



Board Report

File #: PC 20-047, **Version:** 1

(PLN170765) MCINTOSH LEONARD H TR (LAGUNA SECA OFFICE PARK) *Continued from February 12, 2020* - Public hearing to consider:

- a. A General Development Plan (GDP) for the Laguna Seca Office Park (LSOP) to allow residential and nonresidential uses on any single lot such that the cumulative total of residential square footage throughout the LSOP does not exceed commercial square footage within the entire LSOP, and
- b. Amending Combined Development Permit (PLN020332) changing from approximately 20,000 square feet of office space to approximately 22,000 square feet multi-family residential use (15-unit apartment building) on Lot 5 of the LSOP.

Project Location: Laguna Seca Office Park (Lots 1-19), 24491 Citation Court (Lot 5), Monterey, Greater Monterey Peninsula Area Plan.

Proposed CEQA Action: Consider an Addendum together with the Laguna Seca Office Park FEIR (File No. 80-109, Resolution No. PC-3734)

RECOMMENDATION:

Staff recommends the Planning Commission adopt a Resolution to:

1. Consider an Addendum together with the Laguna Seca Office Park (LSOP) Final Environmental Impact Report (FEIR) in accordance with CEQA Guidelines Section 15164;
2. Approve a General Development Plan (GDP) for the Laguna Seca Office Park (Lots 1-19) that supersedes all previously approved GDPs for parcels in the LSOP and that allows residential and nonresidential uses on any single lot such that the cumulative total of residential square footage throughout the LSOP does not exceed commercial square footage within the entire LSOP; and
3. Amend a Combined Development Permit (PLN020332, PC Resolution No. 12-035) to allow construction of a 22,137 square foot two-story 15-unit residential apartment building on Lot 5, instead of a 20,306 square foot two-story professional office building on Lot 5 of the LSOP.

The attached draft resolution includes findings and evidence for consideration (**Exhibit C**). Staff recommends approval subject to eighteen (18) Conditions of Approval.

PROJECT INFORMATION:

Agent: Anthony Lombardo and Associates

Property Owner: MCINTOSH LEONARD H TR

APNs: Lots 1-19: 173-122-005, 173-121-002, 173-121-003, 173-121-004, 173-121-005 (Lot 5), 173-121-023, & 173-121-026 173-121-025, 173-121-009, 173-123-012, 173-121-011, 173-121-012, 173-121-013, 173-121-014, 173-121-015, 173-121-016, 173-121-017, 173-121-018, & 173-124-005

Parcel Size: Laguna Seca Office Park (54 acres) and Lot 5 (1.924 acres)

Zoning: "VO/B-6-UR-D-S" (Visitor Serving/Professional and Office Zoning District with overlays for Urban Reserve, Building Site, Design Control, and Site Plan Review)

Plan Area: Greater Monterey Peninsula Area Plan

Flagged and Staked: yes

SUMMARY:

The proposed General Development Plan and amendment were considered by the Planning Commission on

August 14, 2019. After receiving public comment, the Planning Commission continued the hearing and requested additional information regarding airport conditions and plans, water use, and safety. The Planning Commission requested from the applicant a ratio of onsite affordable housing and amount of in lieu fees being proposed, and for a revised General Development Plan (GDP). The public expressed concerns regarding the ability of local streets to accommodate egress during an emergency evacuation, the availability of water from the Seaside Basin, the capacity of the Pasadera Wastewater Treatment and Recycling Facility, fear of potential litigation regarding drainage issues, and the metrics for determining traffic impacts. Additional information is provided on each of these topics in the attached Discussion (**Exhibit B**).

On February 12, 2020, the applicant requested a continuance to allow time to solicit letters from LSOP parcel owners consenting to the previously proposed GDP that would have restricted residential and/or non-residential uses to Lots 2-7. Subsequently, staff worked with the applicant to revise the GDP to allow greater flexibility for potential residential development throughout the LSOP that respects the responses and desires of each property owner within the office park.

The original application was for exclusion of potential for residential use mixed with commercial use on Lots 1, 8-12, and 15-19, and allow commercial use and/or residential use on Lots 2-7, 13 & 14, with residential square footage not to exceed a total 107,022 square feet. However, authorization provided by other property owners, thus far, supports developing a maximum of 94,859 square feet residential use throughout the LSOP. As it pertains to the amendment to the permit on Lot 5, staff recommends approving a 22,137 square foot, 2-story residential apartment building instead of a 20,306 square foot two story professional office building. The proposed project has been analyzed and found consistent with the analysis in the LSOP FEIR that was based on 260,000 square feet of commercial office space. Removal of 43 Coast live oaks remains the same as previously approved and the amendment would result in less traffic and water use at the site than previously identified. Water and traffic information have been submitted that demonstrate residential use would demand less water and generate less traffic than would professional office uses on the same lots. As such, this project would not increase impacts beyond those previously analyzed.

The applicant proposes payment of in lieu fees as allowed by the Inclusionary Housing Ordinance. Staff finds that this would not be consistent with the 2010 GP Policy LU-1.19. Therefore, Condition 18 requires the applicant comply with LU-1.19 of 35% housing affordability ratio which may be revised, at the direction of the Planning Commission, to instead reflect compliance with either the Inclusionary Housing Ordinance (20%) or General Plan Policy LU-2.13 (25%).

DISCUSSION:

In 1983, the County approved a 19-lot subdivision creating the Laguna Seca Office Park (LSOP). Lots in the LSOP are zoned for Visitor Serving/Professional Office use (“VO”). A General Development Plan is required for properties zoned VO where the lot is 1 acre or more, more than one use is proposed, or a subdivision is included.

The VO District allows, among other things, residential uses not to exceed the gross square footage of the commercial use. This has historically been applied to individual properties where the amount (square footage) of residential use on a single property could not exceed the amount of commercial/office use on that property. The VO zoning district does not restrict the percentage of commercial/office use on an individual lot.

Currently Lots 1 and 8-19 are developed entirely with commercial/office use (152,978 square feet total) and no residential use. Combined Development Permit (PLN020332) was approved to develop 20,306 square feet of office space on Lot 5 of the Laguna Seca Office Park (LSOP). This application (PLN170765) includes

amending PLN020332, to develop 22,137 square feet of residential use. Also included is a General Development Plan (GDP) for the LSOP as a whole, that would allow residential use on individual lots exceeding the amount of commercial/office use, provided that the total amount of residential square footage within the LSOP does not exceed the total commercial/office square footage within the LSOP (Lots 1-19).

As proposed, the GDP would allow any LSOP lot to be developed with residential only use, provided the cumulative total does not exceed the cumulative total of commercial/office square footage (currently 152,978 square feet). Staff supports this concept to provide multi-family housing opportunities in unincorporated County. If the GDP concept is approved, the applicant wants to develop Lot 5 with residential use only. Since the GDP amendment could end up preventing residential development on another lot, staff required written permission from other property owners to extinguish and transfer residential development opportunities on those properties.

Thus far, the applicant has secured written permission from property owners within the office park for 94,859 square feet of residential potential. If the amendment to the permit on Lot 5 is approved, 22,137 square feet will be deducted from the 94,859 square feet for a remaining 72,722 square feet of residential development potential. This 72,722 square feet may be still be increased by 12,163 square feet to stay within the 107,022 square feet threshold of residential development throughout the LSOP, subject to obtaining written permission from property owners.

This proposal also preserves the potential for a mix of commercial and residential uses on lots without current written permission to extinguish and transfer residential development opportunities, to do so in the future. Total buildout assumptions contained in the environmental impact report prepared for the office park is 260,000 square feet of commercial/office space. Therefore, under current conditions, residential development throughout the LSOP could not exceed 107,022 square feet when combined with the existing 152,978 square feet of commercial development, which would total the 260,000 square feet of commercial development contemplated in the certified LSOP FEIR.

A more detailed discussion is provided as **Exhibit B** regarding the evolution of the GDP, residential development in the LSOP, zoning and land use, the development evaluation system (DES) of the General Plan Land Use Policy LU-1.19, application of 35% inclusionary and workforce housing from the DES, General Plan Land Use Policy LU-2.13, Inclusionary Housing Ordinance, Airport Land Use Commission (ALUC), Monterey Regional Airport (MRY), concerns from the public, design, and CEQA.

OTHER AGENCY INVOLVEMENT:

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

- Bureau of Environmental Health
- RMA-Public Works & Facilities
- RMA-Environmental Services
- RMA-Parks
- Water Resources Agency
- Monterey County Regional Fire Protection District
- City of Monterey
- Monterey County Sheriff Department
- Monterey County Housing and Economic Development

LUAC: The Greater Monterey Peninsula LUAC voted 4-0 in favor of recommending the project for approval with no changes. The meeting took place on April 19, 2018.

Prepared by: Jaime Scott Guthrie, AICP, Associate Planner, ext. 6414

Reviewed by: Craig Spencer, RMA-Planning Services Manager
Brandon Swanson, RMA-Planning Services Manager

Approved by: Carl P. Holm, AICP, Director of RMA

The following attachments are on file with the RMA:

Exhibit A - Project Data Sheet

Exhibit B - Discussion

Exhibit C - Draft Resolution, including:

- C1: Conditions of Approval
- C2: Site Plans, Elevations
- C3: General Development Plan

Exhibit D - Vicinity Map

- D1: Vicinity Map
- D2: Laguna Seca Office Park Map

Exhibit E - CEQA Documents, including:

- E1: Laguna Seca Office Park FEIR (File No. 80-109, Resolution No. PC-3734)
- E2: IS/Addendum to FEIR for planning file PLN020332 (Lot 5)
- E3: Addendum to FEIR for planning file PLN170765 (Lot 5)

Exhibit F - Reports, including:

- F1 - Geotechnical and Infiltration Investigation, Taluban and Garcia (LIB180115)
- F2 - Drainage Report Update, Bestor Engineers, Inc. (LIB180117)
- F3 - Trip Generation Study, Higgins (LIB190165)
- F4 - Forest Management Plan, Webster (LIB110397)
- F5 - Traffic Study Update, Higgins (LIB200010)

Exhibit G - Airport Land Use Commission (ALUC) Resolution No. 19-008

Exhibit H - Correspondence

- H1: Letter to Owners of Parcels in the LSOP
- H2: Letter of Response from Majority Owner of LSOP Lot 16, Archer
- H3: Letter of Response from Owner of LSOP Lots 13 & 14, Jesson
- H4: Letter from MCR Fire District, Deputy Marshall Priolo
- H5: Letters from Mark Blum
- H6: Letters of Support from Owners of LSOP Parcels

Exhibit J - Appendix

- J1: Seaside Basin adjudication
- J2: SNG ruling
- J3: WDR Order No. 98-58 of the California Regional Water Quality Control Board Central Coast Region for Cal-Am
- J4: Pasadera Wastewater Treatment Plan (WWTP) Report from California Integrated Water Quality System (CIWQS)
- J5: PC Resolution No. 12-035 (File No. PLN020332)
- J6: LSOP CC&Rs recorded 22 September 2003

cc: Front Counter Copy; Brandon Swanson, RMA-Planning Services Manager; Craig Spencer, RMA-Planning

Services Manager; Dale Ellis c/o Anthony Lombardo and Assoc., Agent; Leonard H. McIntosh, Applicant/Owner; Alan Hendry c/o Wald, Ruhnke, Dost Architects; Chairperson, Greater Monterey Peninsula Land Use Advisory Committee; Joe Sidor, Designee of Secretary to the Airport Land Use Commission; Mark Blum c/o Horan Lloyd, interested party; Edward Rockower c/o York Hills HOA, interested party; Bob Dvorak, interested party; Joan Nelson, interested party; Harvey Pantzis, interested party; Pam Pantzis, interested party; Carol Planchon, interested party; Peggy Tharpe, interested party; Michael Weaver, interested party; M R Wolfe & Associates (John Farrow); The Open Monterey Project (Molly Erickson); LandWatch (Executive Director); Michael Weaver, interested party; Project File PLN170765.