

FINAL
MONTEREY COUNTY PLANNING COMMISSION
FEBRUARY 28, 2007
MINUTES

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

A. ROLL CALL

Present: Cosme Padilla, Matthew Ottone, Don Rochester (Chairman), Martha Diehl, Aurelio Salazar, Keith Vandevere
Absent: Miguel Errea, Jay Brown (arrived at 10:15 a.m.), Nancy Isakson, Juan Sanchez

B. COMMENT PERIOD

PUBLIC – None

COMMISSION – Diehl stated the revised agenda was not posted on the web site. Secretary Novo advised that the revised agenda was posted outside as required but due to time constraints it was not posted on the web site. Several of the Commission members requested new parking stickers, 2007 CEQA Guidelines, the Castroville Community Plan, and a list of the Land Use Advisory Committee members.

C. MINUTES – July 26, 2006 and August 16, 2006

After discussion, Commissioner Vandevere moved to accept the minutes for July 26, 2006 as a report due to the length of time since the meeting. Commissioner Diehl seconded the motion. The motion *passed* by the following vote.

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

It was moved by Commissioner Vandevere and seconded by Commissioner Diehl to approve the minutes of August 16, 2006. The motion *failed* due to lack of a majority vote.

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

Secretary Novo explained that the Department is committed to documenting the minutes at its earliest opportunity although some minutes, including those on the General Plan, will be late. Commissioner Salazar requested advice of County Counsel regarding permissibility of accepting instead of approving minutes. The Chair directed staff to put the August 16, 2006 minutes on a future agenda.

1. GARCIA DANIEL R TR (GPZ070001)

AMENDMENT TO CORRECT THE SECTIONAL DISTRICT MAP BY REMOVING A "B-6" DISTRICT OVERLAY FROM A CERTAIN PROPERTY (ASSESSOR'S PARCEL NUMBER 103-141-014-000) ZONED

AS "LDR/B-6-UR-D-S" OR (LOW DENSITY RESIDENTIAL, WITH BUILDING SITE, URBAN RESERVE, DESIGN CONTROL AND SITE PLAN REVIEW OVERLAYS) TO "LDR/B-7-UR-D-S" OR (LOW DENSITY RESIDENTIAL, WITH BUILDING SITE, URBAN RESERVE, DESIGN CONTROL AND SITE PLAN REVIEW OVERLAYS). THE PARCEL IS LOCATED AT 3940 VIA MAR MONTE ROAD MONTEREY (ASSESSOR'S PARCEL NUMBER 103-141-014-000), EAST OF THE INTERSECTION OF HIGHWAY 1 AND CARPENTER ROAD, GREATER MONTEREY PENINSULA AREA.

Ramon Montano, Project Planner, presented the project. Commissioner Vandevere recommended changes to Recitals 2, 4, and 5 in the proposed resolution.

Angus Jeffers, representative, spoke in support of staff's recommendation the corrections.

It was moved by Commissioner Diehl, seconded by Commissioner Padilla and passed by the following vote to approve the resolution recommending that the Board of Supervisors consider the Negative Declaration adopted in 1985 and approve the Ordinance amending Title 21 (Zoning Ordinance) of the Monterey County Code to amend the zoning classification of the subject property. The motion included the changes to the Recitals, as discussed.

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

2. WHITEHEAD RON & HASSAN BABAEI (GPZ070002)

FEE WAIVER REQUEST TO WAIVE FEES FOR THE WHITEHEAD/BABAEI NEW APPLICATION FOR THE TIMEVIEW ESTATES STANDARD SUBDIVISION (ZPA070002) BASED ON THE PLANNING COMMISSION'S AUTHORITY TO WAIVE PERMIT FEES WHEN THE REQUEST DOES NOT MEET THE LISTED CRITERIA FOR RMA-PLANNING DIRECTOR AUTHORIZED FEE WAIVERS AS ESTABLISHED BY THE COUNTY BOARD OF SUPERVISOR'S ADOPTED FEE WAIVER POLICY OF AUGUST 29, 2000.

Project Planner, David Lutes, explained that the request was withdrawn from the agenda, as the previously paid application fees can be applied.

3. THE SCHOMAC GROUP, INC. (PLN060548)

COMBINED DEVELOPMENT PERMIT 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 PROPERTY IS LOCATED AT 13 CANTERA RUN, CARMEL (ASSESSOR'S PARCEL NUMBER 239-011-023-000), SANTA LUCIA PRESERVE, GREATER MONTEREY PENINSULA AREA.

Robert Schubert, Planning and Building Services Manager, requested that the hearing on this project be continued to allow time to work with the applicant to reduce the proposed tree removal.

It was moved by Commissioner Vandevere, seconded by Commissioner Ottone and passed by the following vote to continue the hearing on the project to March 28, 2007.

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

4. BOLLINGER LOREN E & MARY ELLEN (PLN060231)

COMBINED DEVELOPMENT PERMIT CONSISTING OF: 1) AN ADMINISTRATIVE PERMIT TO ALLOW THE CONSTRUCTION OF A 7,334 SQUARE FOOT, TWO-STORY, SINGLE FAMILY RESIDENCE WITH A 1,480 SQUARE FOOT ATTACHED FOUR-CAR GARAGE (IN THREE UNITS OF 715 SQUARE FEET, 297 SQUARE FEET, AND 468 SQUARE FEET RESPECTIVELY), RETAINING AND PRIVACY WALLS; AND 2) A USE PERMIT FOR THE REMOVAL OF 7 OAK TREES. GRADING OF 1,020 CUBIC YARDS (380 CUBIC YARDS CUT AND 640 CUBIC YARDS FILL). THE PROPERTY IS LOCATED AT 313 PASADERA COURT, MONTEREY (ASSESSOR'S PARCEL NUMBER 173-075-002-000), NORTH OF HIGHWAY 68, GREATER MONTEREY PENINSULA AREA.

Robert Schubert, Planning and Building Services Manager, requested a continuance to allow time to prepare an amended staff report.

It was moved by Commissioner Salazar, seconded by Commissioner Vandevere and passed by the following vote to continue the hearing on the project to March 14, 2007.

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

BREAK – 9:55 a.m.

RECONVENE – 10:10 a.m.

Commissioner Brown arrived at 10:15 a.m.

5. OAKVALE LLC (PLN060646)

COMBINED DEVELOPMENT PERMIT (OAKVALLE: FILE# PLN0360646) CONSISTING OF A REQUEST TO: 1) REZONE LOT 19 OF THE LAGUNA SECA BUSINESS PARK FROM VO/B-6-UR-D-S TO VO/UR-D-S (REMOVE THE B-6 SUBDIVISION RESTRICTION) (VISITOR SERVING PROFESSIONAL OFFICE/BUILDING SITE-6 {NO FURTHER SUBDIVISION}/URBAN RESERVE/DESIGN CONTROL/SITE PLAN REVIEW) AND 2) SUBDIVIDE THE OAKVALLE PROFESSIONAL COMPLEX (PLN030352) INTO FOUR OWNERSHIP PARCELS BENEATH EXISTING PROFESSIONAL/MEDICAL OFFICE STRUCTURES AND TO CREATE A FIFTH PARCEL OF COMMON OWNERSHIP FOR THE PARKING AND LANDSCAPING AREAS AND THE BALANCE OF THE 2.6 ACRE PARCEL (A STANDARD VESTING TENTATIVE MAP), AND 3) MODIFY THE ADOPTED GENERAL DEVELOPMENT PLAN. THE PROPERTY IS LOCATED AT 9821 BLUE LARKSPUR LANE, SALINAS (ASSESSOR'S PARCEL NUMBER 173-121-019-000), GREATER MONTEREY PENINSULA AREA.

Taven Kinison Brown, Project Planner, presented the project and answered questions from the Commissioners. He also read several corrections for the record, including changes to conditions 6 through 10.

Owner William Silva and his representative, Dave Sweigert, gave an overview of the project.

The hearing was trailed to after agenda item E to allow time to make changes to the proposed conditions.

F. OTHER MATTERS - NONE

G. DEPARTMENT REPORT – Secretary Novo spoke to the workload and new hires in the Department. He also relayed that the performance time has improved, but quality of work has been discussed with the staff.

H. COMMISSION REFERRALS –

Commissioner Diehl mentioned that the issue of covered parking needs to be finalized. Commissioners Diehl and Brown reported that the subcommittee on Land Use Advisory Committees has met but is not ready to make any recommendations.

RECEIVE ORAL REPORT ON INTERIM ORDINANCE ADOPTED BY BOARD OF SUPERVISORS RELATED TO PROCESSING DISCRETIONARY PERMITS.

Alana Knaster, Deputy Director of the Resource Management Agency, gave an overview of the Interim Ordinance and answered questions. The Commission discussed the ordinance, recognizing that the 1982 General Plan is in effect until further notice.

5. OAKVALE LLC (PLN060646) (CONTINUED FROM EARLIER)

Project Planner Taven Kinison Brown presented changes to the conditions, including those to Condition #7 and a change in timing on Condition #2. Deputy County Counsel Strimling suggested adding the Indemnification standard condition.

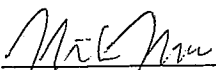
Will Silva, the project applicant, accepted the changes presented by staff.

It was moved by Commissioner Ottone, seconded by Commissioner Vandevere and passed by the following vote to recommend that the Board of Supervisors consider the Addendum to the Mitigated Negative Declaration adopted in May 2004, approve the rezone to remove the B-6 subdivision restriction, and approve the application for a Combined Development Permit to allow the subdivision of the Oakvale Professional Complex into ownership parcels.

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

ADJOURNMENT: 11:00 a.m.

ATTEST


Mike Novo, Secretary

MN:kb/ca