



**CITY OF SALINAS
COUNCIL STAFF REPORT**

DATE: JUNE 20, 2023;
AUGUST 22, 2023, 2ND READING

DEPARTMENT: COMMUNITY DEVELOPMENT DEPARTMENT

FROM: LISA BRINTON, DIRECTOR

THROUGH: COURTNEY GROSSMAN, PLANNING MANAGER

BY: THOMAS WILES, SENIOR PLANNER

TITLE: GENERAL PLAN AMENDMENT 2022-003, REZONE 2022-003, AND CONDITIONAL USE PERMIT 2022-005; REQUEST TO AMEND THE GENERAL PLAN DESIGNATION FROM “RESIDENTIAL LOW DENSITY” TO “RETAIL”, CHANGE THE ZONING DESIGNATION FROM “RESIDENTIAL LOW DENSITY (R-L-5.5)” TO “COMMERCIAL RETAIL (CR)”, AND ESTABLISH AND OPERATE AN EXTENDED STAY HOTEL FOR 22 OF 25 ROOMS LOCATED AT 2110 NORTH MAIN STREET IN THE COMMERCIAL RETAIL (CR) AND RESIDENTIAL LOW DENSITY (R-L-5.5) ZONING DISTRICTS

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 a General Plan Amendment (GPA 2022-003) changing the General Plan Land Use designation of an approximately 8,349 square-foot eastern portion of a 18,880 square-foot project site located at 2110 North Main Street property from Residential Low Density to Retail and approving a Conditional Use Permit (CUP 2022-005) to establish and operate an Extended Stay Hotel; and
2. Adopt an Ordinance to Rezone the same above referenced 8,349 square-foot eastern portion of a 18,880 square-foot project site located at 2110 North Main Street from Residential Low Density (R-L-5.5) to Commercial Retail (CR) (RZ 2022-003).

EXECUTIVE SUMMARY:

Daniel Saphorghan, Swift Consulting on behalf of Janika Corporation DBA Capitol Motel, has

applied for a General Plan Amendment to change the General Plan Land Use designation of an approximately 8,349 square-foot eastern portion of a 18,880 square-foot lot located at 2110 North Main Street from “Residential Low Density” to “Retail”; a Rezone to change Zoning designation of the above referenced 8,349 square-foot eastern portion of the project site from “Residential Low Density (R-L-5.5)” to “Commercial Retail (CR)”; and a Conditional Use Permit to establish and operate an Extended Stay Hotel for 22 of 25 on-site rooms. Approval of the General Plan Amendment and Rezone are required to allow the proposed Extended Stay Hotel to operate on-site.

BACKGROUND:

The project site is currently developed with an existing hotel/motel (Capitol Motel) which is considered a legal non-conforming use pursuant to Zoning Code Section 37-50.160, because it is estimated to have been constructed circa 1936 prior to annexation. The Applicant (Capitol Motel – Ray Patel) is requesting to establish and operate an Extended Stay Hotel for 22 of the 25 on-site rooms pursuant to Zoning Code Section 37-50.085 (*Extended Stay for Hotel/Motel uses*).

The site is split zoned with Commercial Retail (CR) along the western portion of the site and Residential Low Density (R-L-5.5) along the eastern portion of the site. Per the Zoning Code, Extended Stay Hotels located on Commercial Retail (CR) zoned land can be considered through the Conditional Use Permit (CUP) process. However, in the Residential Low Density (R-L-5.5) Zoning District, Extended Stay Hotels are not permitted. Therefore, the applications have been submitted requesting to change the General Plan and Zoning designations of the subject property to be consistent with the western portion of the lot which are “Retail” and “Commercial Retail (CR)” respectively. Upon approval of the General Plan Amendment and Rezone, the proposed Extended Stay Hotel use can be approved through the CUP process.

The following provides an overview of the land uses and zoning districts adjacent to the project site:

- North: Soto Square Park and Salinas Fire Station No. 6/Parks (P) and Public/Semipublic (PS)
- South: Commercial/Commercial Retail (CR) and Residential Low Density (R-L-5.5)
- East: Residential/Residential Low Density (R-L-5.5)
- West: Residential/Commercial Retail (CR)

DISCUSSION:

Analysis:

General Plan Amendment 2022-003 and Rezone 2022-003:

Per the 2002 General Plan, the Land Use designation of the approximately 8,349 square-foot eastern portion of a 18,880 square-foot project site is “Residential Low Density”. The proposal is to change the General Plan designation of the above referenced eastern portion of the project site from “Residential Low Density” to “Retail”. The proposed change in the General Plan land use

designation from “Residential Low Density” to “Retail” would be consistent with the western portion of the project site and allow for uses prescribed by the City’s 2002 General Plan land use designation of Retail.

The project site consists of 18,880 square-feet. The approximately 10,531 square-foot western portion of the project site is currently located in the “Commercial Retail” (CR) District, which provides for wide range of commercial uses, including the existing hotel use and the proposed Extended Stay Hotel. The approximately 8,349 square-foot eastern portion of the project site is zoned Residential Low Density (R-L-5.5), which only allows for single-family residential uses. Uses such as the proposed Extended Stay Hotel are not allowed in the R-L-5.5 District. The proposed Rezone would change the Zoning designation of the eastern portion of the project site from “Residential – Low Density” (R-L-5.5) to “Commercial Retail” (CR). The proposed zoning would be consistent with the existing Zoning designation of the adjacent western portion of the project site. 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.

Conditional Use Permit 2022-005:

The Conditional Use Permit 2022-005 (CUP 2022-005) is requested to establish and operate an Extended Stay Hotel for 22 of 25 on-site rooms at an existing hotel (Capitol Motel). The site consists of a one-story hotel and a two-story office. There are 25 on-site units with 13 off-street parking spaces on-site and a common area. Because of the split zoning of the project site, the related General Plan Amendment and Rezone will need to be approved to allow for the proposed project. Proposed conditions of CUP 2022-005 will ensure that, when implemented, the project will conform and comply with the development standards of Zoning Code Section 37-50.085(c).

Consideration of Amendments

Chapter 37, Article VI, Divisions 12 and 14 provides for a process whereby all General Plan and Zoning Code Amendments are brought before the Planning Commission for a recommendation to the City Council for consideration and a final decision. On May 3, 2023, the Planning Commission held a public hearing to review the proposed Amendments and unanimously (4-0) approved the attached Planning Commission Resolution 2023-05 recommending that the City Council adopt the proposed Mitigated Negative Declaration, approve General Plan Amendment 2022-003, Rezone 2022-003, and Conditional Use Permit 2022-005 (see attached May 3, 2023, Planning Commission Staff Report and draft Planning Commission minutes). On May 9, 2023, the Housing and Land Use Committee unanimously (3-0) recommended that the City Council approve General Plan Amendment 2022-003, Rezone 2022-003, and Conditional Use Permit 2022-005.

The City Council may approve the proposed Amendments if all of the findings set forth in the attached City Council Resolution and Ordinance are established. Per Zoning Code Section 37-60.930(d), an affirmative vote of not less than four (4) votes of the City Council is required for the Council to approve the General Plan Amendment. Prior to taking action on the proposed Amendments, the City Council will need to affirm environmental impacts of the project have been analyzed in accordance with the California Environmental Quality Act (CEQA).

The related Conditional Use Permit (CUP) for the Extended Stay Hotel cannot be approved unless the related General Plan Amendment and Rezone are approved because a portion of the project site is designated and zoned Residential Low Density/R-L-5.5 respectively which does not allow for this type of use.

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). The Conditional Use Permit was deemed complete on March 31, 2023. Final action is required by September 7, 2023 pursuant to CEQA Section 15107 due to the requirements of environmental review for the project.

Alternatives Available to the City Council:

1. Affirm the findings set forth in the attached Ordinance and Resolution, adopting the Mitigated Negative Declaration and approving General Plan Amendment 2002-003, Rezone 2022-003, and Conditional Use Permit 2022-005 with modifications; or
2. Find that the proposed applications are not appropriate and establish findings at the public hearing denying General Plan Amendment 2022-003, Rezone 2022-003, and Conditional Use Permit 2022-005.

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 March 17, 2023; the deadline for comments was April 17, 2023. The State Clearinghouse received the document on March 17, 2023 and the deadline for Clearinghouse comments was April 17, 2023 (SCH# 2023030481).

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

Comments received via email from Monterey Salinas Transit (MST) on April 12, 2023.

Per the comments from MST, they serve, operate, and maintain two (2) existing stops within the project's vicinity for Line 49. Line 49 travels from the Salinas Transit Center in Downtown Salinas to Santa Rita via North Main Street. Per MST, the service operates every 15 minutes from Downtown Salinas to Northridge Mall and every 30 minutes to Santa Rita. MST encourages the Applicant/Property Owner (Capitol Motel) to enroll in their Group Discount Program to offer employees and hotel guests bus passes at substantially reduced rates.

Staff Response: This information from MST has been provided to the Applicant/Property Owner

for future reference.

STRATEGIC PLAN INITIATIVE:

This staff report and recommendations align with the following City Council strategic planning initiatives:

- Housing/Affordable Housing; and
- Economic Development

DEPARTMENTAL COORDINATION:

The proposed amendment 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 City Council Resolution for General Plan Amendment 2022-003, Mitigated Negative Declaration, and Conditional Use Permit 2022-005 with the following Exhibits:

- Exhibit 1: Vicinity Map
- Exhibit 2: Mitigated Negative Declaration dated March 17, 2023
- Exhibit 3: General Plan Amendment Map for 2110 North Main Street

Draft Rezone Ordinance for Rezone 2022-003 with following Exhibits:

- Exhibit 1: Vicinity Map
- Exhibit 2: Rezone Map for 2110 North Main Street
- Exhibit 3: Mitigated Negative Declaration dated March 17, 2023

Draft Conditional Use Permit 2022-005, including the following exhibits:

- Exhibit A: Vicinity Map
- Exhibit B: Site Plan (Sheet A-0)
- Exhibit C: Exterior Elevations
- Exhibit D: Zone & Parcel Map (Sheet A-1)
- Exhibit E: Floor Plan (Sheet A-2)
- Exhibit F: Photometric Plans (Sheet A-3)
- Exhibit G: Landscaping (Sheet L-1)
- Exhibit H: Capitol Hotel Management Plan
- Exhibit I: Engineer’s Report dated January 28, 2022
- Exhibit J: Police Department comments dated August 23, 2022
- Exhibit K: Mitigation Monitoring and Reporting Program

Planning Commission Resolution 2023-05, 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: Mitigation Monitoring and Reporting Program

May 9, 2023 Housing and Land Use Committee Staff Report without exhibits

May 3, 2023 Planning Commission Staff Reports without exhibits

Initial Study, including the following attachments:

1. Vicinity Map
2. General Plan Amendment Map for 2110 North Main Street
3. Rezone Map for 2110 North Main Street
4. Site Plan (Sheet A-0)
5. Exterior Elevations
6. Zone and Parcel Map (Sheet A-1)
7. Floor Plan (Sheet A-2)
8. Photometric Plans (Sheet A-3)
9. Landscaping (Sheet L-1)
10. Engineer's Report dated August 1, 2022
11. California Historical Resources Information Systems (CHRIS) Response dated December 7, 2022
12. FEMA Elevation Certificate for 2110 North Main Street
13. Swift Consultant Services letter dated July 12, 2022
14. Comment letter from the Santa Ynez Band of Chumash Indians dated September 12, 2022
15. Mitigation Monitoring and Reporting Program

Comments from Monterey Salinas Transit (MST) dated April 12, 2023

Cc: Daniel Saphorghan, Swift Consulting, Applicant
Janika Corporation DBA Capitol Motel, Property Owner

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