

Attachment C

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Received A #
DEC 21 2015
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1:45 p.m.
Hans Deluciel



NOTICE OF APPEAL

*Monterey County Code
Title 19 (Subdivisions)
Title 20 (Zoning)
Title 21 (Zoning)*

No appeal will be accepted until a written decision is given. If you wish to file an appeal, you must do so on or before 12/21/2015 (10 days after written notice of the decision has been mailed to the applicant). † Date of decision 12-9-15.

1. Please provide the following information:
 - a) Your name Nancy B Ausonio
 - b) Phone Number 831-633-3909 Wk 831-633-3371
 - c) Address 11420A Commercial Parkway, Castroville, CA 95012
 - d) Appellant's name (if different) _____

2. Indicate appellant's interest in the decision by checking the appropriate box:
 - Applicant
 - Neighbor
 - Other (please state) _____

3. If you are not the applicant, please give the applicant's name:

Alex Reynoso AIA, In -Studio Architecture

4. What is the file number of the application that is the subject to this appeal?
Indicate the file number of the application that is the subject of the appeal and the decision making body (i.e., Zoning Administrator, Director of Planning, Minor Subdivision Committee).

- a) File Number PLN150730
- b) Decision Making Body Monterey County Planning Commission

5. What is the nature of the appeal?

a) Is the appellant appealing the approval or the denial of an application? (Check appropriate box)

b) If the appellant is appealing one or more conditions of approval, list the condition number and state the condition(s) being appealed. (Attach extra sheets if necessary). "attachments"

27 PW007 -Parking Std Unclear of condition 27 our understanding the county standard has been waived and according to the Castroville Community Plan, (Requirments for the Downtown Merritt Steet Opportunity Area The County of Monterey, Page 259) shall Prepare the

6. Check the appropriate box(es) to indicate which of the following reasons form the basis for the appeal:

There was a lack of fair or impartial hearing; or

The findings or decision or conditions are not supported by the evidence; or

The decision was contrary to law.

You must next give a brief and specific statement in support of each of the bases for appeal that you have checked above. The Planning Commission will *not* accept an application for appeal that is stated in generalities, legal or otherwise. If the appellant is appealing specific conditions, you must list the number of each condition and the basis for your appeal. (Attach extra sheets if necessary).

Does not comply with the Castroville Community Plan. No evidence to support parking reduction.

7. As part of the application approval or denial process, findings were made by the decision making body (Director of Planning, Zoning Administrator, or Minor Subdivision Committee). In order to file a valid appeal, you must give specific reasons why the appellant disagrees with the findings made. (Attach extra sheets if necessary).

Parking was reduced without consideration of requirements of the Castroville Community Plan. Required traffic fees nor implemented. Implementation Plan also states development within the Merritt Street Corridor Opportunity Area shall be examined in light of the program-level EIR that was prepared for the Community Plan to determine if additional enviromental analysis is warranted. Mitigation measures summarized herein for the Merritt Street Corridor Opportunity Area shall be incorporated into the design of future development. These mitigation measures are included in th Mitigation Monitoring and Reporting Plan (MMRP) (included in Apendeiz D) and summarized herein for reference.

8. Your appeal is accepted when the Secretary of the Planning Commission accepts the appeal as complete on its face, receives the filing fee, and places the appeal for public hearing on the Planning Commission agenda.

APPELLANT SIGNATURE Nancy B. [Signature] DATE 12/18/15

ACCEPTED _____ DATE _____
SECRETARY OF THE PLANNING COMMISSION

#5 Cont'd

Parking Program to ensure that adequate parking is provided as new development occurs in the downtown area and prohibit truck activity in the residential and downtown commercial areas. The project applicant(s) within the Merritt Street Corridor Opportunity Area shall provide adequate parking for proposed uses if parking demand cannot be met by existing facilities.

Circulation Plan Page 184 Public Parking

As business activity increases in the downtown area, parking demand will also increase. When new developments are proposed in the downtown, they are expected to provide adequate on-site parking or participate in the funding of off-site, off street public parking lots. Parking will be impacted in the future as redevelopment strategies are implemented and increased economic activity occurs. The implementation of the Plan requires that adequate parking is provided as new development occurs, in the context of the urban design vision for the downtown.

Condition 29 PW0043 - Regional Development Impact Fee

The Castroville Community Plan requires additional fees that are not listed in these conditions, such as the Castroville Community Plan Development impact fee. (Implementation Plan Page 240).

The resource protection program page 244 & 245 and includes policy 10.8 of the Community Plan that states "new development that is required to improve the Tembladero and Castroville Sloughs shall work with the County and the Monterey County Water Resource Agency to ensure that ongoing operations and maintenance of the improved facilities are adequately funded through a benefit assessment district or other mechanism. Detailed information is contained in the Resource Protection Program section of the Community Plan."

Condition 31 PW0045 Countywide Traffic Fee

It is stated in the planning commission hearing that a 1992 traffic study was used to address traffic impact (Implementation Plan Page 253 requires preparation of a traffic impact analysis for future development within each Opportunity Area prior to approval of any General Development Plan or discretionary approval.

Circulation Plan Page 173 states; Because of the existing deficiencies and potential impacts from new development, no new substantial development can occur in Castroville until additional capacity is available at the Highway 1/183 and 183/156 intersections.

Condition PD041 Height Verification

No netting has been placed to show the height of building prior to approval. This is usually done prior to meetings or approval to alert community of new construction. Castroville has become saturated with large apartment buildings therefore losing its grassroots community and identity.

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