

MONTEREY COUNTY BOARD OF SUPERVISORS

MEETING: October 4, 2011		AGENDA NO:
<p>SUBJECT: Consider request to continue of the Public Hearing to November 8, 2011 to consider certification of an Environmental Impact Report, approval of a Combined Development Permit consisting of 1) Use Permit 2) General Development Plan; and 3) Design Approval for development of a 99,970 square foot retail center known as the Corral de Tierra Neighborhood Retail Village and 4) Lot Line Adjustment to modify the lot line between two existing parcels (5.6 acres and 5.38 acres in area) to create Parcel A (1.12 acres) and Parcel B (9.86 acres), and a request to rezone the property to remove the "B-8" Overlay Zoning District from the subject site's overall "LC-B-8-D" zoning classification.</p> <p>(Appeal, Discretionary Decision – PLN110077 (an appeal of PLN020344) Omni Resources LLC, 5 Corral de Tierra Road., Salinas, Toro Area Plan)</p>		
Project Location	5 Corral de Tierra Road.	APN: 161-571-003, 161-581-001
Planning Number:	PLN110077 (appeal of PLN020344)	Name: Omni Resources, LLC.
Plan Area:	Toro Area Plan	Flagged and Staked: Yes
Zoning Designation:	LC-B-8-D (Light Commercial with Building Site and Design Review Overlay District)	
CEQA Action:	Statutorily Exempt (CEQA Guidelines 15270)	
DEPARTMENT: RMA – Planning Department		

RECOMMENDATION:

Based upon a request to continue this item, it is recommended that the Board of Supervisors:

Continue the Public Hearing to November 8, 2011 to consider certification of an Environmental Impact Report, approval of a Combined Development Permit consisting of 1) Use Permit 2) General Development Plan; and 3) Design Approval for development of a 99,970 square foot retail center known as the Corral de Tierra Neighborhood Retail Village and 4) Lot Line Adjustment to modify the lot line between two existing parcels (5.6 acres and 5.38 acres in area) to create Parcel A (1.12 acres) and Parcel B (9.86 acres), and a request to rezone the property to remove the "B-8" Overlay Zoning District from the subject site's overall "LC-B-8-D" zoning classification;

SUMMARY:

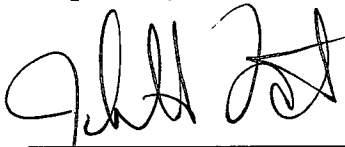
This item was originally continued from the Board of Supervisors meeting of July 12, 2011. At that meeting the Board of Supervisors considered the latest proposal by the applicant to address the issues related to size and visual impacts on the Highway 68 and Corral de Tierra scenic corridors.

The Board conducted a public hearing. During the hearing the applicant agreed to remove the gas station improvements on the corner parcel as part of the work on the proposed retail center. Based upon this information, the Board adopted a Resolution of Intent to approve the project and continued the application to August 30, 2011 to allow staff to prepare an evaluation of the applicant's proposal and to prepare the necessary findings and evidence. Prior to the August 30 hearing, it was discovered that there may be residual contaminants in the soil on the gas station parcel from the removal of the underground tanks. The August 30 hearing was continued to October 4, 2011 to allow staff and the applicant to address this issue.

The applicant is working with the Monterey County Environmental Health Bureau and the Regional Water Quality Control Board to address the contamination issues. Staff has prepared the necessary resolutions and conditions for the Board of Supervisors to take action on this appeal. However, the entire Board will not be present for the October 4, 2011 hearing. Supervisor Armenta will be out of town at this time and has requested that the item be continued to allow the full Board to be present.

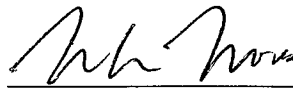
The next possible date that this can be continued to is November 8, 2011. Based upon these circumstances, staff recommends that the hearing on the project be continued to the meeting of November 8, 2011 to allow additional investigation and evaluation of test results to be completed.

Prepared by:



John Ford, Senior Planner
796-6049, fordjh@co.monterey.ca.us

Approved by:



Mike Novo, Planning Director


cc: Front Counter Copy; Monterey County Rural Fire Protection District; Public Works Department; Environmental Health Bureau; Water Resources Agency; Carl Holm Interim Deputy RMA Director, Carol Allen, Senior Secretary; Eric Phelps, c/o OMNI Resources LTD, Owner; Brian Finegan, Applicant's Attorney; Mike Weaver; Marit Evans; Gerry Bolles; Law Offices of Michael Stamp c/o Molly Erickson; Planning File PLN 110077 an appeal of PLN020344.

Attachment: Board Order



Memorandum

Office of Supervisor
Fernando Armenta

DATE: September 29, 2011
TO: Jane Parker, Chair of the Board of Supervisors
FROM: Supervisor  Fernando Armenta
RE: Continuance of Corral de Tierra Shopping Village (Omni Resources, LLC)
PLN110077 appeal of PLN020344 till November 5, 2011
PRIORITY Urgent

Supervisor Parker I am requesting a continuance on the matter of the Corral de Tierra Shopping Village for November 8, 2011. I will be out on October 4, 2011 due to an American Public Transportation Association Conference and the meeting will take place out of the State. I am representing Monterey Salinas Transit as the Board President.

This matter of the Corral de Tierra Shopping Village is a very important matter and I request this continuance so that the entire Board of Supervisors can weigh in on the decision of this appeal.

If you could please review this memo and send the appropriate paperwork to follow-up on this request as soon as possible, it would be greatly appreciated.

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Continue the Public Hearing to November 8, 2011 to)
consider certification of an Environmental Impact)
Report, approval of a Combined Development Permit)
consisting of 1) Use Permit 2) General Development)
Plan; and 3) Design Approval for development of a)
99,970 square foot retail center known as the Corral)
de Tierra Neighborhood Retail Village and 4) Lot)
Line Adjustment to modify the lot line between two)
existing parcels (5.6 acres and 5.38 acres in area) to)
create Parcel A (1.12 acres) and Parcel B (9.86 acres),)
and a request to rezone the property to remove the "B-)
8" Overlay Zoning District from the subject site's)
overall "LC-B-8-D" zoning classification;)

Upon motion of Supervisor _____, seconded by Supervisor _____,
and carried by those members present, the Board of Supervisors hereby:

Continue the Public Hearing to November 8, 2011 to consider certification of an
Environmental Impact Report, approval of a Combined Development Permit consisting of 1)
Use Permit 2) General Development Plan; and 3) Design Approval for development of a
99,970 square foot retail center known as the Corral de Tierra Neighborhood Retail Village
and 4) Lot Line Adjustment to modify the lot line between two existing parcels (5.6 acres
and 5.38 acres in area) to create Parcel A (1.12 acres) and Parcel B (9.86 acres), and a request
to rezone the property to remove the "B-8" Overlay Zoning District from the subject site's
overall "LC-B-8-D" zoning classification;

PASSED AND ADOPTED on this _____, by the following vote, to-wit:

AYES:
NOES:
ABSENT:

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby
certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in
the minutes thereof of Minute Book ___ for the meeting on _____.

Dated:

Gail T. Borkowski, Clerk of the Board of Supervisors
County of Monterey, State of California

By _____
Deputy