

Exhibit D

This page intentionally left blank.

MINUTES
Toro Land Use Advisory Committee
Monday, May 28, 2024

1. Meeting called to order by: Mike Weaver at 4:00 pm

2. Roll Call

Members Present: Roy Gobets, Lauren Keenan, Steven McMurtrie, Beverly Bean, Mike Weaver and Michael Muller.

Members Absent: William Pyburn and Tamara Schwartz

3. Approval of Minutes: Minutes were not available to review or to approve, will continue to next meeting.

A. May 13, 2024 minutes

Motion: Mike Weaver (LUAC Member's Name)

Second: Lauren Keenan (LUAC Member's Name)

Ayes: Six (6)

Noes: 0

Absent: 0

Abstain: 0

4. **Public Comments:** The Committee will receive public comment on non-agenda items that are within the purview of the Committee at this time. The length of individual presentations may be limited by the Chair.

NONE

5. Scheduled Item(s)

1. Guzman Antonio & Monica #PLN220013

2. Omni Resources LLC #PLN220348

6. Other Items:

A) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects (Refer to pages below)

NONE

B) Announcements; NONE

7. Meeting Adjourned: 5:35 pm

Minutes taken by: Steve McMurtrie

Action by Land Use Advisory Committee

Project Referral Sheet

Monterey County Housing & Community Development
1441 Schilling Place 2nd Floor
Salinas CA 93901
(831) 755-5025

Advisory Committee: Toro

1. **Project Name:** GUZMAN ANTONIO & MONICA
File Number: PLN220013
Project Location: 397 CORRAL DE TIERRA, D SALINAS, CA 93908
Project Planner: Kayla Nelson
Area Plan: Toro Area Plan
Project Description: An Administrative Permit and Design Approval to allow the construction of a 768 square foot single family dwelling with associated site improvements and an Administrative Permit and Design Approval to allow the construction of a 768 square foot single family dwelling and an Administrative Permit to allow a temporary residence during the construction of the first single family dwelling.

Was the Owner/Applicant/Representative present at meeting? Yes X No _____

(Please include the names of the those present)

Tylor Godbe, (Owner) representing project

Was a County Staff/Representative present at meeting? Kayla Nelson (Name)

PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
Lisa McGuire	X		Does not want any dirt dumped into the creek Happy to have Tylor build next door

LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
Owner is going to build another home on this property in the future	Should there be a building envelope established for this property?	

ADDITIONAL LUAC COMMENTS

This property includes a Scenic Easement as is maked on the property map. Because the owner has stated that he plans to build a second larger home on the property, Shouldn't the county establish a building envelope for this property?

For this project, there are exhibits A through F included in these minutes from Mike Weaver

Mike Weaver had concerns that the situs address of 397F Corral de Tierra was not posted on Corral de Tierra Rd, nor was any notice of the public LUAC hearing posted. "The comment was "How are neighbors in the rural area of Corral de Tierra to know?"

Response from H&CD staff was that all they are required to do is to mail notice to property owners within 350 feet of a project site.

It is noted the immediate neighbor was mailed notice and was at the hearing.

Mike Weaver stated he had trouble finding the site, couldn't locate it, but did find a house trailer, a bulldozer, and a pick-up truck visible through the brush

adjacent to Corral de Tierra Rd. Mike Mueller said he saw the same, and saw red flagging when he pulled into a driveway before the site to turn around and spotted red flagging in the distance. Mr. Guzman (in attendance) at the LUAC hearing stated Yes, that was his site.

Mike Weaver also asked staff about records on this apparently old lot. He stated that the ACCELA site had not been updated and did not include current information.

For example the application on ACCELA was from a Tyler Godbe, not Guzman.

Also where was/is the initial Monterey County Minor Subdivision Committee file on this 397 A-F subdivision? It was common in the day to designate specific building envelopes on parcels, as well as add Conditions of Project Approval, maybe common water system, access road, etc.

Mike Weaver said a look at the Monterey County Assessor's site disclosed a large portion of this lot is dedicated County Scenic Easement.

He asked where is the Scenic Easement Deed? These deeds have specific language as to what is allowed or not.

Monterey County H&CD response was this was something they still have to do.

Mr. Guzman stated the individual water well on the property and quality issues have all been approved by Environmental Health

Mike Weaver asked if the building site was 100 ft from Corral de Tierra Rd.?

No measurements were provided however staff and applicant said it was over 100 feet.

Mike Weaver asked what the proposed building would look like? He asked if it was to be an ADU with plans for a future separate house structure?
There were no architectural renderings of the small ADU. However, Applicant Guzman said his plan was to build and Accessory Dwelling Unit first.
and then sometime later build a separate residential structure.
Again, the issue of Designated Building Envelope came up. Applicant said there was room.
The site plan at the meeting depicted a heavily oak forested area. No amounts of potential oak tree removal were apparently analyzed as yet
as this was an application for an ADU.

RECOMMENDATION:

Motion by: Beverly Bean (LUAC Member's Name)

Second by: Michael Mueller (LUAC Member's Name)

 X Support Project as proposed

 Support Project with changes

 Continue the Item

Reason for Continuance: _____

Continued to what date: _____

AYES: Five (5) Roy Gobets, Lauren Keenan, Steven McMurtrie, Beverly Bean, and Michael Muller

NOES: One (1)Mike Weaver

ABSENT: _____

ABSTAIN: _____

Action by Land Use Advisory Committee

Project Referral Sheet

Monterey County Housing & Community Development
1441 Schilling Place 2nd Floor
Salinas CA 93901
(831) 755-5025

Advisory Committee: Toro

2. **Project Name:** OMNI RESOURCES LLC
File Number: PLN220348
Project Location: 3 CORRAL DE TIERRA, SALINAS, CA 93908
Project Planner: FIONNA JENSEN
Area Plan: Toro Area Plan
Project Description: A Combined Development Permit consisting of 1) Use Permit and Design Approval to allow construction of a service station (12 pumps) and a 3,077 square foot convenience store; 2) Variance to reduce the required side and rear setbacks; and 3) Administrative Permit to allow required parking within the front setback.

Was the Owner/Applicant/Representative present at meeting? Yes X No _____

(Please include the names of the those present)

Please see the attached attendance sign-in sheet for TORO LUAC meeting for May 28, 2024. There were 13 guests who attended the May 28 meeting.

Was a County Staff/Representative present at meeting? Fionna Jensen (Name)

PUBLIC COMMENT:

Name	Site Neighbor?		Issues / Concerns (suggested changes)
	YES	NO	
Glen Gurrics	X		Size of Building, Canapy Size, Needs more "Rural Character"
Lisa McGuire	X		Are there public restrooms?
Dwight Stump	X		Height/elevation of the convenience store too great. He is concerned with the height and visual impact of the canopy over the gas pumps. He questioned that the proposed 12 gas pumps are the same size and number as what had been there before. Down lighting, Hours of operation
Sangram Singh	X		Will there be beer/alcohol sales

LUAC AREAS OF CONCERN

Concerns / Issues (e.g. site layout, neighborhood compatibility; visual impact, etc)	Policy/Ordinance Reference (If Known)	Suggested Changes - to address concerns (e.g. relocate; reduce height; move road access, etc)
Down Lighting, Hours of Operation		
Earth tone colors Not white		

ADDITIONAL LUAC COMMENTS

EIR on the convenience store is pending. The store was not included in the shopping village project approval and it is much larger than the previous building. At 26 ft tall, it has considerable mass and will impact the views from the scenic highway..

Hwy 68 is a scenic highway. What is the impact of the size of this project?

On Phase 1 and 2 ESAs regarding the soil contamination (and potential well contamination) of the site by the old gas tanks, Phelps says all tests are OK but LUAC member noted that these reports are not available on Accela.

LUAC member questioned how the applicant can say water use can be less considering increased size of the proposed convenience store.

There was considerable discussion of the B-8 zoning which prohibits intensification of use and the requested variance to the set back requirements. The larger convenience store is an intensification of use from the previous building. Removing the set backs further impacts the scenic highway. LUAC member Gobets stated that the proposed project is appropriate for Interstate 5 but not for this rural and scenic neighborhood.

RECOMMENDATION: *Support the Project with the following changes; Subject to a lighting review and project to use earthtone colors not white colors.*

Motion by: Michael Mueller (LUAC Member's Name)

Second by: Steven McMurtrie (LUAC Member's Name)

☐ Support Project as proposed

☒ Support Project with changes

☐ Continue the Item

Reason for Continuance: _____

Continued to what date: _____

AYES: Two (2) Steven McMurtrie, Michael Mueller

NOES: Three (3) Beverly Bean, Lauren Keenan and Roy Gobets

ABSENT: _____

ABSTAIN: Michael Weaver has recused himself from this project due to a conflict.

2nd RECOMMENDATION: ***Support the project with the following changes; Reduce the building height the scope and scale. Use earthtone colors, not white colors.***

Motion by: Roy Gobets (LUAC Member's Name)

Second by: Stven McMurtrie (LUAC Member's Name)

Support Project as proposed

X Support Project with changes

Continue the Item

Reason for Continuance:

Continued to what date:

AYES: Three (3) Steven McMurtrie, Lauren Keenan and Roy Gobets

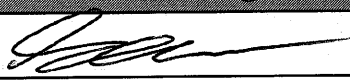
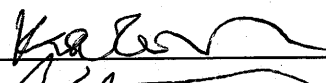
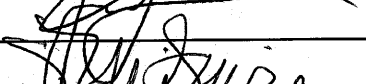
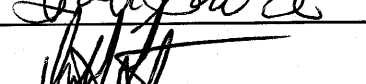
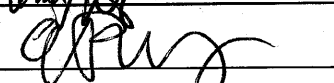
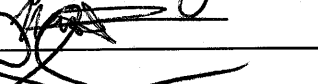
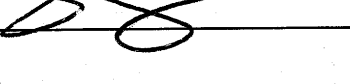
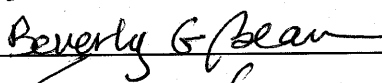
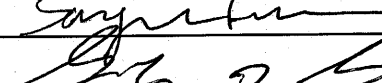
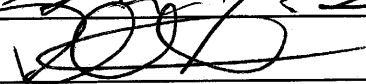
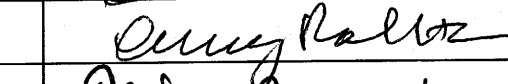
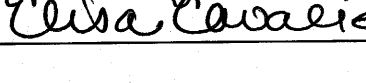
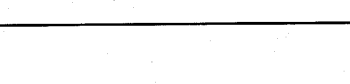
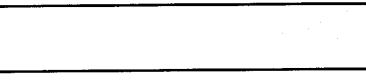
NOES: Two (2) Michael Mueller and Beverly Bean

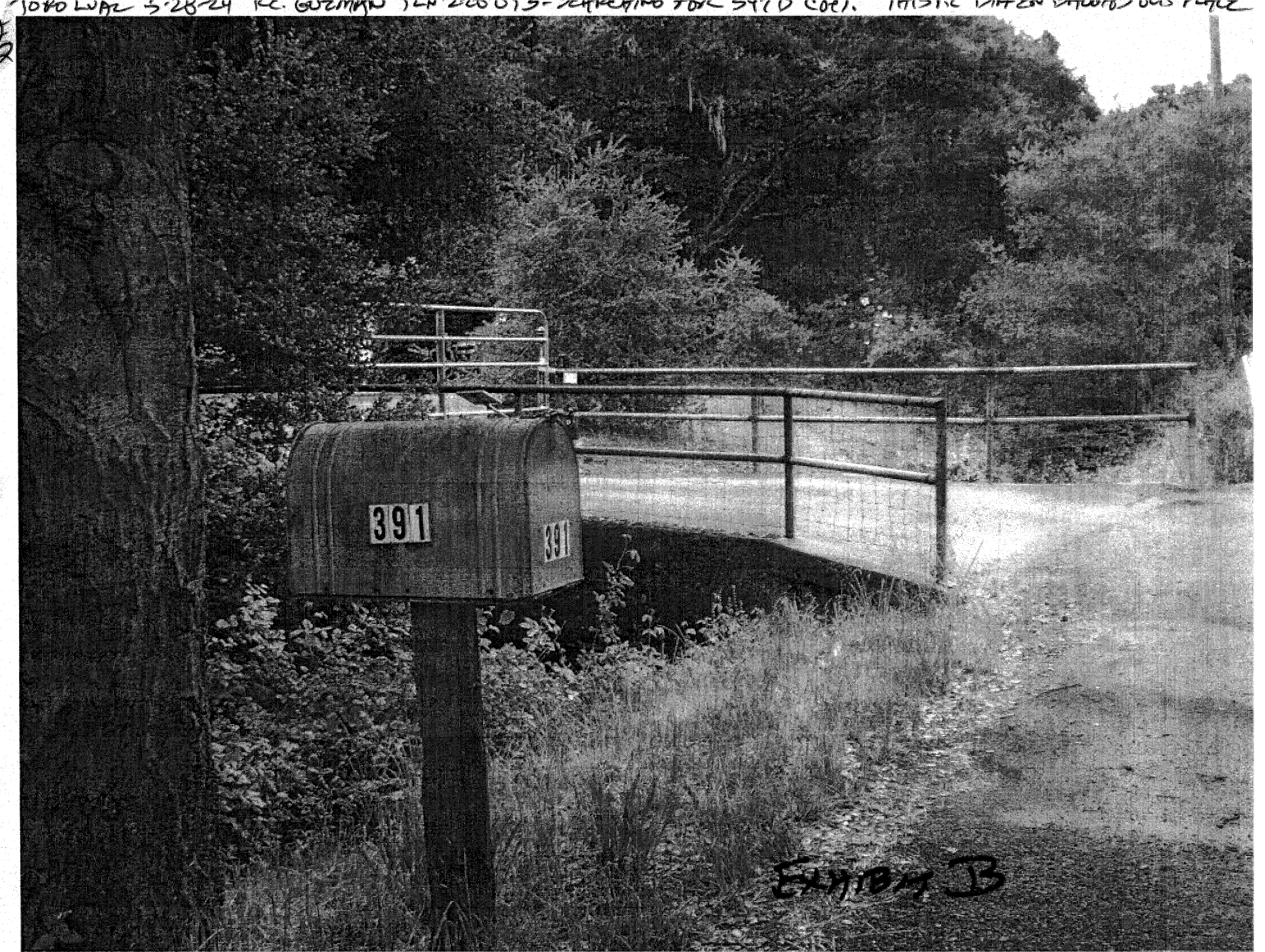
ABSENT:

ABSTAIN: Michael Weaver has recused himself from this project due to a conflict

TORO LAND USE ADVISORY COMMITTEE MEETING

Date: MAY 28 2024

	Print full Name	Signature
1	Tyler Godbe	
2	Kaspa Nelson	
3	Fionna Jensen	
4	Lisa McEneaney	
5	Dwight Stump	
6	Emily Phelps	
7	Nancy Phelps	
8	ERIC Phelps	
9	ROY GOBERT (LUAC)	
10	Lauren Keenan (LUAC)	
11	Beverly G Bean LUAC	
12	SANGHAM SINGH	
13	Glen Gurricks	
14	Rich Weber	
15	Amy Roberts	
16	Elisa Cavaliere	
17		
18		
19		
20		
21		
22		
23		
24		
25		



NOTE: MAILBOX SAW #391 - GAVE (UD 50)

TORALVAL 5-28-24 RE: GOODMAN RENZBOOTS TITUS PIC 5085 OF NEAR 391 COR



EXHIBIT C

NOTE ADJACENT TO NW 1/4 RD - A HOUSE TRAILER, A TRUCK, PARTIAL MOVING EQUIPMENT AND SOME RED FLAGGING

ADVISORIAL 5-26-64 RE. GOODMAN (CN 220013) SEARCHING FOR 37(D CDR). NO NOTICE NOTICE



EXHIBIT D

NOTE: PICKUP TRUCK AND GARDEN MOWER EQUIPMENT PARKED IN THIS UNMARKED SITE

JORD LVAL 1-20-24 GREENH VLN 20015 - RATHERING FOR THE APPEARANT TO COLLECT ROAD BY FORCE



PLATE

→ NO SUBMIT AND NOTES ROUTED

WHSRY 17100 SUTTAIR END

#6

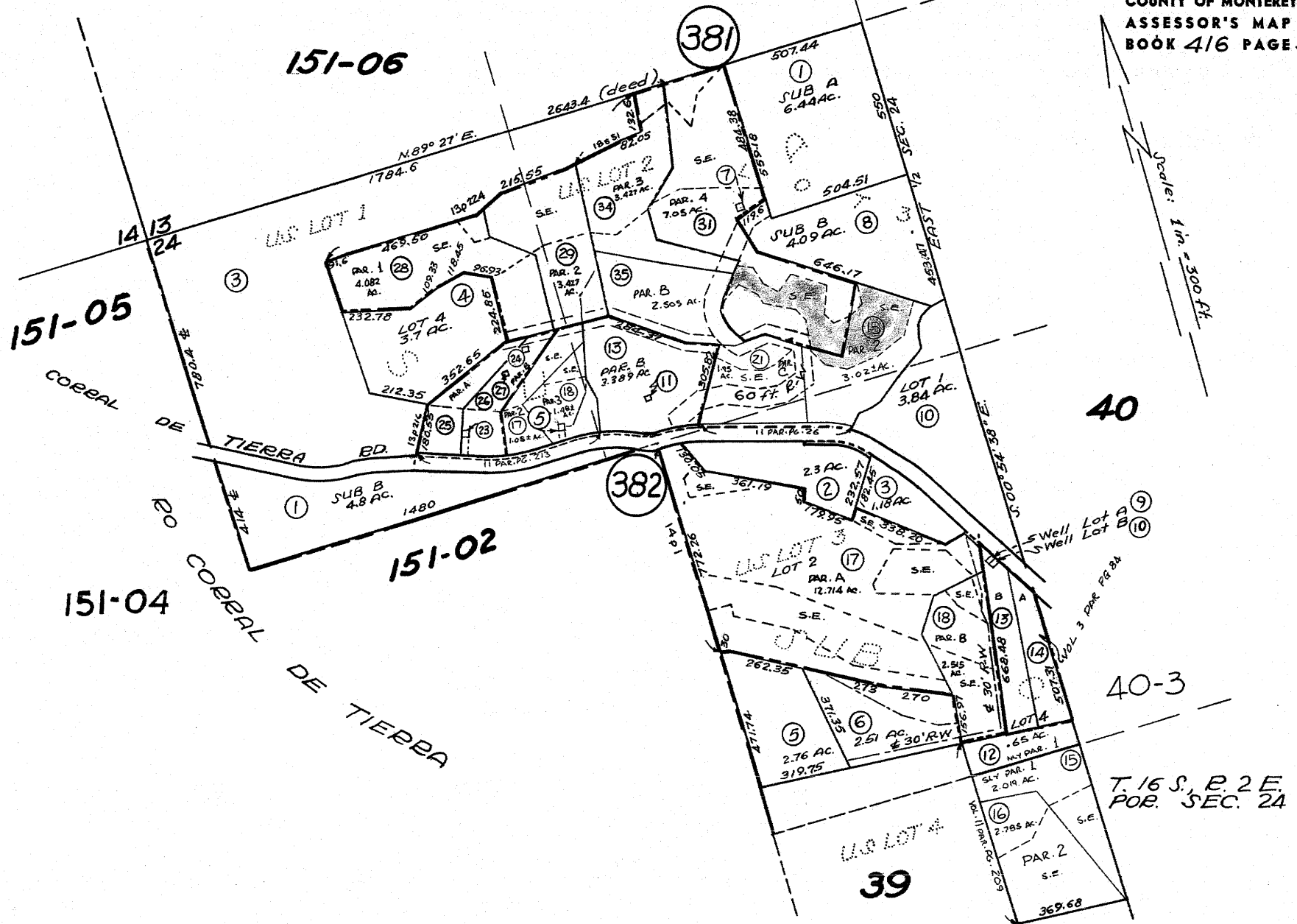


EXHIBIT F

NOTE: AMOUNT OF DEDICATED COUNTY CLINIC EASEMENT - HIG HILTED IN YELLOW ON THIS PARCEL