



CITY OF SALINAS COUNCIL STAFF REPORT

DATE: **DECEMBER 3, 2019**

DEPARTMENT: **COMMUNITY DEVELOPMENT DEPARTMENT**

FROM: **MEGAN HUNTER, COMMUNITY DEVELOPMENT DIRECTOR**

THROUGH: **COURTNEY GROSSMAN, PLANNING MANAGER**

BY: **BOBBY LATINO, ASSOCIATE PLANNER**

TITLE: **GENERAL PLAN AMENDMENT 2017-001 (GPA 2017-001) AND
REZONE 2017-002 (RZ 2017-002) LOCATED AT 295 SUN WAY IN
THE P-F (PARKS – FLOOD PLAIN OVERLAY) ZONING
DISTRICT**

RECOMMENDED MOTION:

A motion to adopt the proposed Mitigated Negative Declaration, approve a Resolution for General Plan Amendment 2017-001, and adopt an Ordinance for Rezone 2017-002.

RECOMMENDATION:

Staff recommends that the City Council affirm the findings and adopt the proposed Mitigated Negative Declaration in accordance with the California Environmental Quality Act, approve a Resolution for General Plan Amendment 2017-001, and introduce and adopt an Ordinance for Rezone 2017-002.

EXECUTIVE SUMMARY:

Simas-East Market Street LLC, Applicant and Property Owner, is requesting approval of a 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. Following the effective date of the General Plan Amendment and Rezone, subsequent development would be subject to the City of Salinas Zoning Code.

BACKGROUND:

The General Plan identifies the site as a Park, but the grounds have been owned by a private corporation, which entered into a lease with the City of Salinas for the use as a Park in 1974 (see attached City Council Resolution No. 8514, 1974 Lease Agreement between City of Salinas and California Rodeo Association). A subsequent lease (see attached Exhibit 3 of Initial Study: City Council Resolution No. 19242) between the City of Salinas and the current property owner, Simas-

East Market Street LLC, was terminated on November 4, 2018 (see attached Exhibit 4 of Initial Study: Termination Letter for Expo Site Lease Agreement, dated January 14, 2019). Per Condition No. 6 of the lease, “upon termination of the lease agreement for any reason, Tenant agrees that it will cooperate in accomplishing a change of zoning of the leased premises to correspond with the zoning designation of other properties in the area in order to provide the Leased Premises the highest market potential possible.” This General Plan Amendment and Rezone is in direct response to Condition No. 6 of the Lease; therefore, excluding this property further as a Park.

On September 12, 2019, the Traffic and Transportation Commission voted 5-1, to recommend City Council approve the General Plan Amendment (GPA 2017-001) and Rezone (RZ 2017-002) based on the Rodeo Property Traffic Impact Analysis (see attached Initial Study and Mitigated Negative Declaration).

On November 6, 2019, the Salinas Planning Commission voted 6-0, to recommended that the City Council adopt the proposed Mitigated Negative Declaration, approve General Plan Amendment 2017-001, and adopt Rezone 2017-002 (See attached Planning Commission Resolution 2019-15). Commissioner Meeks noted concerns about a lack of park space. Staff explained that the site is privately owned and that per a lease agreement between the owner and the City of Salinas, the site would be rezoned because the location is not appropriate for a park because it is surrounded by industrial uses, US 101, and PGE power lines.

DISCUSSION:

Analysis:

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 the lease, which encourages development of an industrial property. Consistent with Circulation Policy C-1.2 and C-2.2, 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). The Mitigation Monitoring and Reporting Program and the proposed mitigation measures require future development to contribute to financing of street improvements required to meet the traffic 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. No existing residential units are located on-site, or near the site.

No specific development plan is included with this application. Future development would be subject to the City of Salinas Zoning Code including, but not limited to use classification, development standards, design standards, and performance standards.

CEQA CONSIDERATION:

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 and posted at the County Clerk's Office on September 26, 2019; the deadline for comments was October 28, 2019. Action on the environmental document should precede any action on the requested permits. 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) (see attached). 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.

STRATEGIC PLAN INITIATIVE:

The proposed General Plan Amendment and Rezone will assist the City Council's goal of Economic Diversity and Prosperity and Well Planned City and Excellent Infrastructure by facilitating an appropriate change of Land Use and Zoning designation to accommodate a privately-owned vacant lot for future development, ultimately creating jobs and business opportunities.

DEPARTMENTAL COORDINATION:

The Current Planning Division of the Community Development Department was the lead project manager for the proposed General Plan Amendment and Rezone. The Traffic and Transportation Division of the Public Works Department was instrumental in the following: review of the Traffic Impact Analysis, review of Mitigation Monitoring Program for the Mitigated Negative Declaration, and facilitation of the Traffic and Transportation Commission recommendation. The

Legal Department was instrumental in the review of the proposed Resolutions and Ordinance and provided support to the Planning Commission.

FISCAL AND SUSTAINABILITY IMPACT:

No significant impacts to the City's General Fund are anticipated with the application.

ATTACHMENTS:

Draft Ordinance for Rezone 2017-002, including the following exhibit:

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

Draft Resolution for General Plan Amendment 2017-001, including the following exhibit:

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

Traffic and Transportation Commission Minutes for September 12, 2019

Planning Commission Staff Report dated November 6, 2019 w/o Exhibits

Planning Commission Resolution 2019-015 for Rezone 2017-002 and General Plan Amendment 2017-001, including the following exhibits:

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

Planning Commission Minutes for November 6, 2019

Initial Study for 295 Sun Way, including the following exhibits:

1. Vicinity Map
2. General Plan Amendment and Rezone – Site Plan
3. City Council Resolution No. 19242 (Expo Site Lease Agreement)
4. Termination Letter for Expo Site Lease Agreement, dated January 14, 2019
5. Air Quality Impact Analysis by First Carbon Solutions, dated September 19, 2019
6. Biological Resources Assessment by First Carbon Solutions, dated August 17, 2018
7. Phase 1 Cultural and Paleontological Resources Assessment by First Carbon Solutions, dated August 17, 2018
8. Greenhouse Gas Impact Analysis by First Carbon Solutions, dated August 17, 2018
9. Traffic Impact Analysis by Mott McDonald, dated June 12, 2019
10. Contracted Peer Review by Rincon Consultants Inc. of the Air Quality Impact Analysis, Greenhouse Gas Impact Analysis, Biological Resources Assessment, and Phase 1 Cultural and Paleontological Resources Assessment by First Carbon Solutions, dated October 23, 2018
11. Mitigation Monitoring and Reporting Program
12. Letter from Ohlone/Costanoan-Eselen Nation (OCEN), dated December 17, 2018

City Council Resolution No. 8514, 1974 Lease Agreement between City of Salinas and California Rodeo Association

TAMC Comments on IS/MND, dated October 28, 2019