Vandever, Roberts, Rochester, Diehl, Salazar
ABSENT: None
ABSTAIN: None

It was moved by Commission Vandever, seconded by Commissioner Rochester, and passed by the following vote to adopt a motion of intent to deny the project as proposed and direct staff to return with findings and evidence for denial on January 26, 2011, and continue the hearing to January 26, 2011. It was clarified that the motion did not include certification of the EIR.

AYES: Getzelman, Ottone, Roberts, Rochester, Padilla, Salazar, Mendez, Diehl, Vandever
NOES: Brown
ABSENT: None
ABSTAIN: None

Recessed for lunch at 11:48 – Reconvened at 1:20 p.m. Commissioner Salazar was absent for the afternoon session.

- 2. COUNTY OF MONTEREY DEPARTMENT OF PUBLIC WORKS - PLN080106**
Project Planner: Paula Bradley. **Environmental Status:** Supplemental Mitigated Negative Declaration. **Project Description:** Combined Development Permit consisting of: 1) Coastal Administrative Permit for the construction of a bicycle trail approximately 1.1 miles in length by 14 feet wide with a total estimated footprint of 87,000 square feet, and grading is approximately 3,700 cubic yards (2,563 cubic yards cut and 1.086 cubic yards fill); 2) Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat (ESHA); 3) Use Permit and Coastal Development Permit for development on slopes (25% Inland, 30% Coastal); 4) Use Permit for development in the Carmel River floodplain; 5) General Development Plan Amendment (PLN080093 Interim Access Plan) to allow pedestrian access into a portion of the park closed to public access, and extend the Interim Program for 5-years (through 4/26/2016); and 6) Design Approval. The project location generally parallels the Carmel River south

and east of Highway 1 from and west of Rancho San Carlos Road to, and including the Palo Corona Regional Park , (Assessor's Parcel Numbers 157-121-001-000, 157-181-006-000, 157-181-007-000, 157-181-008-000, and 157-171-057-000) Carmel Valley Master Plan and Carmel Area Land Use Plan, Inland and Coastal Zones.

- 3. MONTEREY PENINSULA REGIONAL PARK DISTRICT - PLN100601**
Project Planner: Ramon Montano/Paula Bradley. **Environmental Status:** Supplemental Mitigated Negative Declaration. **Project Description:** Combined Development Permit consisting of: 1) Coastal Development Permit to allow development within 100 feet of environmentally sensitive habitat (ESHA); 2) Coastal Development Permit for development on slopes in excess of 30%; 3) General Development Plan Amendment (PLN080093 Interim Access Plan) to allow pedestrian access into a portion of the park closed to public access, and extend the Interim Program for 5-years (through 4/26/2016); and 4) Design Approval. Grading is approximately 1,110 cubic yards (941 cubic yards cut and 163 cubic yards fill). The property is located in Palo Corona Regional Park (Assessor's Parcel Numbers 157-121-001-000), located east of State Highway 1 near Ribera Road, south of Rio Road, Carmel area, Coastal zone.

Project planner Paula Bradley presented Agenda Items 2 and 3 together and presented an errata with changes and corrections to the proposed resolutions and conditions for both projects. Public Works representative Patricia Lopez and Public Works Assistant Director Paul Greenway also discussed the project.

Public Comment: Donna Myers, Big Sur Land Trust; Tim Jensen, Monterey Peninsula Regional Park District.

It was moved by Commissioner Rochester, seconded by Commissioner Vandevere, and passed by the following vote to accept staff's recommendation with the recommended changes and corrections:

AYES: Getzelman, Ottone, Roberts, Rochester, Padilla, Mendez, Diehl, Vandevere, Brown
NOES: None
ABSENT: Salazar
ABSTAIN: None

- 4. U S A (CARMEL STONE QUARRY) - PLN090191**
Project Location: West of Highway 101 and San Ardo, northerly of San Ardo-Lockwood Road, a portion of Section 28, Township 22 South, Range 9 East, and Section 29 Township 22 South Range 9 East. **Project Planner:** Paula Bradley. **Environmental Status:** Negative Declaration. **Project Description:** Reclamation Plan for a surface mining operation on approximately 12 acres on Federal land to be permitted by the Bureau of Land Management. The property is located approximately six miles west of Highway 101 and San Ardo, northerly of San Ardo-Lockwood Road, a portion of Section 28, Township 22 South, Range 9 East, and Section 29 Township 22 South Range 9 East, west of Williams Hill (Assessor's Parcel Number 422-101-002-000), South County Area Plan.

Project planner Paula Bradley requested a continuance to February 23, 2011.

Public comment: None.

It was moved by Commissioner Vandevere, seconded by Commissioner Mendez, and passed by the following vote to continue the hearing on the project to February 23, 2011:

AYES: Ottone, Roberts, Rochester, Padilla, Mendez, Diehl, Vandevere, Brown
NOES: None
ABSENT: Getzelman, Salazar
ABSTAIN: None

Commissioner Getzelman was out for the vote, but returned after the item.

Assistant Planning Director Carl Holm requested that Item #7, ALTA California Land Company LLC, be considered next because the applicant is requesting a continuance.

7. 1:30PM - ALTA CALIFORNIA LAND COMPANY LLC - REF100047

Project Planner: Carl Holm. **Environmental Status:** Mitigated Negative Declaration adopted (July 2004). **Project Description:** Consider modification or revocation of an approved Combined Development Permit (PLN060102/Keehn, PLN000357/Gamboa) pursuant to Section 21.74.060 of Monterey County Codes. The existing permit consists of: a Use Permit to allow a quasi-public use in the low density residential zone including site plan and design review for development of a 64-suite, 78-bed, assisted care living facility consisting of a 3-building complex totaling 43,400 square feet, 35 space parking lot including 4 handicap-accessible spaces, balanced grading (3,000 cy cut/3,000 cy fill), access and parking improvements across a neighboring lot (APN: 015-021-003-000) to Carmel Rancho Boulevard, improvements to Val Verde Drive for emergency access to Carmel Valley Road, an underground gray water and cistern systems, and on-site water detention ponds; a Use Permit to allow development on slopes exceeding 30%; and allocation of 4.8 acre feet of water to the project. Modifications to be considered include: amending the project description to delete underground gray water and cistern systems, removing conditions requiring underground gray water and cistern systems to balance the water use, and amending landscaping conditions. Said modifications are related to Monterey Peninsula Water Management District Water Permit No. 25730 issued on July 27, 2008 wherein the District determined gray water was not required for a 78-bed facility subject to Special Conditions of Approval including specific design requirements (including landscaping).

Project planner Carl Holm requested a continuance to February 9, 2011 per applicant's request.

Public comment: None.

It was moved by Commissioner Ottone, seconded by Commissioner Padilla, and passed by the following vote to continue the hearing on the project to February 9, 2011:

AYES: Getzelman, Ottone, Roberts, Rochester, Padilla, Mendez, Diehl, Vandevere, Brown

NOES: None
ABSENT: Salazar
ABSTAIN: None

The Commission returned to Agenda Item 5.

5. TREE REMOVAL SANTA LUCIA PRESERVE - PD070907

Project Planner: Daniel Lister. **Environmental Status:** Exempt. **Project**

Description: Receive and accept report on status of tree removal in the various phases within the Santa Lucia Preserve. The Santa Lucia Preserve is a 20,000-acre historical ranch located in western Monterey County, south of Carmel Valley and east of the Pacific Ocean.

Project planner Daniel Lister presented the report.

Public Comment: Brian Finegan, representative of Santa Lucia Preserve Association; Lindsay Larrable, Design Review Board Manager.

It was moved by Commissioner Diehl, seconded by Commissioner Rochester, and passed by the following vote to accept the Santa Lucia Preserve Tree Removal report.

AYES: Getzelman, Ottone, Roberts, Rochester, Padilla, Mendez, Diehl, Vandever, Brown
NOES: None
ABSENT: Salazar
ABSTAIN: None

6. CARMEL VALLEY FIRE DISTRICT (AT&T COW EXT) - PLN100494

Project Planner: David Mack. **Environmental Status:** Exempt. **Project**

Description: Extension of Use Permit and Design Approval (PLN100206) to allow temporary cellular broadcasting from a portable Cell on Wheels (COW) structure. Request for temporary cellular broadcasting not to exceed 6 months in duration. The property is located at 26 Via Contenta, Carmel Valley (Assessor's Parcel Number 187-433-004-000), Carmel Valley Master Plan Area.

Project planner David Mack presented the project and recommendation for denial.

Public Comment: AT&T representatives Tasha Skinner and Betty Saxon; Frank Hennessey.

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

AYES: Getzelman, Ottone, Roberts, Rochester, Diehl, Vandever, Brown
NOES: Padilla, Mendez
ABSENT: Salazar
ABSTAIN: None

8. VASQUEZ MARIA A ET AL - PLN040529

Project Planner: Carl Holm. **Environmental Status:** Exempt. **Project Description:** Minor Subdivision Tentative Map to allow the division of an approximately 9.25 acre parcel into three parcels of 3.08 acres (parcel 1); 3.08 acres (parcel 2); and 3.08 acres (parcel 3), respectively. A total of four residences exist on the property (three single family dwellings and one Caretaker's Unit (mobile home). The property is located at 34735 Metz Road, Soledad (Assessor's Parcel Number 257-121-019-000), Central Salinas Valley Area Plan.

Secretary Novo requested continuance to February 9, 2011 due to the lack of posting of public notices.

Commissioner Ottone left at 3:29 p.m.

It was moved by Commissioner Rochester, seconded by Commissioner Vandevere, and passed by the following vote to continue the project to February 9, 2011.

AYES: Getzelman, Roberts, Rochester, Padilla, Mendez, Diehl, Vandevere, Brown
NOES: None
ABSENT: Ottone, Salazar
ABSTAIN: None

**9. COUNTY OF MONTEREY - SUBDIVISION ORDINANCE (TITLE 19)
PROPOSED ORDINANCE TO ELIMINATE SUBDIVISION COMMITTEE -
REF100014**

Project Planner: Jacqueline R. Onciano. **Project Description:** CONTINUED FROM DECEMBER 8, 2010. Consider amendment to Title 19 (Subdivision Ordinances for the Coastal and Non-coastal unincorporated areas of the County) of the Monterey County Code to eliminate the Minor and Standard Subdivision Committees and designate the Monterey County Planning Commission as the appropriate authority to consider subdivision applications. The Ordinance will also make corresponding amendments to Title 20 (coastal zoning ordinance) and Title 21 (non-coastal zoning ordinance) to eliminate references to the Subdivision Committee and substitute Planning Commission for Subdivision Committee.

Secretary Novo requested continuance to February 23, 2011.

It was moved by Commissioner Vandevere, seconded by Commissioner Diehl, and passed by the following vote to continue the hearing to February 23, 2011.

AYES: Getzelman, Roberts, Rochester, Padilla, Mendez, Diehl, Vandevere, Brown
NOES: None
ABSENT: Salazar, Ottone
ABSTAIN: None

G. OTHER MATTERS

Toro Land Use Advisory Committee - Appoint Beverly Bean.

It was moved by Commissioner Diehl, seconded by Commissioner Vandevere, and passed by the following vote to appoint Beverly Bean to the Toro Land Use Advisory Committee:

AYES: Getzelman, Roberts, Rochester, Padilla, Mendez, Diehl, Vandevere, Brown
NOES: None
ABSENT: Salazar, Ottone
ABSTAIN: None

Planning Commission Nominating Committee - Chair to appoint Nominating Committee

Chair Brown appointed Commissioners Diehl, Padilla, and Vandevere to the Nominating Committee. Deputy County Counsel Strimling advised that, under the Planning Commission rules, the committee makes their recommendations at the first hearing in February.

H. DEPARTMENT REPORT

Secretary Novo informed the Commission that the Board of Supervisors adopted an interim ordinance on how to process projects until the new General Plan implementing ordinances have been adopted.

Commissioner Diehl requested to add General Plan implementation and Local Coastal Program updates to the Planning Commission referral sheet.

Commissioner Rochester inquired about Commissioners' stipends being raised.

Commissioner Vandevere complimented Secretary Novo on the quality of the staff reports and staff's work.

I. ADJOURNMENT - 3:38 p.m.

Date Adopted: March 30, 2011

ATTEST

Mike Novo, Secretary

MN/ca