

**SALINAS PLANNING COMMISSION
RESOLUTION NO. 2019-15**

Resolution Recommending to the Salinas City Council Approval of an Amendment to
the Salinas General Plan to Change the General Plan Land Use Designation and the
Zoning District Boundaries Located at 295 Sun Way
(GPA 2017-001 and RZ 2017-002)

WHEREAS, on November 6, 2019, the Salinas Planning Commission, at the request of the Applicant/Property Owner, Simas-East Market Street LLC, held a duly noticed public hearing to consider General Plan Amendment 2017-001 (GPA 2017-001) to change a 7.67-acre site from Park to General Commercial/Light Industrial and a Rezone 2017-002 (RZ 2017-002) to change a 7.67-acre site from Parks to Industrial - General Commercial located at 295 Sun Way (Assessor's Parcel Number 003-212-017-000); and

WHEREAS, the Planning Commission weighed the evidence presented at said public hearing, including the Staff Report which is on file at the Community Development Department together with the record of environmental review; and

WHEREAS, the Planning Commission has reviewed and considered the information contained in the Initial Study and related environmental documents including the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

NOW, THEREFORE, BE IT RESOLVED by the Salinas Planning Commission that it recommends that the City Council adopt the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program and approve General Plan Amendment 2017-001 and Rezone 2017-002 and adopts the following findings as the basis for its determination, and that the foregoing recitations are true and correct, and are included herein by reference as findings:

For the Mitigated Negative Declaration:

*The Planning Commission hereby finds that a Mitigated Negative Declaration (MND) has been prepared with respect to the project in compliance with the California Environmental Quality Act (CEQA) of 1970, as amended, and the guidelines promulgated thereunder. Further, this Commission has independently reviewed and considered the information contained in the Initial Study and related environmental documents, together with the comments received during the public review process. On the basis of the whole record before it, **the Commission finds that, with the conditions of approval and the proposed mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment and that the MND reflects the Commission's independent judgment and analysis.** On this basis, the Commission adopts the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.*

The environmental impacts of the project have been analyzed in accordance with the California Environmental Quality Act (CEQA). An Initial Study was prepared to evaluate the potential impacts associated with the project. Based upon review of the Initial Study, the proposed project will not have a significant effect on the environment because the mitigation

measures outlined in the proposed Mitigation Monitoring Program have been included in the project (see attached Initial Study and Mitigated Negative Declaration). The Initial Study and Mitigated Negative Declaration were routed to responsible agencies (including State Clearinghouse) and posted at the County Clerk's Office on September 26, 2019; the deadline for comments was October 28, 2019. Monterey County Planning Department and Monterey Bay Air Resources District (MBARD) provided "No Comments" on the Mitigated Negative Declaration during the review period.

Correspondence was received from Transportation Agency for Monterey County (TAMC). Paraphrased comments from the agencies are shown below:

1. TAMC: Consider adding a bike lane between the right turn lane and through-lane on Natividad at East Laurel Drive.

Staff Response: The intersection of Natividad Road at East Laurel Drive is in the City's Traffic Improvement Program (Project 61). The project is responsible for payment of traffic impacts fees, which represents the project's fair-share contribution towards this improvement.

2. TAMC: Consider providing median pedestrian refuge for longer crosswalks, especially where a third lane is added.

Staff Response: Pedestrian refuge islands will be considered where feasible at every location where project impacts require mitigation measure improvements.

For the General Plan Amendment:

1. ***The proposed general plan amendment is consistent with all other goals, policies, programs, and land uses of applicable elements of the general plan;***

The proposed Amendment is consistent with Salinas General Plan Policies. Consistent with Community Design Policy CD-2.4, the requirements of the property owner and City to rezone the property in response to conditions of their lease encourages the rehabilitation of an industrial property. The Mitigation Monitoring and Reporting Program and the proposed mitigation measures ensure traffic Level of Service (LOS) D or better for all intersections and roadways (including U.S. Highway 101) consistent with Circulation Policy C-1.2 and C-2.2. Furthermore, the Mitigation Monitoring and Reporting Program and the proposed mitigation measures will require future development to contribute to financing of street improvements

required to meet the demand generated by the project consistent with Circulation Policy C-1.4. The proposed "General Commercial/Light Industrial" land use designation is not expected to result in negative impacts or conflict with surrounding properties, because future industrial uses will be compatible with neighboring uses located adjacent to the south and west.

2. The proposed general plan amendment promotes the public necessity, convenience, and general welfare.

The General Plan Amendment promotes the public necessity, convenience and general welfare because the proposal will create a General Plan and Zoning designation to allow for future development creating jobs and business opportunities.

For the Rezone:

1. The amendment is consistent with the Salinas general plan, any applicable specific plan, and other plans and policies adopted by the Salinas city council;

The proposed Amendment is consistent with Salinas General Plan Policies. Consistent with Community Design Policy CD-2.4, the requirements of the property owner and City to rezone the property in response to conditions of their lease encourages the rehabilitation of an industrial property. The proposed Rezoning of an approximate 7.67-acre lot from "Parks" to "Industrial-General Commercial" would be consistent with adjacent uses located south and west of the project site and would allow future industrial uses and creation of jobs.

2. The amendment will not have the effect of reversing the policies of the Salinas general plan, any applicable specific plan, and other plans and policies adopted by the Salinas city council;

There are no policies within the Salinas General Plan that would be reversed as a result of this amendment. There are no Specific Plans or Precise Plans applicable to the site.

3. The amendment would not create an isolated district unrelated to adjacent zoning districts;

The proposed zoning amendment will not create an unrelated zoning district because the rezoning would extend the boundary of the existing and contiguous IGC base zoning district to include the proposed lot located at 295 Sun Way.

4. *The city has the capability to provide public utilities, roads, and services to serve the uses allowed by the proposed amendment.*

Salinas is an urbanized area and public infrastructure is presently in place to serve most uses. The proposed Rezoning would not create the need for additional infrastructure.

PASSED AND ADOPTED this 6th day of November 2019, by the following vote:

AYES: Chairperson Griffin, Vice Chairperson Meeks, Commissioners Anzo, Hernandez, Nohr, and Rocamora

NOES: None

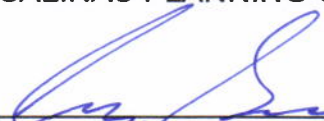
ABSTAIN: Commissioner Ottone

ABSENT: None

THIS IS TO CERTIFY that the foregoing is a full, true, and correct copy of a Resolution of the Planning Commission of the City of Salinas, that said Resolution was passed and adopted by the affirmative and majority vote of said Planning Commission at a meeting held on November 6, 2019, and that said Resolution has not been modified, amended, or rescinded, and is now in full force and effect.

SALINAS PLANNING COMMISSION

Date: 11/15/19



Courtney Grossman
Secretary

Attach:

Exhibit A: Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program

Exhibit B: Proposed General Plan Amendment 2017-001 Map for 295 Sun Way

Exhibit C: Proposed Rezone 2017-002 Map for 295 Sun Way

CITY OF SALINAS
Community Development Department
65 West Alisal Street, Salinas, CA 93901

(MITIGATED) NEGATIVE DECLARATION

The project described below has been reviewed in accordance with the California Environmental Quality Act (CEQA) and has been determined to have a less than significant impact upon the environment.

Project's Common Name: General Plan Amendment 2017-001 (GPA 2017-001) and Rezone 2017-002 (RZ 2017-002).

File Nos.: GPA 2017-001; RZ 2017-002

Project Applicant: Simas -East Market LLC

Project Location: 295 Sun Way in the P-F (Park – Flood Plain Overlay) Zoning District (APN 003-212-017-000)

Determination: The attached Initial Study has been prepared for the above project in accordance with the California Environmental Quality Act and procedures established in the *CEQA Guidelines* adopted by the City of Salinas. On the basis of the Initial Study, the City of Salinas makes the following determination:

- ☐ The above project will not have a significant effect on the environment, and a **NEGATIVE DECLARATION** is hereby approved.
- ☒ The above project could have a significant effect on the environment, but **WILL NOT** have a significant effect in this case because the attached mitigation measures have been made by or agreed to by the applicant which will avoid the effects or mitigate the effects to a point where clearly no significant effects will occur. Furthermore, there is no substantial evidence before the City of Salinas that the proposed project, as revised, may have a significant effect on the environment. A **(MITIGATED) NEGATIVE DECLARATION** is hereby approved.

Mitigation measures, if any, included in the project to avoid potentially significant effects:

(See attached Mitigation Monitoring Program)

Further information about this project and about its probable environmental impact will be on file in the Community Development Department, 65 West Alisal Street, Salinas, CA 93901.

COURTNEY GROSSMAN
Planning Manager

By: 
Bobby Latino
Associate Planner

Date: 2/25/12

Attach: Mitigation Monitoring and Reporting Program

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GENERAL PLAN AMENDMENT 2017-001 (GPA 2017-001) FROM PARK TO GENERAL COMMERCIAL/LIGHT INDUSTRIAL AND REZONE 2017-002 (RZ 2017-002) FROM PARK TO INDUSTRIAL - GENERAL COMMERCIAL
MITIGATION MONITORING AND REPORTING PROGRAM
295 SUN WAY

Mitigation Number	Nature of Mitigation	Result after Mitigation	Party Responsible for Implementing	Party Responsible for Monitoring: Method to Confirm Implementation	Timing for Implementation
CUJ-1	In the event that cultural materials are encountered during grading/construction, all work shall cease until the find has been evaluated and mitigation measures put in place for the disposition and protection of any find pursuant to Public Resources Code Section 21083.2	To ensure compliance with Public Resources Code Section 21083.2.	Applicant, or Successor in Interest.	Community Development Department, Current Planning	During grading/construction activities
TRANS-1	Add a third northbound lane and third southbound lane to Natividad Road through the Natividad Road / East Laurel Drive intersection. Intersection operations would improve during the AM and PM peak hours. To ensure that the intersection at Natividad Road / East Laurel Drive will operate at acceptable level of service, the Applicant shall pay the City of Salinas Traffic Impact Fees, which would represent the project's fair-share contribution of this improvement that is included in the City of Salinas TFO (Project 61).	To minimize transportation impacts.	Applicant, or Successor in Interest.	Public Works Department	Prior to issuance of a building permit.

Mitigation Number	Nature of Mitigation	Result after Mitigation	Party Responsible for Implementing	Party Responsible for Monitoring: Method to Confirm Implementation	Timing for Implementation
TRANS-2	Convert the signal phasing on the east and west intersection of Sherwood Drive – Natividad Road / East Bernal Drive-La Posada Way approaches from concurrent phasing to split phasing. Intersection operations would improve during the AM and PM peak hour to LOS D. To ensure that the intersection of Sherwood Drive – Natividad Road / East Bernal Drive-La Posada Way will operate at acceptable levels of service, the applicant shall either: (1) Prior to the City's issuance of the first grading permit for a specific development project at project site, pay a traffic impact fee provided the City has updated its Traffic Improvement Program and Traffic Fee Ordinance to include the signal modifications at this intersection as one of the improvements that is funded by the TFO, or (2) if the signal modifications at this intersection have not been included in the TFO, the applicant shall be responsible for either:	To minimize transportation impacts.	Applicant, or Successor in Interest.	Public Works Department	Prior to issuance of the first grading permit for a specific development project at project site.

Mitigation Number	Nature of Mitigation	Result after Mitigation	Party Responsible for Implementing	Party Responsible for Monitoring: Method to Confirm Implementation	Timing for Implementation
	(a) Funding the improvements and obtaining the requisite encroachment or other permits for modifying the signal phasing and ensuring that the signal modification is in operation prior to the issuance of the first Certificate of Occupancy for a specific development project at the project site, or				Prior to the issuance of the first Certificate of Occupancy for a specific development project at the project site
	(b) Concurrent with the issuance of the first grading permit for a specific development project at project site, depositing funds with the City in order for the City to obtain the requisite permits and modifying the signal phasing ensuring that the signal modification is operational prior to the issuance of the first Certificate of Occupancy for a specific development project at the project site.				Prior to the issuance of the first Certificate of Occupancy for a specific development project at the project site

Mitigation Number	Nature of Mitigation	Result after Mitigation	Party Responsible for Implementing	Party Responsible for Monitoring: Method to Confirm Implementation	Timing for Implementation
TRANS-3	Add a third northbound lane and third southbound lane on North Main Street through the North Main Street / Rossi Street intersection. Intersection operations would improve during the PM peak hour to LOS C. To ensure that the intersection at North Main Street / Rossi Street will operate at acceptable level of service, the Applicant shall pay the City of Salinas Traffic Impact Fees, which would represent the project's fair-share contribution of this improvement that is included in the City of Salinas TFO (Project 31).	To minimize transportation impacts.	Applicant, or Successor in Interest.	Public Works Department	Prior to issuance of a building permit.
TRANS-4	Signalize the intersection of Sun Street and East Market Street. The intersection would operate at LOS A during the AM and PM peak hours with signalization. To ensure that the intersection of Sun Street and East Market Street will operate at acceptable levels of service, the applicant shall be responsible for either: (a) Funding the improvements and obtaining the requisite encroachment or other permits for installation of a traffic signal and ensure that the signal is in operation prior to the issuance of the first Certificate of Occupancy for a specific development project at the project site, or	To minimize transportation impacts.	Applicant, or Successor in Interest.	Public Works Department	Prior to the issuance of the first Certificate of Occupancy for a specific development project at the project site.

Mitigation Number	Nature of Mitigation	Result after Mitigation	Party Responsible for Implementing	Party Responsible for Monitoring: Method to Confirm Implementation	Timing for Implementation
	(b) Concurrent with the issuance of the first grading permit for a specific development project at project site, depositing funds with the City in order for the City to obtaining the requisite permits for, and installation of, a traffic signal that will be operational prior to the issuance of the first Certificate of Occupancy for a specific development project at the project site.				Prior to the issuance of the first Certificate of Occupancy for a specific development project at the project site.
TRANS-5	Signalize the intersection. Intersection operations would improve during the AM and PM peak hours to LOS B. To ensure that the intersection of U.S. 101 Southbound Offramp – Merced Street/East Market Street will operate at acceptable levels of service, the applicant shall either: (1) Prior to the City's issuance of the first grading permit for a specific development project at project site, pay a traffic impact fee provided the City has updated its Traffic Improvement Program and Traffic Fee Ordinance to include a traffic signal at this intersection as one of the improvements that is funded by the TFO, or (2) if the traffic signal at this intersection has not been included in the TFO, the applicant shall be responsible for either:	To minimize transportation impacts.	Applicant, or Successor in Interest.	Public Works Department	Prior to the issuance of the first Certificate of Occupancy for a specific development project at the project site.

Mitigation Number	Nature of Mitigation	Result after Mitigation	Party Responsible for Implementing	Party Responsible for Monitoring: Method to Confirm Implementation	Timing for Implementation
TCR-1	(a) Funding the improvements and obtaining the requisite encroachment or other permits for installation of a traffic signal and ensure that the signal is in operation prior to the issuance of the first Certificate of Occupancy for a specific development project at the project site, or				Prior to the issuance of the first Certificate of Occupancy for a specific development project at the project site.
	(b) Concurrent with the issuance of the first grading permit for a specific development project at project site, depositing funds with the City in order for the City to obtain the requisite permits and install the traffic signal ensuring that the signal is operational prior to the issuance of the first Certificate of Occupancy for a specific development project at the project site.				Prior to the issuance of the first Certificate of Occupancy for a specific development project at the project site.
	In the event that cultural materials are encountered during grading/construction, all work shall cease until the find has been evaluated and mitigation measures put in place for the disposition and protection of any find pursuant to Public Resources Code Section 21083.2.	To ensure compliance with Public Resources Code Section 21083.2	Applicant, or Successor in Interest	Community Development Department, Current Planning	During grading/ construction activities

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North General Plan Amendment Map



GENERAL PLAN AMENDMENT 2017-001

(Related to Rezone 2017-002)

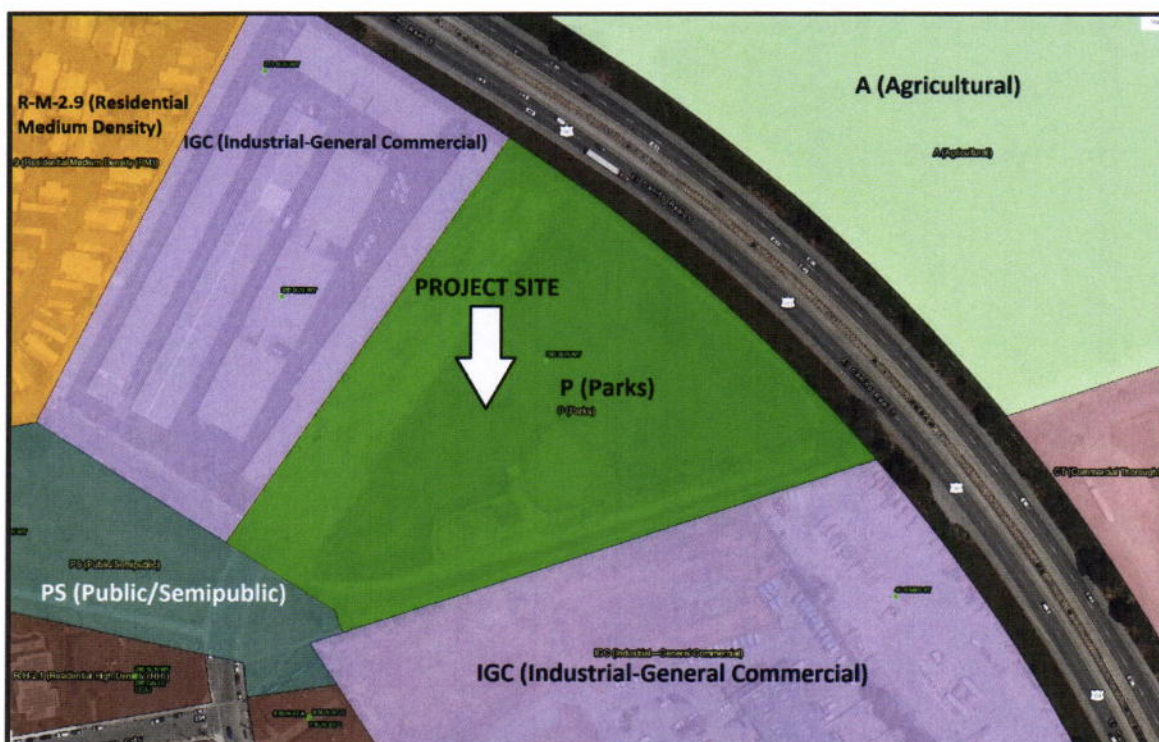
Project Description: Change a 7.67-acre site from Park to General Commercial/Light Industrial

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North

Rezoning Map



REZONE 2017-002

(Related to General Plan Amendment 2017-001)

Project Description: Change a 7.67-acre site from Parks to Industrial - General Commercial.

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