

**OFFICIAL MINUTES
OF THE
SALINAS PLANNING COMMISSION**

November 4, 2020

The teleconference meeting per State of California Executive Order No. N-29-20 was called to order at 3:34 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

WELCOME AND STAFF INTRODUCTIONS

PRESENT: Chairperson Meeks, Commissioners Griffin, Manzo, Nohr, Ottone, and Rocamora

ABSENT: Commissioner Anzo

STAFF: Planning Manager, Courtney Grossman; Senior Planner, Thomas Wiles, Associate Planner, Bobby Latino, and Administrative Aide, Maira Flores

COMMENTS FROM THE PUBLIC FOR ITEMS NOT ON THE AGENDA

Chairperson Meeks opened for public comment at 3:36 p.m.

Elizabeth Madrigal, Salinas resident, submitted public comment via email to PublicCommentCD-P@ci.salinass.ca.us. Ms. Madrigal voiced support of Central Area Specific Plan (CASP) as well as the need for affordable housing.

Chairperson Meeks closed for public comment at 3:38 p.m.

APPROVAL OF THE MINUTES: October 21, 2020

Upon motion by Commissioner Nohr, second by Commissioner Griffin, the minutes of October 21, 2020 were approved. The motion carried by the following vote:

AYES: Chairperson Meeks, Commissioners Griffin, Manzo, Nohr, Ottone, and Rocamora

NOES: None

ABSTAIN: None

ABSENT: Commissioner Anzo

CONSIDERATIONS

None

PUBLIC HEARINGS

Conditional Use Permit 2020-008 was continued to the November 18, 2020 Planning Commission meeting.

Conditional Use Permit 2020-009 was continued to the November 18, 2020 Planning Commission meeting.

Conditional Use Permit 2020-010 was continued to the November 18, 2020 Planning Commission meeting.

Robert Latino, Associate Planner, presented a PowerPoint presentation regarding Conditional Use Permit 2020-001; Request for Residential Design Review to convert 965 square feet of an existing 1,099 attic into a second story addition within an existing single-family dwelling unit located at 1054 University Avenue in the R-L-5.5 (Residential Low Density) Zoning District. This presentation is on file at the Community Development Department.

Commissioner Ottone inquired about the stepped back development standard for the second story conversion. Associate Planner, Bobby Latino, indicated that the second story addition is stepped back 10 feet on the front elevation and 7 feet on the side elevations from the first story portion of the home.

Commissioner Nohr asked if the proposed use of the development had been identified. Mr. Latino informed that the request is to convert the attic into habitable space and provided information regarding the proposed floorplan. Planning Manager, Courtney Grossman, informed that the existing attic area is too large to be considered an addition; therefore, sections of the area are to be blocked off from the living space.

Chairperson Meeks opened for public comment at 4:00 p.m.

Barbara Chagnon, Senior Planner at Kasavan Architects, submitted public comment via email to PublicCommentCD-P@ci.salinas.ca.us. Ms. Chagnon indicated concerns with the City's approval process regarding both the initial remodel and the proposed attic conversion. Ms. Chagnon also indicated concerns with the property's negative impacts to adjacent properties.

Chairperson Meeks closed for public comment 4:03 p.m.

Commissioner Manzo requested that staff clarify the privacy considerations of the proposed attic conversion. Mr. Latino stated that the windows of the proposed project would be staggered and frosted to alleviate the direct line of sight into surrounding properties.

Commissioner Nohr inquired how this project was different from other second story additions where privacy of neighboring properties was also a concern. Mr. Grossman indicated that these regulations are specific to infill. Tract homes are different as they are in area where specific plans and planned unit developments and are not subject to the infill regulations. In this case, the applicant created a two-story home by calling it a one-story remodel in the permit process with the intent of converting to a second story addition.

Commissioner Rocamora asked if the neighbors were provided with input regarding the second story addition. Mr. Grossman stated that if the applicant had been forthright regarding with the initial application, the neighbors would have had the opportunity to speak regarding the structure through the Conditional Use Permit process. Mr. Grossman added that numerous concerns had been received anonymously from neighbors.

Chairperson Meeks requested a motion from the Planning Commission. A motion to approve was not received.

Chairperson Meeks motioned to deny the project. Commissioner Ottone seconded the motion.

Mr. Grossman indicated that staff had presented a resolution for approval and therefore in order to change to a denial, Mr. Grossman suggested returning the project to staff to prepare findings and present a new resolution reflecting denial to the Planning Commission at a future meeting for formal adoption.

Commissioner Nohr indicated that the staff report outlined the following alternative actions for the Planning Commission: Affirm the findings set forth in the resolution and approve the CUP with modifications or find that the CUP is not appropriate and establish findings.

Mr. Grossman indicated that one of the modifications could be to eliminate the addition of the second story altogether. Commissioner Nohr inquired if this option allowed for the applicant to return to the Planning Commission through the appropriate and correct planning approval application process for a second story addition vs. the after-the-fact approach. Commissioner Nohr stated that regardless of the action taken by the Planning Commission, the built space of the project would remain. Mr. Grossman affirmed the statement and indicated that a "Yes" vote allows the attic to be used for the designated 965 square feet and a "No" vote would mean that the attic use remains.

Commissioner Ottone stated that his objection to the proposed project is in regard to the stepped back requirements for an infill project, and added that the addition of the attic had resulted in a significant increase of the mass of the building on a street that is all one-story homes, most with a prominent garage. Therefore, the building was out of place. However, Commissioner Ottone requested guidance from staff if the finding was enough to warrant a

denial of the project. Mr. Grossman indicated that due to the location of the attic and pocket of space in front of the attic, the proposed denial of the existing addition could be questionable as the space is technically stepped back per the development standard.

Commissioner Meeks rescinded the motion.

Mr. Grossman indicated that if the item were continued, the permit streamlining act processing requirements allowed for the project to return to the Planning Commission on November 18, 2020 with a new resolution for denial.

Commissioner Nohr suggested that the applicant work with staff to present an option for addressing the articulation of the front mass of the building as the primary concerns regarded the façade of the building. Additional conditions would include requirements for addressing privacy concern issues and removal of the two interior pockets of space to ensure these are not later removed for habitable space.

Commissioner Nohr motioned to continue Conditional Use Permit 2020-001. Commissioner Ottone seconded the motion. The motion carried by the following vote:

AYES: Chairperson Meeks, Commissioners Griffin, Manzo, Nohr, Ottone, and Rocamora

NOES: None

ABSTAIN: None

ABSENT: Commissioner Anzo

Thomas Wiles, Senior Planner, presented a PowerPoint presentation regarding Planned Unit Development Permit 2020-001 and Resubdivision 2020-004; Request to subdivide a 9,000 square-foot lot into two (2) lots of 4,200 and 4,800 square-feet with alternative development standards located at 115 and 119 West San Luis Street in the Commercial Office/Residential - Central City Overlay - Downtown Neighborhood Area (CO/R-CC-DN) Zoning District. This presentation is on file at the Community Development Department.

Chairperson Meeks opened for public comment at 4:31 p.m.

No public comments were received.

Chairperson Meeks closed for public comment 4:31 p.m.

Commissioner Ottone motioned to approve Planned Unit Development Permit 2020-001 and Resubdivision 2020-004. Commissioner Nohr seconded the motion. The motion carried by the following vote:

AYES: Chairperson Meeks, Commissioners Griffin, Manzo, Nohr, Ottone, and Rocamora

NOES: None

ABSTAIN: None

ABSENT: Commissioner Anzo

Thomas Wiles, Senior Planner, presented a PowerPoint presentation regarding Conditional Use Permit 2020-005; Request to construct and operate a Major Telecommunications Facility located at 640 East Boronda Road in the CR-SP-1 (Commercial Retail - Harden Ranch Specific Plan Overlay) District. This presentation is on file at the Community Development Department.

Commissioner Ottone inquired if an ordinance is in place regarding the development of cell towers in the City. Mr. Wiles indicated that there is a section in the Zoning Code that covers requirements and recommendations for major telecommunication facilities.

Commissioner Nohr stated that sometimes these telecommunication facilities will require the testing of a generator and inquired if a noise consideration had been made and identified as a condition for the project. Mr. Wiles referred to condition No. 6 of CUP2020-005 which includes specific use limitations for the use of a generator and noise standard at such facility.

Chairperson Meeks opened for public comment at 4:45 p.m.

Maria Elena Pulido, Salinas resident, provided public comment live via teleconference of the Zoom webinar for the Planning Commission meeting. Ms. Pulido voiced her opposition to the approval of the project and outlined several health concerns regarding the long-term effects of electromagnetic fields (EMF).

Chairperson Meeks closed for public comment 4:50 p.m.

Commissioner Manzo inquired what types of studies had been conducted regarding the health of children in areas near major telecommunication facility developments. Mr. Wiles referred to the Telecommunications Act of 1996. He also informed that the applicant had provided a Radio Frequency Emissions Compliance Report which demonstrates that the Radio Frequency power densities will not exceed the FCC General population limits.

Commissioner Rocamora requested additional studies be conducted prior to deciding on the item since many changes have occurred, such as the introduction of the 5th generation mobile network (5G).

Chairperson Meeks mentioned a study conducted due to a tower installed near Hartnell College in which no negative health effects were reported.

Commissioner Nohr motioned to approve Conditional Use Permit 2020-005. Commissioner Griffin seconded the motion. The motion carried by the following vote:

AYES: Chairperson Meeks, Commissioners Griffin, Manzo, Nohr and Ottone

NOES: Commissioner Rocamora

ABSTAIN: None

ABSENT: Commissioner Anzo

OTHER BUSINESS

Commissioner Manzo recommended that the public be notified of the 2-minute time limitation at the opening of the public comment segment.

Commissioner Ottone stated that he appreciated receiving the comment letters via email prior to the meeting as the 2-minute limit for public comment was often not enough for a speaker to articulate their thoughts.

Chairperson Meeks indicated that the Chair may extend the time limit for the public commentator to finalize their comments.

Commissioner Griffin recommended adhering to the 2-minute limit for each speaker to ensure equity for all speakers.

Mr. Grossman indicated that a timer would be made audible to the public and commissioners to alert once the 2-minute time limit had been reached.

FUTURE AGENDA ITEMS

Mr. Grossman confirmed that Conditional Use Permit 2020-001 would return to the Planning Commission on November 18, 2020. An appeal for a cannabis project is also expected on this meeting date.

Mr. Grossman announced that the Employee Housing projects for Conditional Use Permit 2020-008, Conditional Use Permit 2020-009, and Conditional Use Permit 2020-010, may be continued indefinitely. The applicant has requested a continuance for addressing public inquiries regarding these projects.

Conditional Use Permit 2020-002, a telecommunications site on Navajo Street, is expected for presentation to the Planning Commission on December 2, 2020.

Mr. Grossman informed that General Plan Amendment 2020-001, Rezone 2020-001, and Site Plan Review 2020-006 for the Big Sur Land Trust, a public park project, is expected for presentation to the Planning Commission early in the upcoming year, 2021.

ADJOURNMENT

Chairperson Meeks confirmed attendance for the Planning Commission meeting on November 18, 2020. Commissioner Manzo stated she would not be available to meet. The meeting was adjourned at 5:04 p.m.



JOHN MEEKS
Chairperson



COURTNEY GROSSMAN
Executive Secretary