

MONTEREY COUNTY PLANNING COMMISSION

Meeting: February 12, 2014 Time: 9:30 A.M		Agenda Item No.: 4	
Project Description: (CONTINUED FROM OCTOBER 30, 2013) Combined Development Permit consisting of: 1) Minor Subdivision Vesting Tentative Map to allow the division of a 37.8 acre parcel into three parcels of 10.5 acres, 13.8 acres, 7.5 acres and a remainder parcel of 6.0 acres; and 2) Use Permit for development in a visually sensitive area ("VS" District); and grading of approximately 3,100 cubic yards (combination of cut/fill), individual septic systems and 60 foot wide road and utility easement. The project will be served by an existing well and a proposed mutual water company. The project will not involve any tree removal or development in areas in excess of 25 percent slopes.			
Project Location: 24915 Boots Road, Monterey (PLN070376-Merrill)		APN: 173-062-008-000 (PLN070376-Merrill)	
Planning File Number: PLN070376 (Merrill)		Owner: Merrill Thomas Trust et al (PLN070376) Agent: Maureen Wruck Planning Consultants, LLC (Joel Panzer)	
Planning Area: Greater Monterey Peninsula Area Plan		Flagged and staked: Yes	
Zoning Designation: : RDR/5.1-VS (Rural Density Residential, 5.1 acre per lot minimum, with Visual Sensitivity Overlay)			
CEQA Action: Statutorily exempt from CEQA per 15270			
Department: RMA - Planning Department			

RECOMMENDATION:

Staff requests the Planning Commission:

- 1) Receive an update from Staff on the status of the preparation of the environmental document and the progress of the minor subdivision application; or take the following actions
- 2) Continue the item to a date uncertain.

PROJECT OVERVIEW:

The project site is located adjacent to Highway 68 about 4 miles north of Monterey, across from the exiting Bishop Ranch/Pasadera development. The project involves the minor subdivision of an existing parcel. The Merrill parcel (37.8 acres) is proposed to be subdivided into three separate parcels of 10.5 acres, 13.8 acres, 7.5 acres and a remainder parcel of 6.0 acres. The subdivision would convert one existing parcel into three separate parcels and one remainder lot (4 lots total), on lands located adjacent to State Route 68 (a designated Scenic Highway) and zoned LDR/5.1-VS (Low Density Residential, with Visual Sensitivity Overlay), and considered "Highly Sensitive" in Figure 14 (Scenic Highway Corridors & Visual Sensitivity) of the 2010 Monterey County General Plan.

PROJECT STATUS UPDATE:

On October 30, 2013, the Planning Commission conducted a public hearing on this project and was satisfied that the project had complied with all applicable water quality standards. At that time, the Planning Commission directed Staff to work with the applicant to obtain the required information needed to prepare the required environmental document, and continued the hearing to February 12, 2014.

Pursuant to this direction, staff contacted the property owner's representative (Maureen Wruck Planning) to discuss information needed for preparation of the appropriate environmental document. Due to scheduling conflicts, the meeting was not able to occur in November, and was scheduled in early December 2013.

On December 2, 2013, County staff [RMA-Planning, RMA-Public Works, and Environmental Health Bureau (EHB)] met with the applicant's representatives, and discussed necessary steps and information required for Merrill Minor Subdivision (PLN070376)

preparation of the environmental document. During this meeting, information was requested by Staff. At that time, Staff made it clear that the initial study could not be completed until information was received on Traffic and Biology. This meeting was summarized in a letter to the applicant (and agents) dated December 19, 2013 (Exhibit A).

During the meeting, the Environment Health Bureau (EHB) confirmed that no additional water quality information would be required.

RMA-Public Works:

A. Requested:

1. An updated traffic report, including new traffic count data and potential impacts to the Boots Road/State Route-68 intersection, as well as the entire SR-68 corridor as a whole, including impacts to intersections currently at Level-of-Service (LOS) "F"; and
2. Information confirming that the applicant has obtained the required access easement across an adjacent property; and

B. Expressed concerns over the design of the access road and sight distance requirements.

RMA-Planning requested:

A. Adequate flagging and staking of potential building areas of the proposed lot; and

B. Requested an updated Biological study to "determine impacts to flora/fauna, including Congdon's tarplant, Pacific Grove Clover, Santa Cruz Clover, California red-legged frog, California tiger salamander, and Santa Cruz long-toed salamander." All of these special-status species were identified as potentially occurring on the site in the project biological report prepared in 2007.

Compliance with RMA-Planning Requests

Flagging and Staking

At this time flagging and staking is present on site.

Biological Report/Assessment

As of the date of this report, no additional biological information has been submitted for review. The applicant is looking at the implications and options associated with the need for this information.

Compliance with RMA-Public Works Requests

Updated Traffic Report

As of the preparation of this report, Public Works has not received any additional or updated information. Staff understands this report is forthcoming prior to the Planning Commission hearing.

Access Road/Sight Distance Assessment

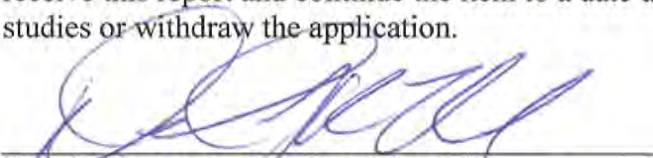
Boots Road is a private road and not subject to review/maintenance of Public Works, however Public Works has indicated that if the project moved forward, a condition requiring a portion of an existing fence to be relocated would be added to the project, to increase sight distance and safety to the Whip Road/Boots Road intersection.

Potential Access Easement

As of the preparation of this report, neither Public Works nor Planning has received any additional information relative to recorded access easement across the adjacent property, which is required to allow development of the proposed access road. The adjacent property is held in ownership by the Merrill/Wayland family and an easement could potentially be recorded prior to consideration of the Parcel Map. Access will need to be provided prior to an approval of the Parcel Map.

SUMMARY:

There is still information needed to complete the Initial Study. The applicant is aware of this. It may take some time to complete the needed biological work. For this reason, Staff recommends that the Planning Commission receive this report and continue the item to a date uncertain to allow the applicant to either prepare the needed studies or withdraw the application.




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January 30, 2014

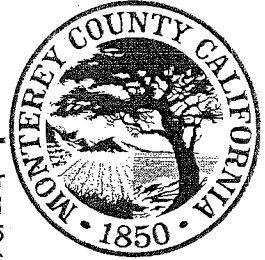
cc: Front Counter Copy; Planning Commission; Monterey County Regional Fire Protection District; Public Works Department; Parks Department; Environmental Health Bureau; Water Resources Agency; John H. Ford, Senior Planner; David J. R. Mack, Project Planner; Carol Allen, Senior Secretary; Tom and Susan Merrill, Owner (PLN070376); Maureen Wruck Planning Consultants LLC (Joel Panzer), Agent; Whitney "Tinker" Stolich, Neighbor; Michael Weaver, Neighbor; Planning File PLN070376 (Merrill); LandWatch; The Open Monterey Peninsula (TOMP).

Attachments: Exhibit A December 19, 2013 Letter to Applicant/Agents

This report was reviewed by John H. Ford, Senior Planner



MONTEREY COUNTY RESOURCE MANAGEMENT AGENCY



Planning Department

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December 19, 2013

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Maureen Wruck Planning Consultant, L.L.C
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Re: Board Direction on PLN070376 – Merrill Minor Subdivision

Dear Mr. Finegan and Mr. Panzer

On October 30, 2013, the Planning Commission directed Staff to work with the applicant to obtain the required information needed to commence with the preparation of the required environmental document. On this same date, the public hearing was continued to February 12, 2014. Pursuant to this direction, staff contacted the property owner's representative (Maureen Wruck Planning) to schedule a time to discuss and determine all information required. Due to scheduling conflicts, the meeting was not able to occur in November, and was scheduled in early December 2013.

On December 2, 2013, County staff met with both firms to discuss necessary steps and information which is required to commence with preparation of the environmental document. During this meeting, information was requested from RMA-Public Works, RMA-Planning, and the Environmental Health Bureau with guidance from County Counsel. Information from each department is recapped below.

Environmental Health Bureau

Richard LeWarne (Assistant Director) stated that Water Quality testing data was satisfactory, and no further water quality data would be required. No additional statements relating to EHB review were made.

RMA-Public Works

RMA-Public Works requested an updated traffic report, which included new traffic count data, and potential impacts to the Boots Road/SR-68 intersection, as well as the entire SR-68 corridor as a whole, including impacts to intersections currently at LOS "F"; the 2007 traffic report previously submitted is not sufficient.

RMA-Public Works expressed concerns over the design of the access road and sight distance requirements from surrounding roads, including the Boots Road/Whip Road intersection.

Concerns relative to an access easement across Assessor's Parcel Number (APN): 173-062-007-000 also arose. At this time, neither RMA-Planning nor RMA-Public Works have received information that the applicant (Merrill) has a legal access across this parcel for development of the proposed access road, required to serve the Merrill Minor Subdivision application.

RMA-Planning Department

RMA- Planning Staff requested adequate flagging and staking of proposed lots (potential building areas), remainder lot, and all proposed roadways. Flagging and Staking shall comply with County requirements.

RMA – Planning Staff requested an updated Biological report to determine any impacts to the surrounding flora/fauna on the proposed subdivision, including the perennial pond shown on the site plan located north of and encroaching into “Proposed Lot 1”. The October 31, 2007 Biological survey prepared for the project, by Ed Mercurio (biological consultant) states that three sensitive plant species could occur on the property (Congdon’s tarplant, Pacific Grove Clover, and Santa Cruz Clover) and were located within 0.25 – 0.50 miles from the property in 2007. Additionally, this same report states that three sensitive animal species (California red-legged frog, California tiger salamander, and Santa Cruz long-toed salamander) had potential to occur on the property but were not observed; however protocol level surveys were not conducted in 2007. Based on the location of the aforementioned pond, an updated biological report is required to be submitted to address potential impacts to these species.

RMA-Planning Staff expressed concerns over access to the subject property, across APN 173-062-007-000 (see comments under RMA-Public Works). Should an easement exist over this property, please submit proof to RMA-Planning.

To allow the preparation of the required environmental documentation, and return the project to the Planning Commission, please submit requested information as a complete packet to me directly.

Kind Regards,



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