



CITY OF SALINAS COUNCIL STAFF REPORT

DATE: AUGUST 24, 2021

DEPARTMENT: COMMUNITY DEVELOPMENT DEPARTMENT

FROM: MEGAN HUNTER, COMMUNITY DEVELOPMENT DIRECTOR

THROUGH: COURTNEY GROSSMAN, PLANNING MANAGER

BY: THOMAS WILES, SENIOR PLANNER

TITLE: GENERAL PLAN AMENDMENT 2020-001 AND REZONE 2020-001;
REQUEST TO AMEND THE GENERAL PLAN LAND USE AND
CIRCULATION MAP AND REZONE A 73 ACRE SITE FROM
AGRICULTURAL – FLOOD OVERLAY TO PARKS – FLOOD
OVERLAY LOCATED AT 618 SHERWOOD DRIVE

RECOMMENDED MOTION:

A motion that the City Council affirm the findings, approve a Resolution adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, and approving General Plan Amendment 2020-001; and adopt an Ordinance approving Rezone 2020-001.

RECOMMENDATION:

Staff recommends that the City Council affirm the findings, approve a Resolution adopting a Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program, and approving General Plan Amendment 2020-001; and adopt an Ordinance approving Rezone 2020-001.

EXECUTIVE SUMMARY:

Big Sur Land Trust is proposing to construct a park in Carr Lake consisting of 73-acres located at 618 Sherwood Drive. Development of the park requires an amendment to the General Plan and a Rezone. The proposed General Plan Amendment (GPA) would change the General Plan Land Use and Circulation Map to relocate a proposed major arterial roadway within Carr Lake to accommodate development of the park. The proposed Rezone (RZ) would change the Zoning Code designation of the project site from “Agricultural – Flood Overlay” (A-F) to “Parks – Flood Overlay” (P-F). Following the effect date of the GPA and the RZ applications, a ministerial Site Plan Review application would be approved by staff authorizing development of the park.

BACKGROUND:

Big Sur Land Trust, the Applicant is requesting approval to construct a new Park and Recreational Facilities use located on 73 acres at 618 Sherwood Drive. The proposed project consists of three (3) separate applications:

1. General Plan Amendment 2020-001 (GPA 2020-001); Request to amend the General Plan Map to revise the circulation system to modify the Bernal Street and Kern Street/Constitution Boulevard future extensions;
2. Rezone 2020-001 (RZ 2020-001); Request to rezone six (6) lots consisting of 73 acres from “Agricultural – Flood Overlay” (A-F) to “Parks – Flood Overlay” (P-F); and
3. Site Plan Review 2020-006 (SPR 2020-006); Request to construct a new Park and Recreational facility to be located on the 73-acre site located at the above referenced address. Note that the Site Plan Review application is a ministerial action and will be administratively approved following the effective date of the General Plan Amendment and the Rezone application. No City Council action is required.

The project site is located in the “Agricultural - Flood Overlay” (A-F) Zoning District. The following provides an overview of the land uses and zoning districts adjacent to the project site:

North:	Agricultural and Residential/Agricultural – Flood Overlay (A-F), Residential-High Density 2.1 – Flood Overlay (R-H-2.1-F), and Residential-High Density 2.1 (R-H-2.1)
South:	Agricultural/Agricultural – Flood Overlay (A-F)
East:	Agricultural/Agricultural – Flood Overlay (A-F)
West:	Agricultural and Residential/Agricultural – Flood Overlay (A-F), Residential-Medium Density (R-M-2.9) and Residential-High Density – Flood Overlay (R-H-2.1-F)

Chapter 37, Article VI, Divisions 12 and 14 provides for a process whereby General Plan Amendments and Rezones are brought before the Planning Commission for a recommendation to the City Council for a final decision.

The Applicant purchased the project site with intent of creating a new park at Carr Lake within the City of Salinas. The proposed project includes the following elements:

1. A new neighborhood park with a variety of amenities and recreational opportunities that will benefit the community; and
2. Restoration of the land to a riparian, freshwater marsh, and upland habitat, which offers access to a natural environment for the community.

The project proposes the following objectives:

1. Create a six (6) acre neighborhood park that offers a variety of amenities and recreational opportunities;
2. Restore and enhance the remaining 67-acres of land to improve wetland and riparian fish and wildlife habitat with public and maintenance access via trails;
3. Improve water quality through enhancement of natural physical and biological processes and constructed stormwater treatment green infrastructure; and
4. Maintain or improve flood conveyance and capacity.

The proposed project will feature open space, walking paths, playground, picnic tables, benches, play courts, skate spot, restrooms, and a dog play area. Primary access to the proposed park will be via La Posada Drive, with secondary access from Sherwood Drive. The project proposes 61 off-street parking spaces on-site and a bus drop-off area. Two (2) existing agricultural storage buildings are proposed for removal as a part of this project. A third approximately 4,000 square-foot agricultural storage building will be removed and replaced with a new structure utilizing a similar building footprint. The design of the new structure will be determined at a later date. The new structure will be used as community serving spaces such as educational programming, community meetings, office space, equipment storage, and/or offer additional restroom facilities. The project is proposing limited fencing at the site perimeter and on-site lighting for parking areas and the primary path through the park. Two (2) residential homes adjacent to the project site will remain and are not included as a part of the proposed project. Monterey Salinas Transit (MST) maintains a southbound bus stop located along the west side of Sherwood Drive located approximately 315 feet northwest of the main entrance to the project site for MST Route 40. Circulation to the site will be from Sherwood Drive.

Analysis:

General Plan Amendment

Per the 2002 Salinas General Plan, the “Park” designation allows for existing and proposed public and private recreation sites for parks and golf courses. Activity areas that may be developed include large multipurpose fields for community events and informal recreation, areas for active sports play, tot lots, picnic areas, multipurpose sports fields and courts, golf courses, concessions, community event space, outdoor amphitheaters, nature study centers, maintenance/support facilities, and caretaker facilities. Interim agricultural uses would be permitted on sites designated for park use until such time as park facilities are constructed.

The project site is currently designated as “Park” in the General Plan and the project is mostly consistent with Salinas General Plan Policies. The proposed General Plan Amendment would not change the existing land use designation of the project site, but would amend the General Plan Land Use and Circulation Policy Map to revise the circulation system to modify the Bernal Street and Kern Street/Constitution Boulevard future extensions so as not to transverse through the

project site. The amendment would shift the Bernal Street extension to the south within the project site and would transverse through the southern portion of the site. The amendment would also shift the Kern Street/Constitution Boulevard future extensions to the east of the project site through existing agricultural fields.

The General Plan and related Environmental Impact Report (EIR) contemplated the conversion of the Carr Lake as open space and park and recreational uses. The project is consistent with General Plan Goal COS-7, by providing and developing ample park and recreational facilities that offer a variety of recreational facilities. The project conforms with General Plan Policy COS-7.1, by developing a high-quality public park system that provides adequate space and facilities for a variety of recreational opportunities conveniently accessible to all Salinas residents. The project complies with General Plan Policy COS-7.2, by maximizing the use of built and natural features to develop a citywide network of parks and open space with Carr Lake, Gabilan Creek, and the Sherwood Park/Rodeo Grounds complex as essential elements of the open space network.

To maintain consistency with the existing General Plan, no structures can be built within the proposed alternative alignment of Bernal Road Extension. To maintain consistency with the existing General Plan and to allow for the analysis of whether future development of the Bernal Road Extension is needed the City and the Applicant will enter into a "No-Build Agreement" which will prohibit the construction of permanent structures or facilities (e.g., structures or parking lots) within the area of the proposed alternative alignment. The "No-Build Agreement" will be entered into by the City and the Applicant prior to the issuance of grading or building permit from the City and will be recorded against the property. The City is currently in the early stages of a comprehensive General Plan Update; consequently, future roadways and their alignments are speculative and cannot at this time be determined with certainty. The City cannot commit to a particular outcome or result as it pertains to the General Plan Update or the ultimate alignment or ultimate construction of the Bernal Road extension. When the General Plan Update is complete, if the Bernal Road Extension is no longer a General Plan Road, i.e., is no longer a future proposed roadway in the updated General Plan, the "No-Build Agreement" will no longer be of any force or effect and the City and the Applicant will take whatever additional action is required in order to remove the "No-Build Agreement" from the property's title.

Rezone

Per Zoning Code Section 37-30.340, the purposes of the "Parks" land use designation is to provide for existing and proposed active and passive parks and recreational facilities, establish and maintaining park and open space areas in the City for recreational opportunities, prevent incompatible development in areas that should be preserved or regulated for scenic, recreational, conservation, aesthetic, or health and safety purposes; and promote vital and safe park areas

through the incorporation of crime prevention through environmental design (CPTED) features in development.

The proposed Rezone would change the Zoning designation of six (6) lots of the project site consisting of 73 acres from “Agricultural – Flood Overlay” (A-F) to “Parks – Flood Overlay” (P-F); Currently, the project site is zoned “Agriculture – Flood Overlay” (A-F), which per Zoning Code Section 37-30.020, Table 37-30.10 does not allow for Park and Recreational Facilities uses. In order for the proposed Park and Recreational Facility use to be permitted, the project site will need to be rezoned “Park – Flood Overlay” (P-F). The proposed rezone would be consistent with Sherwood Park located to the west and with the park uses located to the north and southeast. It would comply with the purposes of the “Parks” land use designation by providing additional recreational opportunities. In addition, the proposed Parks and Recreational Facilities use would prevent incompatible development in an existing agricultural area that should be preserved or regulated for scenic, recreational, and conservation purposes.

Site Plan Review 2020-006

The Site Plan Review (SPR) application would confirm compliance with the proposed Parks – Flood Overlay (P-F) Zoning District. Uses allowed by the proposed zoning designation include, but are not limited to: establishing and maintaining park and open space areas in the City for recreational opportunities, prevent incompatible development in areas that should be preserved or regulated for scenic, recreational, conservation, aesthetic, or health and safety purposes; and promote vital and safe park areas through the incorporation of crime prevention through environmental design (CPTED) features in development. The SPR will be processed administratively and requires no action on the part of the Planning Commission or City Council. Action on the SPR would occur following the effective date of the GPA and RZ.

FINDINGS:

Mitigated Negative Declaration:

Prior to taking action on the requested General Plan Amendment and Rezone, 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 and Ordinance.

General Plan Amendment/Rezone:

The City Council may approve a General Plan Amendment and Rezone 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. The related Site Plan Review is an administrative application and is exempt from CEQA review.

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 May 28, 2021; the deadline for comments was June 28, 2021. The Initial Study and Mitigated Negative Declaration were received by the State Clearinghouse (SCH# 2021050632) and their deadline for public review was from May 28, 2021 to June 28, 2021. Action on the environmental document should precede any action on the requested land use entitlements.

On September 3, 2020, pursuant to Public Resources Code Section 21080.3.1, subd. (d), and Assembly Bill 52 (AB52), City of Salinas staff sent via certified mail, a consultation request on the proposed project to all applicable California Native American Tribes whose geographic area of traditional and cultural affiliation lands boundary includes the City of Salinas as specified by the Native American Heritage Foundation. On October 15, 2020, the Ohlone/Costanoan-Esselen Nation (OCEN) requested a consultation on the project, which was conducted on October 16, 2020. On October 20, 2020, OCEN provided a letter stating concern with the proposed project site and recommending that an OCEN Tribal Monitor be located on-site during construction. A Cultural Resource Assessment dated February 2021 prepared by Albion Environmental Incorporated, recommends that a qualified archaeologist and a representative from the local Native American community monitor some of the initial ground-disturbing activities associated with the development project along with a requirement to develop an Archaeology Mitigation Plan. Mitigation Measure CU-1 of the Mitigation Monitoring and Reporting Program (Exhibit "1" of the Mitigated Negative Declaration Resolution), states that 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). Mitigation Measure CU-2 of the Mitigation Monitoring and Reporting Program requires preparation of an Archaeology Mitigation Plan before construction and a qualified archaeologist and a representative from an applicable Tribal Cultural Nation to monitor initial ground-disturbing activities associated with project elements located in the traditional park area (the historic lake shoreline). The cost of all related monitoring shall be covered by the Applicant or successor-in-interest. With these requirements, there is little potential for a significant impact on the cultural resources which is expected to address OCEN's comments.

Agency Responses:

Correspondence was received from interested parties and public agencies (paraphrased comments

are shown below – also see Attachments):

1. Comments received via email from Vicki F, a nearby resident on June 3 and 9, 2021.

- a. Requested information on hours of operation of the park, how the park will be maintained, how will homeless residents be kept from setting up in the park, and on-site security, especially concerning gangs.

Staff Response: The hours of the park will be from dawn to dusk, which is consistent with other City parks and pursuant to City Ordinance. Maintenance of the proposed park will occur on a daily basis, which includes, but is not limited to the following: cleaning of all on-site restrooms, picking up of trash, and playground/equipment checks. In addition, mowing and weeding/edging of all on-site landscaped areas shall occur on at least a weekly basis. Homeless issues will be addressed by working with local residents to design the park, provide open site lines and minimize visual obstructions to discourage encampments and facilitate monitoring. The proposed park will have the same police presence as other City parks with regular patrols and more frequent visits as needed (see Attachment 56 of the Initial Study). The Salinas Police Department reviewed and approved the plans, per letter received from Sergeant Kendall Gray on 7/24/20. Applicant is working with the City Recreation & Community Services Department on an ongoing basis to ensure successful management and operations of the park.

2. Comments received via email from the Salinas Union High School District on June 7, 2021.

- a. Is the City going to require the addition of fencing to the plan where there are gaps at the school's properties and what is the current proposed plans for fencing bordering the property and can it be required?

Staff Response: Pedestrian access is generally permitted from the public right of way to create "walkable" neighborhoods and a pedestrian-friendly environment. Per Zoning Code Section 37-50.090, there is no requirement for a fence between a Park (P) and a Public/Semipublic (PS) zoned property. However, the Applicant has stated they are willing to meet with the Salinas Union High School District to discuss this matter.

- b. Since the City has determined to permanently terminate the Sherwood Place roadway, will fencing be allowed to expand across both sides of the roadway to prevent access onto the District's property at the termination point? The Salinas Union High School District has concerns because they could incur extensive new fencing costs.

Staff Response: Sherwood Place is currently a City-maintained roadway and any proposed fencing would need to comply with all applicable City regulations.

Sherwood Place is a public road, and the City does not restrict access in the public right of way. As with the previous comments, the Applicant has stated they are willing to meet with the Salinas Union High School District to discuss this matter.

3. Comments received via email from the California Department of Conservation dated June 21, 2021.

- a. Since the project site is currently designated as Prime Farmland by the Department of Conservation's Farmland Mapping and Monitoring Program and represents a permanent reduction in the State's agricultural land resources. The Department advises the use of permanent agricultural conservation easements on land of at least equal quality and size as partial compensation for the loss of agricultural land. Per the Department's comments, this can be done in either two (2) ways; outright purchase of easements or the donation of mitigation fees to a local, regional, or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural conservation easements.

Staff Response: The proposed project complies with "AG-4" of Resolution No. 19422 (City of Salinas Agricultural Land Preservation Program) by implementing General Plan Policy COS-10, which requires the City to encourage the provision and maintenance of buffers, such as roadways, topographic features, and open space to prevent incompatibilities between agricultural and non-agricultural land uses. The proposed park and habitat restoration area will provide a buffer area between existing agricultural and non-agricultural uses. Both the Salinas General Plan and Salinas General Plan EIR addressed the conversion of Carr Lake from agricultural uses to park and recreational uses. The proposed rezoning of the project site to "Park" is in compliance with General Plan Policy LU-8.4, which states that Carr Lake should be continued as a reclamation/flood control facility in addition to its other functions in addressing water quality, enhancing traffic/circulation, and creating recreational opportunities. In addition, the proposed rezoning complies with General Plan Policy COS-7.2, by maximizing the use of built and natural features to develop a citywide network of parks and open space, including Carr Lake as an essential element of the open space network. Since the conversion of Carr Lake from Agricultural uses to a Park and Recreational use was previously addressed in the 2002 General Plan and 2002 General Plan EIR, no additional mitigation is required.

4. Comments received via email from the Monterey County Water Resources Agency on June 25, 2021.

- a. The Monterey County Water Resources Agency (MCWRA) is requesting a quit claim to remove any respective flowage easement(s) in the project site.

Staff Response: Comment noted. The Applicant (Big Sur Land Trust) has the intention to coordinate with MCWRA subsequent to certification and adoption of the CEQA document.

5. Comments received via email from the Monterey County Agricultural Commissioner's Office on June 28, 2021.

- a. The Commissioner's Office identified concerns with the conversion of Prime Farmland to the non-agricultural use as a park and whether the conversion should be mitigated by the provision and maintenance of an agricultural buffer easement.

Staff Response: As stated above in the response for No. 3, the proposed Parks and Recreational Facilities use complies with "AG-4" of Resolution No. 19422 (City of Salinas Agricultural Land Preservation Program) by implementing General Plan Policy COS-10, which requires the City to encourage the provision and maintenance of buffers, such as roadways, topographic features, and open space to prevent incompatibilities between agricultural and non-agricultural land uses. The proposed park and habitat restoration area will provide a buffer area between existing agricultural and non-agricultural uses.

Both the Salinas General Plan and Salinas General Plan EIR addressed the conversion of Carr Lake from agricultural uses to park and recreational uses. The proposed rezoning of the project site to "Park" is in compliance with General Plan Policy LU-8.4, which states that Carr Lake should be continued as a reclamation/flood control facility in addition to its other functions in addressing water quality, enhancing traffic/circulation, and creating recreational opportunities. In addition, the proposed rezoning complies with General Plan Policy COS-7.2, by maximizing the use of built and natural features to develop a citywide network of parks and open space, including Carr Lake as an essential element of the open space network. Since the conversion of Carr Lake from Agricultural uses to a Park and Recreational use was previously addressed in the 2002 General Plan and 2002 General Plan EIR, no additional mitigation is required.

6. Comments received via email from Monterey Salinas Transit on June 28, 2021.

- a. Monterey Salinas Transit (MST) has issues with an impact to their facilities concerning the road realignment of Bernal Drive. MST is recommending that a new far-side bus stop be located at the intersection of Street A and Sherwood Drive to better serve the Toro Park High School and the new park via a proposed signalized intersection. Also, the bus stop located on the north side of Sherwood Drive should be preserved.

Staff Response: The proposed road realignment of Bernal Drive is being proposed so that it does not impact the proposed project. Currently, there is insufficient demand for the proposed bus-stop or for a signalized intersection. City staff is currently updating the General Plan, including circulation. The proposed project will preserve the existing bus stop on the north side of Sherwood Drive.

The intersection of future Street A is highly speculative and could be eliminated in the General Plan Update, currently underway. City staff agrees with the spirit of this comment and recommends the far-side bus stop to be located at the existing intersection of Sherwood Place and Sherwood Drive.

- b. The proposed project describes a “bus-drop off area”, but this is unclear on the plans where it is located and this needs to be addressed.

Staff Response: The bus-drop off area will be located adjacent to the west of the Agricultural Storage Building (see Exhibit “15” of the Initial Study). The bus-drop off area will allow for the unloading of passengers visiting the project site (i.e., school buses). This is for general uses and is not intended to become an MST bus stop.

- c. MST has identified concerns that the project will substantially increase hazards due to design features or incompatible uses.

Staff Response: The proposed design of roadways and driveways will not increase hazards because the use of existing roadways to access the site and proposed driveways will be required to comply with all applicable City design standards. Much of the area around the proposed park of the project site is currently developed. Mitigation TR-1 includes the installation of a raised median at the two new driveways on Sherwood Drive. Without the raised median the additional left turn access on Sherwood Drive could create substantial hazards. This impact would be significant if not mitigated.

7. Comments received via email from the Transportation Agency for Monterey County (TAMC) on June 28, 2021.

- a. TAMC supports the integration of bicycle and pedestrian elements in the project area to support comfortable and safe travel of bicyclists and pedestrians. TAMC encourages the project to place a premium on safe and accessible pedestrian access to the site.

Staff Response: This comment refers to impacts associated with the road realignment of Bernal Drive. The future implementation of any realignment is a future City transportation project and outside the scope of the project proposed here. The comment is noted and if the road is constructed, the City will follow MST

guidelines, as suggested. Thus, there is no “potentially significant impact”, as suggested.

- b. TAMC strongly encourages the developer to connect the proposed walking path with existing and planned bicycle and pedestrian facilities around the project site.

Staff Response: The discussion about VMT impacts is consistent with the checklist. The “potentially significant unless mitigation incorporated” checkbox is referring to the road realignment for the General Plan amendment and mitigation is provided (TR-1). The bus drop off area associated with this project is intended for school buses to utilize the site for field trips and is not intended as a public transit bus stop. Additionally, the proposed project does connect to the existing city sidewalk and bike lane.

- c. TAMC encourages the installation of a bicycle repair station, bicycle racks, and secure bicycle parking on the project site. Bicycle facilities should be placed near building entrances and have adequate lighting for safety and visibility.

Staff Response: Comments noted. Bicycle lockers and bicycle racks will be provided onsite as required by the California Green Building Standards Code. Quantity provided will meet and/or exceed the requirements of the Code.

- d. Consideration should be given to the installation of electric vehicle charging stations, as new construction provides an opportunity to install this needed infrastructure at a much lower cost.

Staff Response: EV Charging stations will be provided onsite as required by the California Green Building Standards Code. Quantity provided will meet the requirements of the Code.

- e. TAMC recommends coordination with MST regarding existing and planned transit connections at the development.

Staff Response: The Applicant has been notified of this request from MST for coordinated access and staff recommends they provide adequate transit access to the project site.

8. Comments received via email from Monterey One Water on June 28, 2021.

- a. Monterey One Water does not support the IS-MND because the Balance Hydrologics Report (Exhibit “52” of the Initial Study) did not provide enough information as to whether the dry weather flows from Hospital and Gabilan Creeks will be diverted from entering the Reclamation Ditch.

Staff Response: First, the proposed project redirects flow through new channels to the same ultimate outflow location and into the reclamation ditch for conveyance downstream. Second, a report published in June 2015 titled “Preliminary Engineering Design Report for Control of Non-Winter Drainage at Carr Lake prepared for Monterey County Water Resources Agency” found that the Gabilan/Hospital ditch system provides very little to no surface water during dry-season baseflow periods. As such, it would not be possible for the restoration design to substantially cause a negative impact to dry-season baseflows at Monterey One Water’s water right location if there are essentially no dry-season baseflows coming from the Hospital/Gabilan system in the existing condition. USGS stream gage data collected from a site just upstream, shows that over a 25-year period (1989-2014) there is little or no flow during dry season, confirming findings from the 2015 report. Stream gage data was collected more recently on the project site and between 2019 and 2021, no summer flow was recorded. Additionally, the water rights permit (#21377) does not guarantee flow and is subject to natural conditions. Applicant met with commenter on 7/19/21 and provided additional information. Lastly, per the City Engineer, dry weather flows from Hospital and Gabilan Creeks are not currently diverted and runoff from agricultural activities drain into the Reclamation Ditch.

9. Comments received via email from Roy C. Gunter III on June 27, 2021 and August 17, 2021 representing the property owner of multi-family residential uses located adjacent to the project site on 17 and 19 Lunsford Drive stating the following paraphrased concerns with the proposed project:

- a. Productive farmland should not be converted to park and that non-productive or blighted property should be used for parks.

Staff Response: No mitigation for the conversion of the existing farmland to park and open space is required because the proposed conversion of the Carr Lake back to its natural state and as a recreational area was contemplated as a part of the General Plan and the General Plan EIR. The project site is currently designated as “Park” in the General Plan. The proposed rezoning of the project site to “Park” is in compliance with General Plan Policy LU-8.4, which states that Carr Lake should be continued as a reclamation/flood control facility in addition to its other functions in addressing water quality, enhancing traffic/circulation, and creating recreational opportunities. In addition, the proposed rezoning complies with General Plan Policy COS-7.2, by maximizing the use of built and natural features to develop a citywide network of parks and open space, including Carr Lake as an essential element of the open space network.

- b. There should be no conversion of the property to a park unless the City can assure it will not become occupied by homeless camps.

Staff Response: As stated in No. 1.a. above, the hours of the park will be from dawn to dusk, which is consistent with other City parks and pursuant to City Ordinance. Maintenance of the proposed park will occur on a daily basis, which includes, but is not limited to the following: cleaning of all on-site restrooms, picking up of trash, and playground/equipment checks. In addition, mowing and weeding/edging of all on-site landscaped areas shall occur on at least a weekly basis. Homeless issues will be addressed by working with local residents to design the park, provide open site lines and minimize visual obstructions to discourage encampments and facilitate monitoring. The proposed park will have the same police presence as other City parks with regular patrols and more frequent visits as needed (see Attachment 56 of the Initial Study).

c. If the project site is converted to a park, then the following issues will need to be addressed:

1. The site must provide recorded easement to continue to receive water from 17 and 19 Lunsford Drive.

Staff Response: The discussion of placement of easement for stormwater is beyond the scope of this project.

2. There should be no vehicular access to the park except where the existing farmlands immediately abut Sherwood Drive and traffic through existing residential properties should not be permitted.

Staff Response: La Posada Drive and La Posada Way are public roads for public access. The City does not restrict access in public right of way. Traffic will not be routed through private residential properties. In addition, traffic circulation has been analyzed and impacts determined to be less than significant.

3. There should be no pedestrian access except off of Sherwood Drive. Trespassing should be prevented by construction of at least an eight (8) foot high wall or fence.

Staff Response: Pedestrian access will be directed to and accommodated at the two park entrances. Pedestrian access is generally permitted from public right of way to create “walkable” neighborhoods and a pedestrian-friendly environment. No fence will be required.

4. Because of trespassing concerns, the existing farm road on the west side of the project site should not be used as a public roadway or trail.

Staff Response: Per the Applicant, the existing farm road is not intended to be used as a public roadway or trail. A small portion of the project site includes public access trails in the restoration area. These trails connect

with the parking lots and public right of way. The proposed trails do not connect to private residential properties, which could encourage trespassing.

10. Comments received via email from Louise J. Miranda Ramirez, Tribal Chairwoman of the Ohlone/Costanoan-Esselen Nation, on July 7, 2021 stating that because the project includes a General Plan Amendment that they have a 90-day response time for consultation.

Staff Response: As stated in Page 21 of the Initial Study, the required tribal consultation pursuant per CEQA prior to circulation of the IS-MND was conducted on October 16, 2020. The IS-MND was prepared and circulated for 30-day public review pursuant to CEQA from May 28, 2021 to June 28, 2021. The Ohlone/Costanoan-Esselen Nation was provided a copy of the IS-MND as a part of the routing for public review.

11. Letter of support (attached) from Laura Lee Lienk, Director of the Watershed Institute at California State University, Monterey Bay (CSUMB) dated June 25, 2021. The Institute supports the proposed project because it provides additional park and recreational facilities to the City of Salinas.

Staff Response: Not required.

12. Comments received via email from Lorri A. Koster dated July 19, 2021 supporting the proposed project because it will offer mental and physical health benefits, provide outdoor amenities, and an outdoor classroom for the adjacent neighborhood.

Staff Response: Not required.

13. Letter from Jason Retterer from JRG Attorneys at Law dated August 3, 2021. Mr. Retterer represents the Higashi and Hibino families who own the balance of Carr Lake contiguous to the project site. Per the letter, the families have met with the Big Sur Land Trust (BSLT) and have discussed issues concerning limited fencing at the site perimeter, food safety due to the potential increase in wildlife activity, insect control and disease vectoring by insects, weed propagation, and sediment build up because of the proposed project. Per the letter, the BSLT has verbally responded to the families to work with them on securing funding for the long-term management of the property to address weed propagation, vector control, and sediments control within the restoration area. They have also discussed working together on a fencing plan. The families are recommending that a long-term adaptive management plan for the park and wetland restoration area and a fencing plan that identifies the location and design of fencing that is appropriate for placement within a floodway be prepared and submitted to the City for review and approval.

Staff Response: During the August 4, 2021 public hearing, the Planning Commission instructed staff to work with the Applicant and Mr. Retterer to address the concerns. In response, staff has revised the Mitigation Monitoring and Reporting Program by amplifying the existing AG-1 mitigation measure with two (2) additional Mitigation

Measures (AG-2 and AG-3) (see Exhibit “2” Revised Mitigated Monitoring and Reporting Program dated August 11, 2021) as shown below:

- a. Mitigation Measure AG-2 (Agricultural Resources); requires submittal of a Long-Term Adaptive Management Plan for the park and restoration area for review and approval to the Community Development Department. The plan shall include vegetation management, insect and pest control, weed control, and sediment removal. The plan shall also identify proposed funding sources and anticipated annual budget for proposed management activities; and
- b. Mitigation Measure AG-3 (Agricultural Resources); requires submittal of a Fencing Management Plan for review and approval to the Community Development Department. The plan shall identify the location and design of fencing appropriate for placement within a floodway. The plan shall also identify the type and location of temporary wildlife exclusion fencing that is located along perimeters of the project site that abuts farmland during the dry season when active farming is occurring, as needed.

14. Comments received via email from Ana Toledo dated August 2, 2021 supporting the proposed project because it will provide more accessible places for residents and additional mental and physical health benefits and amenities to the community.

Staff Response: Not required.

15. Comments received via email from Colin Simpson dated August 3, 2021 supporting the proposed project because it will help to enrich the entire community and provides natural open space for families to spend time together.

Staff Response: Not required.

16. Comments received via email from Dr. Oscar Gantes dated August 4, 2021 supporting the proposed project because it will offer mental and physical health benefits, provide amenities for various age groups, and an outdoor classroom.

Staff Response: Not required

Any subsequent responses received following preparation of the staff report will be provided to the City Council at the public hearing.

TRAFFIC AND TRANSPORTATION COMMISSION REVIEW:

On June 10, 2021, during a public hearing, the Traffic and Transportation Commission reviewed the proposed project and recommended approval (see attached Traffic and Transportation Commission Staff Report).

PLANNING COMMISSION REVIEW:

On August 4, 2021, during a public hearing, the Planning Commission reviewed the proposed project and approved the attached Planning Commission Resolution 2021-16 recommending that the City Council adopt the proposed Mitigated Negative Declaration, approve General Plan Amendment 2020-001 and Rezone 2020-001 (see attached August 4, 2021 Planning Commission Staff Report and draft Planning Commission minutes). During the Planning Commission hearing, the Center for Community Advocacy (CCA) provided two (2) petitions supporting the project (see attached petitions).

HOUSING AND LAND USE SUBCOMMITTEE REVIEW:

The Housing and Land Use Subcommittee will review the proposed project as an informational item between Planning Commission recommendation and final determination by the City Council.

STRATEGIC PLAN INITIATIVE:

This staff report and recommendation aligns with the following City Council strategic plan initiative:

- Quality of Life

DEPARTMENTAL COORDINATION:

Processing of the proposed General Plan Amendment and Rezone has been coordinated among the Current Planning and Permit Services Divisions of the Community Development Department, Fire, Legal, Parks and Recreation, Police, and Public Works.

FISCAL AND SUSTAINABILITY IMPACT:

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

ATTACHMENTS:

Draft City Council Resolution for GPA 2020-001 and Mitigated Negative Declaration with the following Exhibits:

- Exhibit 1: Mitigated Negative Declaration dated May 28, 2021
- Exhibit 2: Revised Mitigation Monitoring and Reporting Program dated August 11, 2021
- Exhibit 3: Proposed General Plan Amendment 2020-001 Map

Draft Prezone Ordinance for RZ 2020-001 with the following Exhibit:

- Exhibit 1: Proposed Rezone Map 210 Salinas Street
- Planning Commission Staff Report without Attachments dated August 4, 2021
Planning Commission Resolution 2021-16
Unofficial Planning Commission Minutes for August 4, 2021

Initial Study, including the following attachments:

1. Vicinity Map
2. General Plan Amendment Map
3. Zoning Change Map
4. Cover Sheet (Sheet L-0.0)
5. Overall Site Plan (Sheet L-0.1)
6. Overall Boundary and Topographic Survey (Sheet 1)
7. Aerial Topographic Survey (Sheet 2)
8. Topographic Survey (Sheet 3)
9. Big Sur Land Trust Property at Carr Lake
10. Construction Legend and Notes (Sheet L-1.0)
11. Construction Plan (Sheet L-1.1)
12. Construction Plan (Sheet L-1.2)
13. Construction Plan (Sheet L-1.3)
14. Construction Plan (Sheet L-1.5)
15. Construction Plan Enlargement: Park (Sheet L-1.5A)
16. Construction Plan (Sheet L-1.6)
17. Construction Plan (Sheet L-1.8)
18. Construction Plan (Sheet L-1.8A)
19. Construction Plan (Sheet L1.9)
20. Construction Plan Enlargement: Park (Sheet L-1.9A)
21. Grading Plan Enlargement: Park (Sheet L-3.5A)
22. Grading Plan Enlargement: Park (Sheet L-3.8A)
23. Grading Plan Enlargement: Park (Sheet L-3.9A)
24. Trail Sections (Sheet L-4.1)
25. Trail Sections (Sheet L-4.2)
26. Trail Sections (Sheet L-4.3)
27. Trail Sections (Sheet L-4.5)
28. Trail Sections (Sheet L-4.6)
29. Trail Sections (Sheet L-4.9)
30. Construction Details (Sheet L-5.0)
31. Construction Details (Sheet L-5.1)
32. Construction Details (Sheet L-5.2)
33. Planting Legend and Notes (Sheet L-7.0)
34. Planting Plan (Sheet L-7.1)
35. Planting Plan (Sheet L-7.2)
36. Planting Plan (Sheet L-7.3)
37. Planting Plan (Sheet L-7.4)
38. Planting Plan (Sheet L-7.5)
39. Planting Plan Enlargement: Park (Sheet L-7.5A)
40. Planting Plan (Sheet L-7.6)
41. Planting Plan Enlargement: Park (Sheet L-7.8A)
42. Planting Plan (Sheet L-7.9)
43. Planting Plan Enlargement: Park (Sheet L-7.9A)
44. Overview Map (Sheet C-2.1)
45. Site Preparation (Sheet C-2.2)

46. Carr Lake Road Access Diagram
 47. Carr Lake Restoration Project – City of Salinas prepared by Biotic Resources Group dated April 9, 2021
 48. Cultural Resource Assessment dated February 2021 prepared by Albion Environmental Incorporated
 49. Road Alignment and Driveway Study for Carr Lake Restoration and Park Development in Salinas, CA (Road Alignment Study) from Hexagon Transportations Consultants Incorporated dated September 11, 2020
 50. Geotechnical Investigation for Proposed Carr Lake Restoration and Park Development from Kleinfelder dated March 2, 2020
 51. “Human Health Screening Evaluation for Proposed Carr Lake Restoration and Park Development, Salinas, CA.”, from ToxRisk Consulting, LLC dated November 22, 2019
 52. Limited Design Basis for Carr Lake Restoration Design from Balance Hydrologics dated March 23, 2020
 53. California Historical Resources Information Systems (CHRIS) Response on the proposed project dated September 24, 2020
 54. Engineer’s Report dated October 15, 2020
 55. Mitigation Monitoring and Reporting Program
 56. Salinas Police Department Memorandum dated July 24, 2020
 57. “Areas of Potential Soil Placement” from Balance Hydrologics, Inc. dated April 25, 2021
- Traffic and Transportation Commission Staff Report dated June 10, 2021
- E-mails from Vicki F received on June 3 and 9, 2021
- E-mail from Virginia Boyce, Salinas Union High School District received on June 7, 2021
- California Department of Conservation comments dated June 21, 2021
- Monterey County Water Resources Agency comments dated June 25, 2021
- Monterey County Agricultural Commissioner’s e-mailed comments received on June 28, 2021
- Monterey Salinas Transit comments dated on June 28, 2021
- Transportation Agency for Monterey County comments dated June 28, 2021
- Monterey One Water comments dated June 28, 2021
- Letters from Roy C. Gunter III dated June 27, 2021 and August 17, 2021
- Letter from Laura Lee Lienk, Director, Watershed Institute at California State University, Monterey Bay (CSUMB) dated June 25, 2021
- E-mail comments from Lorri A. Koster dated July 19, 2021
- Letter from Jason Retterer, JRG Attorneys at Law dated August 3, 2021
- E-mail comments from Ana Toledo dated August 2, 2021
- E-mail comments from Colin Simpson dated August 3, 2021
- E-mail comments from Dr. Oscar Gantes dated August 4, 2021
- Exhibit A - Center for Community Advocacy Petition received on August 4, 2021
- Exhibit B – Center for Community Advocacy Petition dated August 3, 2021
- Cc: Rachel Saunders, Big Sur Land Trust, Applicant and Property Owner
 Vicki F, nearby resident
 Virginia Boyce, Salinas Union High School District
 Farl Grundy, California Department of Conservation

Debra Hale, Transportation Agency for Monterey County
Roy C. Gunter III, Attorney
Jennifer Bodensteiner, Monterey County Water Resources Agency
Mike McCullough, Monterey One Water
Sloan Campi, Monterey-Salinas Transit
Nadia Garcia, Monterey County Agricultural Commissioner's Office
Louise J. Miranda Ramirez, Tribal Chairwoman of the Ohlone/Costanoan-Esselen Nation
Laura Lee Lienk, Director, Watershed Institute at California State University, Monterey
Bay (CSUMB)
Lorri A. Koster
Jason Retterer, JRG Attorneys at Law
Colin Simpson
Dr. Oscar Gantes