



# Monterey County Planning Commission

168 West Alisal Street,  
1st Floor  
Salinas, CA 93901  
831.755.5066

## Agenda Item No. 2

Legistar File Number: PC 17-075

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Version: 1

Current Status: Agenda Ready

Matter Type: Planning Item

### **PLN170465 - R&Q Mall Properties LLC (Casa Boronda Agricultural Employee Housing)**

Public hearing to consider a Lot Line Adjustment to merge three legal lots of record of approximately 1.21 acres (Assessor's Parcel Number 261-041-024-000), 1.39 acres (Assessor's Parcel Number 261-041-025-000) and 1.36 acres (Assessor's Parcel Number 261-410-026-000), resulting in one legal lot of 3.96 acres and develop a 75-unit Agricultural Employee Housing Complex.

**Project Location:** 1144 Madison Lane, Salinas, Greater Salinas Area

**Proposed CEQA action:** Adopt a Mitigated Negative Declaration

### RECOMMENDATION:

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

- a. Rescind the Standard Subdivision tentative map (10 lots) and General Development Plan approved by Planning Commission Resolution No.08013 (PLN050545);
- b. Adopt a Mitigated Negative Declaration;
- c. Approve a Lot Line Adjustment to merge three legal lots of record of approximately 1.21 acres (Assessor's Parcel Number 261-041-024-000), 1.39 acres (Assessor's Parcel Number 261-041-025-000) and 1.36 acres (Assessor's Parcel Number 261-410-026-000) resulting in one legal lot of 3.96 acres;
- d. Approve a General Development Plan including a Use Permit for a 75-unit Agricultural Employee Housing Complex; and
- e. Adopt a Mitigation Monitoring and Reporting Plan

The attached draft Resolution includes findings and evidence for consideration (**Exhibit C**). Staff recommends approval subject to 42 conditions of approval including nine mitigation measures.

### PROJECT INFORMATION:

**Agent:** Jeff Nohr

**Property Owner:** R&Q Mall Properties LLC / (Quail Creek Crossing LLC)

**APN:** 261-041-024-000, 261-041-025-000, 261-041-026-000

**Zoning:** HC-UR

**Parcel Size(s):** 1.21 Acres, 1.39 Acres, 1.36 Acres (3.96 Acres Total)

**Plan Area:** Greater Salinas

**Flagged and Staked:** No

**Project Planner:** Cheryl Ku, Associate Planner

SUMMARY/DISCUSSION:

*Setting/Site History:*

The project is located at 1144 Madison Lane in the Boronda community just outside of the City of Salinas. The site is composed of three vacant parcels. The General Plan designation is General Commercial and the zoning designation is Heavy Commercial Urban Reserve (HC-UR). Adjacent land uses include agricultural fields across Boronda Road, a trucking delivery service, a Waste Management transfer station, single family dwellings on Madison Lane, and an auto repair shop directly north of the site on Boronda Road.

The Casa Boronda project is intended to provide housing for up to 600 agricultural employees, primarily during the harvest season from April to November. The project site has a previously approved Subdivision to divide the property into 10 parcels and General Development Plan to allow for a wide variety of commercial uses such as shops for tradespersons, offices, auto repair facilities and other businesses (PLN050545). An Initial Study/Mitigated Negative Declaration was prepared for that original project. The proposed action includes rescission of the previously approved subdivision tentative map and General Development Plan (Planning Commission Resolution No. 08013). The property is being acquired by Quail Creek Crossing LLC who are proposing to develop an agricultural employee housing project. Staff determined that the change in use to an Agricultural Employee Housing development warranted a new General Development Plan and a new Initial Study because the new proposed use is substantially different and has the potential for new or different impacts. The formerly adopted General Development Plan is being replaced by the new General Development Plan (Exhibit E).

The project site is within the Boronda Community Area as identified in General Plan Policy LU2.21 and Figure CA1. General Plan policy LU2.20 describes Community Areas as “planned population centers where new development in the unincorporated area shall be actively supported as the County’s primary planning priority”. The Boronda Neighborhood Improvement Plan was adopted under the 1982 General Plan, but was not carried forward under the 2010 General Plan. A Community Plan for the Boronda Community Area has not yet been adopted.

*Project Proposal:*

The proposed development consists of six (6) two-story apartment style buildings with 75 units capable of housing up to eight individuals per unit. The development will also include two recreation rooms, a manager’s unit, laundry facilities, a basketball/volleyball court, and an informal sports field/recreation area. The application includes a Lot Line Adjustment to merge three existing parcels, resulting in one 3.96-acre parcel. The applicant has stated that the project is primarily intended to serve H-2A Visa farmworkers. However, because these employment opportunities must be advertised domestically, with priority given to those workers, the development is also anticipated to serve some domestic workers. Previously approved agricultural employee projects have resulted in nearly all of the tenants coming from the domestic labor market, rather than from out of the country through the H-2A Visa program. Transportation by bus will be provided to and from work sites for all employees to reduce traffic impacts associated with the project.

*Project History:*

Quail Creek Crossing LLC previously applied for an Agricultural Employee Housing development in a different location (on Potter Road) in 2016 (PLN160471). The proposed site for that project was highly constrained, which led to many concerns regarding wastewater, traffic, and floodplain hazards, as well as the remote location away from services. County staff worked with the applicant for nearly a year to attempt to redesign the project to alleviate these concerns. Staff ultimately suggested pursuing alternative sites. This alternative location for Agricultural Employee Housing represents improved conditions in all of these areas and additionally allows employees better access to shopping and other urban services.

*Design:*

The project has been designed to fit with the surrounding land uses and best serve the employees who will reside there. Based on input from staff and other agencies, the site plan was redesigned to locate the structures away from the north and eastern edges of the property. The site plan now shows the parking lot bordering these edges to provide a buffer between the auto repair business and the residential units. The residential units surround an informal sports field in the center of the site, providing convenient and protected access for recreation.

*Public Services:*

Consistent with LU-2.5 of the Monterey County General Plan, project-related infrastructure improvements will be constructed concurrent with the project. The project has been conditioned to require drainage facilities (Condition 13) and frontage improvements along Boronda Rd and Madison Ln (Condition 12). Additionally, adequate public water and wastewater facilities are available. California Water Service Company has provided a will serve letter indicating they have the capacity to and will provide water to the project. The project will be connected to the Boronda County Sanitation District, which receives sewer service from the City of Salinas. The City has provided a letter stating that it has the capacity and will serve the project. The project has been conditioned to provide any necessary improvements or upgrades to the wastewater system (Condition 28) resulting from connection of the project. In addition, the project is not subject to Policy PS-3 for long-term sustainable water supply because it is located in Zone 2C of the Salinas Valley groundwater basin.

*Issues:*

A Development Review Committee meeting was conducted for this project on April 14, 2017. Feedback from various agencies was provided to the project applicant that helped shape the project application. Initial feedback resulted in a reconfiguration of the site plan to allow the parking areas to serve as separation for fire safety purposes. The DRC comments noted that the following would be needed for the site: a new traffic study, analysis of the capacity of the Boronda wastewater system, a new geotechnical report, stormwater and drainage analysis, and a new Initial Study. The applicant incorporated these comments and requested studies into their submittal. During the 30 day review process, detailed input was received from the various agencies that informed the scope of staff's analysis and the Initial Study. Traffic and Land Use Compatibility were the primary concerns raised for this project.

*Traffic:*

A Traffic Impact Analysis prepared for the project determined that the project would not have significant traffic impacts. The analysis looked at the possible traffic impacts from a best and

worst case scenario perspective based on the occupancy of the units. The project was originally intended to house H-2A Visa farmworkers who do not arrive in the country with personal vehicles. However, as stated above, it is anticipated that a large portion of the tenants will be domestic employees, who often do have their own vehicles. Per the General Development Plan, transportation via bus will be provided to and from worksites for all employees to reduce the impact of employees with their own vehicles driving to their work sites. Additionally, because it is possible the development could be converted to traditional apartments in the future with an amendment to the General Development Plan, the Traffic Impact Analysis also analyzed traffic impacts if the project were to function as a traditional apartment complex. In both scenarios, according to the analysis, the project will not have a significant effect on traffic patterns or Levels of Service. In addition, Conditions of Approval have been added to require frontage improvements and payment of traffic fees.

*Land Use Compatibility:* The proposed use is consistent with the Monterey County General Plan, which calls for supporting development within Community Areas (LU2.20), and designing Community Areas to support opportunities for workers to live near jobs (LU2.22). The project is consistent with Policy LU2.25 for development of Community Areas prior to adoption of a community plan because adequate infrastructure is either in place, or will be developed concurrently with the project and adequate water and wastewater services are available.

Staff finds that the proposed use is permitted under Section 21.20.060.H; *“Hotels, motels, restaurants, and similar visitor facilities”* and, if approved by the Planning Commission, Section 21.20.060.S. *“Other uses of a similar character, density, and intensity as those listed in this Section”*. The proposed agricultural employee housing facility is designed to provide housing to agricultural employees primarily during the harvest season from April to November. Similar to a hotel or a motel, the facility will provide basic necessities (bedroom/kitchen/bathroom/laundry facilities), but will have limited regular occupancy during the day when employees are out working. Additionally, occupancy rates will fluctuate throughout the year with harvest schedules.

General Plan Policy AG-1.6 states that farmworker housing projects *“...shall be consistent with the nature of the surrounding land uses”*. Adjacent land uses are varied and include: Single family residences, an auto repair shop, a United Parcel Service customer center, a Waste Management Transfer Station, an OnTrac trucking delivery business, and a seed company. Three single-family homes are located adjacent to the project site south-east on Madison Lane, with a residential neighborhood with a small market located one block north of the project site off of Boronda Road. Mitigation Measures are proposed to address possible noise impacts on the residences from the noise generated at nearby commercial sites or roadways. Mitigation measures require that building design and acoustical treatments ensure compliance with State and County noise standards for the residential use. Based on the results of a project specific acoustical analysis, the project will meet State and County interior noise level standards with the recommended building construction techniques. The project is consistent with the mixed-use nature of the area. In addition, this location provides close proximity to the agricultural fields where the employees will be working while still providing access to urban services, including the local neighborhood market 0.25 miles away and other major shopping services approximately one mile away within the City of Salinas.

*CEQA:*

A Mitigated Negative Declaration was adopted for the previously approved project on this site (PLN050545). Staff determined that a new initial study would be necessary because the original Initial Study did not contemplate a 100% residential use. An Initial Study was submitted by the applicant on June 13, 2017. County staff marked the document “applicant submittal” and an original copy was retained with RMA-Planning. County staff reviewed and edited the applicant submitted Initial Study and prepared a Mitigated Negative Declaration. The document reflects the independent judgment of the County. Issues that were analyzed in the Mitigated Negative Declaration include: Aesthetics, Biological Resources, Greenhouse Gas Emission, Population/Housing, Transportation/Traffic, Cultural Resources, Hazards/Hazardous Materials, Public Services, Archeological/Historical Resources, Air Quality, Geology/Soils, Hydrology/Water Quality, Noise, Recreation, and Utilities/Service Systems. Potentially significant impacts were identified in the areas of Archeological/Historical Resources, Biological Resources, Drainage/Absorption, Geologic/Seismic, and Noise but proposed mitigation measures will reduce the effects to a point where clearly no significant impacts will occur. The Initial Study/Mitigated Negative Declaration was circulated for review between July 28 and August 28, 2017. As of the writing of this staff report, no comments have been received.

*Conclusion:*

The mitigation measures and conditions of approval effectively address all project issues and will mitigate all potentially significant impacts to less than significant. The project will provide necessary housing for the employees who support existing agricultural operations in the Salinas Valley. The project site is in close proximity to both agricultural fields and urban services, and the project will not negatively impact the surrounding land uses.

OTHER AGENCY INVOLVEMENT:

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

- Environmental Health Bureau
- RMA-Public Works
- RMA-Environmental Services
- Water Resources Agency
- North County Fire Protection District
- RMA-Parks
- Agricultural Commissioner’s Office
- Agricultural Advisory Committee
- Sheriff’s Department
- City of Salinas

The proposed project was reviewed by the Agricultural Advisory Committee on June 22, 2017. The committee recommended approval of the project by a vote of 10-0 with 3 members absent. (see Minutes, **Exhibit B**).

Prepared by: Cheryl Ku, Associate Planner, 796-6049  
Reviewed by: Brandon Swanson, RMA Services Manager  
Approved by: Carl P. Holm, AICP, RMA Director

The following attachments are on file with the RMA:

Exhibit A - Project Data Sheet

Exhibit B - Agricultural Advisory Committee Draft Minutes

Exhibit C - Draft Resolution including:

- Conditions of approval
- Site Plans

Exhibit D - Vicinity Map

Exhibit E - General Development Plan

Exhibit F - Initial Study/Negative Declaration

Exhibit G - Comment Letter City of Salinas

Exhibit H - Trip Reduction Plan

Exhibit I - Planning Commission Resolution No. 08013

cc: Front Counter Copy; Planning Commission; Brandon Swanson, RMA Services Manager; Jeff Nohr, Agent; Quail Creek Crossing, LLC, Applicant/Owner; The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); John H. Farrow; Janet Brennan; Project File PLN170465.