



## **CITY OF SALINAS COUNCIL STAFF REPORT**

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**DATE:** MARCH 12, 2024

**DEPARTMENT:** COMMUNITY DEVELOPMENT DEPARTMENT

**FROM:** LISA BRINTON, DIRECTOR

**THROUGH:** COURTNEY GROSSMAN, PLANNING MANAGER

**BY:** THOMAS WILES, SENIOR PLANNER

**TITLE:** GENERAL PLAN AMENDMENT (GPA 2023-001), REZONE (RZ 2023-001), CONDITIONAL USE PERMIT (CUP 2022-059), RESUBDIVISION (RS 2022-006), AND MINOR MODIFICATION TO CONDITIONAL USE PERMIT 1977-031 (MM 2022-019); TO CONSTRUCT A 36-UNIT 100% AFFORDABLE SENIOR HOUSING PROJECT LOCATED AT 98 KIP DRIVE

### RECOMMENDED MOTION:

Motion to:

1. Approve a Resolution affirming the findings, adopting the proposed Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, and approving General Plan Amendment 2023-001, Conditional Use Permit 2022-059, Resubdivision 2022-006, and Minor Modification to Conditional Use Permit 1977-031 (MM 2022-019) to construct a 36-unit 100% affordable senior housing project located at 98 Kip Drive; and
2. Introduce and adopt an Ordinance rezoning a 0.85-acre portion of the 2.3-acre Subject Property located at 98 Kip Drive from Public/Semipublic (PS) to Residential High Density (R-H-2.1) (RZ 2023-001).

### EXECUTIVE SUMMARY:

CHISPA, Incorporated proposes to construct an 100% affordable senior housing Project at 98 Kip Drive (St. Georges Senior Apartments; Project). The Project consists of a three-story, 36-unit, multifamily residential building. All units, including one (1) manager unit, are one (1) bedroom. A General Plan Amendment, Rezone, Conditional Use Permit, Resubdivision, and a Minor Modification to Conditional Use Permit 1977-031 are required for Project entitlement. CUP 2022-059 includes concession and waiver requests for usable open space, density, and off-street parking and alternative means of compliance for landscaping along the east property line.

## BACKGROUND:

CHISPA, Incorporated is requesting approval of the following applications for a property located at 98 Kip Drive (Subject Property) in the Public/Semipublic Zoning District (APN: 261-661-011-000):

1. General Plan Amendment 2023-001 (GPA 2023-001); Request to change the General Plan designation of a 0.85-acre portion of the 2.3-acre Subject Property from “Public/Semipublic” to “Residential High Density”.
2. Rezone 2023-001 (RZ 2023-001); Request to rezone the same above referenced 0.85-acre portion of the 2.3-acre Subject Property from “Public/Semipublic (PS)” to “Residential High Density (R-H-2.1)”.
3. Conditional Use Permit 2022-059 (CUP 2022-059); Request to construct a three story, 36-unit, multifamily residential 100% affordable senior housing Project. The Project consists of 36 units one (1) bedroom units including one (1) manager unit, 31 off-street parking spaces with a five (5) space (14%) parking reduction, concession and waiver requests for usable open space, density, and off-street parking and alternative means of compliance for landscaping along the east property line.
4. Resubdivision 2022-006 (RS 2022-006); Request for a parcel map (vesting tentative parcel map) to subdivide a 2.3-acre lot into two (2) lots of 1.45 and 0.85 acres each.
5. Minor Modification to Conditional Use Permit 1977-031 (MM 2022-019); Request to delete the terms and conditions of Conditional Use Permit 1977-031 (CUP 1977-031), from the proposed 0.85-acre lot, which currently applies the entire 2.3-acre lot.

The subject property is currently owned by Rector, Wardens, and Vestrymen of St. George’s Parish and developed with an existing religious assembly use and a rectory (St. George’s Episcopal Church), which was approved by Conditional Use Permit 1977-031 (CUP 1977-031).

The entire 2.3-acre subject property is currently zoned Public/Semipublic (PS). Per Zoning Code Section 37-30.390, Table 37-30.17, multi-family residential units are subject to a Conditional Use Permit (CUP) in the PS District. However, in the PS District, residential development is required to comply with the Residential Medium Density (R-M-2.9) development regulations, which only allows for one (1) unit for every 2,900 square-feet of lot area. The Applicant is requesting a General Plan Amendment (GPA) and Rezone (RZ) to change the General Plan and Zoning designations from “Public/Semipublic” to “Residential High Density” and “Residential High Density (R-H-2.1)” respectively to allow for increased residential density. The proposed GPA and RZ would be consistent with the designations of the adjacent property located to the south. Upon approval of the General Plan Amendment and Rezone, the proposed affordable senior housing Project with a 100% density bonus can be considered through the CUP process. The proposed parcel map is requested to create the 0.85-acre Project site from the remainder of the 2.3-acre site. The Minor Modification to CUP 1977-031 is requested to delete the terms and conditions of the

religious assembly CUP from the proposed 0.85-acre lot. The existing Religious Assembly use would remain on the proposed 1.45-acre lot located adjacent to the west of the Project site.

The property is located in the Public/Semipublic (PS) Zoning District. The following provides an overview of the land uses and zoning districts adjacent to the Project site:

North: Single-family residential/Residential – Low Density (R-L-5.5)  
South: Multi-family residential/Residential High Density (R-H-2.1)  
East: Single-family residential/Residential Low Density (R-L-5.5)  
West: Public School (North Salinas High School)/Public Semipublic (PS)

On February 27, 2024, the Housing and Land Use Committee recommended that the City Council approve the Project, and on February 21, 2024, the Planning Commission recommended that the City Council approved the project (see attached PC Resolution 2024-02).

## DISCUSSION:

### Analysis:

The proposed residential building would be three (3) stories tall and approximately 36-feet high. The exterior design consists of a sand finish stucco with vertical fiber cement siding and trim and tan, grey, and white exterior colors. All the proposed 36 units would be one-bedroom. The Project includes a manager's unit, 35 resident rooms, and storage facilities. Per Zoning Code Section 37-30.170, Table 37-30.80, Footnote I, the number of bedrooms per dwelling unit requirement in the R-H-2.1 District does not apply to senior housing.

### General Plan Amendment 2023-001 and Rezone 2023-001:

Per the 2002 Salinas General Plan, the Land Use designation of the approximately of the 0.85-acre Project site is "Public/Semipublic. The proposal is to change the General Plan designation of the above referenced the Project site from "Public/Semipublic" to "Residential High Density". The proposed change in the General Plan land use designation from would be consistent with the property located adjacent to the south at 90 Kip Drive.

The proposed Rezone is requested to change the zoning of the same above referenced 0.85-acre portion of a 2.3-acre lot from "Public/Semipublic (PS)" to "Residential High Density (R-H-2.1)". The proposed zoning would be consistent with the existing Zoning designation of the adjacent property located to the south at 90 Kip Drive. The Project site is not located within a specific plan or a precise plan area and therefore does not conflict with such a plan. The Project site is located entirely within the City limits of Salinas and does not conflict with the adopted sphere of influence. The General Plan and Zoning designations of "Public/Semipublic" and "Public/Semipublic (PS)" of the proposed 1.45-acre lot located adjacent to the west of the Project site will not change.

### Conditional Use Permit 2022-059:

Conditional Use Permit 2022-059 (CUP 2022-059) is a request to construct a three story, 36-unit

multifamily residential 100% affordable senior housing Project. The Project consists of 36 units one (1) bedroom units including one (1) manager unit, 31 off-street parking spaces with a five (5) space (14%) parking reduction, concession and waiver requests for usable open space, density, and off-street parking and alternative means of compliance for landscaping along the east property line. Because of the existing Public/Semipublic General Plan and Zoning designations of the Project site, the related General Plan Amendment and Rezone will need to be approved to allow for the proposed Project density.

### Density Bonus

The Project includes a request for a 100% density bonus for Affordable Senior Housing per Zoning Code Section 37-50.060. It is proposed that all the 36 residential units (excepting the Manager's unit) will be affordable. Per Zoning Code Section 37-30.170, Table 37-30.80, the maximum net density of the proposed Project without a density bonus in the proposed R-H-2.1 Zoning District is 20 dwelling units to the acre. In this case, the Project site consists of 37,026 square-feet (.85 acres), which would allow for a maximum of 17 dwelling units without a density bonus (.85 x 20). Using the calculations for a 100% density bonus for affordable senior housing as per Zoning Code Section 37-50.060, the maximum number of units with a density bonus is 36 units. The proposed number of units is within the maximum allowed with a density bonus.

The Project includes Density Bonus concessions pursuant to Government Code 65915, which authorizes concessions pursuant to State Density Bonus laws for Affordable Senior Type 1 housing concerning usable open space and parking: The proposed concession for off-street parking is a five (5) space, 14% reduction for Parcel "B" only. Parcel "A" has adequate parking to serve the existing religious assembly use. The concession for off-street parking is appropriate because a parking space will not be required for every unit. The Applicant's records show that the number of cars for three (3) similar senior Projects in the City of Salinas indicate that the number of cars per unit ranges from 35% to 52%. By reducing the amount of land required for the off-street parking and allowing more of the site to be used for development of apartment units, this concession results in identifiable and actual cost reductions to provide affordable rents.

### Usable Open Space

Salinas Zoning Code Section 37-50.170, Table 37-30.80, requires 18,000 square-feet of usable open space for the proposed 36 units on the Project site (36 units x 500 s.f.). The Project includes 4,900 square-feet of usable open space (3,172 square-feet of common usable open space and 1,728 square-feet of private open space). A concession is requested for usable open space. This concession for reduction in the amount of usable open space is requested to allow for additional area of the Project site to be used for residential units, which will result in identifiable and actual cost reductions to provide for affordable rents.

### Off-Street Parking

The Zoning Code requires a minimum of 36 off-street parking spaces for the 36-unit affordable senior housing Project (one space per unit) for the proposed Project. The Applicant is requesting a concession to allow a total of 31 off-street parking spaces for the Project. This would result in a

five (5) space, 14-percent parking reduction. Per the Applicant, support for the concession is appropriate because a parking space will not be required for every unit. The Applicant's records show that number of cars for three (3) similar senior Projects in the City of Salinas shows that the number of cars per unit ranges from 35% to 52%. By reducing the amount of land required for the off-street parking spaces and allowing more of the site to be used for apartment units, this concession results in identifiable and actual cost reductions to provide for affordable rents. In addition, the Project site is covered under Assembly Bill 2097 (AB 2097), which prohibits cities from imposing a minimum off-street parking requirement on residential Projects located within a half-mile radius of a major transit stop. The Project site is near Monterey-Salinas Transit (MST) bus route 41, which runs from the Salinas Transit Center to Northridge Mall via East Alisal Street. Per MST, the service operates every 30 minutes on weekdays and hourly on weekends. Support for this concession can also be established because the proposed five (5) space, 14-percent parking reduction complies with Zoning Code Sections 37-50.370(a)(2) and (a)(4). Per this concession a minimum of 31 off-street parking spaces, including a minimum of two (2) accessible parking spaces shall be provided.

#### Affordable Housing Plan

As the Project exceeds ten residential units, it is subject to the Inclusionary Housing Ordinance per Salinas Municipal Code Section 17-11. The proposed Affordable Housing Plan includes 3 very low and 32 low-income units, which is 100-percent of the total units (excluding the Manager's unit). The units will be deed restricted for a minimum 55 years for affordable senior housing. For fiscal year 2023, the median income for Monterey County is \$100,400. See attached Affordable Housing Plan (Exhibit "R" of CUP 2022-059).

#### Resubdivision

The existing 2.3-acre site is currently designated "Public/Semipublic" by Figure LU-3 of the Salinas General Plan and zoned "Public/Semipublic (PS)". The proposed Parcel Map is related to General Plan Amendment 2023-001 and Rezone 2023 which would subdivide the 2.3-acre lot into two (2) lots of 1.45 and 0.85 acres each. Parcel One would consist of 1.45-acres and retain the existing Public/Semipublic General Plan designation and Zoning. Parcel Two would be 0.85-acres and be designated "Residential High Density" in the General Plan and rezoned "Residential High Density (R-H-2.1)". The proposed Parcel Map is consistent with this Residential High Density land use designation and zoning.

#### Minor Modification to Conditional Use Permit 1977-031

The proposed Minor Modification to Conditional Use Permit 1977-031 would delete the terms and conditions of Conditional Use Permit 1977-031 (CUP 1977-031), from the proposed 0.85-acre Project site containing the multi-family residential use for affordable senior housing. Conditional Use Permit 1977-031 approved a religious assembly use on the entire 2.3-acre lot. The religious assembly use would remain applicable to the proposed 1.45-acre lot located adjacent to the west of the Project site. Per Zoning Code Section 37-30.390, Table 37-30.390, religious assembly uses are permitted in the Public/Semipublic (PS) Zoning District pursuant to a Conditional Use Permit (CUP).

### Findings:

### Mitigated Negative Declaration:

Prior to taking action on the requested General Plan Amendment, Rezone, Conditional Use Permit, Resubdivision, and Minor Modification to CUP 1977-031, the City Council will need to confirm that the proposed environmental document is adequate for the proposed Project by establishing the findings set forth in the attached City Council Resolution.

### General Plan Amendment/Rezone:

The City Council may approve of a General Plan Amendment and Rezone, if all of the findings set forth in the attached City Council Resolution are established. Per Zoning Code Section 37-60.920(d)(2), an affirmative vote of a majority (no less than four (4) votes) of the City Council is required to approve the General Plan Amendment and Rezone.

### Conditional Use Permit:

The related Conditional Use Permit 2022-059 as described above cannot be approved as proposed unless the related General Plan Amendment and Rezone are approved to allow for the proposed residential density.

### Resubdivision:

Both of the proposed lots for the related Resubdivision for a parcel map (vesting tentative parcel map) to subdivide a 2.3-acre lot into two (2) lots of 1.45 and 0.85 acres each will comply with the Zoning Code Development Standards for both the PS and R-H-2.1 Zoning Districts; and

### Time Consideration:

The proposed Project includes requests for a General Plan Amendment and Rezone, which are legislative acts and not subject to the Permit Streamlining Act (PSA).

### Alternatives Available to the City Council:

1. Affirm the findings set forth in the attached Resolution, adopting the Mitigated Negative Declaration and approve General Plan Amendment 2023-001, Rezone 2023-001, Conditional Use Permit 2022-059, Resubdivision 2022-006, and Minor Modification to Conditional Use Permit 1977-031 (MM 2022-019) with modifications; or
2. Find that the proposed applications are not appropriate and establish findings at the public hearing denying General Plan Amendment 2023-001, Rezone 2023-001, Conditional Use Permit 2022-059, Resubdivision 2022-006, and Minor Modification Conditional Use Permit 1977-031 (MM 2022-019).

## 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. The Initial Study and Mitigated Negative Declaration were routed to responsible agencies and posted at the County Clerk's Office on January 11, 2024; the deadline for comments was February 9, 2024. The State Clearinghouse received the document on January 10, 2024; the deadline for Clearinghouse comments was February 8, 2024 (SCH# 2024010222).

Public comments were received from the following during the comment period as described below:

1. Comments received via email from Monterey Salinas Transit on January 25, 2024.

Monterey Salinas Transit (MST) serves, operates, and maintains two (2) existing stops within the Project's vicinity for Line 41. Line 41 travels from the Salinas Transit Center to Northridge Mall via East Alisal Street. Per MST, the service operates every 30 minutes on weekdays and hourly on weekends. MST encourages the Applicant (CHISPA) to enroll in their Group Discount Program to offer employees and hotel guests bus passes at substantially reduced rates.

Staff Response: MST information has been provided to the Applicant for reference.

2. Comments received via email from Monterey Bay Air Resources District (MBARD) on February 9, 2024.

- a. The emission estimates stated in Pages 6-7 of the Initial Study must be supported by substantial evidence, such as the use of the California Emissions Estimator Model (CalEEMOD).

Staff Response: Staff used the CalEEMOD model to calculate the average daily emissions of VOC's or NOx, CO, PM10, and SOx. Per the CalEEMOD the calculations for the proposed Project as compared to the maximum allowed per MBARD will be the following:

<u>Emission</u>	<u>Project Emission</u>	<u>MBARD Maximum</u>
VOC or NOx	1 lb./day	137 lbs./day
CO	1.4 lbs./day	550 lbs./day
PM	.02 lb./day	82 lbs./day
SOx	1 lb./day	150 lbs./day

Per the above table, the estimated emissions from the proposed Project will be less than the maximum allowed MBARD emissions and will be in compliance.

- b. Because of the Projects proximity to sensitive receptors, fugitive dust should be mitigated during the construction phase of the Project.

Staff Response: As a part of the building permit process, the Applicant will need to comply with the dust control measures stated in Zoning Code Section 37-50.180(j) and conform to the City's National Pollutant Discharge Elimination System (NPDES) requirements and stormwater management and discharge control Ordinance as per Zoning Code Section 37-50.180(k). In addition, as required by the draft CUP 2022-059, the Applicant or successor-in-interest shall obtain all applicable permits from MBARD and consult with them concerning any potential need for a diesel health risk assessment.

- c. If a generator, boiler, or other stationary sources of air pollutants are needed to support the construction process or will be installed for use in the operation of the Project, a permit from MBARD may be required. In addition, any stationary piston-type internal combustion engine of greater than or equal to 50 brake horsepower (bhp) may also require a MBARD permit.

Staff Response: Per CUP 2022-059, if required, the Applicant or successor-in-interest shall obtain all applicable permits from MBARD.

- d. If older underground asbestos (Transite) piping is encountered during construction work, the requirements of MBARD Rule 424 National Emission Standards for Hazardous Air Pollutants (NESHAP) could be triggered.

Staff Response: Per CUP 2022-059, if required, the Applicant or successor-in-interest shall obtain all applicable permits from MBARD, including if older underground asbestos (Transite) piping is encountered during construction.

- e. The Applicant or successor-in-interest should consider making electric vehicle (EV) charging stations available in the facility's parking areas.

Staff Response: This comment has been forwarded to the Applicant for review and consideration.

#### STRATEGIC PLAN INITIATIVE:

This action supports the Council's Strategic Goals of Housing/Affordable Housing and Economic Development through the development and construction of the proposed 100% Senior Housing Project.

#### DEPARTMENTAL COORDINATION:

The proposed project has been discussed among the Current Planning and Permit Services Divisions of the Community Development Department, the Public Works Department, and the Fire Department.



## FISCAL AND SUSTAINABILITY IMPACT:

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

## ATTACHMENTS:

Draft Resolution for the Mitigated Negative Declaration, General Plan Amendment 2023-001, Conditional Use Permit 2022-059, Resubdivision 2022-006, and Minor Modification 2022-019 with the following Exhibits:

- Exhibit 1: Vicinity Map
- Exhibit 2: General Plan Amendment Map for 98 Kip Drive
- Exhibit 3: Conceptual Vesting Tentative Parcel map dated June 26, 2023
- Exhibit 4: Mitigated Negative Declaration dated January 10, 2024

Draft Rezone Ordinance for Rezone 2023-001 with following Exhibits:

- Exhibit 1: Vicinity Map
- Exhibit 2: Rezone 2023-001 Map
- Exhibit 3: Mitigated Negative Declaration dated January 10, 2024

Draft Conditional Use Permit 2022-059, including the following exhibits:

- Exhibit "A" Vicinity Map
- Exhibit "B" Proposed Site Plan (Sheet A1.1)
- Exhibit "C" Proposed Floor Plans (Sheet A2.1)
- Exhibit "D" Enlarged Plans (Sheet A2.2)
- Exhibit "E" Elevations (Sheet A3.1)
- Exhibit "F" Building Sections (Sheet A4.1)
- Exhibit "G" Site Details (Sheet A8.1)
- Exhibit "H" Civil Cover (Sheet C0.1)
- Exhibit "I" Civil Overall Site Plan (Sheet C1.0)
- Exhibit "J" Civil Grading, Drainage, and Utility Plan (Sheet C1.1)
- Exhibit "K" Civil Grading, Drainage, and Utility Plan (Sheet C1.2)
- Exhibit "L" Civil Temporary Erosion and Sediment Control Plan (Sheet C2.1)
- Exhibit "M" Stormwater Control Plan (Sheet C3.1)
- Exhibit "N" Landscape Plan (Sheet L1.0)
- Exhibit "O" Planting Plan (Sheet L-2.0)
- Exhibit "P" Plant Images (Sheet L-2.1)
- Exhibit "Q" Hydrozone Map Water Use Calculations (Sheet L-3.0)
- Exhibit "R" Engineer's Report for CUP 2022-059 and RZ 2023-001 dated August 28, 2023
- Exhibit "S" Affordable Housing Plan – St. George's Senior Apartments dated July 13, 2023
- Exhibit "T" Mitigation Monitoring and Reporting Program
- Exhibit "U" Alternative Means of Compliance for Landscaping
- Exhibit "V" Facilities Traffic Management Plan for 98 Kip Drive – GPA 2023-001, RZ 2023-001, CUP 2022-059, RS 2022-006, and MM 2022-019

Draft Approval Letter for Resubdivision 2022-006 with the following exhibits:

- Exhibit "A": Vesting Tentative Parcel Map dated June 26, 2023

Exhibit "B": Engineer's Report dated August 28, 2023  
Draft Minor Modification 2022-019 with the following exhibit:

Exhibit 1: Conceptual Vesting Tentative Parcel map dated June 26, 2023  
February 27, 2024 Housing and Land Use Committee Staff Report without exhibits  
Planning Commission Resolution 2024-02, including the following exhibits:

Exhibit 1: Vicinity Map  
Exhibit 2: General Plan Amendment Map for 2110 North Main Street  
Exhibit 3: Rezone Map for 2110 North Main Street  
Exhibit 4: Conceptual Vesting Tentative Parcel map dated June 26, 2023  
Exhibit 5: Mitigation Monitoring and Reporting Program  
February 21, 2024 Planning Commission Staff Reports without exhibits  
Initial Study with the following exhibits:

1. Vicinity Map for 98 Kip Drive
2. General Plan Amendment Map for 98 Kip Drive
3. Rezone Map for 98 Kip Drive
4. Proposed Site Plan (Sheet A1.1)
5. Proposed Floor Plans (Sheet A2.1)
6. Enlarged Plans (Sheet A2.2)
7. Elevations (Sheet A3.1)
8. Building Sections (Sheet A4.1)
9. Site Details (Sheet A8.1)
10. Civil Cover Sheet (C0.1)
11. Civil Overall Site Plan (Sheet C1.0)
12. Civil Grading, Drainage, and Utility Plan (Sheet C1.1)
13. Civil Grading, Drainage, and Utility Plan (Sheet C1.2)
14. Civil Temporary Erosion and Sediment Control Plan (Sheet C2.1)
15. Stormwater Control Plan (Sheet C3.1)
16. Landscape Plan (Sheet L1.0)
17. Planting Plan (Sheet L-2.0)
18. Plant Images (Sheet L-2.1)
19. Hydrozone Map Water Use Calculations (Sheet L-3.0)
20. Conceptual Vesting Tentative Parcel map dated June 26, 2023
21. Engineer's Report for CUP 2022-059 and RZ 2023-001 dated August 28, 2023
22. Engineer's Report for RS 2022-006 dated August 28, 2023
23. California Historical Resources Information Systems (CHRIS) Response dated October 31, 2023
24. Comment letter from the Santa Ynez Band of Chumash Indians dated June 23, 2023
25. Affordable Housing Plan – St. George's Senior Apartments dated July 13, 2023
26. Mitigation Monitoring and Reporting Program
27. Density Bonus, Concession & Waiver Request dated July 26, 2023
28. Geotechnical Investigation for the Proposed Senior Housing Apartments 98 Kip Drive from Rock Solid Engineering Inc., dated August 29, 2022
29. Facilities Traffic Management Plan for 98 Kip Drive – GPA 2023-001, RZ

2023-001, CUP 2022-059, RS 2022-006, and MM 2022-019  
Comments from Monterey Salinas Transit dated January 25, 2024  
Comments from the Monterey Bay Air Resources District dated February 9, 2024

Cc: CHISPA Incorporated, Applicant  
Rector, Wardens, and Vestryman of St. George's Parish, Property Owner  
Monterey Salinas Transit (MST)  
Monterey Bay Air Resources District (MBARD)

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