



Legislation Details (With Board Report)

File #: 12-1002 **Name:** CRE LJ CA LLC

Type: General Agenda Item **Status:** Passed

File created: 10/18/2012 **In control:** Board of Supervisors

On agenda: 10/23/2012 **Final action:** 10/23/2012

Title: a. Rescinding prior Board Resolution No. 06-206 approving an amendment to the Conservation and Scenic Easement Deed and Final Map Dedication for Phase IV of the Monterra Ranch Subdivision recorded as Volume 22, Cities and Towns, at Page 38, as adopted on May 16, 2006;
 b. Adopting a Resolution approving the amendment to the Conservation and Scenic Easement Deed and Final Map Dedications for Canada Woods North, Phase II, recorded at Volume 22, Cities and Towns, at Page 8;
 c. Authorizing the Chair of the Board to execute the amendment to the Conservation and Scenic Easement Deed and Final Map Dedications for Canada Woods North, Phase II, recorded as Volume 22, Cities and Towns, at Page 8; and
 d. Directing the Clerk of the Board to submit the amendment to the Conservation and Scenic Easement Deed and Final Map Dedications to the County Recorder for recordation.
 (Conservation & Scenic Easement - PLN030068/CRE LJ CA LLC, Greater Monterey Peninsula Area Plan)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Attachment A - Draft Board Resolution..., 2. Attachment B - Vicinity Map, 3. Attachment C - Resolution No. 06-206, 4. Completed Board Order/Resoluion and Recorded Documents, 5. Recorded Amendment PLN030068/CRE LJ CA, LLC

Date	Ver.	Action By	Action	Result
10/23/2012	1	Board of Supervisors	approved	Pass

a. Rescinding prior Board Resolution No. 06-206 approving an amendment to the Conservation and Scenic Easement Deed and Final Map Dedication for Phase IV of the Monterra Ranch Subdivision recorded as Volume 22, Cities and Towns, at Page 38, as adopted on May 16, 2006;
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 (Conservation & Scenic Easement - PLN030068/CRE LJ CA LLC, Greater Monterey Peninsula Area Plan)

PROJECT INFORMATION:

Planning File Number: PLN030068

Owner: CRE LJ CA LLC (previously Canada Woods LLC)

Project Location: Via Malpaso and Tres Paraiso, Canada Woods North, Phase II

APN: 259-092-057-000; 259-092-058-000; 259-092-059-000

Agent: Jason Retterer, L+G, LLP

Plan Area: Greater Monterey Peninsula Area Plan

Flagged and Staked: No

CEQA Action: Categorically Exempt

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a. Rescinding prior Board Resolution No. 06-206 approving an amendment to the Conservation and Scenic Easement Deed and Final Map Dedication for Phase IV of the Monterra Ranch Subdivision recorded as Volume 22, Cities and Towns, at Page 38, as adopted on May 16, 2006;
- b. Adopting a Resolution approving the amendment to the Conservation and Scenic Easement Deed and Final Map Dedications for Canada Woods North, Phase II, recorded at Volume 22, Cities and Towns, at Page 8;
- c. Authorizing the Chair of the Board to execute the amendment to the Conservation and Scenic Easement Deed and Final Map Dedications for Canada Woods North, Phase II, recorded as Volume 22, Cities and Towns, at Page 8; and
- d. Directing the Clerk of the Board to submit the amendment to the Conservation and Scenic Easement Deed and Final Map Dedications to the County Recorder for recordation.

SUMMARY:

On May 16, 2006, the Board of Supervisors adopted a resolution for the amendment to the Conservation and Scenic Easement Deed and Final Map Dedication for lots 71, 72, and 73 in Canada Woods North, Phase II (PLN030068, Resolution No. 06-206). Upon review of the approved resolution, the resolution references the wrong subdivision and wrong map (Phase IV, Monterra Ranch Subdivision). Also, staff found that the adopted amendment to the Conservation and Scenic Easement Deed and Final Map Dedication was never recorded. Through the recommended actions, the resolution will clearly reflect the correct subdivision and map.

DISCUSSION:

On September 8, 2005, a Lot Line Adjustment was approved by the Minor Subdivision Committee which allowed the reconfigurations to lots 71, 72, and 73 within the Canada Woods North, Phase II Subdivision (Assessor's Parcel Numbers 259-092-057-000; 259-092-058-000; 259-092-059-000). The reconfiguration modifies building envelopes, scenic easements, public utility easements, and roadways previously approved in the Canada Woods Final Map. The lot line adjustment was approved with conditions which required a Record of Survey to be filed (Condition No. 4) and that the Board of Supervisors adopt an amendment to the scenic easement deed, road easement deed, and building envelopes (Condition No. 2). On May 16, 2006, the Board of Supervisors adopted Resolution No. 06-206 for the amendment to the Conservation and Scenic Easement Deed and Final map Dedication to satisfy Condition No. 2.

Currently, the subject lots are held in escrow due to Resolution No. 06-206 referencing the wrong subdivision and map (Phase IV, Monterra Ranch Subdivision). Also, the amended Conservation and Scenic Easement Deed and Final Map Dedication were never recorded. Through the recommended actions, the resolution will clearly reflect the correct subdivision and map.

OTHER AGENCY INVOLVEMENT:

There was no other agency involved in the review of this project.

FINANCING:

Funding for staff time associated with this project is included in the FY12-13 Adopted Budget for the Planning Department.

Prepared by: Dan Lister, Assistant Planner ext. 6617

Approved by: Mike Novo, Director, RMA-Planning, ext. 5192
<mailto:> Benny Young, Director Resource Management Agency

This report was prepared with assistance by Wanda Hickman, Planning Services Manager and reviewed by Cynthia Hassan, County Counsel.

cc: Front Counter Copy; Board of Supervisors (10); Mike Novo, Director of Planning; Wanda Hickman, Planning Services Manager; Jason S. Retterer, Applicant's Agent; The Open Monterey Project; LandWatch; Project File PLN030068

The following attachments on file with the Clerk of the Board:

Attachment A	Draft Board Resolution with Draft Amendment to the Conservation and Scenic Easement Deed and Final Map Dedications with Exhibits
Attachment B	Vicinity Map
Attachment C	Resolution No. 06-206