

County of Monterey

Government Center - Board Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901



Meeting Minutes - Final

Wednesday, April 10, 2024

9:00 AM

Monterey County Planning Commission

9:00 A.M. - CALL TO ORDER

The meeting was called to order by Commissioner Diehl at 9:05 am.

PLEDGE OF ALLEGIANCE

The pledge was led by Commission Roberts.

ROLL CALL

Present:

Christine Shaw

Martha Diehl

Ben Work – Joined meeting using AB 2449 (Just Cause)

Francisco Mendoza

Ernesto Gonzalez

Ramon Gomez

Etna Monsalve

Amy Roberts

Katharine Daniels

Absent:

Paul Getzelman

Secretary Beretti reviewed the Zoom protocols.

PUBLIC COMMENTS

Lisa Baca

A. Kelly

Carol Miller

Margie Kay

AGENDA ADDITIONS, DELETIONS AND CORRECTIONS

Commission Clerk Elizabeth Vasquez informed the Commission of correspondence received and distributed for Agenda Item No. 6 - PLN030204 AMD2 UCP East Garrison, LLC, Agenda Item No. 7 - PLN200203 Anthony Nicola, INC., and Agenda Item 8 - REF240009 Monterey County General Plan Implementation and Housing Element Annual Progress Report.

COMMISSIONER COMMENTS AND REQUESTS

Commissioner Gonzalez asked Staff to provide information to the Commission regarding ideas on how to create more housing within the County of Monterey.

Commissioner Shaw expressed her displeasure with the delayed development of the Pajaro Community Plan and asked that the County reconsider the timelines.

APPROVAL OF CONSENT CALENDAR

1. Approval of the February 28, 2024 Planning Commission Meeting Minutes.**Public Comment: None**

It was moved by Commissioner Daniels, seconded by Commissioner Gonzalez and passed by the following vote to accept the February 28, 2024, Planning Commission meeting minutes.

AYES: Shaw, Diehl, Work, Mendoza, Gonzalez, Gomez, Roberts, Daniels, Monsalve

NOES: None

ABSENT: Getzelman

ABSTAIN: None

APPOINTMENTS**2. Appoint Kevin Cortopassi to the Castroville Land Use Advisory Committee.****Public Comment: None**

It was moved by Commissioner Gomez, seconded by Commissioner Mendoza and passed by the following vote to appoint Kevin Cortopassi to the Castroville Land Use Advisory Committee.

AYES: Shaw, Diehl, Work, Mendoza, Gonzalez, Gomez, Roberts, Daniels, Monsalve

NOES: None

ABSENT: Getzelman

ABSTAIN: None

9:00 A.M. – SCHEDULED MATTERS**3. PLN210339 - PLP PAJARO LLC**

Public hearing to receive the withdrawal of appeal by Mark Blum on behalf of PLP Pajaro LLC from the March 31, 2023 Department of Housing and Community Development (HCD) Chief of Planning's decision on Parcel Legality Status Determination.

Project Location: End of Wells Road off of Hudson Landing Road, Royal Oaks

Proposed CEQA Action: Find that discussion of the withdrawal of a denial of the appeal is Statutorily Exempt pursuant to CCR CEQA Guidelines Section 15378(b)(5) - CEQA does not apply to a parcel legality status determination because it is an administrative activity that will not result in direct or indirect physical changes in the environment.

Mary Israel, project planner informed the Commission of the withdraw and request to close the hearing on the appeal.

Public Comment: None

It was moved by Commissioner Daniels, seconded by Commissioner Shaw and passed by the following vote to receive the withdraw and close the hearing on the appeal.

AYES: Shaw, Diehl, Work, Mendoza, Gonzalez, Gomez, Roberts, Daniels, Monsalve

NOES: None

ABSENT: Getzelman

ABSTAIN: None

4. PLN200251 - MCATA LLC

Public hearing to consider allowing construction of a 7,390 square foot single family dwelling, inclusive of a 598 square foot garage and 466 square foot basement, and associated site improvements including a driveway, hot tub, and grading consisting of approximately 2,030 cubic yards of cut and 280 cubic yards of fill. The project would include 4,907 square feet of development on slopes exceeding 30 percent, development within 750 feet of known archaeological resources, and removal of 22 protected trees (17 Coast live oak and 5 Monterey pine, 2 of which are landmark trees).

Project Location: 3347 17 Mile Drive, Pebble Beach, Del Monte Forest Land Use Plan, Coastal Zone

Proposed CEQA action: Find that the project qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines section 15303, and none of the exceptions from section 15300.2 apply to the project.

Phil Angelo, project planner presented the item.

Applicant Representative: Carla Hashimoto

Public Comment: None

It was moved by Commissioner Daniels, seconded by Commissioner Mendoza and passed by the following vote to find that the project qualifies for a Class 3 Categorical Exemption pursuant to CEQA Guidelines section 15303 and that none of the exceptions from section 15300.2 apply to the project; and approve a Combined Development Permit consisting of a Coastal Administrative Permit to allow 7,390 square foot single family dwelling, inclusive of a 598 square foot garage and 466 square foot basement, and associated site improvements including a new pervious paver driveway connection, re-paving an existing driveway with pervious pavers, an interior courtyard with a hot tub and fire pit, and grading consisting of approximately 2,030 cubic yards of cut and 280 cubic yards of fill, a Coastal Development Permit to allow 4,907 square feet of development on slopes exceeding 30 percent, a Coastal Development Permit to allow development within 750 feet of known archaeological resources and Coastal Development Permit to allow

removal of 22 trees (17 Coast Live Oak and 5 Monterey Pine, 2 of which are landmark trees) with the removal of condition number 3 – cultural resources negative archaeological report and the clarification of the total development on slopes in finding 7 to evidence a.

AYES: Shaw, Diehl, Work, Mendoza, Gonzalez, Gomez, Roberts, Daniels, Monsalve

NOES: None

ABSENT: Getzelman

ABSTAIN: None

5. PLN230173 - FEHRMAN DAVID L & EMI TRS

Public hearing to consider the construction of a new one story 3,508 square foot single family dwelling, 360 square foot detached bedroom, 621 square foot detached two-car garage and 104 square foot covered terrace; development on slopes in excess of 30 percent and removal of a total of 12 protected trees (12 Coast live oaks and 2 Valley oaks). Grading consists of approximately 800 cubic yards of cut and 300 cubic yards of fill.

Project Location: 3 Wild Turkey Run, Carmel (Santa Lucia Preserve - Phase “A”), Greater Monterey Peninsula Area Plan

Proposed CEQA Action: Consider an Addendum together with a previously certified EIR for the Santa Lucia Preserve Project Final Environmental Impact Report (SCH #: 94083019) pursuant to CEQA Guidelines Section 15164.

Marleen Garcia, project planner presented the item.

Applicant Representative: Joel Panzer

Public Comment: None

It was moved by Commissioner Mendoza, seconded by Commissioner Daniels and passed by the following vote to accept an Addendum together with a previously certified EIR for the Santa Lucia Preserve Project Final Environmental Impact Report (SCH #: 94083019) pursuant to CEQA Guidelines Section 15164; and approve a Combined Development Permit consisting of an Administrative Permit and Design Approval to allow the construction of a new one story 3,508 square foot single family dwelling, 360 square foot detached bedroom, 621 square foot detached two-car garage and 104 square foot covered terrace. The project includes grading of approximately 800 cubic yards of cut and 300 cubic yards of fill, a Use Permit to allow the removal of a total of 12 trees (10 Coast live oak trees and 2 Valley oak trees) with the recommended edits from Staff to remove the request for a Use Permit to allow development on slopes in excess of 30 percent from the resolution, conditions and addendum and modifications to finding 5 evidence a to include additional clarifying language regarding tree removal.

AYES: Shaw, Diehl, Work, Mendoza, Gonzalez, Gomez, Roberts, Daniels, Monsalve

NOES: None

ABSENT: Getzelman

ABSTAIN: None

6. PLN030204-AMD2 - UCP East Garrison, LLC

Public hearing to consider a recommendation to the Board of Supervisors on the Amendment to PLN030204 consisting of an East Garrison Specific Plan Amendment, including modification to Appendix A - East Garrison Pattern Book; Vesting Tentative Map for the Final Phase affecting parcels within the Phase 1, Phase 2 and Phase 3 Final Maps; and an amendment to the approved Combined Development Permit to redistribute the allowed development resulting in a Final Phase consisting of a mixed-use Town Center building with 30,000 square feet of commercial space and 66 affordable apartment units above and 259 residential and live/work units.

Project Location: East Garrison Specific Plan, Former Fort Ord.

Proposed CEQA Action: Consider an Addendum, together with the previously certified Final Subsequent Environmental Impact Report (SCH#2003081086) for the East Garrison Specific Plan Project (FSEIR) (Resolution No. 05-264) pursuant to CEQA Guidelines Section 15164.

Commission Monsalve informed the public that she did manage the East Garrison HOA in the past, but she does not believe there is a conflict of interest.

Commissioner Daniels informed the public that her distant family lives in the East Garrison development, but she does not believe there is a conflict of interest.

Anna Quenga, project planner presented the item.

Applicant Representative: Tony Lombardo, Barry Long, Jeff Morgan, Bill Wiseman

The Commission recessed at 12:30p.m. and returned at 1:33p.m. and continued with agenda item number 6.

All Commissioners were present with the exception of Commissioner Getzelman.

Secretary Beretti and interpreter Jeannette reviewed the Zoom and interpretation services protocols.

Public Comment: Deborah Kelly, John Ferrari, Helen Shamble, Irene Long, Joe Williams, Shirmaine Jones, Tom Niedernhofer, Ray Brown, Christopher

Long, Oscar Sanchez, Matt Jolda, Shannon R, Hilary, Casey Ortiz

Applicant Representative: Dean Mills of Century Communities, Bill Wiseman

The Commission recessed at 3:04p.m. and returned at 3:14 p.m.

It was moved by Commissioner Roberts, seconded by Commissioner Mendoza and passed by the following vote to approve an Addendum, together with the Final Subsequent Environmental Impact Report for the East Garrison Specific Plan (SCH#2003081086) pursuant to CEQA Guidelines Section 15164, adopt a resolution amending the East Garrison Specific Plan, including Appendix A – East Garrison Pattern Book (Resolution No. 05-266), approve a Vesting Tentative Map for the East Garrison Final Phase to allow the re- subdivision of 20.25 acres consisting of Phase 1 Final Map Parcels T1.1 – T1.8, Phase 2 Final Map Parcels M2.10 and M2.11, and Phase 3 Final Map Parcels M3.1 – M3.6, resulting in 140 single family residential parcels, 119 Live/Work parcels, two Town Center Parcels, approximately 2.85 acres in Open Space parcels, and approximately 3.35 acres in right of way parcels, amend the Combined Development Permit (Board of Supervisor’s Resolution 05-267) to allow the redistribution of allowed development resulting in the East Garrison Final Phase consisting of: a mixed-use Town Center building with 30,000 square feet of commercial space on the first floor and 66 Affordable Artspace apartment units above, 61 Residential Medium units, 79 Residential High units, and 119 Live/Work Rowhouses, adopt a Mitigation Monitoring and Reporting Plan; and consent to the First Amendment to the Amended and Restated First Implementation Agreement between the Successor Agency to the Redevelopment Agency of the County of Monterey amending the Disposition and Development Agreement With the following additions, identify designated parking for affordable apartments, update phasing plan so the Town Center Park is constructed early in the Final Phase timing and that the developer consider traffic calming measures.

AYES: Shaw, Diehl, Work, Mendoza, Gonzalez, Gomez, Roberts, Daniels, Monsalve

NOES: None

ABSENT: Getzelman

ABSTAIN: None

1:30 P.M. - SCHEDULED MATTERS

Commissioner Shaw recused herself from agenda item number 7, due to potential conflict of interest.

7. PLN200203 - ANTHONY NICOLA, INC.

Public hearing to consider demolition of an existing single family dwelling and septic system and construction of two three-story buildings for 34 two bedroom units and one one bedroom unit with office totaling approximately 36,200 square feet for use as agricultural employee housing of up to 250 workers, a manager's suite, and three very low income level inclusionary housing units. The project also includes a Variance for less than 200 feet agricultural buffer.

Project Location: 124 Gonda Street, Royal Oaks

Proposed CEQA action: Adopt a Mitigated Negative Declaration.

Mary Israel, project planner presented the item.

Applicant Representative: Tony Lombardo

Public Comment: None

It was moved by Commissioner Mendoza, seconded by Commissioner Work to approve the project with all recommended edits and changes presented by Staff and the Commission.

AYES: Work, Mendoza, Gonzalez,

NOES: Diehl, Roberts. Monsalve

ABSENT: Gomez, Getzelman, Gomez, Shaw, Daniels

ABSTAIN: None

The motion did not pass and per Planning Commission Rule 12 if there is an unbreakable tie vote, the Chair shall solicit findings from both sides and direct Staff to prepare a resolution with said findings for the record and for the purpose of rendering a final determination by the Planning Commission on the matter.

Commissioner Work voted for the approval of the project as they agree with the Ag Advisory's recommendation.

Commissioner Mendoza's reasoning was asserted as part of their motion to approve the project as proposed and was reinforced with statements that the project is positive; two three-story buildings could be a benefit to the community of Pajaro and the location is a five-minute walk to higher ground areas and potential Office of Emergency Services gathering points in the case of emergencies. The representative also suggested that the development has the potential to improve the cleanliness of the area and security due to increase surveillance.

Commissioner Roberts voted against the approval of the project. The reasoning that they stated was related to location, and safety. They expressed

that the levee is not fixed and is a great concern.

Commissioner Monsalve voted against the approval of the project, their reasoning is due to the unsafe levels of traffic, and they mentioned the possibility of limiting the number of cars. Other than their concerns with traffic, they also believe that the quality of life of the current Gonda Street residence would be very negatively impacted.

Commissioner Gonzalez voted for approval of the project and their reasoning is that they believe the project is very well designed and that there is a great need for farm worker housing.

Commissioner Diehl voted against the approval of the project and their reasoning is that they stated was related to location, this location has just taken on another H2A Housing development and believes that the people of Pajaro deserve better planning and accepting projects just because we lack a Pajaro Community Plan is not fair to the community.

8. REF240009 - MONTEREY COUNTY GENERAL PLAN IMPLEMENTATION AND HOUSING ELEMENT ANNUAL PROGRESS REPORT

- a. Consider 2023 Annual Progress Report for the Monterey County General Plan(s);
 - b. Consider 2023 Annual Progress Report for the 2015-2023 Housing Element; and
 - c. Consider and provide direction regarding the Five-Year Long-Range Planning Work Program.
- Proposed CEQA Action:** Not a project per Sections 15060(c)(1) and 15378(b)(4) of the CEQA Guidelines.

The Commission did not hear this item; this item was continued to the April 24, 2024 Planning Commission meeting as the first scheduled item.

DEPARTMENT REPORT

Secretary Beretti informed the Commission that HCD is hosting an upcoming Environmental Justice and Safety Community Meeting scheduled on April 23, 2024, at 6:00 p.m. via zoom. Also, that Staff are on track and anticipate the Draft Housing Element to be made available in May/June for the 30 day review period and that Staff do plan to hold a workshop at the Planning Commission as well as other Committees/Commissions.

ADJOURNMENT

The meeting was adjourned by Commissioner Diehl at 5:19 p.m.

APPROVED:

/s/ Melanie Beretti

**MELANIE BERETTI
PLANNING COMMISSION SECRETARY**

ATTEST:

BY: /s/ Elizabeth Vasquez

**ELIZABETH VASQUEZ
PLANNING COMMISSION CLERK**

APPROVED ON: 5/29/24
