



County of Monterey Planning Commission

Item No.5

Board of Supervisors
Chambers
168 W. Alisal St., 1st Floor
Salinas, CA 93901

Agenda item No. 5

July 10, 2024

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PLN140602 - JIMENEZ SALVADOR JR. TRUST (a.k.a. The Red Barn)

Public hearing to consider amendment to Use Permits ZA-3117 and ZA-3629, as amended by Zoning Administrator Resolution No. 19-018, to increase the parking and sales area; amend an adopted General Development Plan to allow new uses (corporate events, weddings and quinceñeras within the Red Barn structure and electric carts, nursery events, outdoor movies, paintball club outside and allowing construction of on-site storage, shipping containers or similar, for vendors to rent); after-the-fact permitting of grading on slopes greater than 25%; and abating Code Enforcement Case Nos. 20CE00297 and 22CE00422.

Project Location: 1000, 1050, 1060 and 1150 North Highway 101, Aromas

Proposed CEQA action: Adopt a Mitigated Negative Declaration pursuant to CEQA Guidelines section 15074

RECOMMENDATION:

It is recommended that the Planning Commission adopt a resolution to:

1. Adopt a Mitigated Negative Declaration (SCH#2024040732) pursuant to CEQA Guidelines section 15074;
2. Approve a second amendment to ZA-3117 and an amendment to ZA-3629 which allowed approximately 156,840 square feet (sq. ft.) vending and outdoor sales (flea market) area and 306,000 sq. ft. of parking area. This amendment grants an additional 34,500 sq. ft. of outdoor vending area, approx.18,140 sq. ft. vehicle access, and 720 sq. ft. office structure southwest of the Red Barn and an additional 51,446 sq. ft. parking area northeast of the Red Barn to abate Code Enforcement Case Nos. 20CE00297 and 22CE00422;
3. Amend an adopted General Development Plan to expand the existing open-air sales (flea market) and to add new uses including corporate events, weddings and quinceñeras within the Red Barn structure and electric carts, nursery events, outdoor movies, paintball club outside and allowing construction of on-site storage (shipping containers or similar) for vendors to rent;
4. Approve a Use Permit for grading on slopes in excess of 25 percent as after-the-fact permit to partially abate Code Enforcement Case No. 22CE00422; and
5. Adopt a Condition Compliance and Mitigation Monitoring and Reporting Program.

The attached draft resolution includes findings and evidence for consideration (**Exhibit C**). Staff recommends approval subject to 29 conditions of approval.

PROJECT INFORMATION:

Agent: Joel Panzer

Property Owner: Jimenez Salvador Jr Trust

APNs: 141-013-035-000, 141-013-034-000, 141-013-037-000 and 141-131-025-000

Project Size: 32 acres

Zoning: Light Commercial or “LC” and Rural Density Residential or “RDR”

Plan Area: North County Area Plan

Flagged and Staked: No

SUMMARY:

The Red Barn is a commercial center focused on a Sunday flea market. It has a large red barn which is an historic structure with a 60-year history of commercial uses inside and around its exterior. On April 14, 1977, the Zoning Administrator approved ZA-3117 (**Exhibit F**), which renewed and consolidated previous Use Permits ZA-1047 and ZA-2449 on the subject property (herein after referred to as the “Red Barn”) for indoor and outdoor retail sales of new and used merchandise, beer bar, snack food bar, and wine tasting and sales. The site plan identified the area allowed for retail sales with a dashed line. This area was found to total approximately 157,050 square feet. In 2019, a Minor and Trivial Amendment to the Use Permit (Zoning Administrator Resolution No. 19-018, **Exhibit H**) allowed the Red Barn to relocate 17,497 square feet of outdoor retail sales area which had been lost due to the Caltrans San Juan Interchange project in 2015; this resulted in an outdoor sales area of 136,814. With the Red Barn included, the commercial area is roughly equal to the original approval in 1977. PLN140602 proposes a second amendment to ZA-3117, allowing an addition of 34,505 square feet of outdoor retail sales area and 18,140 square feet of vehicle access in existing paved areas at the Red Barn/ Jimenez Salvador Jr Trust property, abating Code Enforcement Case No. 20CE00297. The Project site plan shows measured areas that are slightly different than those discussed above. As the area is measured, the existing area where vending is allowed is 156,840 square feet. When the Minor and Trivial Amendment was granted, existing parking approved by the previous permit and by subsequent Use Permit ZA-3567 and ZA-3629 was noted to continue to serve the project, unamended. The proposed Amendment to Use Permit ZA-3629 would allow an additional 51,446 square feet of paved parking and access on the lower lot northeast of the Red Barn, allowing the owner to next pursue a grading permit for recent paving of 3,100 square feet and abate Code Enforcement Case No. 20CE00297 / 22CE00422. The project would provide 758 public parking and 95 vendor parking spaces, including Americans with Disability Act (ADA) accessible spaces. The project would include the installation of vehicle directional signage and onsite advertising signage (non-monument) at the northeastern parking lot area facing the frontage road. This may include new “Lane Open” signs for the ticket booths and a new entry sign advertising the Red Barn. In addition, the three flag poles that were removed due to Highway 101 construction would be replaced on the project site between the Red Barn and the ticket booths. A second 720 sq. ft. modular office would be permitted to remain on the site (one 720 sq. ft. modular office was already permitted on the site). Two new restrooms within two permanent buildings would connect to a new wastewater treatment facility on the property. Food and beverage vendor locations would be limited to areas within 200 feet of a restroom with flush toilets as required by applicable sections of the California Retail Food Code. As shown on the Site Plan, this amendment would allow 86 additional vendor spaces in the outdoor retail sales area. The total number of vendors would not exceed a maximum of 319 vendors (see General Development Plan, “GDP” attached to Exhibit B). As part of the GDP,

construction of on-site storage (shipping containers or similar) for vendors to rent is proposed. The GDP also describes new uses for indoor and outdoor areas. The new uses would include social activities, holiday-themed commercial activities, and entertainment activities. Approximately 300 cubic yards of grading shall be permitted, including some grading on slopes, through this entitlement which abates the code violations which have occurred on the site.

Staff received two comment letters on the proposed project in response to the July 10, 2024 hearing noticing. One letter, written on behalf of the Ballantree Homeowners Association (HOA), listed “increase traffic” as the first reason they are opposed to the proposed amendment and GDP. The letter further described that “dozens of cars lined up back towards the freeway overpass just to get into The Red Barn property.” In the letter from the Ballantree HOA, “increased noise levels” was the second reason for the HOA’s concern with the Project. A second letter from a neighbor residing on Ballantree Lane identified the proposed paintball club as a potential source of noise that “will absolutely spook our horses and dogs” and described issues with current vendors. A brief staff response is provided in **Exhibit A**. Staff received a phone message from a self-identified neighbor, as well. The neighbor stated that they can hear noise from the Red Barn, now and they are opposed to the new uses for reasons of noise and the trash and dumping they associate with the Red Barn vendors. No phone number was left, so staff was not able to respond but is adding this comment to the record.

DISCUSSION. The discussion is attached as **Exhibit A**.

CEQA

Pursuant to Public Resources Code Section 21083 and CEQA Guidelines Sections 15063(a) and 15063(b)(2), Monterey County as Lead Agency completed environmental review to determine if the project may have a significant effect on the environment. The County prepared a draft Initial Study and Mitigated Negative Declaration (IS/MND) for this project. Potential impacts to Aesthetics, Greenhouse Gasses, Hydrology and Water Quality, Noise, and Tribal Cultural Resources were identified. The MND recommends incorporating Mitigation Measures (MMs) to reduce project impacts to a less-than significant-level. Other potential impacts were identified but were able to be reduced to a less-than-significant level through the implementation of County and State regulations. The Draft MND for PLN140602 was prepared in accordance with CEQA and circulated for public review from April 17, 2024 through May 17, 2024 (SCH#2024040732). Three comments on the IS/MND were received. See **Exhibit A**, Discussion for impacts, MMs and responsive edits/discussion on comments.

OTHER AGENCY INVOLVEMENT:

The following agencies have reviewed the project, have comments, and/or have recommended conditions:

- Environmental Health Bureau
- Aromas Tri-County Fire Protection District
- Monterey County Sheriff
- Office of the County Counsel

Prepared by: Mary Israel, Supervising Planner, x5183

Reviewed and approved by: Anna Ginette Quenga, AICP, Principal Planner

The following attachments are on file with the HCD:

Exhibit A - Project Discussion

Exhibit B - Draft Resolution

- Draft Conditions of Approval/Mitigation Monitoring and Reporting Plan
- Project Plans
- General Development Plan

Exhibit C - Redline Initial Study/Mitigated Negative Declaration

Exhibit D - CEQA Comments

Exhibit E - Vicinity Map

Exhibit F - Zoning Administrator Resolution ZA-3117

Exhibit G - Zoning Administrator Resolution ZA-3629

Exhibit H - Board of Supervisors Resolution No. 10-037

Exhibit I - Zoning Administrator Resolution No. 19-018

Exhibit J - Correspondence Received

cc: Front Counter Copy; Anna Ginette Quenga, AICP, Principal Planner; Mary Israel, Planner; Joel Panzer, Agent; Dale Ellis, Agent; Jimenez Salvador Jr Trust, Applicant; John Olejnik, CalTrans; Edward Gluhan, Interested Party; Patricia Waibel, Interested Party; Sheila Smith, Interested Party; Ken Tunstall, Interested Party; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Project File PLN140602.