



County of Monterey Planning Commission

Item No.3

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

Agenda Item No. 3
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PLN180441 - SALINAS 101 LLC (FORMERLY MARTINS) (THE SOBEL COMPANY INC.)

Public hearing to consider subdivision of a 17.92 acre Light Commercial (LC) zoned parcel into 10 LC zoned parcels, construction of 98,926 square feet of mixed commercial space including 4 retail buildings, 4 quick serve restaurants, a fueling station with a convenient store and car wash, and a motel, and a pylon sign, and three Variances to increase the allowable height of main structures on Parcel 7 (hotel) to 45 feet, increase the allowable sign height to 57 feet, and increase the allowed sign dimensions to 768 square feet. Associated improvements include off-site traffic improvements, 184,142 square feet of landscaping, and approximately 12,876 cubic yards of cut and 12,309 cubic yards of fill.

Project Location: Intersection of Highway 101, Sala Road and Harrison Road (Assessor's Parcel Number [APN]: 113-091-017-000), Greater Salinas Area Plan

Proposed CEQA Action: Adopt a Mitigated Negative Declaration pursuant to Section 15074 of the CEQA Guidelines

RECOMMENDATIONS

It is recommended that the Planning Commission adopt a resolution:

- 1) Adopting a Mitigated Negative Declaration pursuant to Section 15074 of the CEQA Guidelines;
- 2) Approving a Combined Development Permit consisting of:
 - a. Standard Subdivision and Vesting Tentative Map to divide a 17.92 acre Light Commercial (LC) zoned parcel into ten LC zoned parcels;
 - b. a General Development Plan and Use Permit to allow a total of 98,926 square feet of mixed commercial space including four retail buildings, four quick serve restaurants, a fueling station, and a motel;
 - c. a Use Permit to allow construction of a sign;
 - d. a Variance to increase the allowable height of main structures on Parcel 7 from 35 feet to 45 feet;
 - e. a Variance to increase the allowable height of signs from 35 feet to 57 feet; and
 - f. a Variance to increase the allowed sign dimensions to 768 square feet; and
- 3) Adopting a Condition Compliance and Mitigation Monitoring and Reporting Plan.

The attached draft resolution includes findings and evidence for consideration (**Exhibit B**). Staff recommends approval subject to 36 conditions of approval.

PROJECT INFORMATION

Property Owners: Salinas 101 LLC

Agent: Michael Groves, EMC Planning Group

APN: 113-091-017-000

Zoning: Light Commercial [LC]

Plan Area: Greater Salinas Area Plan

Flagged and Staked: No

Project Planner: Fionna Jensen, Senior Planner, 831-796-6407, JensenF1@co.monterey.ca.us

SUMMARY

The Proposed Project is located at the intersection of Highway 101, Sala Road & Harrison Road, Salinas and consists of a new highway-oriented commercial development that entails the subdivision of an existing lot into 10 parcels and various other on- and off-site improvements, which are described in further detail in **Exhibit A**. The Proposed Project includes construction of a total of 10 structures totaling 98,926 square feet . These structures consist of a 41,693 square foot 95-room hotel, four retail buildings totaling 40,202 square feet (includes a 21,702 square foot retail building for Tractor Supply), four fast food restaurants with drive-through windows totaling 11,520 square feet, and a vehicle service station with 16 fueling positions, a convenience store, and drive-through car wash totaling 4,359 square feet. The Proposed Project also includes for a 57-foot illuminated highway-facing pylon sign on the western portion of the site. Salinas 101 LLC (“Applicant”) is applying for two Variances to increase the allowable height and overall dimensions of the proposed sign so that it can be seen by northbound drivers on Highway 101 above the existing Sala Road Overpass, which is over 23-feet tall and is located immediately south of the site. The Applicant is also applying for a third Variance to increase in the allowable height for main structures, specifically the hotel on Parcel 7. The Proposed Project includes grading consisting of 12,876 cubic yards of cut and approximately 12,309 cubic yards of fill. California Water will provide portable water to the site while the City of Salinas and Monterey One Water will provide sewer service.

DISCUSSION

The subject property is zoned Light Commercial [LC] and is governed by regulations and policies in the 2010 General Plan, Greater Salinas Area Plan, Monterey County Inland Zoning Ordinance (Title 21), and Monterey County Subdivision Ordinance (Title 19). As demonstrated in the Draft Resolution (**Exhibit B**), the proposed subdivision complies with the 2010 General Plan and Greater Salinas Area Plan, meets the minimum lot design, is a use suitable for the subject site, will not have a significant impact on the environmental or be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood, and has adequate water supply and sewage disposal. Therefore, the proposed subdivision meets the requirements of Title 19. County staff also prepared a draft Initial Study (IS) for this project and concluded that any potential adverse impacts would be less than significant with mitigation measures applied. The County also identified potentially significant impacts to biological resources, land use and planning, greenhouse gas emission, air quality, noise, and transportation. Mitigation measures have been proposed to reduce the identified impacts to a level of less than significant.

The project and its potential environmental impacts are discussed in detail in the project discussion at **Exhibit A**.

Variations

The Applicant is requesting approval of three Variations to increase the allowable height of main structures on Parcel 7 to 45 feet, increase the allowable height of signs to 57 feet, and increase the allowed sign dimensions to 768 square feet. The economic viability of highway-oriented commercial uses is heavily dependent on the visibility of the services. In September 2004, construction of the Sala Road Interchange and southbound Highway 101 Overcrossing at Russell Road and Espinosa Road in north Salinas was completed by California Department of Transportation (Caltrans). According to Caltrans data, the clearance for the bridge connecting to the adjacent off ramp is at 19 feet and 9 inches and the roof of the bridge is at 23 feet and 5 inches. Vegetation along the bridge and off ramp intersection increases the height to approximately 25.5 feet. The Applicant conducted multiple tests to determine the lowest visible height for the proposed sign. The results concluded that for adequate visibility the bottom of the lowest tenant sign on the proposed pylon sign would need to be at least 37 feet above average natural grade. The tenant advertisement area is approximately 20 feet tall. Consequently, the proposed project includes a 57-foot-tall pylon sign. Monterey County Code Chapter 21.60 (Regulations for Signs) do not contemplate free-standing pylon signs that needs are common for advertising the presence of multiple tenants within a single commercial center. Therefore, HCD-Planning staff applied regulations specific for signs in light commercial zoning districts as well as community entrance signs since this property is located near the entrance of the City of Salinas. The proposed sign exceeds the allowable size by 384 square feet (total size of 400 square feet). At 57 feet tall and with the proposed dimensions, northbound travelers will be able to adequately see the sign from approximately 0.8 miles south of the project. The applicant determined that no appropriate sign height or size would allow the sign to be visible for southbound travelers due to the positioning of existing nature trees, a neighboring soundwall, and the southbound Sala Road exit.

Strict application of the LC zoning district's height limitations would significantly limit all visibility of any structure or sign when traveling northbound along Highway 101, as well as restrict the size of the hotel. To assure adequate visibility from the highway and accommodate the minimum number of rooms and associated support uses, a typical highway-oriented hotel is four to five stories high. This is equivalent to a height of 40-45 feet. At 95 rooms and 45 feet tall, the proposed hotel will be comparable to other Highway 101 oriented hotels in the City of Salinas, which establishes a height limit of 50 feet for hotels. Therefore, due to special circumstances, including the location of the site, zoning limitations placed on a highway serving property, and visual constraints as a result of existing development, staff recommends the Planning Commission grant the requested three variations. The Applicant's justification for the granting of these variations is contained in **Exhibit C**.

Design

This subject property is not located along or near a scenic corridor or vista. The proposed building colors would be a mix of neutral and earthtone colors including shades of beige, grey, and brown (**Exhibit B**). These types of colors are typical of commercial development alongside highways in Monterey County and would not be visually obtrusive to drivers passing alongside the proposed project. In the north and southbound directions along Highway 101, the proposed development will be comparable to existing development and will appear less obtrusive given the relatively "busy" visual landscape consisting of various traffic signs, nearby commercial and residential development, Highway 101 (four lanes), and the surrounding mountain ranges. The proposed project includes planting of 160

trees throughout the site, including all parking areas, and a continuous evergreen hedge along the western property line to minimize views from Highway 101. Therefore, although the proposed pylon sign and hotel would create new prominent visual landmarks for northbound and southbound travelers on Highway 101, they would not substantially impact visual quality of the site.

ENVIRONMENTAL REVIEW

Pursuant to Public Resources Code Section 21083 and California Environmental Quality Act (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 (**Exhibit D**). County staff filed the draft IS/MND with the County Clerk on September 21, 2023; and circulated for public review from September 21, 2023 through October 23, 2023 (State Clearinghouse Number 2023090503). The draft IS/MND identified potentially significant impacts to biological resources, land use and planning, greenhouse gas emission, air quality, noise, and transportation. Mitigation measures have been proposed to reduce the identified impacts to a level of less than significant.

Mitigation Measure BIO-1 and BIO-2 would reduce the potentially significant impacts to biological resources to a level of less than significant by requiring pre-construction surveys and issuance of the Clean Water Act Section 404 Nationwide Permit 39. Mitigation Measure Mitigation GHG-1 will reduce potentially significant impacts to greenhouse gasses by requiring a minimum reduction of 4,614.48 MT CO₂e per year (or 20.88 MT CO₂e per year per service population) to ensure the project's GHG emissions are below the threshold of significance of 3.82 MT CO₂e per year per service population. Construction of the proposed project could expose sensitive receptors to localized emissions of dust and toxic air contaminants and therefore Mitigation Measures AQ-1, AQ-2, and AQ-3 have been applied to require installation and adherence to dust control measures, preparation of a Construction Staging Management Plan, confirmation that all construction equipment is maintained in accordance with manufacturer's specifications and checked by a certified emissions evaluator. Implementation Mitigation Measure AQ-1 through AQ-3 will reduce the potential exposure of nearby sensitive receptors to pollutant concentrations during construction to a less-than-significant level. Mitigation Measure N-1, N-2, and N-3 will reduce potentially significant impacts to noise to a level of less than significant by requiring construction activities to adhere to noise-limiting measures and limiting the Track Supply Company's loading dock activities and truck deliveries to hours of 7:00am to 7:00pm. Mitigation Measure TI-1 will reduce transportation related impacts to a level of less than significant by requiring installation of off-site traffic improvements. The Applicant has agreed to implement the mitigation measures, which have been incorporated into the project as conditions of approval (Condition Nos. 21 through 29). All other standard topics of environmental analysis were found less than significant or no impact.

During the public review period for the draft Initial Study, the County received comment letters from the Esselen Tribe of Monterey County (EMTC) and the California Department of Transportation (Caltrans). These comments are attached as **Exhibit E**.

EMTC requested 1) tribal consultation with the Lead Agency in accordance with AB52, 2) preparation of a comprehensive Phase I and Phase II geoarchaeological coring program evaluation to

determine presence/absence of cultural landforms, 3) monitoring of the geoarchaeological program by EMTC representatives, and 4) participation with the Lead Agency in selection of cultural consultants. Additionally, pursuant to California Government Code 65352.3 and California Public Resources Code Section 21080.3.1, EMTC requested copies of project alternatives. HCD-Planning sent a notification letter to the Esselen Tribe of Monterey County on May 31, 2023. EMTC did not respond within 30 days or prior to the preparation of the Initial Study (September 2023). The Proposed Project site has historically been used for agricultural purposes and does not contain any structures. The Proposed Project site is mapped in a low sensitivity area for archaeological resources. The Proposed Project site has been highly disturbed by past agricultural uses. Thus, the potential presence of unique archaeological resources on the site is considered low. Additionally, the prepared cultural resources assessment indicated that there are no recorded prehistoric properties, structures, or sites within the boundaries of the Proposed Project and there was no evidence of cultural resource were discovered during the pedestrian survey. Therefore, the potential for inadvertent impacts to archaeological resources is limited and would be controlled by application of the County's standard condition which requires the contractor to stop work if previously unidentified resources are discovered during construction. Finally, pursuant to CEQA Guidelines section 15126.6, only projects resulting in unavoidable/unmitigated significant environmental impacts are required evaluate a range of reasonable project alternatives. As detailed in the draft IS/MND, mitigation measures have been incorporated to reduce impacts to a level of less than significant.

The County received a letter from Caltrans dated October 23, 2023 raising concerns regarding the need for an encroachment permit and additional traffic/intersection control studies. However, Caltrans revised this letter on October 26, 2023, after engaging in discussions with the Project Traffic Engineer and County staff. The revised letter supersedes the previously submitted comment letter and is attached in **Exhibit E**. The revised Caltrans letter confirmed that an encroachment permit would be required to allow work within the Caltrans right of way, specifically for the northbound Sala Road on ramp improvements. This encroachment permit requirement has been added as a condition of approval (Condition No. 31). Additionally, the revised Caltrans letter confirmed that the analysis and conclusions contained in the Step 1 Intersection Control Evaluation analysis were satisfactory and no additional traffic studies were required. See **Exhibit A** for a more detailed discussion regarding traffic impacts and the required traffic control improvements.

County staff reviewed the comments received and determined that the comments do not conflict with or challenge the analysis and/or conclusions of the draft Initial Study, and no revisions to the draft Initial Study are necessary in response to the comments.

OTHER AGENCY INVOLVEMENT

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

HCD-Engineering Services

HCD-Environmental Services

Monterey County Water Resources Agency

Environmental Health Bureau

Monterey County Regional Fire Protection District

LUAC

The project was not referred to a Land Use Advisory Committee as the project site is not located within a LUAC review boundary.

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

The following attachments are on file with HCD:

Exhibit A - Discussion

Exhibit B - Draft Resolution, including;

- Conditions of Approval and Mitigation Measures
- General Development Plan
- Vesting Tentative Map
- Site Plan, Floor Plans and Elevations

Exhibit C - Applicant's Variance Justification Letter

Exhibit D - Draft IS/MND

Exhibit E - CEQA Comment Letters

Exhibit F - Vicinity Map

cc: Front Counter Copy; Monterey Regional Fire Protection District; Monterey County Water Resources Agency (A. Woodrow); HCD-Environmental Services; HCD-Engineering Services; Environmental Health Bureau; Fionna Jensen, Senior Planner; Anna Ginette Quenga, AICP, Principal Planner; Brad Sobel (Salinas 101 LLC), Property Owner; Michael Groves, EMC, Agent; The Open Monterey Project; LandWatch (Executive Director); Lozeau Drury LLP; Planning File PLN180441