



Planning Commission Agenda Report

Date: February 13, 2018

Item No: 2.

FROM: Elizabeth Caraker, AICP, Housing and Community Development Manager

SUBJECT: Approve 300 Cannery Row; Tentative Map, Use Permit and Coastal Land Use Plan Amendment 09-142 for a Mixed Use Project Consisting of 10 Residential Units that Exceed 30 Units Per Acre and One Commercial Unit with Off-Site Parking; and 258 and 270 Foam Street Tentative Map and Use Permit 17-0128 for a Mixed Use Project Consisting of Five Residential Units and One Commercial Unit; Applicant: Paul E. Davis; Owner: William and Daniel Turrentine; Zoning: Cannery Row Commercial and Planned Community - Lighthouse; General Plan: Commercial; CEQA: Mitigated Negative Declaration

RECOMMENDATION:

That the Planning Commission adopt resolutions adopting an environmental mitigated negative declaration approving 300 Cannery Row; tentative map, use permit and recommending City Council adoption of a Coastal Land Use Plan amendment for a mixed use project consisting of 10 residential units that exceed 30 units per acre and one commercial unit with off-site parking; and 258 and 270 Foam Street tentative map and Use Permit 17-0128 for a mixed use project consisting of five residential units and one commercial unit.

ENVIRONMENTAL DETERMINATION:

A Notice of Intent to Adopt a Mitigated Negative Declaration was posted according to the California Environmental Quality Act (CEQA) Section 15072 and a Draft Initial Study and Mitigated Negative Declaration (IS/MND) were circulated for public review for the required 30-day public review period, from June 2, 2010 to July 1, 2010 (CEQA Section 15073) (Exhibit A to Attachment 1), during which time all related documents were made available at the Monterey City Hall Planning Office and on the City's website; and the IS/MND identifies that the project could result in potentially significant environmental impacts associated with aesthetics, biological resources, cultural resources, geology/soils, hydrology/water quality, land use planning, recreation, transportation/traffic, and mandatory findings of significance; and Mitigation Measures have been required that will reduce the potential impacts to a less-than-significant level; five comment letters were received during the public review period and responses have been provided (Exhibits B and C to Attachment 1). Since the circulation of the IS/MND, the project has been reduce in size and redesigned to achieve consistency with the Secretary of the Interior Standards for the Rehabilitation of Historic Resources, the State Lands Public Doctrine Policies, and the California Coastal Act. An updated traffic study was prepared that did not identify additional impacts under current conditions. Therefore, the IS/MND provides adequate analysis the revised project.

ALTERNATIVES CONSIDERED:

The Planning Commission could decide not to adopt the use permit and mitigated negative declaration; or request additional analysis; or add conditions of approval; or continue the project for redesign.

DISCUSSION:

Background

Paul Davis submitted applications for use permit, tentative map, and Coastal Land Use Plan amendment approval for a mixed use project consisting of the rehabilitation of the existing building located at 300 Cannery Row consisting of 10 residential condominium units, 7,598 square feet of coastal commercial and 880 square feet of retail on a 7,232.5 square foot (0.166 acre) site, and for the construction of a new building located at 258/270 Foam Street consisting of 5 residential condominium units and 1,050 square feet of retail on a 9,500 square foot site (0.22 acre), and 33 parking spaces for both portions of the project.

The existing structure at 300 Cannery Row is a three-story, 25,452 square foot cannery building with partial a basement constructed in 1945. The 300 Cannery Row portion of the project is located within the Cannery Row Coastal Land Use Plan (LUP) Area of the Coastal Zone, the General Plan Commercial Land Use Designation, the Cannery Row Commercial zoning district, and the Cannery Row Conservation District. The building has been identified by the Cannery Row Historic Survey as eligible for City landmark (H-1) historic status. The structure is surrounded by visitor serving and commercial structures to the south and west, by the Monterey Bay to the east, and by coastal access to the north.

The 258-270 Foam Street portion of the project is currently a vacant lot and is located in the General Plan Commercial Land Use Designation and the Lighthouse Area Specific Plan – Foam Character Area. The site is surrounded by mixed use and residential uses to the north, south and west, and the recreation trail to the east.

Project Description

The 300 Cannery Row portion of the project consists of the rehabilitation of the warehouse building as follows:

- Basement Level: storage
- First Level (below street level): 3,098 square feet of coastal commercial to include coastal viewing and historic displays and videos of the fishing and canning industry, open space, and storage; open space, and required residential unit storage.
- Second Level (street level): two residential units (2x1-bedroom), 880 square feet of retail fronting Cannery Row; and 1,500 square feet of coastal commercial space facing the bay, and coastal access around each side.
- Third Level: three residential units (2x1-bedroom and 1x2 bedroom), and 1,500 square feet of coastal commercial space.
- Fourth Level: three residential units (2x1-bedroom and 1x2 bedroom) and 1,500 square feet of coastal commercial space.
- Fifth Level: a new 2,232 square foot addition consisting of two residential units (2x1-bedroom).
- Overall residential density: 60 dwelling units per acre.

ADA Path of travel from 300 Cannery Row to assigned parking as indicated on Sheets A.1.3 and A.2.1 (Exhibit A to Attachment 3).

The 258/270 Foam Street portion of the project consists of new construction. The project is proposed in two phases due to a lack of water on the site. Phase I would include the construction of a two-story, 33 space parking structure with elevator and stair access from Foam Street to the lower level. One American Disabilities Act (ADA) van accessible parking space is provided on the lower level to satisfy ADA parking requirements for the 300 Cannery Row portion of the project.

Phase II of the project consists of the construction of a new 7,812 square foot, 3-story mixed-use building on top of the parking structure from Phase I. The project proposes five residential condominiums (3x2-bedroom and 2x1-bedroom) at a density of 23 dwelling units per acre and one 1,020 square foot retail space adjacent to Foam Street. Parking for the residential units and the retail space will be located on the main level of the parking structure. The construction of Phase II is contingent upon the acquisition of a water allocation from the City of Monterey water allocation program.

The project requires Planning Commission approval of a use permit for:

Cannery Row Commercial district

- mixed use projects
- off-site parking
- building height in excess of 35 feet/four stories
- condominium (tentative) subdivision map

Lighthouse Specific Plan area

- condominium (tentative) subdivision map

Planning Commission recommendation of City Council approval of an amendment to the LUP is also required for 300 Cannery Row to allow the residential density to exceed 30 dwelling units per acre and to allow residential uses on the street level.

The project also requires Architectural Review Committee (ARC) approval of a design review permit for the Foam Street portion of the project consistency with the Lighthouse Specific Plan guidelines and both ARC and Historic Preservation Commission review of the 300 Cannery Row portion of the project for consistency with the Cannery Row Conservation District Guidelines.

Analysis

Cannery Row LUP Amendment:

In order to preserve the Cannery Row area for visitor-serving uses, consistent with the California Coastal Act, the LUP restricts residential uses to mixed use projects when retail and coastal commercial uses are located at the street level and residential uses: are located above the street level, are at densities that do not exceed 30 dwelling units per acre, and do not exceed the overall cap for the Cannery Row area of 185 dwelling units.

The proposed residential density of the 300 Cannery Row portion of the project is 60 dwelling units per acre and includes two residential units at the street level. The total number of existing and approved residential units in the Cannery Row Area is approximately 60 and the proposed units would not exceed the cap.

The proposed amendments to the LUP that would allow residential uses on the street level if located behind street-facing retail uses and that exceed 30 dwelling uses per acre upon approval of a Use Permit/Coastal Development Permit, provided all significant adverse environmental impacts are mitigated to the greatest extent feasible and the project is consistent with all Local, State and Federal policies and guidelines (see LCP Amendment Resolution for proposed policy language changes).

The project is consistent with all Local, State and Federal policies and guidelines, including the City's zoning ordinance, Cannery Row Conservation District Guidelines, General Plan and LUP with proposed amendments, the State Coastal Act, the State Lands Commission Public Trust Policies, and the Federal Secretary of the Interior Standards for the Treatment of Historic Properties.

Use Permit/Tentative Map

The project complies with the requirements of State Law and City ordinances as they apply to condominium projects, in that the project will provide safety lighting (to be reviewed by the ARC), separately metered utilities (required prior to building permit) and adequate parking, open space, and storage (as shown on the plans). The 300 Cannery Row portion of the project does not require parking. The applicant is providing parking for the condominium owners at the Foam Street site. The Foam Street portion of the project requires seven spaces.

The City's ADA Committee reviewed and approved the proposed ADA path of travel between 300 Cannery Row and the assigned ADA space located at the Foam Street site, which includes a lift adjacent to the recreation trail (Exhibit A to Attachment 3).

While the Lighthouse Specific Plan does not require Planning Commission review for mixed-use projects, the ARC review will require findings of consistency with the Land Use and Design objectives, including view impacts, site design, bulk and mass, and finishing materials.

The project and the proposed conditions under which it would be operated or maintained will not be detrimental to the public health, safety, or welfare of persons residing or working in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the City because the project is appropriate for the site, zoning, and General Plan land use designation, and is compatible with the surrounding neighborhood.

The project will be consistent with the General Plan in that the General Plan Land Use element identifies the site as Commercial and the project is consistent with this General Plan directive because the project increases the stock of ownership housing and will provide three affordable units are required to the City's Low and Moderate Income Ordinance. The affordable units will be provided either at 258-270 Foam Street or at another property in the vicinity that is under the same ownership.

The project will be consistent with the LUP in that the project provides visitor serving uses, supports historic preservation, provides adequate parking, is within the residential cap for the Cannery Row area, and as conditioned, meets development standards.

The project is consistent with the Cannery Row Commercial (CR) Zoning Designation in that it meets all required development standards. As indicated above, the LUP amendment will achieve project consistency for density and location of the residential uses at street level.

EC:jl

- Attachments:
1. Resolution adopting a mitigated Negative Declaration with Exhibits A through C
 2. Resolution recommending to the City Council to adopt amendments to the Cannery Row Local Coastal Land Use Plan
 3. Resolution approving use permit approving Use Permit 09-142 for a tentative map and mixed use project with Exhibit A

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