

AGENDA

REGULAR MEETING OF THE PLANNING COMMISSION

TUESDAY, MARCH 6, 2018
6:00 P.M.

Council Chambers, City Hall
212 S. Vanderhurst Avenue, King City, CA

1. CALL TO ORDER

2. FLAG SALUTE

3. ROLL CALL:

Planning Commission Members: Michael Barbree, David Mendez, Ralph Lee,
Vice Chairperson Margaret Raschella, and Chairperson David Nuck

4. PUBLIC COMMENTS

Any person may comment on any item not on the agenda. PLEASE STATE YOUR NAME AND ADDRESS FOR THE RECORD. Action may not be taken on the topic, unless deemed an urgency matter by a majority vote of the Planning Commission. Topics not considered an urgency matter might be referred to City staff and placed on a future agenda, by a majority vote of the Planning Commission.

5. PRESENTATIONS

6. CONSENT AGENDA

All matters listed under the Consent Agenda are considered routine and may be approved by one action of the Planning Commission, unless any member of the Planning Commission wishes to remove an item for separate consideration.

- A.** Meeting Minutes of February 20, 2018 Planning Commission Meeting
Recommendation: Approve and file.

7. NON-PUBLIC HEARINGS

- A.** Project Name: Phase 7 Royal Coach Park
Case No.: AR 2018-001
Applicant: Mellogold Development, LLC.
Location: Bedford and Brighton, King City, CA. 93930
Consideration: Architectural Review Application for three (3) model home plans for the construction of the remaining nineteen (19) lots of Phase 7 of the Royal Coach Park.
Recommendation: Staff recommends the Planning Commission adopt the attached Resolution No. 2018-215 approving Architectural Review Case No. AR 2018-001.

Environmental
Determination:

This project has been already environmentally assessed by the City. A final Environmental Impact Report ("**EIR**") was prepared in 1989 for the general plan amendment, rezoning, annexation and subdivision of the 89-acres for the Royal Coach Park property. The City certified the EIR and approved the project in November 1989. In 2003, City Council approved the findings to specific plan elements for the 37-single family lots for Royal Coach Park Subdivision (final phase) which is located in the Planned Development ("**P-D**") Zone District. This project comprises a portion of the project that was originally assessed, or no substantial new information that was not previously known when the project was originally assessed. No further action under CEQA is required.

8. PUBLIC HEARINGS

- A.** Project Name: Temporary Agricultural Employee Housing (Phase 2)
- Case No.: CUP 2016-001A2 and AR 2016-001(A2)
- Applicant: SGH Holdings, LLC
- Location: 218 N. First Street, King City, CA. 93930
- Consideration: Continued Public Hearing to consider an Amended CUP and Architectural Review for addition of Temporary Housing for 150 of H2A Agricultural Employees at an existing barracks style Farmworker Housing Facility located at 218 N. First Street, King City CA. 93930. The hearing was continued from the meeting of February 20, 2018. The project includes bunk beds for the additional residents, outdoor recreational facilities, indoor recreational/relaxation areas on the first and second floors of the existing building, dining room, additional restrooms, addition of windows, laundry facilities and other related improvements. The project also includes the parking of busses and vans at a nearby off-site property owned by Smith-Monterey located south of the farmworker barracks facility.
- Recommendation: Staff recommends the Planning Commission continue the Public Hearing to 1) review request for Conditional Use Permit and Architectural Review, 2) receive public comment; and 3) adopt the attached Resolution approving the revised Mitigated Negative Declaration, ("MND"), Conditional Use Permit CUP 2016-001A2 and AR2016-001A2.
- Environmental
Determination: Initial Study and Mitigated Negative Declaration ("MND") in accordance with the California Environmental Quality Act (CEQA), the City of King, California, is the Lead Agency. A MND has been prepared for the project identified above. The purpose of this Notice of Intent ("NOI") is to solicit comments on the environmental analysis contained in the MND. There are no known environmental impacts that cannot be satisfactorily mitigated. There are no known regional environmental issues.

This item was continued from February 20, 2018.

9. PLANNING COMMISSIONER REPORTS

10. DIRECTOR'S REPORT

11. WRITTEN CORRESPONDENCE

12. ADJOURNMENT

UPCOMING REGULAR MEETINGS

<u>March 2018</u>		
March 6th	6:00 p.m.	Planning Commission
March 12th	6:00 p.m.	Airport Advisory Committee
March 13th	6:00 p.m.	City Council
March 19th	6:00 p.m.	Recreation Commission
March 20th	6:00 p.m.	Planning Commission
March 27th	6:00 p.m.	City Council

<u>April 2018</u>		
April 3 rd	6:00 p.m.	Planning Commission
April 9 th	6:00 p.m.	Airport Advisory Committee
April 10 th	6:00 p.m.	City Council
April 16 th	6:00 p.m.	Recreation Commission
April 17 th	6:00 p.m.	Planning Commission
April 24 th	6:00 p.m.	City Council

ADT: Average daily trips made by vehicles or persons in a 24-hour period

ALUC: Airport Land Use Commission

AMBAG: The Association of Monterey Bay Area Governments. The AMBAG region includes Monterey, San Benito and Santa Cruz Counties, and serves as both a federally designated Metropolitan Planning Organization and Council of Government. AMBAG manages the region's transportation demand model and prepares regional housing, population and employment forecast that are utilized in a variety of regional plans.

APCD: Air Pollution Control District

BMP: Best Management Practice, Bike Master Plan

CAP: Climate Action Plan

CC&Rs: Covenants, Conditions, and Restrictions (private agreements among property owners; the City has no authority to enforce these)

CDBG: Community Development Block Grant (a federal grant program designed to benefit low and moderate income persons)

CEQA: California Environmental Quality Act

CFD: Community Facilities District

COG: A council of government, or regional council, is a public organization encompassing a multi-jurisdictional regional community. It serves the local governments by dealing with issues that cross political boundaries.

CUP: Conditional Use Permit

EIR: Environmental Impact Report

Ex-Parte: Communication between Planning Commissioners and applicants outside of a public meeting

FEMA: Federal Emergency Management Agency

GHG: Greenhouse gas

HOME: Home Investment Partnership Act (a federal program to assist housing for low and moderate income households)

HCP: Habitat Conservation Plan

HCD: State Department of Housing & Community Development

HUD: U.S. Department of Housing and Urban Development

LAFCO: Local Agency Formation Commission

LID: Low Impact Development (measures to reduce rainwater runoff impacts)

LLA: Landscaping and Lighting District

LOS: Level of Service (a measurement of traffic efficiency used by Caltrans)

MMTC: A multimodal transit center includes a combination of alternative modes of transportation so people do not have to only rely on vehicles.

MOU: Memorandum of Understanding

MND: Mitigated Negative Declaration

MPO: A metropolitan planning organization is a federally mandated and federally funded transportation policy-making organization, such as AMBAG, that is made up of representatives from local government to help implement transportation projects and projects.

Neg Dec: Negative Declaration (a CEQA statement that a project will not have a significant effect on the environment)

NEPA: National Environmental Policy Act

SOI: Sphere of Influence.

TAMC: The Transportation Agency for Monterey County develops and maintains a multimodal transportation system for Monterey County. TAMC consists of local officials from each Monterey city (12 cities) and five (5) county supervisorial districts, and ex-officio members from six (6) public agencies.

TOT: Transient Occupancy Tax

Variance: A form of relief from zoning development regulations based on physical constraints of a property that prevents development of the same type of buildings allowed on other properties within the same zone and in the same neighborhood

VMT: Vehicle Miles Traveled

Planning Commission Minutes

February 20, 2018

1. Call to Order

Chairperson Nuck called the regular meeting of the Planning Commission of the City of King to order at 6:03 p.m.

2. Pledge of Allegiance

Chairperson Nuck led the Commission and audience in the Pledge of Allegiance.

3. Roll Call

Chairperson David Nuck X Vice Chair David Mendez X
Michael Barbree X Margaret Raschella X Ralph Lee X

Staff present: Community Development, Director Doreen Liberto; Principal Planner, Don Funk; Assistant Planner, Maricruz Aguilar-Navarro; Admin. Asst./Deputy City Clerk, Erica Sonne.

4. Public Comments

None

5. Presentations

Selection of Chair and Vice Chair Motion by Commissioner Lee and seconded by Commissioner Raschella.

Commission Barbree nominated Commissioner Raschella Vice Chair, Commissioner Raschella accepted Seconded by Commissioner Lee and she was approved unanimously.

Commission Barbree nominated Chair Nuck for Chair, Chair Nuck accepted Seconded by Commissioner Raschella and he was approved unanimously.

6. Consent Calendar

All matters listed on the Consent Calendar are considered routine and may be approved by one action of the Planning Commission, unless any member of the Planning Commission wishes to remove an item for separate consideration.

A. Approval of Minutes: February 6, 2018

Action: Motion made by Commissioner Raschella to approve minutes of February 6, 2018 with typo corrections. Seconded by Commissioner Mendez. Motion carried 5-0.

7. Public Hearing Items

- | | | |
|----|----------------|--|
| A. | Project Name: | Proposed All-Temp Refrigeration Warehouse |
| | Case No.: | CUP 2017-011, AR 2017-004 and LM 2017-002 |
| | Applicant: | Tom Willoughby, All-Temp Refrigeration |
| | Location: | 740 S. First Street (APN: 235-092-042-005-000), and (APN: 235-042-004-000), King City, CA. 93930 |
| | Consideration: | This is a continued public hearing from the Planning Commission meeting of February 6, 2018. The Commission will consider the approval of Conditional Use Permit Case No. CUP2017-011, Architectural Review Case No. AR2017-004, And Lot Merger Case |

No. LM2017-002 for the Construction of a new 5,000 Square Foot Office and Related Storage of Equipment for Heating and Air Conditioning Contractor Services at 740 S. First Street, King City, Ca 93930.

Recommendation: Staff recommends the Planning Commission conduct the public hearing and adopt Resolution No. 2018-207 which approves Cases No. CUP2017-011, AR2017-004 and LM2017-002 for the construction of a 5,000 square foot office and storage for a heating and air-conditioning contractor's office, a lot merger of two (2) parcels into one (1) parcel, with the changes to the architectural appearance of the building prepared by the applicant's architect, based on the findings of fact and subject to the Conditions of Approval

Environmental

Determination: Staff has performed a preliminary environmental assessment of this project and has determined that it falls within the Class 32 In-Fill Development Projects, Categorical Exemption set forth in CEQA Guidelines, section 15332 as this project involves development of within the city limits on a project site of no more than five acres substantially surrounded by urban uses. The site is adequately serviced by all required utilities and public services. The project is consistent with the general plan designation and zoning regulations. The project site has no value as habitat for endangered, rare or threatened species. The applicant will be required to provide street, gutter, curb sidewalk and other public improvements as identified for South First Street. Site drainage will be required to meet the City's and Central Coast Regional Water Quality Control Board standards. The project would not result in significant effects related to traffic, noise, air quality or water quality.

Principal Planner Don Funk introduced this item with a PowerPoint presentation.

Applicant's architect was present.

Chair Nuck opened the public hearing, seeing no one come forward, Chair Nuck closed the public hearing.

Action: Motion made by Commissioner Raschella to adopt Resolution No. 2018-207 which approves Cases No. CUP2017-011, AR2017-004 and LM2017-002 for the construction of a 5,000 square foot office and storage for a heating and air-conditioning contractor's office, a lot merger of two (2) parcels into one (1) parcel, with the changes to the architectural appearance of the building prepared by the applicant's architect, based on the findings of fact and subject to the Conditions of Approval. Seconded by Commissioner Barbree. Motion carried 5-0.

- B. **Project Name:** Temporary Agricultural Employee Housing
- Case No.:** CUP 2016-001A2 and AR 2016-001A2
- Applicant:** SGH Holdings, LLC

- Location:** 218 N. First Street, King City, CA. 93930

- Consideration:** CUP Amendment and Architectural Review Amendment for addition of Temporary Housing for 150 of H2A Agricultural Employees at an existing barracks style Farmworker Housing Facility located at 218 N. First Street, King City CA. 93930. The project includes bunk

beds for the additional residents, outdoor recreational facilities, indoor recreational/relaxation areas on the first and second floors of the existing building, dining room, additional restrooms, addition of windows, laundry facilities and other related improvements. The project also includes the parking of busses and vans at a nearby off-site property located south of the farmworker barracks facility.

Recommendation: Staff recommends the Planning Commission 1) review request for Conditional Use Permit and Architectural Review, 2) receive public comment; and 3) adopt the attached Resolution approving the Mitigated Negative Declaration, ("MND"), Conditional Use Permit CUP 2016-001A2 and AR2016-001A2.

Environmental Determination: Initial Study and Mitigated Negative Declaration ("MND") in accordance with the California Environmental Quality Act (CEQA), the City of King, California, is the Lead Agency. A MND has been prepared for the project identified above. The purpose of this Notice of Intent ("NOI") is to solicit comments on the environmental analysis contained in the MND. There are no known environmental impacts that cannot be satisfactorily mitigated. There are no known regional environmental issues.

Principal Planner Don Funk introduced this item with a PowerPoint.

Staff is recommending continuation of this item to the next meeting as they have received letters from Smith Monterey with their concerns just today on the lease of the bus parking area. Mr. Funk read the letter into the record.

Doreen Liberto further explained stating that this is one of the largest if not the largest Seasonal Worker housing in the city. This project provides the recreational area indoors. The upcoming Seasonal Housing Ordinance will have standards in it. This project is in no way setting the standards for future. She went through three conditions that need to be modified or deleted Pg. 37 last bullet delete that bullet, (starting with "Other areas of building.....", page 42 COA 21 third sentence from the bottom, (starting with "This includes....." delete the rest of the sentence all the way down and page 47 COA second number 5 should be deleted. This is a beginning and a meeting will be done with the applicant. New COA will be presented at the next meeting.

Chair Nuck opened the public hearing,

Jerry Rava spoke in support of Steve Scaroni's Project. He feels that they are working on a living document and it changes all the time. He would like the City to stop making changes. Doreen Liberto stated that they are trying to work with the information that comes from the Rava's they have been waiting for the Rava's to respond. He would like consistency. He doesn't feel that the recreation area is as important. He wants this project of his going. He wants to start pounding nails. He wants it consistent with other projects in town. They had to have all this parking for the office that they put in and others don't. He spoke on ground water sustainability and the landscaping should be cut back on or use drought resistant. He said as an employer it is their job to keep the employees safe so if they had a soccer field and they got hurt on it then they will not be working the next day. He further stated that what are our parks for and the movie theatre if not for recreation or entertainment.

Bill Lipe, Monterey County, he is happy to hear that the applicant got to speak to staff. He is happy to hear that this is not a project that will be used as model for other projects. He feels King City has some nice parks. He suggested having bikes for recreation.

Steve Scaroni, applicant, he started by thanking staff, this is phase 2, this is an out of the box project, this is one of his most functional projects that he has. They were blindsided by the Smith Monterey issue. He feels that the people have been good citizens. Promises made and promises kept. He stated that we need housing because we need H2A. H2A keeps agriculture going. They have to make this work. Benefits to the City, burst in commerce, there has been a little impact on tax revenue, they want to work, send money home and go home and come back the following season. This project helped the Broadway

crossing project. Farm workers are here to work, a minimum of 8 hours they are not here with a focus on recreation. They get back, face time or call home and call their families, eat, do a load of laundry and go to bed. Space issue needs to be worked out with staff. 50,000 sq. ft. in total. 136 sq. ft. per employee. 100 sq. ft. is all that the state calls for. He is 36% over subscribed as regulated. He wants to stick to the existing standards that are in place and not reinvent the wheel. They are going to call it open space instead of recreation. The most they have in one room (barracks) is 20 people.

When the multi-modal station comes in he will find parking somewhere else. They are going to need to have 8-10 buses and a couple vans.

Chair Nuck would like to see the same formula, as far as space, as the last phase. Mr. Scaroni stated that the open space was not planned that way and it is given a false expectation. He appreciates his point but they shouldn't crowd anyone. Chair Nuck doesn't feel that there is any space outside so the open space would need to be indoors. He would appreciate not reinventing the wheel and this all cost money.

Commissioner Barbree asked about onsite food. Mr. Scaroni wants to get the kitchen in but not this time. He feels buying the food from outside vendors is about \$3,000 to \$4,000 a day which is more efficient.

Action: Motion made by Commissioner Barbree to continue this public hearing to the March 6, 2018 meeting. Seconded by Commissioner Mendez Motion carried 5-0.

This Item Is Being Heard First Tonight

- C. Project Name: King City In Bloom Mural Project #1
- Case No.: SN2018-001
- Applicant: King City In Bloom
- Location: 101 Broadway Street, King City CA. 93930
- Consideration: Mural Permit Application for a 390 Square Foot Historical Mural Painted on the East Wall of 101 Broadway Street, King City, CA. 93930
- Recommendation: Staff recommends the Planning Commission approve Mural Permit Case No. SN 2018-001 for King City In Bloom to paint a 30'x13' (390 square foot) historical mural on the exterior east wall of 101 Broadway Street, subject to the attached conditions of approval.
- Environmental Determination: The project qualifies as a Class 11 Categorical Exemption set forth in CEQA Guidelines, Class 11 "consists of construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to:
 - (a) On-premise signs." This project involves painting of a mural on an existing wall and involves no expansion of use. Therefore, the Categorical Exemption Class 11 set forth in the CEQA Guidelines, §15311, is deemed to apply to this project.

Assistant Planner, Maricruz Aguilar introduced this item.

Chair Nuck opened the public hearing,

Laurie Slaten gave a history of the first mural. They want to make sure to have good security and lighting for the mural. They are hoping to have it done in the summer. They have some money set aside for this first mural. They are in the process of applying for grants.

Bill Lipe he applauds the murals being done in King City. In Salinas they have taken the electrical boxes so they are more appealing to the eye as well. He looks to donate some money to the King City in Bloom project.

Chair Nuck closed the public hearing.

Action: Motion made by Commissioner Raschella to approve Mural Permit Case No. SN 2018-001 for King City In Bloom to paint a 30'x13' (390 square foot) historical mural on the exterior east wall of 101 Broadway Street, subject to the attached conditions of approval. Seconded by Commissioner Lee. Motion carried 5-0.

8. Non-Public Hearing Items –

None

9. Regular Business- None

10. Planning Commission Report –

11. Director Reports- None

12. Written Correspondence– None

13. Adjournment

There being no further business, the Planning Commission meeting was adjourned at 7:11 p.m.

David Nuck
Planning Commission Chairperson
City of King

Erica Sonne
Planning Commission Secretary
City of King



ITEM 7 (A)

REPORT TO THE PLANNING COMMISSION

DATE: MARCH 6, 2018

TO: MEMBERS OF THE PLANNING COMMISSION

FROM: DOREEN LIBERTO, AICP, MDR, ACR, COMMUNITY DEVELOPMENT DIRECTOR

VIA: MARICRUZ AGUILAR, ASSISTANT PLANNER

SUBJECT: CONSIDERATION OF ARCHITECTURAL REVIEW APPLICATION FOR NEW FLOOR PLANS AND NEW MODEL HOMES FOR THE REMAINING PARCELS OF ROYAL COACH PARK SUBDIVISION PHASE 7

RECOMMENDATION:

The Planning Commission adopt the attached Resolution No. 2018-215 approving Architectural Review Case No. AR 2018-001.

BACKGROUND

On **September 26, 1989**, City Council approved the pre-zoning of the Royal Coach Park Subdivision and also approved the Tentative Map by U.C. Development for the subdivision of the 89 acres.

In 2003, Larry Cerutti, Mellogold Development submitted an application for development of the two remaining parcels of the Royal Coach Park zoned Planned Development ("**P-D**") into 37-single family lots ranging in size from 5,000 square feet to 8,495 square feet. On **November 5, 2003**, Planning Commission moved to recommended to the City Council approval of the a 37-single family project in the Planned Development ("**P-D**") Zoning District. On **December 9, 2003**, City Council approved the proposed development by Mellogold Development making the findings of compliance with the General Plan and compliance with the specific plan elements requirements of the City at that time. The Planning Commission staff report from **November 5, 2003** outlines the development requirements for six (6) one-story model homes and one (1) two-story model homes meeting the requirements as follows:

1. Two covered parking spaces provided per dwelling unit
2. Minimum front yard setback 20 ft.
3. Minimum side yard setback 5 ft.
4. Minimum rear yard setback 10 ft.
5. Maximum lot coverage 60%
6. Maximum building height is two stories
7. Minimum lot depth is 90 ft.

On **September 5, 2006**, the Planning Commission considered an amendment to the architectural review for six (6) new one-story model homes and a two-story model home. Planning Commission recommended a condition of approval to provide additional articulation through such methods of use of color, material, windows, etc.

On **September 12, 2006**, City Council accepted the recommendation from Planning Commission and approved an amended architectural review application along with elevations, exterior color samples, and floor plans with six (6) one-story models and one (1) two-story model homes.

On **January 25, 2018**, Larry Cerutti, Mellogold Development, Inc., submitted a new Architectural Review application for the use of three (3) new floor plans with three (3) new elevations to construct one-story single family homes on the remaining nineteen (19) parcels of the Royal Coach Park Subdivision. The proposed will no longer include the two-story homes.

The properties are located within the Planned Development ("**P-D**") Zoning District and within Planned Development ("**PD**") and Neighborhood Commercial ("**NC**") of the General Plan Land Use Designation.

DISCUSSION

The Applicant request includes the approval of the following new plan model types (see **Exhibits 4, 5 and 6**):

- New Model No. Plan 1349 one-story home
 - Square Footage Details
 - House 1349 square feet
 - Garage 468 square feet
 - Patio 150 square feet
 - Porch 181 square feet

- New Model No. Plan 1401 one-story home
 - Square Footage Details
 - House 1401 square feet
 - Garage 398 square feet
 - Patio 150 square feet
 - Porch 136 square feet

- New Model No. Plan 1449 one-story home
 - Square Footage Details
 - House 1449 square feet
 - Garage 400 square feet
 - Patio 139 square feet
 - Porch 75 square feet

The Applicant will no longer be constructing the two-story homes that were previously approved in 2006. As noted in the Planning Commission staff report from September 12, 2006, that the architecture becomes an important consideration when reviewing a project and recommended slight exterior modifications to improve the appearance of the structures. The condition placed on the project in 2006 required that before issuance of a building permit on the two-story models that the applicant work with the Community Development staff to modify the new two-story models to provide additional articulation through such methods of the use of color, materials, windows, etc.

The proposed includes eliminating the two-story models and replacing them with one-story models. Staff's recommendation in order to create a more pronounced streetscape a condition has been placed to not use the same plan type and exterior color scheme adjacent to each other or directly across the street for streetscape variation. (**Reference COA No. 21.**) Also, at the time of building permit submittal that a final typical lot landscaping plan be submitted for review and approval by the Community Development Director. (**Reference COA No. 20.**)

Analysis

Plan Type 1349: The proposal includes 'El Dorado' adhered stone veneer (NER#602) along the bottom corner edges of the garage door, composition roofing, a covered porch with railing or 36" wall, stucco walls, and approximately 1,275 square feet of landscaped area along the frontage. The proposed colors coordinate with the existing homes along Brighton Avenue. To create a more pronounce streetscape appearance the project is conditioned to not use the same plan type and exterior color scheme adjacent to each other or directly across the street for streetscape variation.

Plan Type 1401: The proposed includes deco foam trim with stucco finish along the bottom corner edges of the garage door, composition roofing, a covered porch with deco railing, stucco walls, and approximately 1,108 square feet of landscape area along the frontage. To create a more pronounce streetscape appearance the project is conditioned to not use the same plan type and exterior color scheme adjacent to each other or directly across the street for streetscape variation.

Plan Type 1449: The proposal includes stucco trim with stucco finish, deco gable end vents, composition roofing, stucco exterior walls, an arched patio entryway, and approximately 1,150 square feet of landscaping along the frontage. To create a more pronounce streetscape appearance the project is conditioned to not use the same plan type and exterior color scheme adjacent to each other or directly across the street for streetscape variation. The new model plans are still subject to conformance with the original specific plan element findings as approved by City Council in **2003**, which are as follows:

1. Two covered parking spaces provided per dwelling unit
2. Minimum 20 feet front yard setback

3. Minimum 5 feet side yard setback
4. Minimum 10 feet rear yard setback
5. Maximum lot coverage of 60%
6. Maximum building height is two stories
7. Minimum lot depth if 90 ft.

The proposed as submitted complies with the items noted above.

ENVIRONMENTAL DETERMINATION

This project has been already environmentally assessed by the City. A final Environmental Impact Report ("**EIR**") was prepared in 1989 for the general plan amendment, pre-zoning, annexation and subdivision of the 89-acres for the Royal Coach Park property. The City certified the EIR and approved the project in November 1989. In 2003, City Council approved the findings to specific plan elements for the 37-single family lots for Royal Coach Park Subdivision (final phase) which is located in the Planned Development ("**P-D**") Zone District. This project comprises a portion of the project that was originally assessed, or no substantial new information that was not previously known when the project was originally assessed. No further action under CEQA is required.

ALTERNATIVES:

1. Adopt Resolution No. 2018-215, approving the project.
2. Request additional changes be made to the project.
3. Do not adopt Resolution No. 2018-215. If the Planning Commission wishes to deny the project, identify the reasons for denial, direct staff to prepare a Resolution for Denial and continue the item to a future meeting.

Exhibits:

- | | |
|------------|---|
| Exhibit 1: | Findings of Facts |
| Exhibit 2: | Planning Commission Resolution No. 2018-215 |
| Exhibit 3: | Conditions of Approval |
| Exhibit 4: | Elevations and Site Plan for Plan 1349 |
| Exhibit 5: | Elevations and Site Plan for Plan 1401 |
| Exhibit 6: | Elevations and Site Plan for Plan 1449 |
| Exhibit 7: | Project Description |
| Exhibit 8: | Exterior Colors |

Prepared by: 
Maricruz Aguilar, Assistant Planner

Submitted by: 
Doreen Liberto, AICP, Community Development Director

EXHIBIT 1

Case No.: AR2018-001

FINDINGS OF FACTS

The purpose for making Findings of Facts to *"bridge the analytical gap between the raw evidence and ultimate decision"*. The Municipal Code gives the Planning Commission ("**Commission**") the authority to approve a project so long as the Commission can make certain findings. Written "findings of fact" are required in order to support the decision of the hearing body to approve or deny a project.

California Environmental Quality Act (CEQA) Findings of Fact

This project has been already environmentally assessed by the City. A final Environmental Impact Report ("**EIR**") was prepared in 1989 for the general plan amendment, pre-zoning, annexation and subdivision of the 89-acres for the Royal Coach Park property. The City certified the EIR and approved the project in November 1989. In 2003, City Council approved the findings to specific plan elements for the 37-single family lots for Royal Coach Park Subdivision (final phase) which is located in the Planned Development ("**P-D**") Zone District. This project comprises a portion of the project that was originally assessed, or no substantial new information that was not previously known when the project was originally assessed. No further action under CEQA is required.

Architectural Review Findings

- a. Plan Type 1349: The proposal includes 'El Dorado' adhered stone veneer (NER#602) along the bottom corner edges of the garage door, composition roofing, a covered porch with railing or 36" wall, stucco walls, and approximately 1,275 square feet of landscaped area along the frontage. The proposed colors coordinate with the existing homes along Brighton Avenue. The plan styles are similar in character to the existing models along the Royal Coach Park subdivision. To create a more pronounce streetscape appearance the project is conditioned to not use the same plan type and exterior color scheme adjacent to each other or directly across the street for streetscape variation.
- b. Plan Type 1401: The proposed includes deco foam trim with stucco finish along the bottom corner edges of the garage door, composition roofing, a covered porch with deco railing, stucco walls, and approximately 1,108 square feet of landscape area along the frontage. The plan styles are similar in character to the existing models along the Royal Coach Park subdivision. To create a more pronounce streetscape appearance the project is conditioned to not use the same plan type and exterior color scheme adjacent to each other or directly across the street for streetscape variation.
- c. Plan Type 1449: The proposal includes stucco trim with stucco finish, deco gable end vents, composition roofing, stucco exterior walls, an arched patio entryway, and approximately 1,150 square feet of landscaping along the

frontage. The plan styles are similar in character to the existing models along the Royal Coach Park subdivision. To create a more pronounce streetscape appearance the project is conditioned to not use the same plan type and exterior color scheme adjacent to each other or directly across the street for streetscape variation.

EXHIBIT 2

RESOLUTION NO. 2018-215

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF KING,
APPROVING ARCHITECTURAL REVIEW CASE NO. AR 2018-001 FOR THE
THREE NEW MODEL PLAN TYPES FOR ROYAL COACH PARK PHASE 7
LOCATED BETWEEN BEDFORD AND AMHERST AVENUE**

WHEREAS, on **January 25, 2018**, Larry Cerutti, Mellogold Development, Inc., requested an Architectural Review ("**AR**") Case No. 2018-001 approval of three (3) new plans for the completion of Phase 7 of the Royal Coach Park Subdivision. The site is zoned Planned Development ("**P-D**") and is designated Planned Development ("**PD**") and Neighborhood Commercial ("**NC**") in the General Plan; and

WHEREAS, on **March 6, 2018**, the Planning Commission ("**Commission**") reviewed the application to consider the new model types; and

WHEREAS, this project has been already environmentally assessed by the City in the certified Final EIR of 1989 for the Royal Coach Park; and

WHEREAS, the Commission reviewed the staff report, accepted any public testimony, and considered all other relevant information during the regular Commission meeting of **March 6, 2018**; and

WHEREAS, the Commission makes the followings findings of facts:

Architectural Review Findings

- a. Plan Type 1349: The proposal includes 'El Dorado' adhered stone veneer (NER#602) along the bottom corner edges of the garage door, composition roofing, a covered porch with railing or 36" wall, stucco walls, and approximately 1,275 square feet of landscaped area along the frontage. The proposed colors coordinate with the existing homes along Brighton Avenue. The plan styles are similar in character to the existing models along the Royal Coach Park subdivision. To create a more pronounce streetscape appearance the project is conditioned to not use the same plan type and exterior color scheme adjacent to each other or directly across the street for streetscape variation.
- b. Plan Type 1401: The proposed includes deco foam trim with stucco finish along the bottom corner edges of the garage door, composition roofing, a covered porch with deco railing, stucco walls, and approximately 1,108 square feet of landscape area along the frontage. The plan styles are similar in character to the existing models along the Royal Coach Park subdivision. To create a more pronounce streetscape appearance the project is conditioned to not use the same plan type and exterior color scheme adjacent to each other or directly across the street for streetscape variation.
- c. Plan Type 1449: The proposal includes stucco trim with stucco finish, deco gable end vents, composition roofing, stucco exterior walls, an arched patio entryway, and approximately 1,150 square feet of landscaping along the frontage. The plan styles are similar in character to the existing models along the Royal Coach Park subdivision. To create a more pronounce streetscape appearance the project is conditioned to not use the same plan type and exterior color scheme adjacent to each other or directly across the street for streetscape variation.

March 6, 2018

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Planning Commission of the City of King approves Architectural Review Case No. AR 2018-001, finding it consistent with **Exhibits 4** and **5** and all conditions of approval, as presented.

This resolution was passed and adopted this **6th** day of **March 2018**, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

DAVID NUCK, CHAIRPERSON

ATTEST:

ERICA SONNE
SECRETARY TO THE PLANNING COMMISSION

EXHIBIT 3

CONDITIONS OF APPROVAL

ARCHITECTURAL REVIEW CASE NO. AR 2018-001 PLANNING COMMISSION CONDITIONS OF APPROVAL (Royal Coach Park Phase 7)

CONDITIONS OF APPROVAL

Community Development Department (The applicant should discuss the following conditions of approval ("**COA**") with Maricruz Aguilar at 831.386.5916, if there are any questions.)

1. **Project Description:** This is an Architectural Review approval for three (3) model types for Royal Coach Park Subdivision.
2. **Development Impact Fees: Before issuance of any building permit,** the applicant shall participate in the City's development impact fee program as a condition of approval of the building permit. The applicant shall consult with the Transportation Agency for Monterey County ("**TAMC**") to determine the project should pay the regional traffic mitigation fee pursuant to the TAMC Nexus Study to the City of King Building and Safety Department. Participation in the City's development impact fee program shall be as a COA of the building permit. Development impact fees offset the costs of increased demand resulting from new development to public facilities and to streets, traffic signals and bridges. The proposed project would be subject to compliance with this provision of the municipal code as a standard COA.
3. **Structural and Design Changes:** Construction shall be in substantial conformance with the plans, conditions of approval presented to and approved by the Planning Commission in connection with the project. No conditions, colors, materials, landscaping or architectural features shall be eliminated, added or modified without Commission review and action, amended CUP, as applicable. The Community Development Director or her/his representative shall review plans for substantial conformance with the plans approved by the Planning Commission. Any major modifications shall require approval of the Planning Commission.
4. **Hold Harmless Clause:** Hold Harmless and Indemnification Clause: The applicant agrees, as part of and in connection with each and all the applications and approvals, to defend, indemnify, and hold harmless the City of King ("**City**") and its elected officials, officers, contractors, consultants (including Earth Design International, Hanna & Brunetti, Aleshire & Wynder, attorneys), employees and agents (including Earth Design International, and Hanna & Brunetti) from any and all claim(s), action(s), or proceeding(s) (collectively referred to as "proceeding") brought against City or its officers, contractors, consultants, attorneys, employees, or agents (including Earth Design International, Aleshire

& Wynder, attorneys, and Hanna & Brunetti) to challenge, attack, set aside, void, or annul:

Any approvals issued in connection with all approvals, actions and applications by City covered by the conditions of approval and/or mitigation measures; and/or

Any action and approvals taken to provide related environmental clearance under the California Environmental Quality Act of 1970, as amended ("**CEQA**") by City's advisory agencies, boards or commissions; appeals boards or commissions; Planning Commission, or City Council. The applicant's indemnification is intended to include, but not be limited to, damages, fees and/or costs awarded against or incurred by City, if any, and costs of suit, claim or litigation, including without limitation attorneys' fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, *City*, and/or parties initiating or involved in such proceeding.

The applicant agrees to indemnify City and its elected officials, officers, contractors, consultants, attorneys, employees and agents (including Earth Design International, Hanna & Brunetti, Aleshire & Wynder, attorneys) for all of City's costs, fees, and damages incurred in enforcing the indemnification provisions of this Agreement.

The applicant agrees to defend, indemnify and hold harmless City, its elected officials, officers, contractors, consultants (including Earth Design, Inc., Hanna & Brunetti, Aleshire & Wynder, attorneys), attorneys, employees and agents (including Earth Design International, and Hanna & Brunetti) from and for all costs and fees incurred in additional investigation or study of, or for supplementing, redrafting, revising, or amending, any document (including, but not limited to, an environmental impact report, sphere of influence amendment, annexation, pre-zoning, general plan amendment, specific plan, vesting tentative tracts, sign applications, variances, conditional use permits, architectural review, etc.), if made necessary by said proceeding, and if the applicant desires to pursue such City approvals and/or clearances, after initiation of the proceeding and that are conditioned on the approval of these documents.

In the event that the applicant is required to defend City in connection with such proceeding, City shall have and retain the right to approve:

- The counsel to so defend City.
- All significant decisions concerning the manner in which the defense is conducted; and
- Any and all settlements.

City shall also have and retain the right to not participate in the defense, except that City agrees to reasonably cooperate with the applicant in the defense of the proceeding. If City chooses to have counsel of its own defend any proceeding where the applicant has already retained counsel to defend City in such matters, the fees and expenses of the additional counsel selected by City shall be paid by City. Notwithstanding the immediately preceding sentence, if City's Attorney's Office participates in the defense, any

and all City Attorney, Staff and consultants' fees and costs shall be paid by the applicant. In addition, in the event of litigation, the applicant shall pay any and all City Staff and consultants' fees and costs.

The applicant's defense and indemnification of City set forth herein shall remain in full force and effect throughout all stages of litigation including any and all appeals of any lower court judgments rendered in the proceeding.

5. **Other County, State and Federal Permits:** Prior to initiation of the proposed use, the applicant shall provide copies of any required County, State and Federal permits or written verification of a waiver of permit requirement.
6. **Sign Permit:** Before installing any signs on the property, the applicant shall make a separate application and obtain an approved sign permit by the Community Development Department. Contact the Community Development Department regarding application procedures for Sign Permit(s). All signs should be compatible with the structure and site design relative to color, material, and placement. This AR approval does not provide approvals for any signage. A separate sign permit application is required for any signage. All signs should be compatible with the structure and site design relative to color, material, and placement. The signs shall conform to the requirements under Municipal Code Chapter 17.55.

City of King Building and Safety Department (The applicant should discuss the building permit submittal process with Joe Strasser, Chief Building Official Building and Safety Department at (831) 386-5915.)

7. **Building Plans:** All COA shall be imprinted on plans submitted for building permits. Building plans shall comply with the current Title 24 California Building Standards Codes.
8. **Soils Report:** As part of the building permit submittal, the applicant shall submit a Soils Report prepared by a State of California-Registered Engineer or State of California-Registered Geotechnical Engineer. The Soils Report shall be reviewed and approved by the Chief Building Official. A soils report and/or percolation tests may also be required by the City Engineer and/or Regional Water Quality Control Board ("***RWQCB***") to determine measures to meet erosion and sediment control requirements for the project and final improvements.
9. **Pad Elevation Certification:** The pad elevation certification may be submitted upon foundation inspection.
10. **Business License:** Before issuance of a building permit, a business license shall be obtained for every person conducting or carrying on the business of general contractor or contractor constructing, altering, repairing, wrecking or salvaging buildings, highways, roads, railroads, excavations or other structures, projects, developments or improvements.

Every person conducting or carrying on the business of electrical, plumbing or painting subcontractor.

Every person conducting or carrying on the business of masonry, glazier, cement, floor, heating, plastering, roofing, sash, sheet metal, tile, lathing and any other subcontractor not specifically mentioned in this Title 5 of the Municipal Code.

Every person conducting or carrying on the business of house moving, grading, paving, wrecking, sewer construction, pipeline construction, trenching, or excavating.

Public Works Department (The applicant should discuss the following COA with contact the Public Works Department at 831.386.5919.)

11. **Clearance: Before issuance of occupancy permit**, the applicant shall show a four (4') feet minimum sidewalk clearance/path of travel from all street utilities (e.g., poles, signs). On sidewalks in the public right-of-way and on sidewalks onsite, cross slope shall not exceed two (2%) percent.
12. **Sewer Connection: Before issuance of an occupancy permit**, the sewer connection shall be reviewed and approved by the City Engineer.
13. **Sidewalk/Curb & Gutter: At the time of building permit submittal**, the applicant shall show on the improvement plans required new sidewalk, curbs and gutters along Bedford Avenue, Brighton Avenue, as identified by the City Engineer.
14. **Utilities:** The applicant/owner shall obtain and pay all associated permits/fees/costs for any/all utility companies and any/all government agencies, as applicable.
15. **Sidewalk/Public Accessibility: Before issuance of an occupancy permit**, an ADA/CA Title 24 Accessibly compliant walkway and sidewalk shall be installed from the proposed project to the sidewalk adjacent to the public right-of-way, as found acceptable by the Public Works Department, City Engineer and Building and Safety Department. All details and information applicable to this requirement shall be included on the plans submitted for ADA/CA Title 24 Accessibly review, **before application for a building permit**. All public sidewalks shall be in existing or dedicated City right-of-way.
16. **Encroachment Permit: Prior to starting street frontage improvements**, the applicant shall be required to obtain a City of King encroachment permit for all work in City right of way (e.g., sidewalk, curb, gutter, driveway, roadway, alley).
17. **Street Frontage: Prior to final**, the applicant shall show that right-of-way improvements, including curb, gutter, sidewalk, and existing handicap ramp. The applicant shall make upgrades to comply with ADA standards along project frontage. This includes making upgrades to sidewalk, driveways and handicap ramps that do not meet ADA standards, as necessary. The actual limits shall be reviewed and approved by the City Engineer.
18. **Grading and Drainage Plans: Before issuance of any building permit**, the applicant shall submit Grading and Drainage Plans for the City Engineer review and approval. The Grading and Drainage Plans shall be folded accordion style and no larger than 8.5' x 14". The grading and drainage plan shall include:

- a. Drainage Plan. The drainage plan shall direct all surface water from building and paved areas to the new landscaping areas. Said landscape areas shall be designed to properly accommodate and allow for pollution removal for storm runoff.
- b. Best Management Practices Plans (“NPDES”). The NPDES must include:
 - i. Permanent: Urban Storm Water Management Plan.
 - ii. Construction: Storm Water Pollution Prevention Plan.
 - iii. Construction during November -April: Wet Weather Erosion Control Plan.

The Grading and Drainage Plan shall be signed and stamped by a State of California-Registered Civil Engineer. All grading shall be done in conformance with City standards and to the satisfaction of the City Engineer.

Fire Department (The applicant should discuss the following COA with George Young, Fire Chief at 831.385.3343, if there are any questions.)

19. **Automated Fire Suppression System: Concurrent with the building permit application**, the applicant shall submit automated fire suppression system plans to the Building and Safety Department for review and approved by the City Engineer, Building and Safety Department and Fire Department.

Miscellaneous Conditions of Approval

20. **Landscape and Irrigation Plans: At the time of building permit submittal**, the applicant shall submit a Final landscape and irrigation system design to the Community Development Department for final sign-off by the Community Development Director and City Engineer. Landscaping will utilize water-conserving drought resistant plants that will function as screening and enhance the building appearance and include a water conserving automatic irrigation system to be approved by the Director. Plans shall indicate methods of planting, sizes of initial landscape materials, ground covers, durable mulch cover and other details of landscaping. Irrigation water shall not overthrow onto walks, common areas, or onto any architectural walls.
 - a. **Runoff**: The site plan shall address all runoff in conformance with current storm water regulations. All runoff shall be directed to approved new landscaping areas and shall be designed to properly address pollution control. Landscape areas shall be designed by both the project engineer and landscape designer to incorporate bioremediation measures that will ensure that one-hundred (100%) percent of the runoff from the building and paved areas will infiltrate through a plant and soil medium that provides for bioremediation of any pollutants in the runoff and upper soil layer. (Discuss this condition with the City Engineer, if any questions.)
21. **Streetscape Variation: At the time of building permit submittal**, the same plan type and exterior color scheme shall not be used adjacent to each other or directly across the street to provide variation of streetscape.

Architectural Review Permit Agreement:

The Architectural Review is not valid until all conditions of approval ("**COA**") and mitigation measures imposed by the Planning Commission are signed for and agreed to by the applicant.

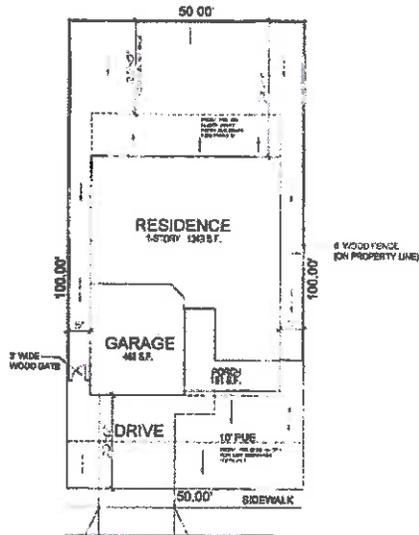
"I have received a copy of the Architectural Review COAs and agree with them."

Applicant's Signature _____ Date: _____

Exhibit 4

Project Design – Plan Type 1349





SCALE: 1" = 20'-0"

GENERAL NOTES:

INSTALL STREET NUMBERS, AT LEAST
 4" HIGH WITH MIN. 1/2" STROKE,
 MOUNTED ON A CONTRASTING
 BACKGROUND AND CLEARLY VISIBLE
 FROM THE STREET

PROVIDE 4 MIN. 20' SLOPE FOR FIRST
 10 FEET ACROSS FRONT BUILDING

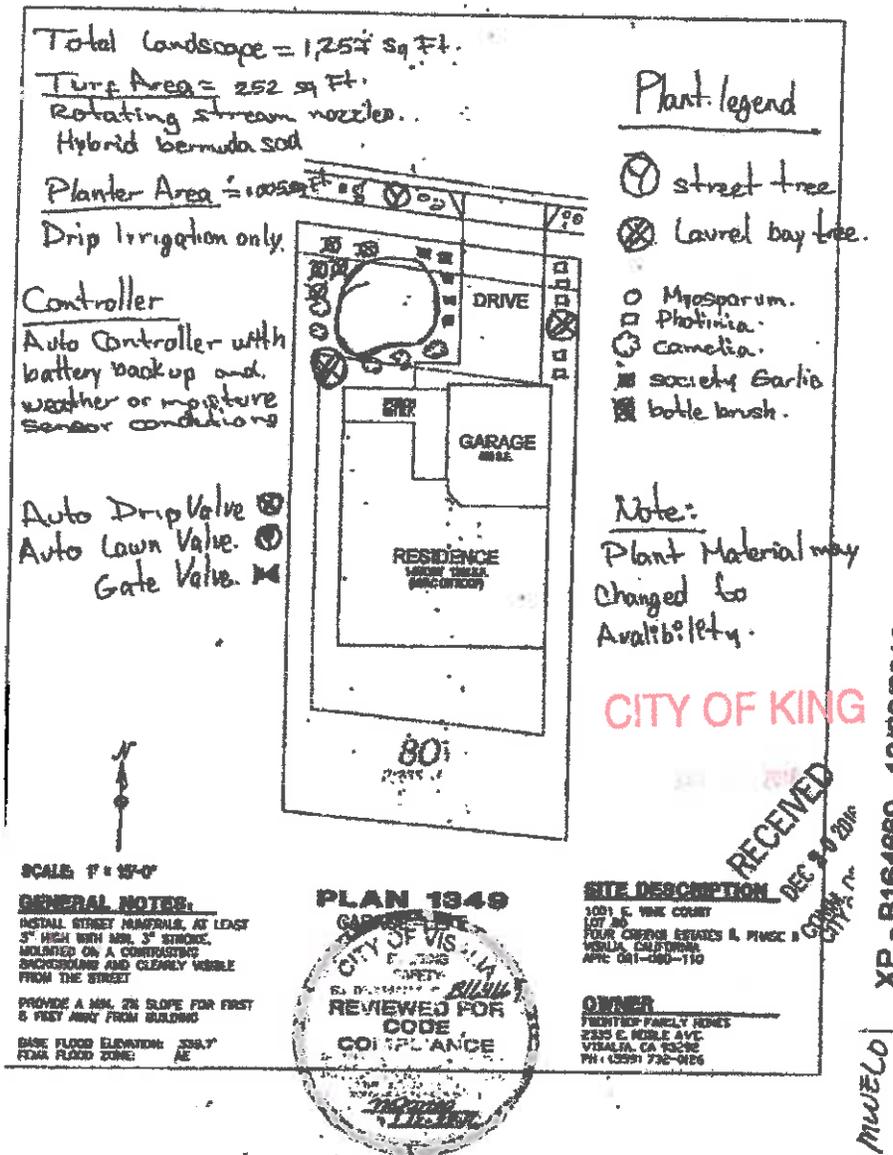
PLAN 1349
GARAGE LEFT

SITE DESCRIPTION

PLAN 1349 - GARAGE LEFT
 TYPICAL LOT
 ROYAL COACH PARK, PHASE 7
 KING CITY, CALIFORNIA

OWNER

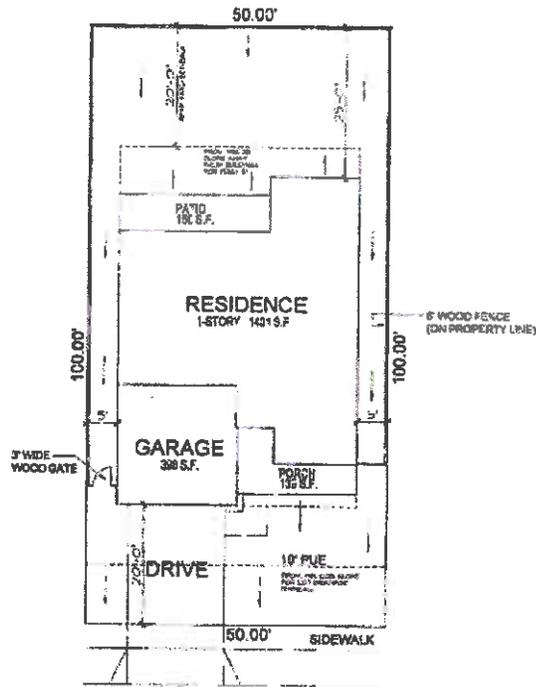
MELLOGOLD DEVELOPMENT INC.
 170 N. VALLEY OAKS DR. STE. 1
 VESALE, CA 93292
 PH: (558) 730-6119



Example of a Landscape Plan 1349 used in Visalia, CA

EXHIBIT 5
Proposed Plan Type – 1401





STREET



GENERAL NOTES:

INSTALL STREET NUMERALS, AT LEAST
 3" HIGH WITH MIN. 3" STROKE,
 MOUNTED ON A CONTRASTING
 BACKGROUND AND CLEARLY VISIBLE
 FROM THE STREET

PROVIDE A MIN. 2% SLOPE FOR WALK
 5 FEET AWAY FROM BUILDING

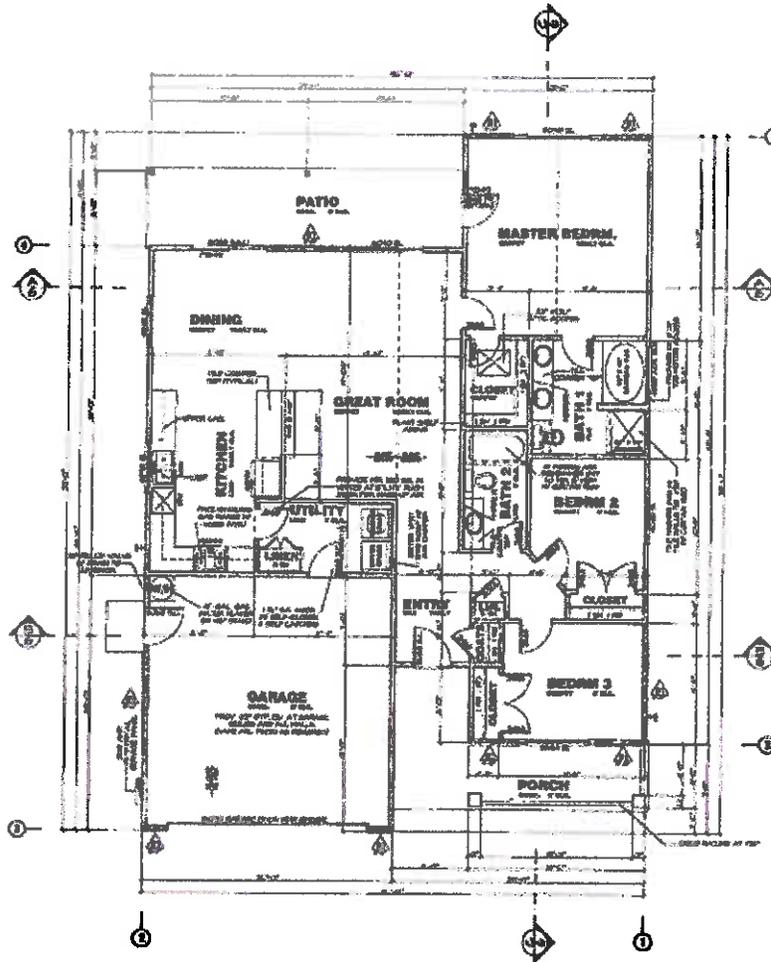
**PLAN 1401
 GARAGE LEFT**

SITE DESCRIPTION

PLAN 1401 - GARAGE LEFT
 TYPICAL LOT
 ROYAL COACH PARK, PHASE 7
 KING CITY, CALIFORNIA

OWNER

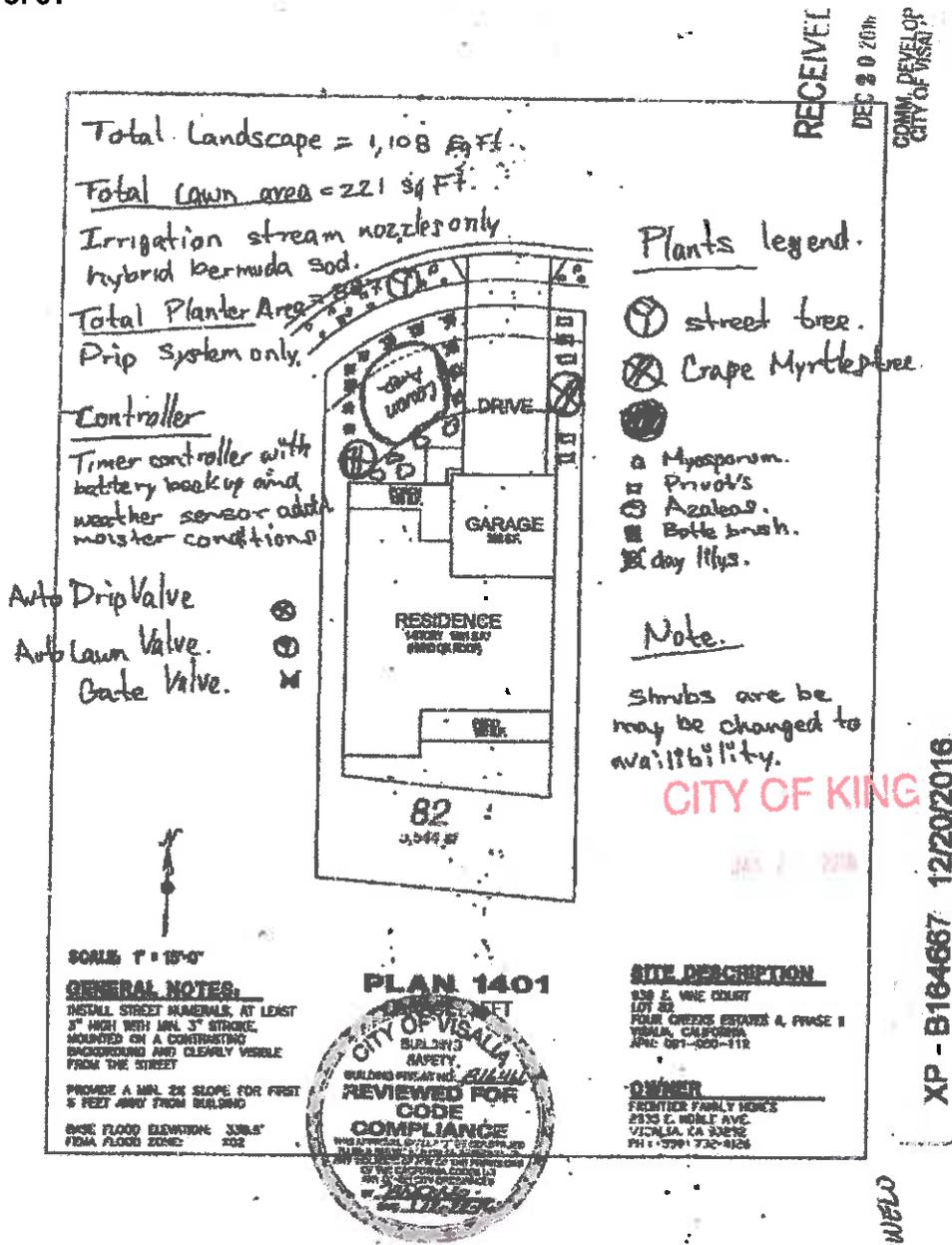
MELLOGOLD DEVELOPMENT INC.
 170 N. VALLEY OAKS DR. STE 5
 VISALIA, CA 93292
 PH : (559) 730-9119



FLOOR PLAN

SCALE: 1/4" = 1'-0"

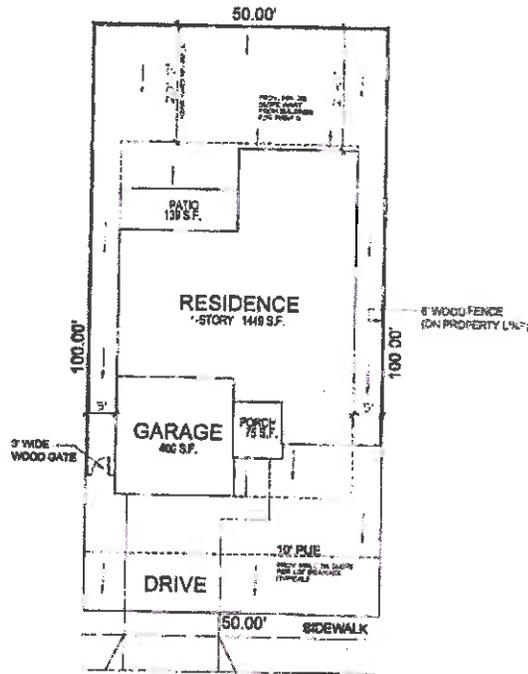
1401 S.F.
2000 S.F. (gross)



Example of a Landscaping Plan 1401 used in Visalia, CA

EXHIBIT 6
Proposed Plan Type 1449





STREET



SCALE: 1" = 20'-0"

GENERAL NOTES:

INSTALL STREET NUMERALS, AT LEAST 3" HIGH WITH MIN. 3" STRONG, MOUNTED ON A CONTRASTING BACKGROUND AND CLEARLY VISIBLE FROM THE STREET

PROVIDE A MIN. 2% SLOPE FOR FIRST 5 FEET AWAY FROM BUILDING

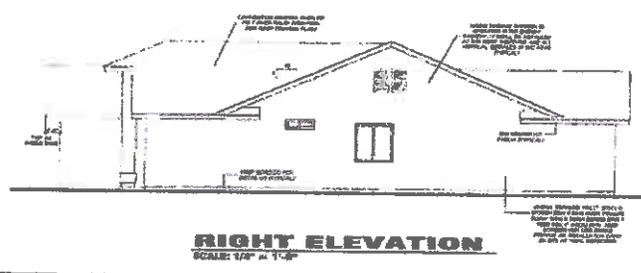
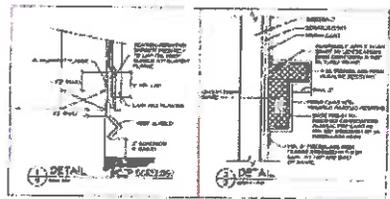
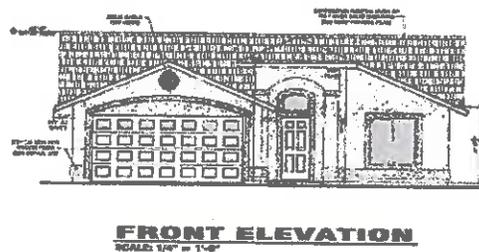
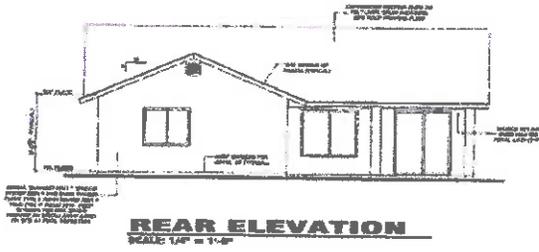
**PLAN 1449
 GARAGE LEFT**

SITE DESCRIPTION

PLAN 1449 - GARAGE LEFT
 TYPICAL LOT
 ROYAL COACH PARK, PHASE 7
 KING CITY, CALIFORNIA

OWNER

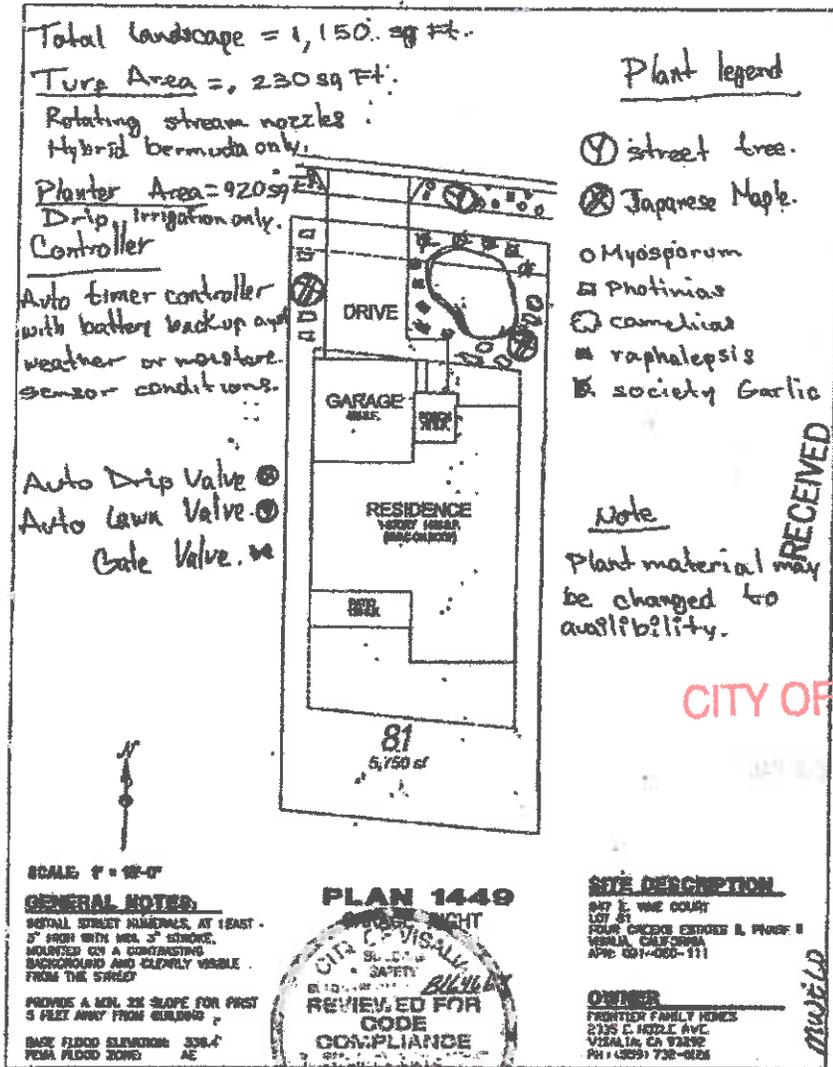
MELLOGOLD DEVELOPMENT INC
 110 N. VALLEY DRMS DR. STE C
 VISA, IA, GA 93292
 PH. (562) 730-2120



ELEVATION NOTES

- 1. ALL LINES AND DIMENSIONS SHALL COMPLY WITH THE LATEST EDITION OF THE INTERNATIONAL RESIDENTIAL CODE AND ALL CITY AND COUNTY ORDINANCES AND REGULATIONS.
- 2. ALL DIMENSIONS SHALL BE MEASURED UNLESS OTHERWISE NOTED.
- 3. THE LATEST EDITION OF ALL APPLICABLE CODES AND REGULATIONS SHALL BE APPLIED TO ALL DIMENSIONS AND REQUIREMENTS.
- 4. THE LATEST EDITION OF ALL APPLICABLE CODES AND REGULATIONS SHALL BE APPLIED TO ALL DIMENSIONS AND REQUIREMENTS.
- 5. THE LATEST EDITION OF ALL APPLICABLE CODES AND REGULATIONS SHALL BE APPLIED TO ALL DIMENSIONS AND REQUIREMENTS.





Example of a Landscaping Plan 1449 used in Visalia, CA

March 6, 2018

**Exhibit 7
Project Description**

CITY OF KING

MELLOGOLD DEVELOPMENT INC.
110 N. VALLEY OAKS DRIVE, STE "E"
VISALIA, CA. 93292

JAN 23 2018

January 24, 2018

TO: City of King Community Development Director and the Planning Commission

Attached please find the City of King "General Application Form" along with the requested plans and required attachments. Our request is for your architectural review and approval of three new plans we wish to build in Royal Coach Park, Phase 7. Briefly, RCP Phase 7 is the last phase. The land was zoned R-1 and R-3 but the City at that time discouraged more apartments. So RCP 7 was mapped as a single family subdivision with a PD zone overlay which allows the City to approve different model homes to be built.

This submittal and request is for the approval of the 1349 plan, 1401 plan, and 1449 plan. All 3 of these plans we are building now in Visalia – functional floorplans with attractive elevations. Nino Homes building out Creekside is doing an excellent job but most all of these homes are bigger and more expensive. We believe the construction of our new three models will be able to reach the price point of more families of King City. Also RCP7 is a traditional subdivision with garages facing the City streets and larger back yards. There are 19 remaining vacant lots but the development plan is to eventually build these out in 2 or 3 stages rather than all 19 at one time. Plot plans in submittal should be considered as samples as it not know at this time what models would be built on each lot. Landscape plans are actual of each model on a same size lot in Visalia. Since water use codes and King City codes are different, we propose your building department have the approval when each lot building permit application is submitted. Thanks,



Larry Cerutti, Mellogold Development, Inc.

EXHIBIT 8 Exterior Colors



MELLOGOLD DEVELOPMENT INC.

ROYAL COACH PARK, PHASE 7 EXTERIOR COLORS

CITY OF KING

Attached please find exterior color selections propose for new homes in Royal Coach Park, Phase 7. The first four exterior combinations are already approved and have been used in phase 7. The last two color combinations are the added to our request for approval as they both have been the favorites of our recently completed subdivision in Visalia. We also never use the same exterior colors on any adjacent house. The C.C. & R.'s which every homebuyer gets as a disclose also list any changes to the exterior color requires the architectural committee approval first. I am the approval committee named in the C.C. & R.'s. The following is the list of exterior color names:

- | | |
|---------------------------------------|--|
| Stucco -- #237 Rock Green by Omega | Trim -- Marsh Maverick by PPG |
| Stucco -- #407 Connico Beige by Omega | Trim -- changed to Portabella by PPG #15-32 |
| Stucco -- Stonewall by Western | Trim -- changed to Obsidian Glass by PPG |
| Stucco -- #18 Coconut by Omega | Trim -- Mud Pie, not PPG color but has formula |
| Stucco -- Stone Age by Western | Trim -- Summer Suede, PPG #415-4 |
| Stucco -- Cobble Brown by Western | Trim -- Portabella by PPG #15-32 |



MARSH MAVERICK TRIM

OBSIDIAN
GLASS
TRIM



MUD
PIE
TRIM

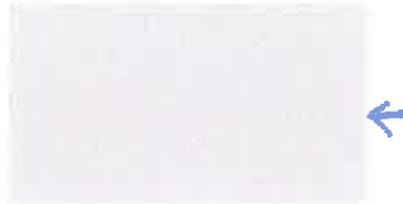


PORTABELLA TRIM

SUMMER
SUEDE
TRIM



Exterior Stucco Paint Colors



S-206 Base 6
P-206 Light Base

Stonewall



10 LACONIA

BASE 10



S-10 Base 0
P-10 Light Base

Cobble Brown



S-947 Base 0
P-947 Light Base

Stone Age



257 ROCK SPRING

BASE 2



400 COBBLE BROWN

BASE 2





Item No. 8(A)

REPORT TO THE PLANNING COMMISSION

DATE: MARCH 6, 2018

TO: HONORABLE CHAIR AND MEMBERS OF THE PLANNING COMMISSION

FROM: DOREEN LIBERTO, AICP, COMMUNITY DEVELOPMENT DIRECTOR

BY: DONALD J. FUNK, PRINCIPAL PLANNER

RE: CONTINUED PUBLIC HEARING ON CUP CASE NO. 2016-001 (A2) AND AR CASE NO. 2016-001 (A2)

RECOMMENDATION:

It is recommended Planning Commission accept public testimony and adopt Resolution No. 2018-214, with the proposed changes.

PROJECT SUMMARY:

On **February 20, 2018**, the Planning Commission held a public hearing, accepted public testimony and continued the public hearing to March 6, 2018. The Planning Commission requested staff meet with the applicant to address concerns stated during the hearing and from written testimony of the adjoining neighbor.

Since February 20th, staff has met with the applicant's representative. Mutually agreed to changes include, but are not limited to,

- The specific square footage for each use has been deleted in the conditions of approval. Instead, only the type of amenities is identified (e.g., recreational equipment). (**Reference amended COA No. 1 and MM. No. 38.**)
- New exhibits were submitted by the applicant on February 26, 2018 (**Exhibit 1, Figures 11, 12 and 13**) showing areas (indicated in green overlay) for leisure uses for the existing and proposed additional residents. The proposal is for the consideration of Phase II and involves remodeling a portion of the warehouse to convert it into additional barracks within the existing Temporary Farmworker Housing barracks facilities located at 218 North First Street. The project also involves conversion of an old docking area and existing gravel area into a temporary private shuttle bus and employee parking area.

**PLANNING COMMISSION
APPLICANT: SGH HOLDINGS
CASES CUP 2016-001(A2) and AR2016-001(A2)
HEARING DATE: MARCH 6, 2018
PAGE 2 OF 44**

- In order to address concerns expressed in a communication from Smith-Monterey (attached Exhibit 6), revised COA Condition #1 contains revised language to require the applicant to notify the City a minimum of six months in advance of any revocation of the lease agreement covering the adjacent bus/van parking area and requiring the applicant to file an application and submit plans for a relocation of the bus/van parking area.

ANALYSIS AND DISCUSSION:

The attached Initial Study (IS) and Mitigated Negative Declaration (MND) (**Exhibit 8**) were revised for the proposed project based on input received at the Planning Commission hearing of February 20, 2018. The IS and MND include an evaluation of the proposal to increase the farmworker housing facility from the current two-hundred and fourteen (214) H2-A farmworkers to three-hundred and sixty-four (364) workers as well as specific mitigation measures that, when implemented, will reduce any potential environmental impacts to a less than significant level.

The proposal includes temporary offsite parking for buses and shuttles. The offsite parking lot is owned by Smith-Monterey. The applicant and Smith-Monterey LLC have entered into a lease agreement for the use of the existing vacant building and parking area. The current lease agreement between the owner of the bus parking lot, Smith-Monterey LLC, and the applicant, SGH Holdings, is for a period of five (5) years, beginning April 2017 and ending April 2022 for the use of the bus/van parking area. The lease includes provisions that allow the property owner to revoke the lease, providing six-month notice. Should the lease agreement lapse, the applicant shall notify the City a minimum of six months prior to the lapse and shall submit a proposal for a different bus parking area within four months of the lapse of the lease. Said request will require an application to the City for a modification of CUP 2016-001 (A2) and shall require review of the Planning Commission. In the separate MOU between the City, SGH and Smith-Monterey, provision is made for the extension of Broadway Street, providing future access to the Downtown Addition Specific Plan area east of the railroad right-of-way. (See **Figure 1 – Bus Storage area.**)

Phase I – Original CUP approval from September 20, 2016 (reference only):

As indicated in the February 20, 2018 staff report (**attached Exhibit 7**), the original CUP request remodeled a portion of the existing building (formerly an old tomato processing plant with a loading docking area). The original approval included a conditional use permit (Case No. CUP 2016-001), architectural review (Case No. AR 2016-001) and variance (Case No. 2016-001) applications. The original approval also included a change the zoning text for the First Street Corridor (FSC) Zoning District and the C-2 Zoning District to allow farmworker housing to allow temporary H2-A Visa Farmworker Program Housing for a total of 214 employees in a barrack style arrangement within portion of the Meyer Building located at 218 N. First Street.

Phase II Project Description:

The proposal for Phase II, if approved, will add bunk areas for an additional one-hundred and fifty (150) temporary H2A Visa farmworker residents and other related facilities as follows:

- Relocate Dining Hall.
- Provide an additional one-hundred and fifty (150) beds, for a total of three-hundred and sixty-four (364) beds plus a caretaker unit. **(see Exhibit 1, Figures 8, 9, 10 and 20),**
- Including a small apartment for onsite manager,
- Requesting approval for a temporary offsite Parking Lot for busses and vans on adjoining property owned by Smith-Monterey (used to transport residents) **(see Exhibit 1, Figures 14 and 21),**
- Installing leisure and recreational equipment to the fenced small outdoor recreation area near entrance **(see Exhibit 1, Figures 11, 12 and 13),**
- Adding additional indoor leisure areas and facilities within the first-floor area of the existing building **(see Exhibit 1, Figures 11, 12, 13 and 22),**
- New paint to the exterior of the building,
- Addition of windows and awnings along the First Street frontage and removal of the two roll-up doors along the frontage and replace them with windows with some awnings. **(see Exhibit 1, Figures 5, 6 and 7),**
- The vacant building located south of the existing farmworker housing barracks (under a lease agreement with owner Smith-Monterey) is used occasionally for staff meetings but is not included in recreational, sleeping, eating or other similar use by residents. It is on a separate property, not owned by the applicant. This building is subject to an offer for dedication for the extension of Broadway Street and may not be available for the full duration of the farmworker housing project. **(see Exhibit 1, Figures 15 and 16),**
- The southern portion of the proposed bus/van parking lot has an offer to dedicate the right-of-way extension of Bassett Street and may not be available for the full duration of the farmworker housing project. **(see Exhibit 1, Figures 1, 2 3, 15 and 16),**

Common Leisure Areas:

Outdoors, there is an existing small outdoor recreation area behind the guest parking lot. At this time, there are no outdoor recreational equipment, courts or other recreational facilities within the paved area enclosed by a fence. There are two existing benches. The applicant proposes some tables and chairs for relaxation for residents. Staff recommends that some outdoor play equipment be provided, which will be reviewed prior to issuance of occupancy permit.

Indoors, the applicant is proposing several leisure areas, including seating, television, and play areas with games such as foosball tables. **(See Exhibit 1, Figures 11, 12 and 13.)**

Exterior Modifications:

Additional windows (some with awnings) are proposed on the exterior of the street side of the building in the areas of the new barracks housing. **(See Exhibit 1, Figures 1 thru 5.)** The proposed additional farmworker sleeping areas would be within old tomato processing remodeled bays located next to the manager's unit. The applicant proposes to add windows to provide light and air as well as for emergency exiting along the street side of the building of the Phase II remodel of the existing building. The windows near the street will have awnings matching Phase I portion of the building. **(See Exhibit 1, Figures 5, 6, 17, 18 and 19.)**

Bus/Vehicle Parking Area:

A bus and van pick-up and drop-off is provided north of the manager's unit within the old loading dock area. Bus storage is provided on the neighbor's property south of the facility. The applicant has a five-year lease with the owner of the property to the south, Smith-Monterey LLC, for use of the off-site bus/van parking area. The lease includes provisions that owner can revoke the lease with six-month notice to the leasee. Further, the bus parking area has two areas of offers to dedicate rights-of-way (R-O-W). One is the future ROW for the extension of Broadway Street as well as for Bassett Street. These ROWs will require the demolition of the existing building (a former warehouse) and the construction of street and other public improvements to connect the old Downtown with the Downtown Addition, located east of the site as well as connect to the proposed train station. In addition, there is a separate offer to dedicate the extension of Bassett Street over the southern part of the bus parking lot. **(See Exhibit 1, Figure 4 and COA Condition #1)**

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PROJECT ANALYSIS:

Refer to Staff Report for February 20, 2018 for analysis of architectural review, building height, lot coverage, trash enclosures, fencing, landscaping, drainage and other Municipal Code requirements for the FSC Zone.

Advantages

The project will provide additional housing for farmworkers who support the agricultural industry in and around King City. The project will also improve the appearance of the existing building by the exterior modifications and new paint. The project includes leisure areas (inside and outdoors recreational and lounging facilities) for use of the residents. As Conditioned, the project will not impact the proposals for the Multi-Modal Transit Station, including the future extension of Bassett Street or the future extension of Broadway Street. Both Broadway and Bassett Rights-of-Way have offers to dedicate. In the event that the City needs either of these rights-of-way or the property owner, Smith-Monterey revokes the lease for this property, the applicant will need to submit plans and obtain permits for the new location for bus/van parking. (see Exhibit 1, Figures 11, 12 and 13),

Disadvantages

There are no known disadvantages. The project will benefit the farmers as well as creating an enhancement to the area. The proposed new windows and painting of the building will improve the appearance of the site. The new recreational facilities will be a benefit to the residents. The applicant will be required to reduce all environmental impacts to a less than significant level.

ENVIRONMENTAL DETERMINATION:

Staff has prepared a revision to the Initial Study and Mitigated Negative Declaration (MND) on the CUP and AR. The original Draft Initial Study and MND were made available for public review on **January 24, 2018**. Environmental review was prepared for the proposed remodel of the existing farmworker housing building and other proposed improvements pursuant to the California Environmental Quality Act (CEQA). The Initial Study (IS) indicated that the proposed project has the potential to result in significant environmental impacts unless specific mitigation measures (MM) are implemented. The MND was revised to address correspondence from the neighboring landowner and changes to the project design submitted by the applicant on June 26, 2018.

The mitigation measures addressed in attached Conditions of Approval, Exhibit 4.

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PROJECT REVIEW COMMITTEE COMMENTS AND REVIEW AND REVIEW BY AGENCIES:

A representative from each City Department meets to discuss most community development projects. This group operates as the City's staff advisory team, which is referred to as the Project Review Committee (PRC). PRC provides comments to the applicant and conditions of approval (COA) before a project goes to the Planning Commission. No major issues regarding the project arose during the meeting of the PRC. Comments from PRC are incorporated throughout the staff report and their recommendations are incorporated in the attached COA. Comments in this Staff Report reflect comments made by City Staff.

Prior to the February 20, 2018 Planning Commission Hearing, a communication was received from John Baucke, the planning representative of Smith-Monterey, the owner of the property located south of the Farmworker Barracks. Those comments have been incorporated into recommended COA Condition #1.

PUBLIC NOTICE AND INPUT:

A Notice of Intent ("**NOI**") to Adopt a MND was published in the King City Rustler newspaper on January 24, 2018.

A public hearing notice was published in the King City Rustler newspaper on **February 7, 2018** and all property owners of record within three-hundred (300') feet of the subject site were notified of this evening's public hearing and invited to voice any concerns on this application. The end of the twenty (20) day review period required by CEQA is February 12, 2018. A public hearing will be conducted on February 20, 2018.

COST ANALYSIS:

Development review application fees are based on actual time and materials per the City Fee Scheduled. The applicant is covering the cost required for review and processing.

Note: The filing fee to file a Notice of Determination ("**NOD**") when a **Negative Declaration** was prepared is **\$2,330.75** and made payable to the **Monterey County Clerk**. If the applicant chooses to file the NOD, it needs to be filed with the County Clerk within five (5) days of approval to limit the statute of limitation to litigate to thirty (30) days. If the NOD is not filed, the statute of limitation to litigate is six (6) months.

ALTERNATIVES:

The following alternatives are provided for Planning Commission consideration:

1. Adopt Resolution No. 2018-214 which approves CUP2016-001 (A1) and AR2016-001 (A-2);

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2. Request modifications in the design and/or proposed use; or
3. Deny Resolution No. 2018-214 which denies the project from construction. (If the Planning Commission wishes to deny the project, the reasons should be specified and the item continued to a future hearing so the appropriate findings of fact and resolution can be prepared by staff.); or
4. Provide other direction to staff.

Exhibits:

- Exhibit 1 – Figures and Photographs of Project Site
- Exhibit 2 – Findings of Fact
- Exhibit 3 – Resolution No. 2018-214
- Exhibit 4 – Conditions of Approval
- Exhibit 5 – Project Description from Applicant's Representative
- Exhibit 6 – Correspondence from Neighbor's Property Owner's Representative
- Exhibit 7 – Staff Report from Public Hearing of February 20, 2018
- Exhibit 8 – Revised Initial Study and Mitigated Negative Declaration

Submitted by: MSJ For Donald Funk
Donald J. Funk, Principal Planner

Approved by: MSJ For Doreen Liberto
Doreen Liberto, AICP, Community Development Director

EXHIBIT 1
Figures

Figure 1: Aerial of Proposed Project Site

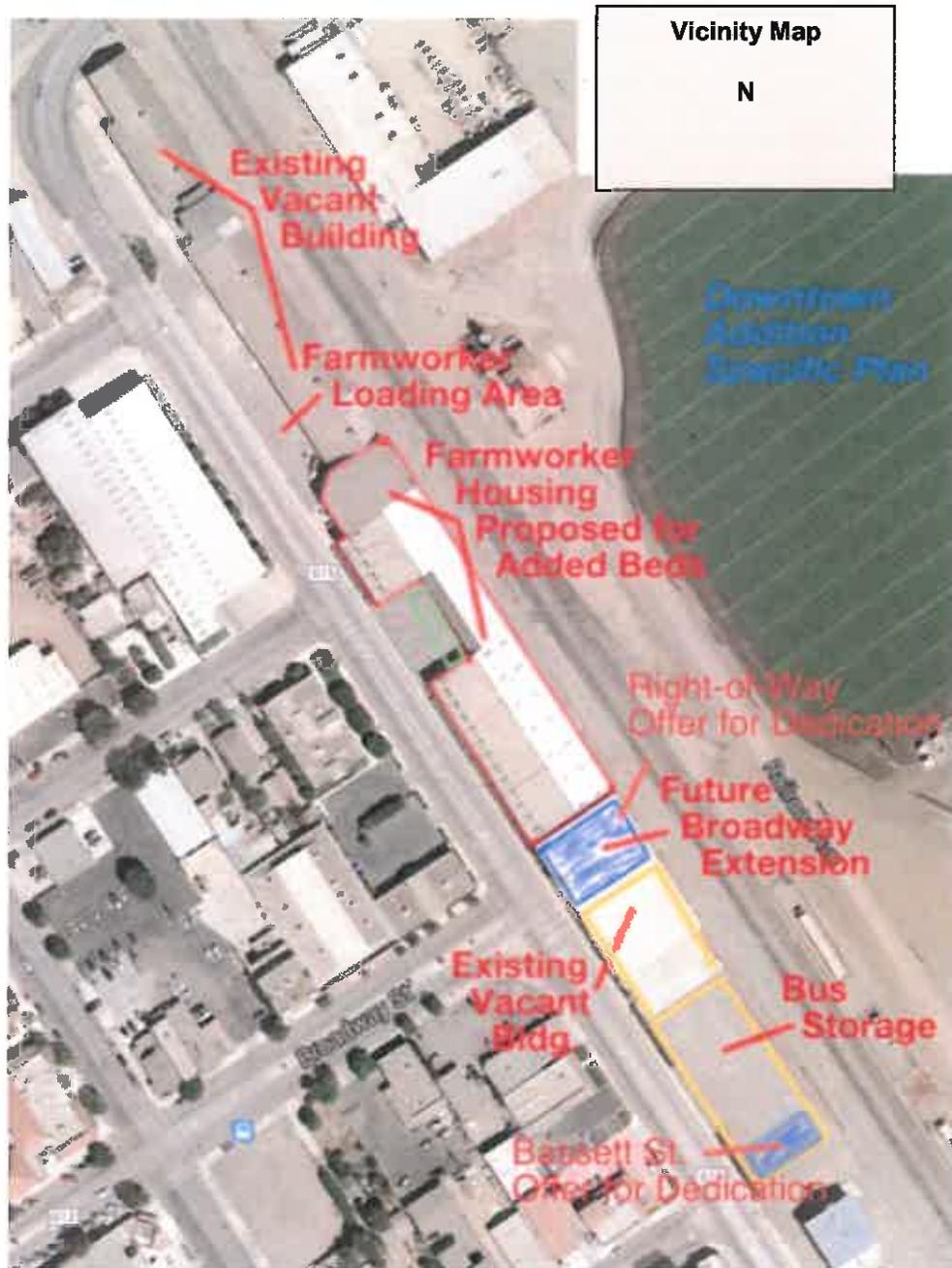


Figure 2: Detailed Aerial of Northern Proposed Project Site

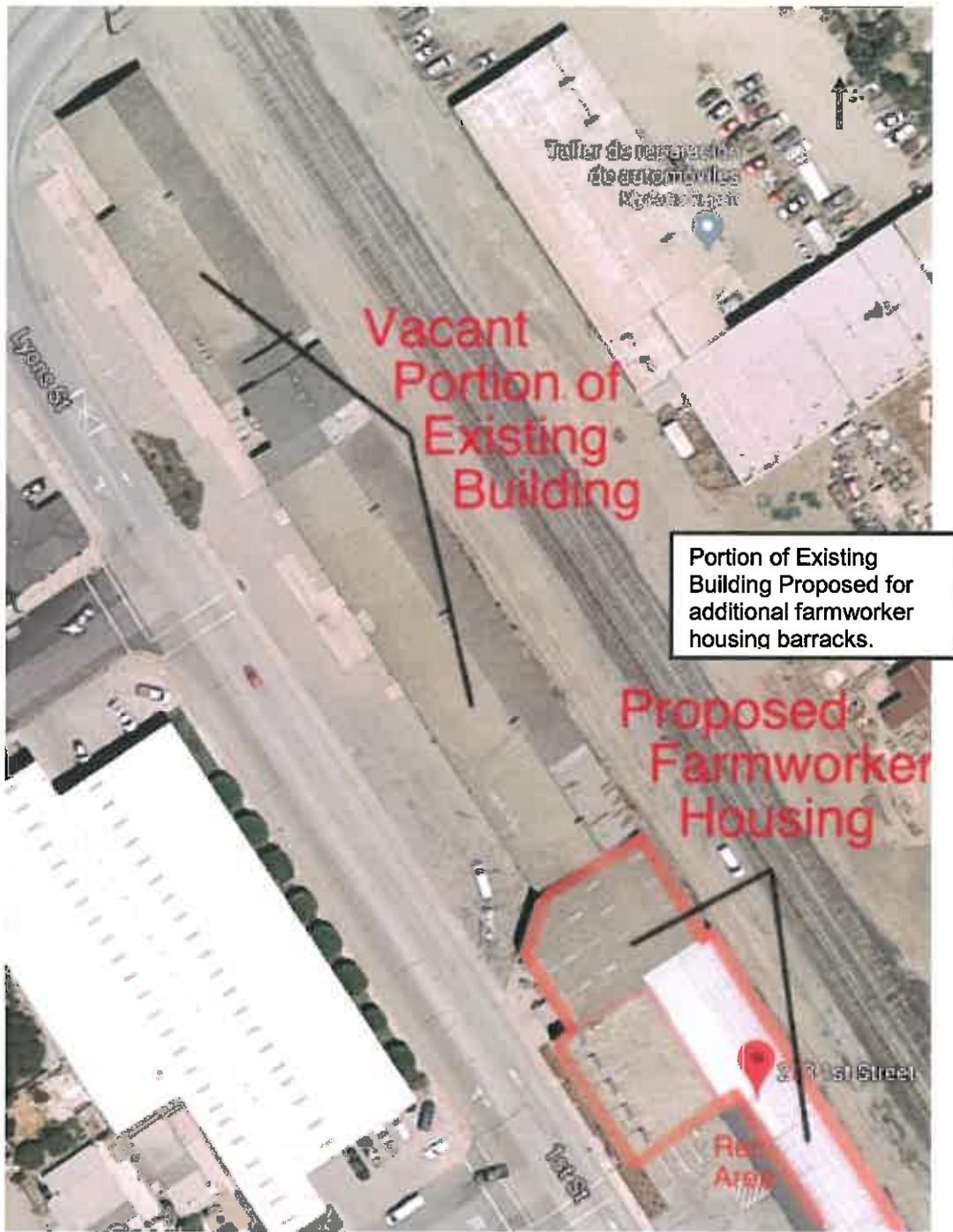


Figure 3: Detailed Aerial of Central Portion of Proposed Project Site
The Broadway Street Right-of-Way has offer for dedication for extension of Broadway. The temporary Bus Parking area is subject to a lease agreement with owner, Smith-Monterey.



Figure 4: Detailed Aerial of Southern Portion of Proposed Project Site Including off-site bus/van parking area as well as Offers for Right-of-Way Dedications of Broadway Street Extension and Bassett Street (for access to proposed train station). Parking Area is under revocable lease agreement.

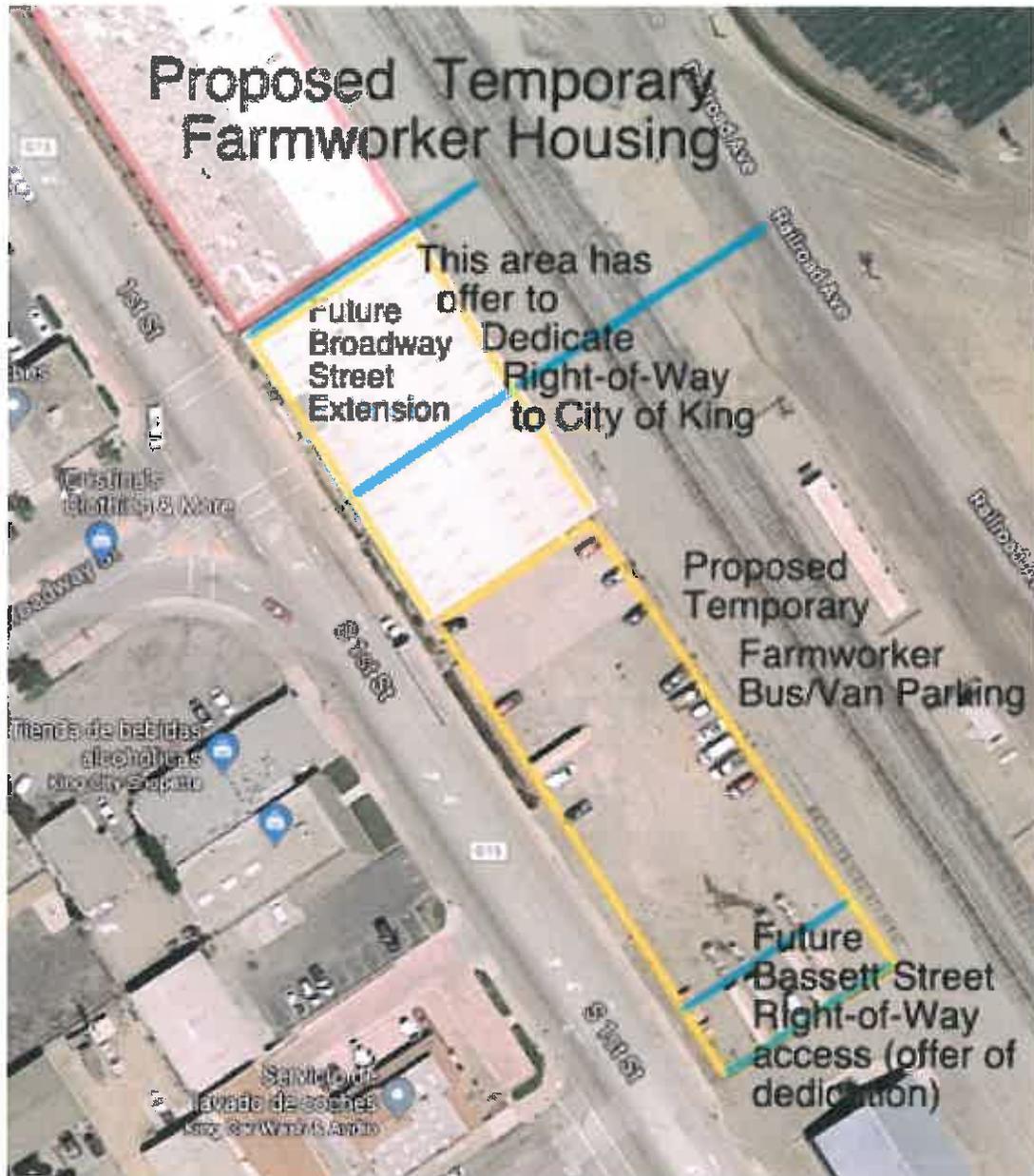


Figure 5. Proposed Front Elevation Drawings Phases i and II (shadowed area)



Figure 6. Proposed Front Elevation of Building Proposed for Phase II



Figure 7. Proposed Front Elevation of Building Proposed for Phase II Showing Proposed Windows, Awnings and Colors

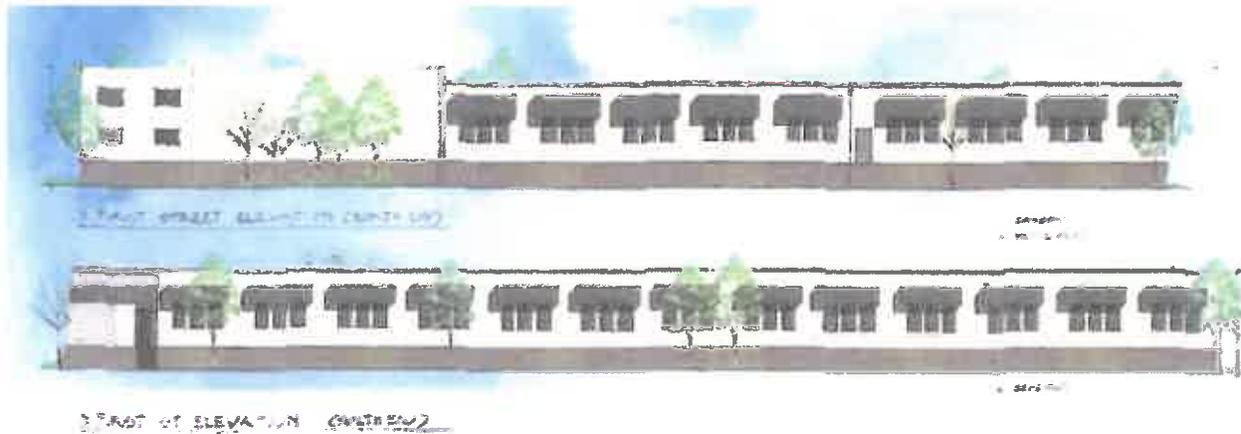


Figure 8. Proposed Overall Plot Plan

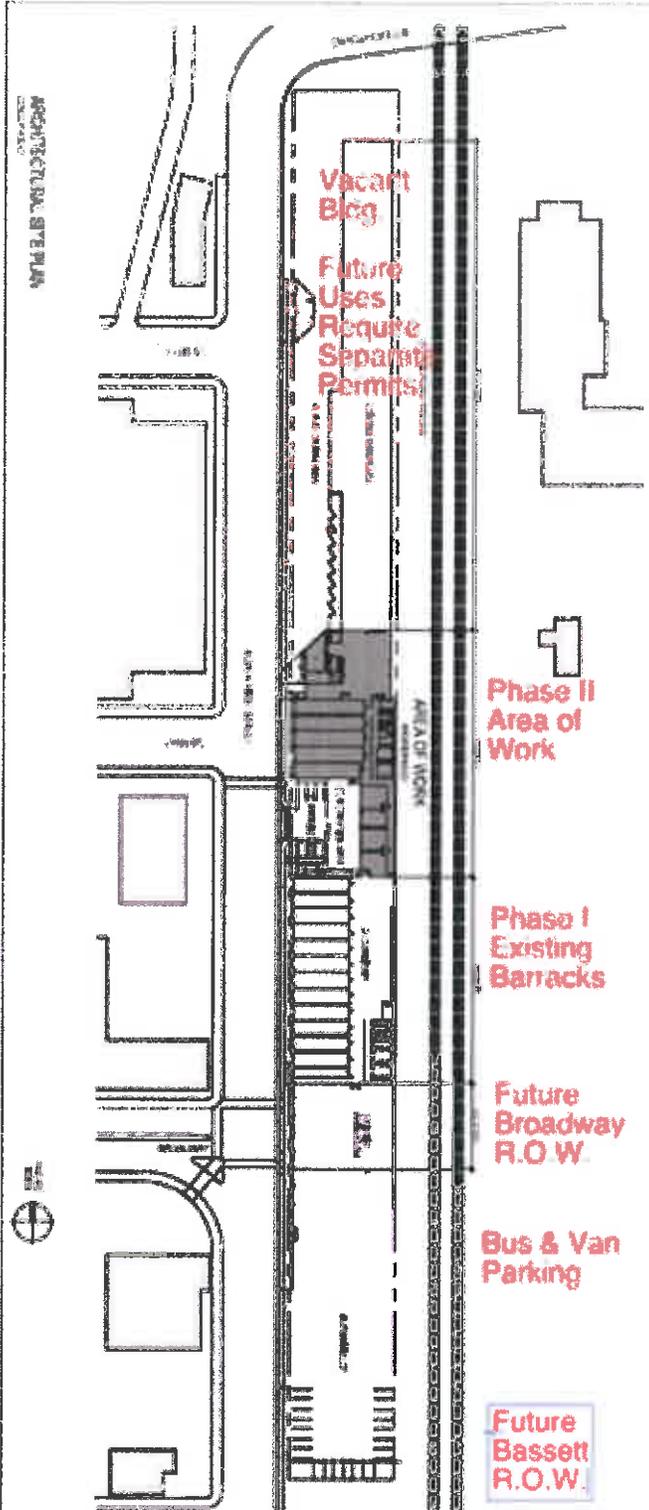


Figure 9. General Floor Plan Phases I and II

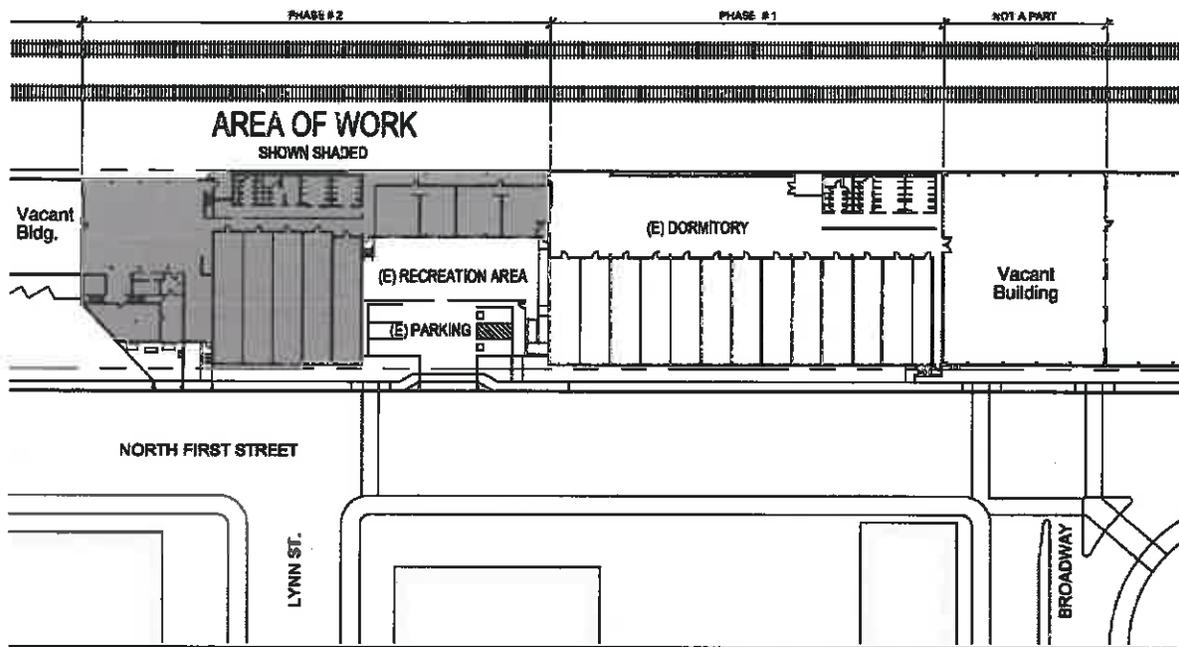


Figure 10. Floor Plan Phase I Area

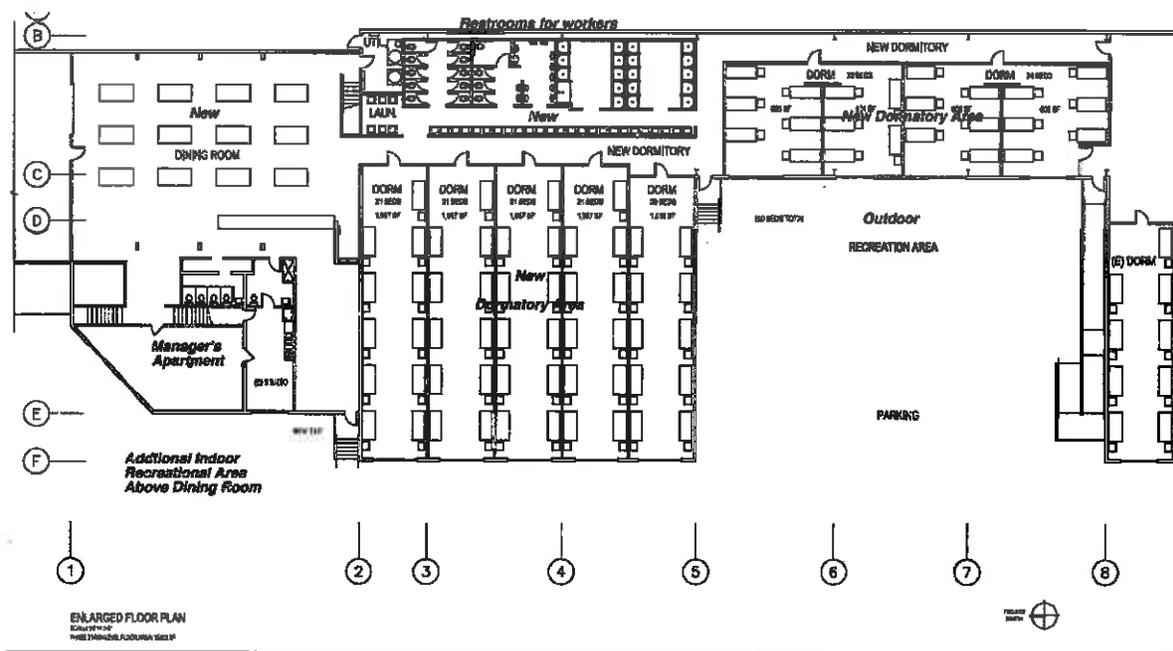


Figure 11. Leisure Areas Overall Plan

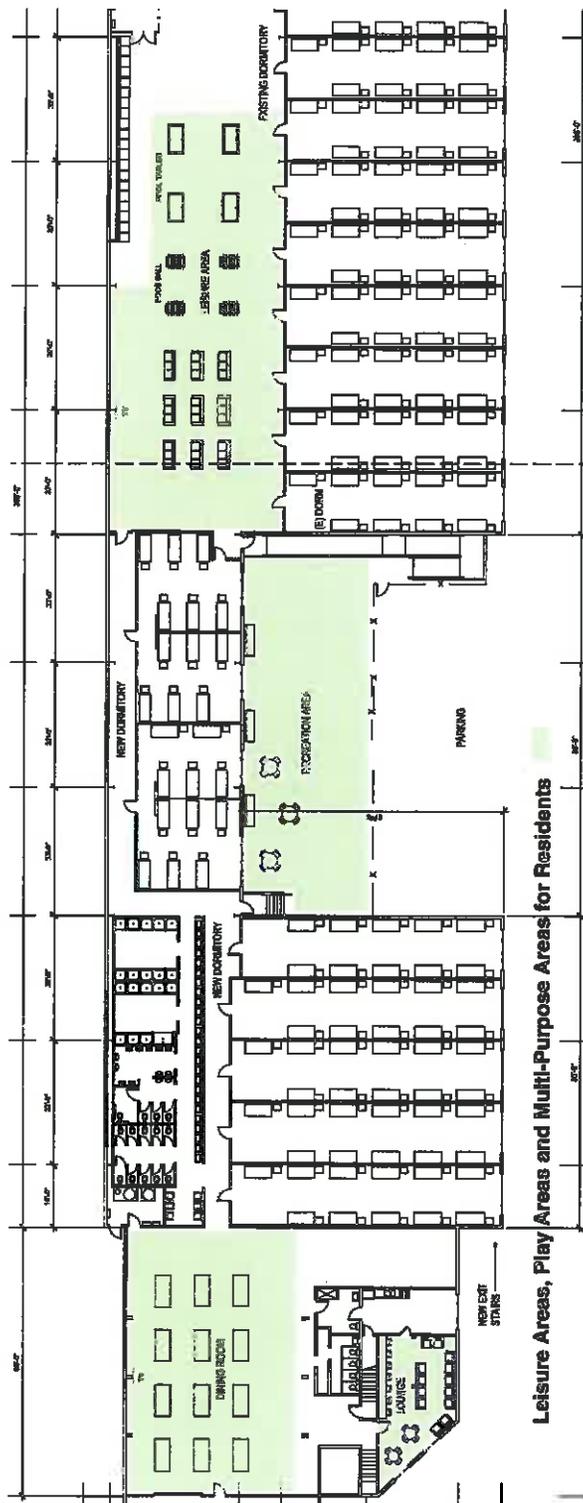


Figure 12. Leisure Areas North Portion Plan

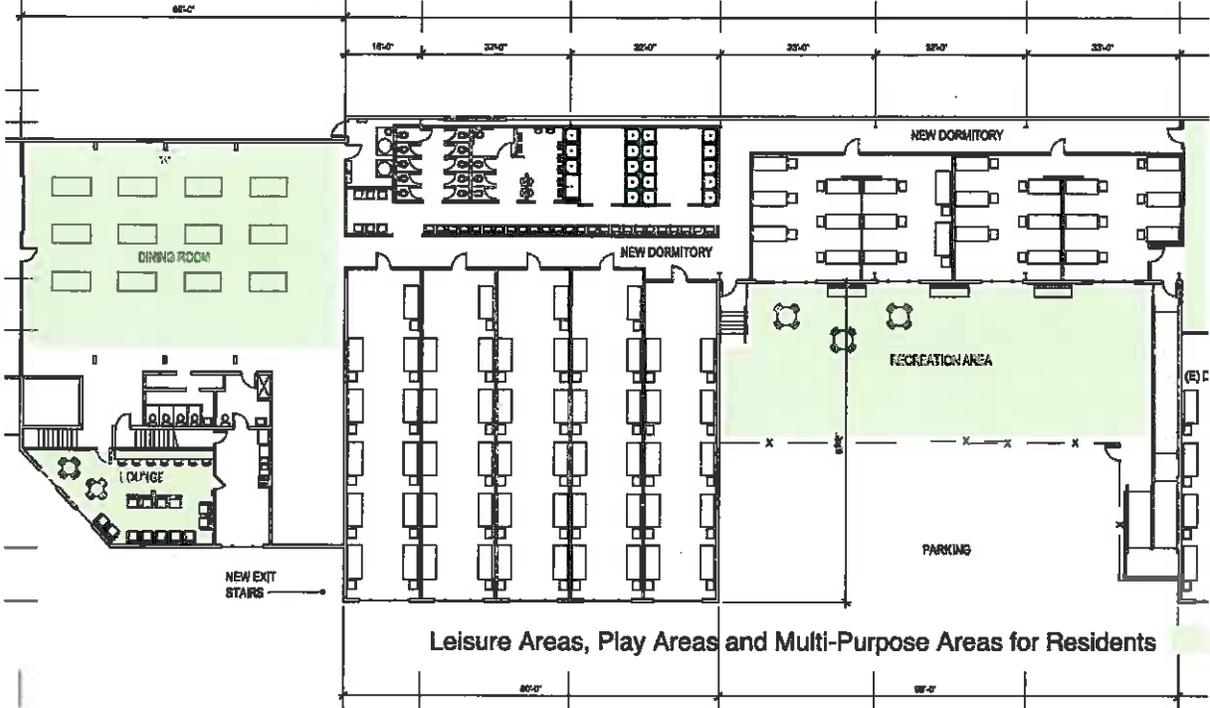
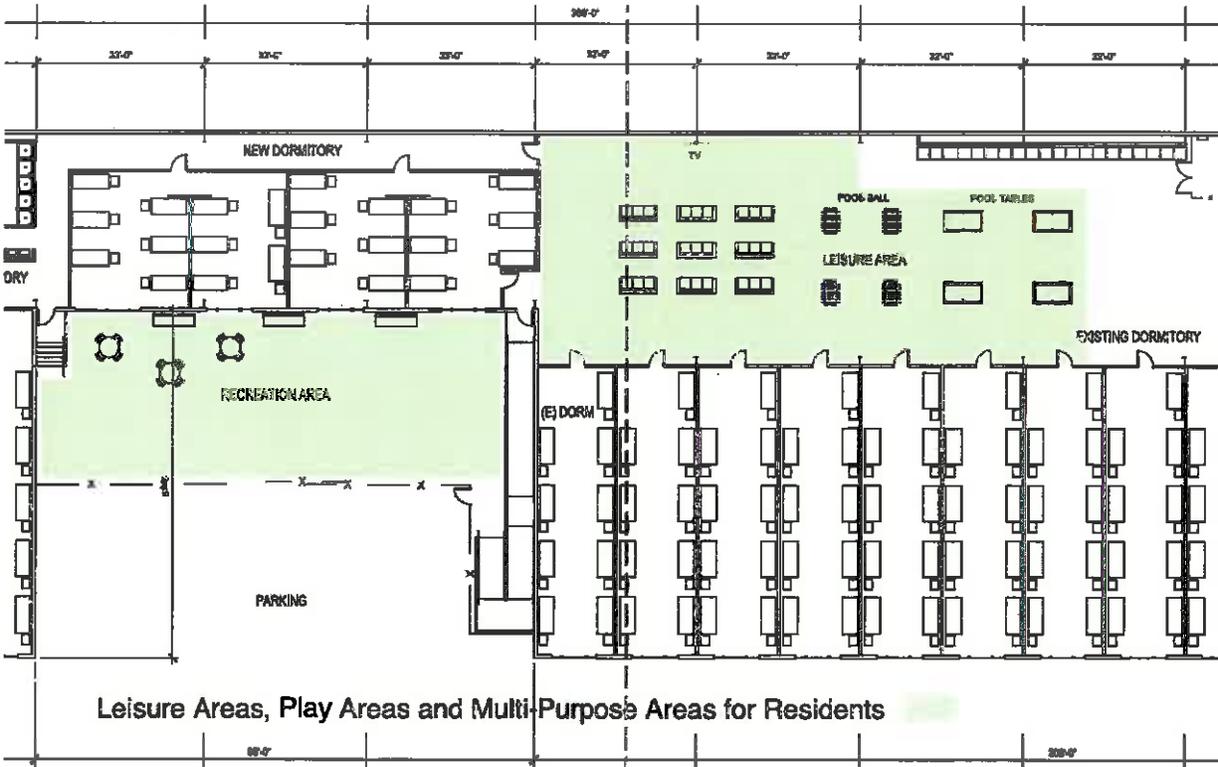


Figure 13. Leisure Areas South Portion Plan



SGH Holdings, LLC.
Meyers Parking Layout
 218 N. First St. King City, CA 93930

Figure 14. Schematic Bus/Van Parking Plan

(Note that bus/van parking area is subject to offers of dedication of the
 Broadway Street extension and Bassett Street extension as well as provisions
 related to the lease agreement between the applicant and landowner of the bus
 parking area)

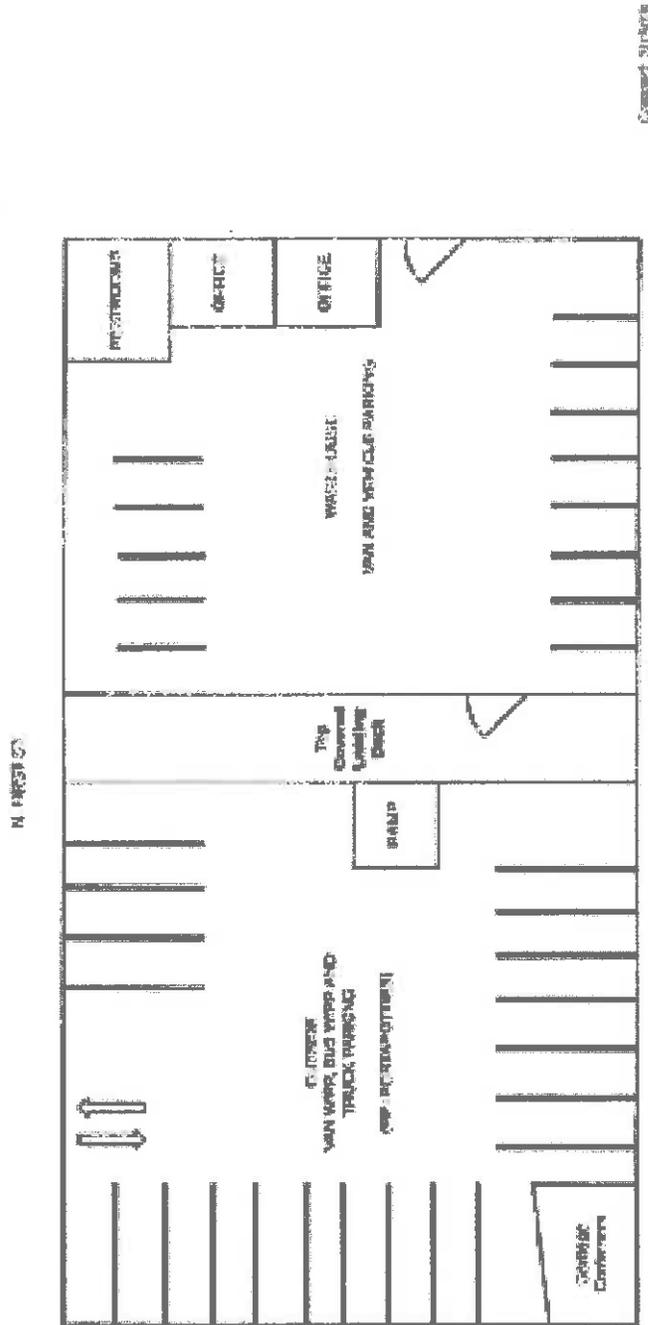
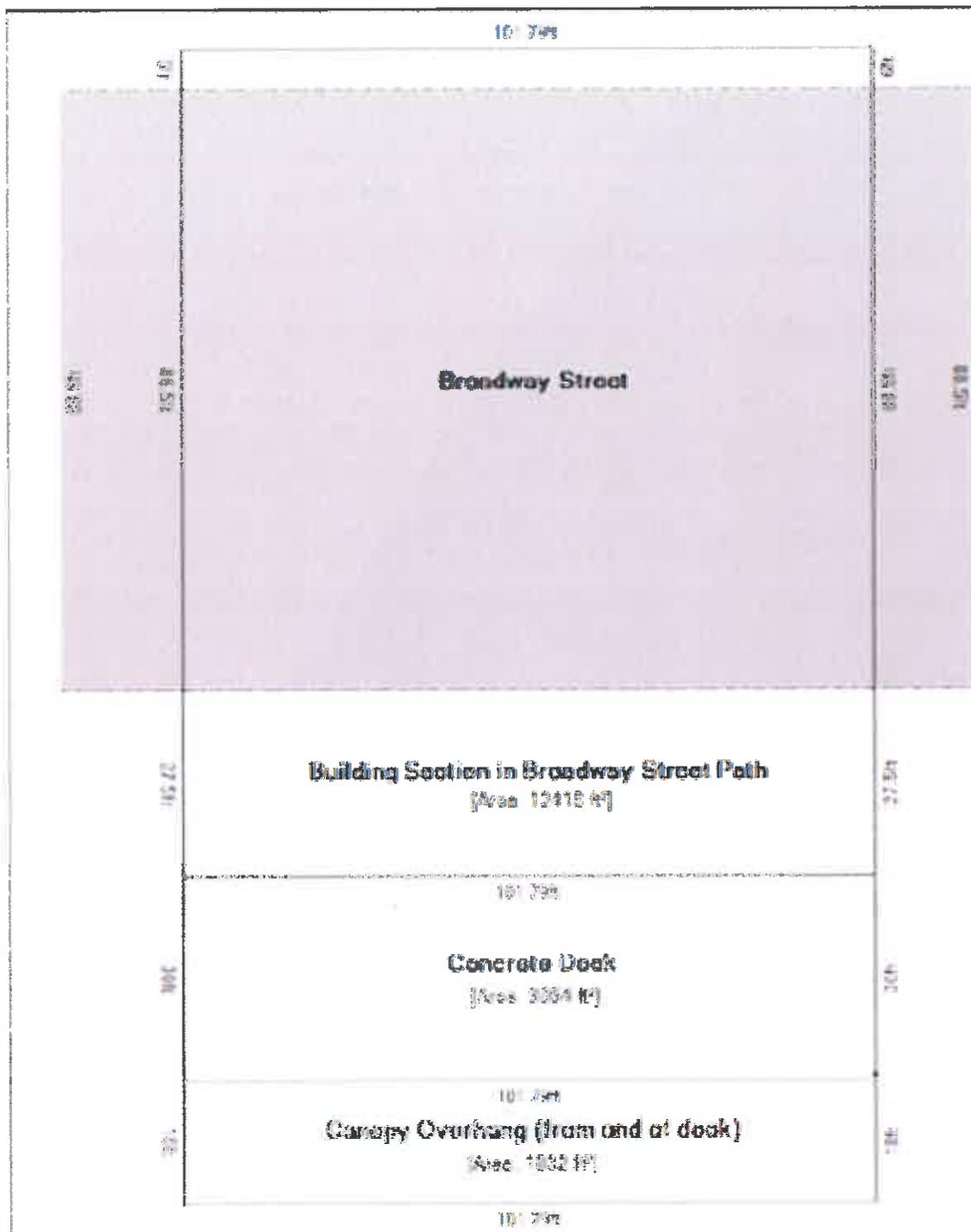


Figure 15. Offer for Broadway Street Right-of-Way
(Smith-Monterey, Current Owners)



**Figure 16. Offer for Broadway Street and Bassett Street Right-of-Way
(Smith-Monterey, Current Owners of property south of Farmworker Housing)**

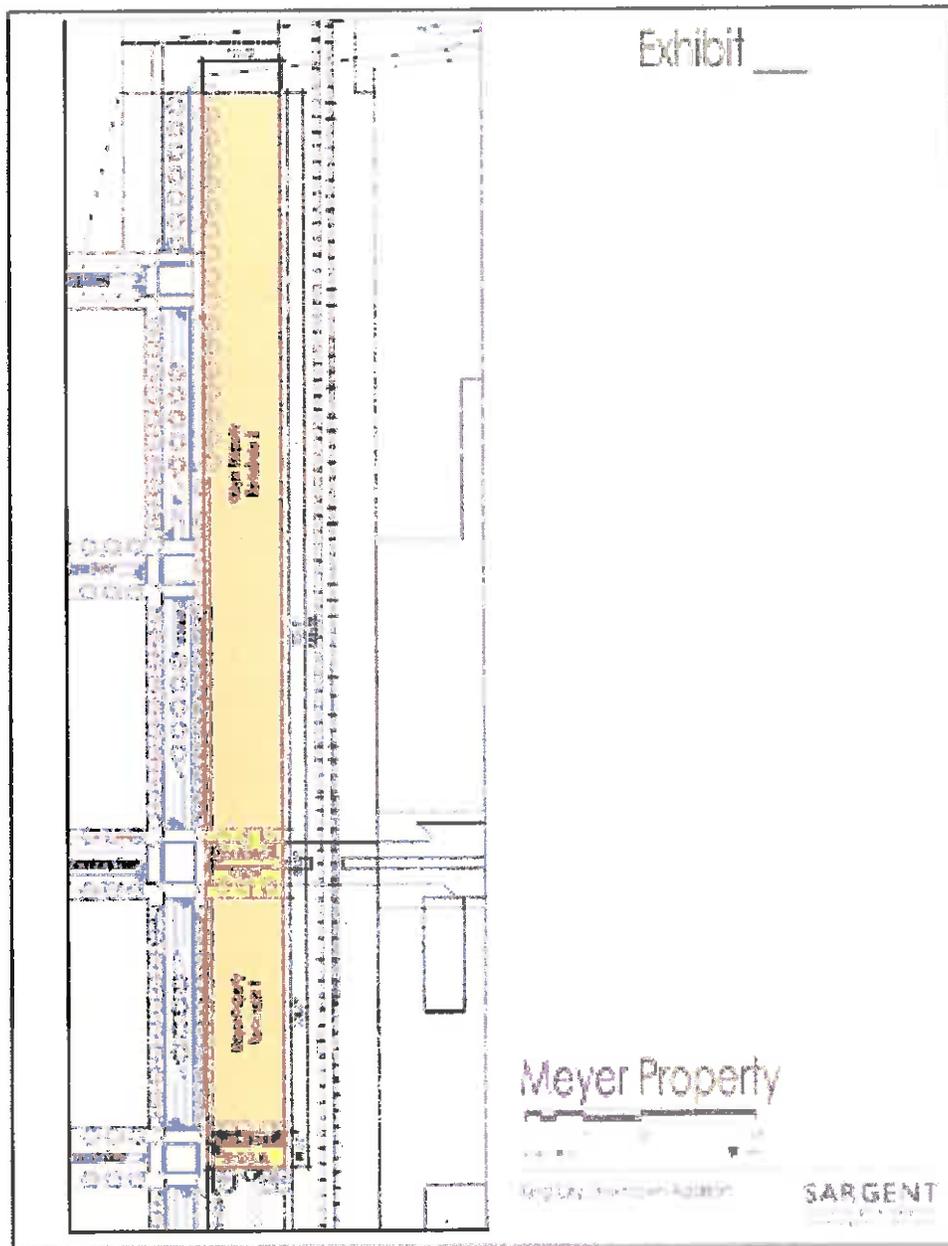


Figure 17. Photo of Recreation Area, Guest Parking and Entrance

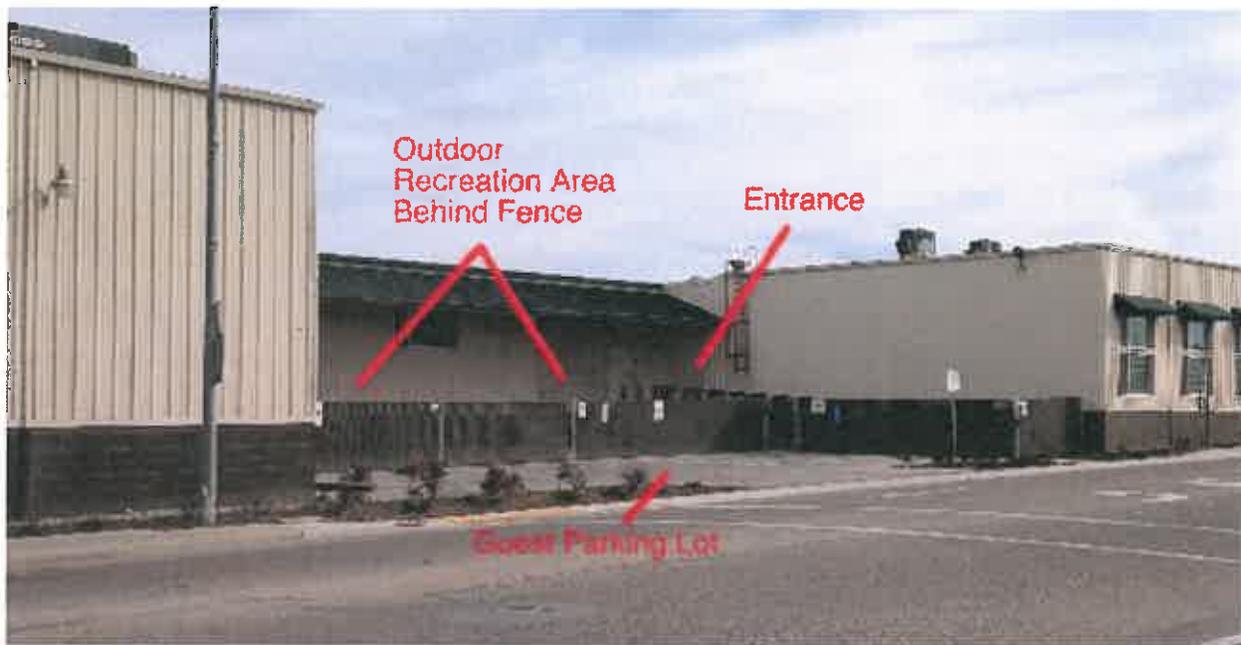


Figure 18. Photo of Caretakers's Apartment and Proposed Caretaker's Apartment as well as adjacent vacant building



Figure 19. Photo of Caretakers's Apartment and Proposed Leisure Area



Figure 20. Photo of Interior of Existing Building Proposed Barracks Area for Expanded Dorm Sleeping Areas in Phase II



Figure 21. Photo of Bus/Van Parking Lot located south of site



Figure 22. Photo of Existing Unfinished First Floor area, proposed to be remodeled as additional leisure area for residents



**EXHIBIT 2
CUP 2016-001 (A2), AR2016-001 (A2)**

FINDINGS OF FACTS

The purpose for making Findings of Facts to *"bridge the analytical gap between the raw evidence and ultimate decision"*. The Municipal Code gives the Planning Commission (Commission) the authority to approve a project so long as the Commission can make certain findings. Written "findings of fact" are required in order to support the decision of the hearing body to approve or deny a project.

California Environmental Quality Act ("CEQA") Findings of Fact

An Initial Study was prepared for the proposed project. Because there is a potential for the project to have significant environmental impacts on the environment, based upon the requirements of the CEQA it was determined that a Mitigated Negative Declaration (MND) would be prepared. The MND is attached to this report.

This Project's environmental review was prepared for the Project pursuant to the CEQA. The MND contains a list of mitigations that will result in a project that will not have significant environmental impacts provided that the project applicant implements the mitigation measures. **(See Exhibit 8.)** The Mitigation Measures identified in the initial study would reduce the impacts to a less than significant level.

- a. The proposed project does not have the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare, or threatened species. It is possible during grading and construction activities that unknown cultural resources may be unearthed, which may result in a potentially significant impact. Implementation of the mitigation measures for Cultural Resources would ensure the proposed project would not eliminate important examples of the major periods of California history or prehistory.
- b. During construction related activities, the proposed project would have the potential to generate storm-related runoff pollutants. The project will be required to prepare a plan that addresses all potential pollutants, including but not limited to soil erosion and sediment, and that plan shall be followed during grading and construction as well as maintained for the entire term of the use of the property. Other measures to address the protection against all subsurface and surface pollution shall be implemented during construction and for the full duration of the use of the property.
- c. The proposed project would result in construction dust and equipment exhaust emissions, and noise that could cause a substantial adverse effect on human beings. In addition, the primary uses of the site, which includes the storage, sale and distribution of chemicals related to agricultural products that are the business of the land owner. These impacts can be mitigated to a less than significant level

with implementation of the mitigation measures contained in this initial study/mitigated negative declaration.

Conditional Use Permit (CUP) and Architectural Review Findings of Fact

- a. The proposed project is consistent with the requirements and policies of the City of King General Plan General Commercial designation and Zoning Ordinance First Street Corridor (FSC) Zone and Historic Corridor Revitalization Plan (HCRP).
- b. The general appearance of the proposed building is in keeping with the character of the FSC district and its surrounding properties in the HCR-SP planning area.
- c. The proposed building will not be detrimental to the harmonious and orderly growth of the City.
- d. The proposed building will not impair the desirability of investment or occupation in the FSC Zone District and HCRP because the building, existing landscaping and other improvements are attractively designed and provided amenities that add to the value of the area.
- e. The COA as shown on **Exhibit 4** are necessary to protect the health, safety and general welfare of the community, to ensure that the City develops in an orderly manner, and to ensure that the Project operates in a manner that does not adversely affect the surrounding areas. The proposed use will not be injurious or detrimental to property and improvements in the neighborhood or the general welfare of the city.
- f. The proposed design and use of the building will enhance the appearance from the street and will provide housing for H2-A Farmworkers that will benefit the farmers and provide food products for the nation.
- g. The temporary time period of the CUP will allow the applicant time to develop more permanent solutions for farmworker housing within the City and region.
- i. The Project will not affect traffic conditions. The previous uses of the site have been warehousing and office. The employer plans to continue to provide shuttles to voluntarily take the employees to and from the agricultural fields.
- j. The Project will not affect the orderly development of the area because it will stimulate the Historic downtown area. After the remodel, a maximum of three-hundred and sixty-four (364) H2-A farmworkers plus caretaker will reside in the structure and patronize the Historic downtown area.
- k. The proposed use is in conformance with the goals, policies and objectives of the General Plan and the purpose and intent of the FSC Zoning District.

EXHIBIT 3

RESOLUTION NO. 2018-214

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF KING
APPROVING INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION AND AN
AMENDMENT TO CONDITIONAL USE PERMIT CASE NO. 2016-00 (A2) AND
AMENMENT TO ARCHITECTURAL REVIEW CASE NO. 2016-001 (A2) LOCATED
AT 218 NORTH FIRST STREET (APN 026-293-004)**

WHEREAS, on November 6, 2017, David Gill and Steve Scaroni (Applicants) submitted, conditional use permit (CUP) and architectural review (AR) applications to house an additional one-hundred and fifty (150) agricultural employees at an existing barracks style agricultural housing facility for a total of three hundred sixty-four (364) agricultural employees, located at 218 North First Street in an approximately 43,499 square foot portion of the existing building as part of the H2-A Visa Farmworker Housing Program (Project), expanding the number of farmworker residents from one-hundred and fifty (150) to three-hundred and sixty-four (364) residents. The project includes associated leisure facilities, relocated dining hall, additional restrooms, remodeling of the existing exterior to add windows and awnings, and use of an off-site parcel located south of the site for temporary bus and van parking; and

WHEREAS, an Initial Study (IS) and Mitigated Negative Declaration (MND) were prepared and made available for a public review period from January 24, 2018 to February 12, 2018; and

WHEREAS, on February 20, 2018 and on March 6, 2018, the Planning Commission (Commission) conducted two public hearings and after listening to public testimony, the staff report, and other material, approved the CUP and AR applications, as shown on **Exhibit 1**; and

WHEREAS, the Commission makes the following findings of fact:

1. Initial Study and Mitigated Negative Declaration:

- a. The proposed project does not have the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare, or threatened species. It is possible during grading and construction activities that unknown cultural resources may be unearthed, which may result in a potentially significant impact. Implementation of the mitigation measures for Cultural Resources would ensure the proposed project would not eliminate important examples of the major periods of California history or prehistory.
- b. During construction related activities, the proposed project would have the potential to generate storm-related runoff pollutants. The project will be required to prepare a plan that addresses all potential pollutants, including but not limited to soil erosion and sediment, and that plan shall be followed during grading and

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construction as well as maintained for the entire term of the use of the property. Other measures to address the protection against all subsurface and surface pollution shall be implemented during construction and for the full duration of the use of the property.

- c. The proposed project would result in construction dust and equipment exhaust emissions, and noise that could cause a substantial adverse effect on human beings. In addition, the primary uses of the site, which includes the storage, sale and distribution of chemicals related to agricultural products that are the business of the land owner. These impacts can be mitigated to a less than significant level with implementation of the mitigation measures contained in this initial study/mitigated negative declaration.

2. Conditional Use Permit and Architectural Review Permit:

- a. The proposed project is consistent with the requirements and policies of the City of King General Plan General Commercial designation and Zoning Ordinance First Street Corridor (FSC) Zone and Historic Corridor Revitalization Plan (HCRP).
- b. The general appearance of the proposed building is in keeping with the character of the FSC district and its surrounding properties in the HCRP planning area.
- c. The proposed building will not be detrimental to the harmonious and orderly growth of the City.
- d. The proposed building will not impair the desirability of investment or occupation in the FSC Zone District and HCRP because the building, existing landscaping and other improvements are attractively designed and provided amenities that add to the value of the area.
- e. The COA as shown on **Exhibit 4** are necessary to protect the health, safety and general welfare of the community, to ensure that the City develops in an orderly manner, and to ensure that the Project operates in a manner that does not adversely affect the surrounding areas. The proposed use will not be injurious or detrimental to property and improvements in the neighborhood or the general welfare of the city.
- f. The proposed design and use of the building will enhance the appearance from the street and will provide housing for H2-A Farmworkers that will benefit the farmers and provide food products for the nation.
- g. The temporary time period of the CUP will allow the applicant time to develop more permanent solutions for farmworker housing within the City and region.
- h. The Project will not affect traffic conditions. The previous uses of the site have been warehousing and office. The employer plans to continue to provide shuttles to voluntarily take the employees to and from the agricultural fields.
- i. The Project will not affect the orderly development of the area because it will stimulate the Historic downtown area. After the remodel, a maximum of three-

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hundred and sixty-four (364) H2-A farmworkers plus one (1) caretaker will reside in the structure and patronize the Historic downtown area.

- j. The proposed use is in conformance with the goals, policies and objectives of the General Plan and the purpose and intent of the FSC Zoning District.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Planning Commission of the City of King approves approve Conditional Use Permit Case CUP 2016-001 (A2), Architectural Review Permit Case AR 2016-001 (A2), for the remodel of the existing building, adding facilities, including one-hundred fifty (150) new bunk beds, restrooms, leisure and recreational facilities and dining facilities for a total of three-hundred and sixty-four (364) H2-A Farmworker Residents as well as bus and van parking located off-site on the adjacent property located adjacent to and south of the barracks and as described in the Conditions of Approval (**Exhibit 4**) and the project submittals and exhibits (**Exhibit 1, Figures 1 through 22**).

This resolution was passed and adopted this **6th day of March, 2018**, by the following vote:

AYES:

NAYS:

ABSENT:

ABSTAIN:

DAVID NUCK, CHAIRPERSON

ATTEST: _____
ERICA SONNE, SECRETARY TO THE PLANNING COMMISSION

EXHIBIT 4

AMENDED CONDITIONS OF APPROVAL/MITIGATION MEASURES

AMENDMENT TO CUP CASE NO. 2016-001 (A2) AND AR2016-001 (A2) FOR
FARMWORKER HOUSING AND BUS PARKING AREA AT 218 N. FIRST STREET
PLANNING COMMISSION CONDITIONS OF APPROVAL/MITIGATION MEASURES

(March 6, 2018 Planning Commission Hearing)

PHASE II

Community Development Department (The applicant should discuss the following conditions of approval (COA) with Maricruz Aguilar, 831.386.5916, if there are any questions.)

1. **Project Description:** Phase II of the H2-A Visa Farmworker Program housing located at 218 North First Street includes a conditional use permit (CUP) and architectural review (AR), with approximately thirty-nine square feet per person (39) for leisure area (see Exhibit 1, Figures 11, 12 and 13) MM No. 38), and:
 - Expands the floor plan area to a total of approximately 43,499 square feet within the specified area of the existing building as identified in **Exhibit 1**.
 - Increases the number of farmworker employees by one-hundred and fifty (150) from two hundred and fourteen (214) to a total of three hundred and sixty-four (364).
 - Includes of manager's apartment (not included in number of total residents).
 - Modifies the exterior elevations by removing two (2) roll-up doors along the frontage and replacing them with new windows and awnings as well as windows and awnings along street frontage of Phase II to match Phase I windows and awnings.
 - Paints the entire building (including the side adjacent to the railroad tracks).
 - Uses private shuttle bus and vehicle parking area on separate property, located south of site (northeast of intersection of Bassett and First Streets) is for the temporary use of the farmworker employee transportation and could potentially be redeveloped in the future for train station parking or for Multi-Modal public bus/train station structures as part of a future City, Amtrak and MST cooperative project. The current lease agreement between the owner of the bus parking lot, Smith-Monterey LLC, and the applicant, SGH Holdings, is for a period of five (5) years, beginning **April 15, 2017** and ending **April 15, 2022**. Should the lease agreement lapse or should the City require the dedication of either or both Broadway Street and Bassett Street Rights-of-Way, the applicant shall inform the City six (6) months prior to the date of the lapse of the lease or dedication of road right-of-way and submit a proposal

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for a different bus parking area at least eighty (80) days prior to the date of the lapse of the lease or dedication of the described Right-of-Way for Broadway and/or Bassett Street extensions. Said request will require an application to the City for a modification of CUP 2016-001 (A2) and shall require review of the Planning Commission (Commission). In the separate MOU between the City, SGH and Smith-Monterey, provision is made for the extension of Broadway Street, providing future access to the Downtown Addition Specific Plan area east of the railroad right-of-way. The permit and uses approved as part of CUP 2016-001 (A2) shall not impact or impair the development of the extension of Broadway Street or the extension of Bassett Street nor shall it impact the access to the property east of the railroad via the future right-of-way located south of the farmworker barracks.

- Uses an existing adjacent vacant building area (located south of farmworker housing project) for temporary use of employee safety meetings but not for required relaxation areas or other facilities required for residents.

The project shall be developed in conformance with the site plan, floor plans, elevations, details, and other applicable submittals as approved by the Commission on **March 6, 2018** and shown on **Exhibit 1**. The remaining portions of the buildings not used for H2-A Visa agricultural employee housing will remain vacant. Only those areas identified on **Exhibit 5** shall be used for farmworker housing.

Original COA of Case No. CUP 2016-001 and AR2016-001, approved on **September 20, 2016** will continue to apply to the project Phase I portion of the development. The relaxation areas and facilities, as well as other common areas, restrooms, dining areas and other facilities shall be available for all residents of the farmworker housing facility.

2. **Temporary Use:** The amended CUP/AR applications adding one-hundred and fifty (150) beds are valid for one (1) year from the original Commission approval date of **February 27, 2018**. If the applications are not used within one (1) year, the applications become invalid and new applications must be re-submitted for Commission consideration and decision. The temporary use time (e.g., five (5) years) begins with the original use of the CUP/AR/VAR, dated **September 20, 2016**. The project (both Phase I and Phase II) is a temporary use for five (5) years from **September 20, 2016**. The applicant can request an extension of time of the CUP one-year at a time, for a total of five (5) extensions or up to a total project life of ten (10) years from the original date of approval, **September 20, 2016**. The applicant shall file a written request for an extension of time a minimum of six (6) months, prior to the expiration date of the initial five (5) year period and each one (1) year term extension. The request shall be subject to review and approval by the Commission who will act on the request within ninety (90) days of written request from applicant. An extension of time shall be granted provided the following findings of fact can be made in the affirmative:

- There is no substantial evidence that the project is contrary to, or in violation of the conditions of approval/mitigation measures or in violation of any federal, state or local regulations.

- There are no alternative projects for the property that exist deemed to be of a higher and better use with a willing and able buyer.
3. **Development Impact Fees:** Prior to final occupancy, the applicant shall pay all applicable development impact fees except the traffic impact fee. (**See – Development Impact Fee List.**) The project will not generate an increase in additional traffic over the previous use and; therefore, the traffic impact fee is not applicable.
 4. **Structural Changes:** Installation shall be in substantial conformance with the plans as described in Exhibit 1, Figures 1 through 22 and as described in the conditions of approval presented to and approved by the Commission in connection with the project. No conditions, colors, materials or architectural features shall be eliminated, added or modified without Commission review and action, amended CUP and AR applications, as applicable.
 5. **Hold Harmless Clause:** Hold Harmless and Indemnification Clause: The applicant agrees, as part of and in connection with each and all the applications and approvals, to defend, indemnify, and hold harmless the City of King (City) and its elected officials, officers, contractors, consultants (including Earth Design International, Hanna & Brunetti, Aleshire & Wynder, attorneys), employees and agents (including Earth Design International, and Hanna & Brunetti) from any and all claim(s), action(s), or proceeding(s) (collectively referred to as “proceeding”) brought against City or its officers, contractors, consultants, attorneys, employees, or agents (including Earth Design International, Aleshire & Wynder, attorneys, and Hanna & Brunetti) to challenge, attack, set aside, void, or annul:

Any approvals issued in connection with all approvals, actions and applications by City covered by the conditions of approval and/or mitigation measures; and/or

Any action and approvals taken to provide related environmental clearance under the California Environmental Quality Act (CEQA) of 1970, as amended by City’s advisory agencies, boards or commissions; appeals boards or commissions; Planning Commission, or City Council. The applicant’s indemnification is intended to include, but not be limited to, damages, fees and/or costs awarded against or incurred by City, if any, and costs of suit, claim or litigation, including without limitation attorneys’ fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by the applicant, City, and/or parties initiating or involved in such proceeding.

The applicant agrees to indemnify City and its elected officials, officers, contractors, consultants, attorneys, employees and agents (including Earth Design International, Hanna & Brunetti, Aleshire & Wynder, attorneys) for all of City’s costs, fees, and damages incurred in enforcing the indemnification provisions of this Agreement.

The applicant agrees to defend, indemnify and hold harmless City, its elected officials, officers, contractors, consultants (including Earth Design, Inc., Hanna & Brunetti, Aleshire & Wynder, attorneys), attorneys, employees and agents (including Earth Design International, and Hanna & Brunetti) from and for all costs and fees

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incurred in additional investigation or study of, or for supplementing, redrafting, revising, or amending, any document (including, but not limited to, an environmental impact report, sphere of influence amendment, annexation, pre-zoning, general plan amendment, specific plan, vesting tentative tracts, sign applications, variances, conditional use permits, architectural review, etc.), if made necessary by said proceeding, and if the applicant desires to pursue such City approvals and/or clearances, after initiation of the proceeding and that are conditioned on the approval of these documents.

In the event that the applicant is required to defend City in connection with such proceeding, City shall have and retain the right to approve:

- The counsel to so defend City.
- All significant decisions concerning the manner in which the defense is conducted; and
- Any and all settlements.

City shall also have and retain the right to not participate in the defense, except that City agrees to reasonably cooperate with the applicant in the defense of the proceeding. If City chooses to have counsel of its own defend any proceeding where the applicant has already retained counsel to defend City in such matters, the fees and expenses of the additional counsel selected by City shall be paid by City. Notwithstanding the immediately preceding sentence, if City's Attorney's Office participates in the defense, any and all City Attorney, Staff and consultants' fees and costs shall be paid by the applicant. In addition, in the event of litigation, the applicant shall pay any and all City Staff and consultants' fees and costs.

The applicant's defense and indemnification of City set forth herein shall remain in full force and effect throughout all stages of litigation including any and all appeals of any lower court judgments rendered in the proceeding.

- 6. Other County, State and Federal Permits: Prior initiation of the proposed use, the applicant shall provide copies of any required County, State and Federal permits or written verification of a waiver of permit requirement. In addition to meeting the standards of the City of King and the requirements established in these Conditions of Approval, the housing for the farmworkers shall also comply with all laws applicable to H2-A farmworkers.**
- 7. Sign Permit: Before installing any signs on the property, the applicant shall obtain an approved sign permit from the Community Development Department. No signs were approved as part of this CUP. All exhibits for any proposed signs shall conform to the requirements of the City' Sign Regulation, Municipal Code Section 17.55. All signs should be compatible with the structure and site design relative to color, material, and placement. The signs shall conform to the requirements under Municipal Code Chapter 17.55.**

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- 8. Itinerant Vendors/Food Service Catering:** All catering services are subject to approval of a City Business License Review. A business license shall be obtained for every person conducting or carrying on the business of food service and/or catering. Any nuisance on garbage onto the public street will be subject to enforcement per city ordinances. **Prior to issuance of occupancy permit**, the applicant shall strip the area to delineate travel path for serving meals. All food service shall be kept behind the fence.
- 9. Bicycle Parking:** The applicant shall maintain the existing minimum four (4) secure bicycle rack parking provided in Phase I. The racks should be maintained coated of a durable material that prevents rust and corrosion.
- 10. Fencing along Railroad Tracks:** A fence has been installed on top of the concrete wall along the parking lot property line adjacent to the railroad track for a total height of six (6') feet on top of the existing docking wall. The fence shall be maintained and any broken slats or similar problems shall be repaired within thirty (30) days.
- 11. Lighting Plan:** **Prior to installing additional lighting**, an amended lighting plan shall be submitted for Police Department, Building and Safety Department and Community Development Department approvals. The Lighting Plan shall show the locations and height of all exterior lighting fixtures. Lighting: All outdoor lighting shall be hooded and directed so as not to shine on residential neighborhoods, public roads or surrounding properties. Where appropriate, light-emitting diode (LED) lighting should be used for external lighting to reduce the site's electricity consumption.
- 12. Landscaping:** The applicant shall maintain all existing plants in good condition and replace any plants that die with new plants of the same type. Ground mulch shall be maintained at a minimum depth of two (2") inches. Automatic Irrigation system shall be drip or micro-sprinklers and shall not overspray onto the sidewalk.
- 13. Parking:** **At the time of building permit submittal**, the applicant shall submit for City review the parking space conditions. If there are issues with parking (e.g., not enough parking spaces), the applicant shall provide staff with a revised parking plan which addresses the issues for review and approval by the Project Review Committee (PRC). If there are any reported problems regarding the parking, the applicant shall submit to staff a revised parking plan that addresses the issue(s) for review and approval by the PRC.
- 14. First Street Fence:** **Prior to final occupancy**, the Community Development Director (Director), or designee, shall inspect the condition of the security fence located behind the parking area near the building entrance for consistency with previously approved conditions for security fencing. Said fence shall be continually maintained and any broken slats or other similar problems shall be repaired within thirty (30) days.
- 15. Additional Amenities:** **Prior to final occupancy**, new facilities described in Condition 38 shall be installed in the indoor and outdoor leisure areas and shall be provided pursuant to COA No. 38. A survey of site and facility shall be conducted by

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the Director of his or her representative, prior to issuance of an occupancy permit.

Public Works Department (The applicant should discuss the following COA with contact Octavio Hurtado, 831.385.3281.)

- 16. Trash Storage Area:** Trash containers shall be stored within the trash enclosure at all times, except when being unloaded. The trash enclosure shall be sized to accommodate trash, recycling, and green waste containers. A trash storage area shall be identified with bins for trash and recyclables. The storage area shall be screened from public view.
- 17. Sidewalk/Public Accessibility:** Before issuance of an occupancy permit, an ADA/CA Title 24 Accessibly compliant walkway and sidewalk shall be installed around the existing driveway approach to meet ADA standards with a two (2%) percent max cross slope around the existing driveway approach, as found acceptable by the Public Works Department, City Engineer and Building and Safety Department. All details and information applicable to this requirement shall be included on the plans submitted for ADA/CA Title 24 Accessibly review before application for a building permit. All public sidewalks shall be in existing or dedicated City right-of-way.
- 18. Encroachment Permit:** Prior to starting street frontage improvements, the applicant shall be required to obtain a City of King encroachment permit for all work in City right of way (e.g., sidewalk, curb, gutter, driveway, roadway, alley).
- 19. Sewer Connection:** Prior to issuance of an occupancy permit, the sewer connection shall be reviewed and approved by the City Engineer.
- 20. Parking and Circulation Plan:** Prior to issuance of an occupancy permit, the applicant shall submit a parking and circulation plan for approval by the Community Development Department, Public Works Department and Building and Safety Department. The parking and circulation plan shall address the final location of required parking spaces, including parking spaces for persons with disabilities (i.e., ADA), and ingress and egress of vehicles including but not limited to buses, vans, and garbage trucks.
- 21. Building and Safety Department** (The applicant should discuss the following COA with the Building Official, at 831.386.5932, if there are any questions.)
- 22. Fire Exits:** Prior to final occupancy, fire exist plans shall be submitted for review and approval of the Building and Safety Department and Fire Department.
- 23. Cafeteria/Kitchen Facility:** Prior to final occupancy, if kitchen facilities are provided onsite, the applicant shall submit to the Building and Safety Department verification that the County Health Department has reviewed and approved the cafeteria and kitchen facility, if needed.
- 24. Demolition Permit:** Prior to any demolition, the applicant shall apply for a demolition permit.

25. Utilities: Prior to final occupancy, the applicant shall provide a recorded easement running with the land that includes a sun-setting at the time that the building is demolished with no cost to the city or developer for the re-location of the utilities.

26. Occupancy Separation Walls: Prior to final occupancy, per direction of the Building Official, occupancy separation walls are to be provided separating the buildings. Such separation shall be constructed in manner so that when the Clock Tower Building is removed the housing facility can continue to be occupied pursuant to the Building Code without significant disruption or termination of occupancy.

27. Building and Fire Inspections: The Building Official and Fire Chief can make inspections at any time, **without prior notice.**

Fire Department (The applicant should discuss the following COA with George Young, Fire Chief, at 831.385.3343, if there are any questions.)

28. Automated Fire Suppression System: Concurrent with the building permit application, the applicant shall submit automated fire suppression system plans to the Building and Safety Department for review and approved by the City Engineer, Building and Safety Department and Fire Department.

Police Department (The applicant should discuss the following COA with the Police Chief, at 831. 385.5944, if there are any questions.)

29. Security Plan: Prior to final occupancy, the applicant shall contract with City's security camera consultant to install one security camera along the railroad tracks.

30. Caretaker: A full-time caretaker shall be onsite at all times and throughout the year to monitor the facility and residents and to ensure that all residents are provided with safe housing, food, sanitation and recreational facilities.

31. Warning Sign: Prior to issuance of a final occupancy permit, verification that the warning sign in English and Spanish continues to be posted on the fence stating, "Warning - Active Rail Service".

Miscellaneous Conditions of Approval

32. No Guns: To the extent that occupants of the agricultural employee housing subject to this permit are participants of the H2-A VISA Farmworker Program and are non-citizens of the United States, they shall not possess, retain on premises, use or store any firearm, weapon or destructive devices that can be used in a manner or similar to a firearm that includes but is not limited to rifles, shotguns, pistols or destructive devices of any kind. Destructive devices shall be defined for purposes of this condition as contained within the United States Codes, 26 USC §5845.

33. Memorandum of Understanding: The applicant shall adhere to the requirements of the Memorandum of Understanding approved by the City Council on **September 13, 2016.**

MITIGATION MEASURES

The following mitigation measures, in addition to those COA contained in the original approval of CUP Case No. 2016-001 and AR Case No. 2016-001 approved on **September 20, 2016**, shall be complied with and will serve to reduce the impacts of the project to less than significant.

34. Mitigation Measure No. 1.c: Visual Resources:

The remaining unoccupied portions of the existing building located at 218 North First Street shall be painted to match the new remodel. Said painting shall be completed within **prior to approval of occupancy of the building for the added employee residents in Phase II** and shall include the front, end and rear of the building along the railroad tracks. Existing plantings, including existing trees, shrubs and groundcover, will be maintained and plants replaced if they die or are damaged.

Implementation Party: Applicant/Owner/Developers of development

Enforcement Agency: City of King

Timing: Installed prior to issuance of an occupancy permit and maintained for life of the project.

Implementation Responsibility: Cost and materials are responsibility of Applicant/Owner

- 35. Mitigation Measure No. 5.a, 5.b, 5.c, 5.d (Cultural Resources):** This condition would apply to the CUP at 218 North First Street if any grading or trenching is proposed at that project: In the event of an accidental discovery or recognition of any human remains, archaeological resources, paleontological resources or historical resources on the project site, if said resources are found during excavation or construction, work will be halted at a minimum of thirty (30') feet from the find and the area will be staked off. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie cultural resources, paleontological resources, historical resources or, in the case of adjacent human remains until the coroner of Monterey County is contacted to determine that no investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission within twenty-four (24) hours. A qualified professional (to be hired by the applicant and accepted by the City) in cultural resources, paleontological resources or historical resources shall evaluate the resources discovered at the site and provide recommendations for disposition of those resources. In the case of human remains, the Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent (MLD) from the deceased Native American. The MLD may then make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human

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remains and associated grave goods as provided in Public Resources Code Section 5097.98. The landowner or its authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance if: a) the Native American Heritage Commission is unable to identify a MLD or the MLD failed to make a recommendation within twenty-four (24) hours after being notified by the commission; b) the descendent identified fails to make a recommendation; or c) the landowner or its authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner."

From the California Office of Historic Preservation, Technical Assistance Series #1, California Environmental Quality Act (CEQA) and Historical Resources:

- a. To the extent that unique archaeological resources are not preserved in place or not left in an undisturbed state, mitigation measures shall be required as provided in this subdivision. The project applicant shall provide a guarantee to the lead agency to pay one half the estimated cost of mitigating the significant effects of the project on unique archaeological resources. In determining payment, the lead agency shall give due consideration to the in-kind value of project design or expenditures that are intended to permit any or all archaeological resources or California Native American culturally significant sites to be preserved in place or left in an undisturbed state. When a final decision is made to carry out or approve the project, the lead agency shall, if necessary, reduce the specified mitigation measures to those which can be funded with the money guaranteed by the project applicant plus the money voluntarily guaranteed by any other person or persons for those mitigation purposes. In order to allow time for interested persons to provide the funding guarantee referred to in this subdivision, a final decision to carry out or approve a project shall not occur sooner than sixty (60) days after completion of the recommended special environmental impact report required by this section.
- b. Excavation as mitigation shall be restricted to those parts of the unique archaeological resource that would be damaged or destroyed by the project. Excavation as mitigation shall not be required for a unique archaeological resource if the lead agency determines that testing or studies already completed have adequately recovered the scientifically consequential information from and about the resource, if this determination is documented in the environmental impact report.

Implementation Party: Applicant/Owner/Developers of development

Enforcement Agency: City of King

Timing: Primarily during the grading portion of the project, including the excavation of foundations, pipelines, underground utilities and other similar excavation.

Implementation Responsibility: Cost and materials are responsibility of Applicant/Owner

36. **Mitigation Measure No. 8.c and d** (This condition would apply to the CUP at 218 North First Street if any grading or trenching is proposed at that project): Grading, excavation and construction require measures to protect erosion and protect that runoff leaving each site. In addition, projects are required to meet, as applicable, the all standards contained in Municipal Code Section 17.56.100.

Implementation Party: Applicant/Owner/Developers of development

Enforcement Agency: City of King

Timing: Erosion and sediment control plans and other pollution control plans are required **prior to any grubbing, grading, excavation or construction**. Measures to prevent erosion and sediment shall occur during the entire period of grubbing, grading, excavation and construction. Measures for on-going pollution control and water quality protection shall be on-going for the life of the project.

Implementation Responsibility: Cost and materials are responsibility of Applicant/Owner

37. **Mitigation Measure No. 10. a and b:** The noise reduction measures conducted in Phase I of the farmworker housing conversion and in a similar environmental evaluation for residential uses along the Union Railroad corridor at Mills Ranch development, measures to reduce noise for occupants of residential housing were identified. Projects, either standard residential units or facilities for the purpose of occupancy of farmworkers, shall incorporate measures similar to those for Mills Ranch if noise levels at the boundaries of the property exceed those identified in the Noise Element and Municipal Code Section 17. 56.030. Examples of noise mitigation used to protect occupants from excessive noise include building insulation, sound transmission reduction windows, sound walls and other typical measures.

In the case of 218 N. First Street, a sound wall would be impractical. The potential feasible measure to reduce noise along the Union Pacific Railroad would be building insulation and the prevention of windows along the building exterior facing the Railroad tracks.

Implementation Party: Applicant/Owner/Developers of development

Enforcement Agency: City of King

Timing: Improvements would be installed prior to any residential occupancy or other occupancies as required by Municipal Code.

Implementation Responsibility: Cost and materials are responsibility of Applicant/Owner

38. **Mitigation Measure No. 12.d:** **Prior to occupancy of additional beds**, the leisure area and security facility, as shown as green-shaded areas on **Exhibit 1, Figures 11, 12 and 13**, shall be improved to include the following:

Outdoor facilities (part of leisure area (see Exhibit 1, Figures 11, 12 and 13)):

1. Outdoor recreational equipment for outside play and/or other sports as occupancy requests.
2. A minimum of four (4) benches in good condition for outside, including some lawn furniture like chairs, lounge chairs, and outdoor picnic tables, (existing broken benches shall be replaced with new benches). The outdoor recreational design plan to be submitted at the time of building permit and reviewed by Community Development Department.
3. The outdoor recreational design plan to be submitted at the time of building permit and reviewed by Community Development Department prior to occupancy of Phase II temporary farmworker housing.
4. Covered seating area with proper popup shade cover or other suitable shade cover(s).
5. The existing four (4) durable bicycle racks for use by residents to remain.

Indoor play (part of leisure areas (see Exhibit 1, Figures 11, 12 and 13))

1. Separate TV lounge areas inside building, with a minimum of ten (10) sofas and twenty (20) comfortable chairs with cushions, including a minimum of two televisions connected to cable or satellite television networks.
2. A minimum of six (6) tables and chairs with a minimum of two computers connected to the world-wide web network. The work stations will be monitored by the housing manager.
3. Provision of assistance for those desiring to participate in the already offered Employer programs. Programs that have been offered include, safety webinars, Aguila program with leadership books and leadership classes, Clinica de Salud programs as offered and weekly outings to shopping centers and flea markets. In addition, the on-site manager will provide local benefits to the farmworker employees like Library access and Hartnell College classes.
4. Other indoors play, such as additional foosball table, Ping-Pong, chess and checkers tables and pieces, with a minimum of four such tables.

Security Facilities: Security cameras, to be approved by the Police Chief, shall be installed on the rear of the building, **prior to issuance of an occupancy permit.**

Implementation Party: Applicant/Owner/Developers of development

Enforcement Agency: City of King

Timing: Improvements would be installed prior to any residential occupancy or other occupancies as required by Municipal Code.

Implementation Responsibility: Cost and materials are responsibility of Applicant/Owner.

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Conditional Use Permit Agreement:

The conditional use permit is not valid until all conditions of approval ("**COA**") and mitigation measures imposed by the Planning Commission are signed for and agreed to by the applicant.

"I have received a copy of the conditional use permit COA and mitigation measures and agree with them. I understand that if I do not abide by them, the Planning Commission has the authority to revoke my conditional use permit, pursuant to the Municipal Code. **(See Municipal Code §17.64.040)**"

Applicant's Signature _____ Date: _____

Exhibit 5
Project Description

David Gill and Steve Scaroni
SGH Holdings, LLC
101 East Main Street
Heber, CA 92249
(760) 352-3080

PROJECT DESCRIPTION

David Gill and Steve Scaroni
 218 North First Street
 King City, CA 93930

June 1, 2016

PROJECT: Phase 2 Conversion of an existing 27,796 sq. ft. warehouse building into a dormitory style housing complex for 150 Employees and 2 on-site Managers and 214 existing employees making a total of 366 total employees. Phase 1 conversion was 24,443 sq. ft. for a total sq. ft. of 52,239. Phase two include the parking area to the south of the building on the lot owned by Scott Monterey.

The Project is a warehouse building located at 218 North First Street, King City, CA.

Phase one	24,443 sq. ft.	214 Employees	114 sq. ft. / Bed
Phase two	27,796 sq. ft.	150 Employees	185 sq. ft. / Bed
Total area	52,239 sq. ft.	366 Employees	143 sq. ft. / Bed

Recreation area to Dorm living space ratio

Phase one 11,260 sq. ft. Dorm space / 6,160 living space = 1.80 Ratio

Phase two 8,176 sq. ft. Dorm space / 5,150 Living space upstairs = 1.60 Ratio

For an overall average ratio of 1.70

This does not count the outdoor recreational space of 2,880 sq. ft.

The Project will take and convert a vacant warehouse, bring everything up to code and provide seasonal farm workers with a safe and clean living and working environment in King City. This project would provide both desperately needed farm workers (via the H-2A program) for the Ag community while at the same time providing for those farm workers with a military style housing arrangement that is safe and clean.

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The total site is 2.23 acres that was once used to process tomatoes. The total building size is 84,000 sq ft. The project would use the middle portion of the building and leave vacant/unused space at each end.

The operation of the building would be from April through October of each year and remain vacant the rest of the year. The employees would be housed (which includes restrooms/showers), provided meals on site and provided recreation facilities on site. Buses will transport the employees to and from work each day. Total bus trips would consist of up more than 10 bus trips a day (5 buses; 2 trips per day). Parking has been provided for on site for staff and visitors only (5 spaces total). There would be a live-in on site manager for the facility at all times.

The neighborhood consists of existing farming offices, farming warehouse operations, and farming fabrication shops, which are all located across the street on North First Street. The neighborhood also consists of small retail commercial establishments that is made up of a convenience store and a walk-in laundry facility. Both of these will greatly benefit from a live-in population base next door.

Traffic on First Street would not be greatly affected by this project. The workers will be driven to and from the work sites in buses for a total of five to ten bus trips daily. The H-2A program brings workers into this county from Mexico in buses and returns them to Mexico at the end of the season. Currently, at other H-2A sites in the State, the need for large parking lots do not exist because the farm workers do not need to own cars as their stay is for a short period of time before they return to their home in Mexico.

The project would bring 366 customers to the city that would help generate more sales tax revenue. The season for the workers is from April through October during which time they live, work and spend their money here. They will not impact the schools, hospital or social welfare systems.

The existing farm labor housing has been in operation since April of 2016 and has not impacted the community in a negative way. We are looking to increase the population to better serve the Ag community in the King City area.

The owners of this project, David Gil and Steve Scaroni, are willing to work with Smith-Montezuma to allow the Broadway crossing to become a reality at some time in the future as the market for the Smith-Montezuma project allows. The overall business plan for this project is a temporary use for ten (10) years. If after five (5) years a higher and better use can be established, the owners of the property will forfeit the CUP with an advance one year written notice to the City.

If you have any questions please call

Wesley Seeba
Wesley Seeba Architect
831-365-0810

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**Exhibit 6
Correspondence**

Don:

On the behalf of Smith Monterey could you please note the following items to the Planning Commission.

Smith-Monterey supports the proposed project. However there are some outstanding details and concerns that need to be resolved.

1) That the current lease between SGH and Smith-Monterey (S-M) defines the "Premises" only as the 17,000 square feet of warehouse. Smith-Monterey assumed that standard warehouse parking would also be provided but did not anticipate that the balance of the S-M's property would be used to provide parking for the SGH's adjacent property and H2A operation. The parties need to resolve this before the building permit or Occupancy Permit is issued for the expanded H2A project.

2) As discussed the eastern 50.50 feet of the parking area on the Smith-Monterey property is subject to the recorded Bassett Street ROW Offer To Dedicate and the City's acceptance of this Offer could impact the parking area proposed in the CUP. (attached Map and Diagram).

3) Under the lease with a six month notice Smith-Monterey can terminate the lease. Provisions in the CUP need to be made to allow for the SGH to identify and work with the City to find and approve replacement parking if such termination happens. The proposed one week time frame seem to inadequate for the City and SGH to find and approve replacement parking.

Smith-Monterey has sent a letter to SGH today on these matter and looks forward to working with them to address these matters.

Sincerely,

[John M. Bauske AICP, CNU](#)
President & CEO
[New Urban Realty Advisors, Inc.](#)
3748 Pescadero Drive
Suite 100
Santa Barbara, CA 93105-4478
(805) 899-2845
(805) 458-0442 Efax
John@NewUrbanRealtyAdvisors.com

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Exhibit 7
February 20, 2018 Staff Report



EXHIBIT 7

REPORT TO THE PLANNING COMMISSION

DATE: FEBRUARY 20, 2018

TO: HONORABLE CHAIR AND MEMBERS OF THE PLANNING COMMISSION

FROM: DOREEN LIBERTO, AICP, COMMUNITY DEVELOPMENT DIRECTOR

BY: DONALD J. FUNK, PRINCIPAL PLANNER

RE: CONSIDERATION OF AN INITIAL STUDY AND MITIGATED NEGATIVE DECLARATION AND A CUP CASE NO. CUP 2016-001 (A2) AND AR2016-001 (A2), FOR PROPOSED PHASE II REMODEL OF EXISTING BARRACKS STYLE FARMWORKER HOUSING FACILITY TO ADD 150 BEDS, A CARETAKER'S UNIT AND RECREATIONAL AREAS TO AN EXISTING 214 BED FARMWORKER QUARTERS LOCATED AT 218 NORTH FIRST STREET, KING CITY, CALIFORNIA

RECOMMENDATION:

It is recommended Planning Commission conduct the public hearing, accept public testimony and adopt Resolution No. 2018-214.

PROJECT SUMMARY:

On November 6, 2017, SGH Holdings LLC, (*"Applicant"*) submitted an application for the following permits:

- Conditional Use Permit (Case No. CUP2016-001 (A2))
- Architectural Review (Case No. AR2016-001) (A2)

The applications were deemed complete on December 4, 2017. Revised site plans were submitted on November 9, 2017 and on November 30, 2017.

The proposal is considered Phase II and involves remodeling a portion of the warehouse to convert it into additional barracks within the existing Temporary Farmworker Housing barracks facilities located at 218 North First Street. The project also involves conversion of an old docking area into a private shuttle bus and employee parking area.

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DISCUSSION:

An Initial Study (IS) and Mitigated Negative Declaration (MND) were prepared for the proposed project. The IS and MND include an evaluation of the proposal to increase the farmworker housing facility from the current two-hundred and fourteen (214) H2-A farmworkers to three-hundred and sixty-four (364) workers as well as specific mitigation measures that, when implemented, will reduce any potential environmental impacts to a less than significant level. The proposal also includes offsite parking for buses and shuttles. The offsite parking lot is owned by Smith-Monterey. The Applicant and Smith-Monterey LLC have entered into a five-year lease agreement for the use of the existing vacant building and parking area. There is a current lease agreement between the owner of the bus parking lot, Smith-Monterey LLC, and the applicant, SGH Holdings, is for a period of five (5) years, beginning April 2017 and ending April 2022 for the use of the bus/van parking area. Should the lease agreement lapse, the applicant shall inform the City within one week of the lapse and submit a proposal for a different bus parking area. Said request will require an application to the City for a modification of CUP 2016-001 (A2) and shall require review of the Planning Commission. In the separate MOU between the City, SGH and Smith-Monterey, provision is made for the extension of Broadway Street, providing future access to the Downtown Addition Specific Plan area east of the railroad right-of-way. (See *Figure 1 – Bus Storage area.*)

Phase 1 – Original CUP approval from September 20, 2016 (reference only):

The original CUP request remodeled a portion of the existing building (formerly an old tomato processing plant with a loading docking area). The original approval included a conditional use permit (Case No. CUP 2016-001), architectural review (Case No. AR 2016-001) and variance (Case No. 2016-001) applications. The original approval also included a change the zoning text for the First Street Corridor (FSC) Zoning District and the C-2 Zoning District to allow farmworker housing to allow temporary H2-A Visa Farmworker Program Housing for a total of 214 employees in a barrack style arrangement within portion of the Meyer Building located at 218 N. First Street.

The facility, based on the originally approval has a temporary permit for a period of five (5) years, starting with the original CUP/AR approval date of **September 20, 2016**, with the ability to have the applicant submit a request of extension one-year at a time for a total of five (5) extensions or up to a total project life of ten (10) years.

On December 7, 2016, the Planning Commission approved Amendment No. 1 for modifications to the floor plan, the project description, and the exterior elevations.

Phase II – CUP Amendment No. 2, as proposed:

The proposed CUP Amendment No. 2 (Case No. 2016-001A2) is an interior remodel that would convert an area of the existing barracks building and add a recreational area on the existing vacant second floor that would add one-hundred fifty (150) more beds to

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the Agricultural-Farmworker housing facility located at 218 North First Street. The scope includes additional modular restrooms, a new dining area, recreation equipment in the small outdoor recreation area, second floor recreational area, parking area, bus loading/unloading area, a new second floor relaxation and recreation space and a one-bedroom caretaker/manager unit. The project also includes employee shuttle bus parking on the adjacent property (APN: 026-293-005-000) located south of the site. The applicant has an agreement with the landowner of that property for temporary use as bus parking.

The project, if approved, will add one-hundred and fifty (150) bunk beds for H2-A "Guestworker" Visa residents to the existing temporary farmworker housing facility currently providing space for two-hundred and fourteen (214) farmworkers for a total of three-hundred sixty-four (364) employees.

In addition, the project site has an existing one (1) bedroom studio apartment for an onsite manager of the facility. The dining area is proposed to be relocated to the area east of the manager's unit. Additional bathrooms would be added and the vacant second floor area would be converted to a recreation/relaxation area for use of the residents. The project includes an off-site bus and van parking area located south of the farmworker housing. The workers are typically bused to and from work sites. Onsite parking for visitors and caretakers was developed in Phase I near the main entrance to the barracks.

Phase II Project Description:

- Relocate Dining Hall.
- Provide an additional one-hundred and fifty (150) beds, for a total of three-hundred and sixty-four (364) beds plus a caretaker unit.
- Including a small apartment for onsite manager
- Requesting approval for an offsite Parking Lot for busses and vans (used to transport residents)
- Installing new recreational equipment to the fenced small outdoor recreation area near entrance.
- Adding additional indoor recreational/relaxation areas to the second floor, in addition to the existing recreational/relaxation area on the first floor.
- New paint to the exterior of the building
- Removal of the two roll-up doors along the frontage and replace them with windows with some awnings.

The site backs to the Union Pacific Railroad right-of-way, which is adjacent to and east of the proposed farmworker housing. Old vacant areas of the tomato processing facility,

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north and south of the proposed housing, will remain vacant. First Street is located to the west of the proposed temporary housing. The vacant building located south of the existing farmworker housing barracks is used occasionally for staff meetings but is not included in recreational, sleeping, eating or other similar use by residents. It is on a separate property, not owned by the applicant.

Open Space/Recreation Area:

The overall gross area of both existing Phase I and proposed Phase II is approximately 43,499 square feet, including the sleeping area, dining area, laundry area, restrooms, recreation area and manager's apartment. The applicant proposes that the facility would be occupied by H2-A farmworkers, a program that provides for laborers from outside of the United States are brought to the area for a period of approximately nine or ten months to work on local farms and ranches, generally during the spring through late fall of each year. While the total area is being expanded, the only new space being added to the square footage of the original Phase I is the addition of the use of the existing vacant second floor. That space is located above the current dining area. Facilities to serve the new additional residents include additional bathrooms, a relocated dining hall, additional sleeping barracks areas and the additional second floor recreational area. With the addition of the second-floor recreational area and improvements of the existing outdoor recreational area, the total recreational space per occupant remains at approximately 29 square feet per resident farmworker employees.

A small outdoor recreation area exists behind the existing parking area, approximately an area of about thirty (30') feet by one-hundred (100') feet, approximately three-thousand (3,000) square feet. At this time, there are no outdoor recreational equipment, courts or other recreational facilities within the paved area enclosed by a fence. There are two existing benches. However, the benches appeared to be in poor condition during a recent site visit. There is a need for some outdoor play equipment, such as a basketball backboard and a net and surface lines for games such as volleyball or other net games.

Inside the existing farmworker barracks building, there is currently a sparsely appointed lounge and play area approximately forty-five (45') feet by seventy (70') feet, around 3,150 square feet in area. There is a foosball table near several sofas in the downstairs recreation area as well as a television and several couches for the occupants. During a recent site visit, the foosball table was being heavily used and appeared to very popular with the residents. The total recreational area, including outdoor and indoor areas, is approximately 6,150 square feet, or about twenty-nine (29) square feet per resident, based on the existing two-hundred and fourteen (214) employees. In order to maintain the current ratio of indoor and outdoor recreational area, a total of approximately 10,556 square feet would be needed for the total of 354 residents. Staff is recommending three-thousand (3,000) square feet near the main entry for outdoor recreation/relaxation area for residents, with a minimum of 2,110 square feet of downstairs indoors recreational

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area and an additional 5,450 square feet upstairs for a total of 10,560 square feet. (See *Exhibit 1, Figures 17 thru 20.*)

Exterior Modifications:

Additional windows (some with awnings) are proposed on the exterior of the street side of the building in the areas of the new barracks housing. (See *Exhibit 1, Figures 1 thru 5.*) The proposed additional farmworker sleeping areas would be within old tomato processing remodeled bays located next to the manager's unit. The applicant proposes to add windows to provide light and air as well as for emergency exiting along the street side of the building of the Phase II remodel of the existing building. The windows near the street will have awnings matching Phase I portion of the building. (See *Exhibit 1, Figures 7 thru 15.*)

Bus/Vehicle Parking Area:

A bus and van pick-up and drop-off is provided north of the manager's unit within the old loading dock area. Bus storage is provided on the neighbor's property south of the facility. The applicant has a five-year lease with the owner of the property to the south, Smith-Monterey LLC, for use of the off-site bus/van parking area. (See *Exhibit 1, Figure 16.*)

ANALYSIS:

The site is located northeast of the intersection of Broadway Street and First Street, between First Street and the Union Pacific Railroad. West of the project is the Historic Downtown area and east of the project is the Downtown Addition Specific Plan area.

The project is located within the First Street Corridor ("*FSC*") Zoning District and the Historic Corridor Revitalization Plan. The FSC Zone permits farmworker housing projects with a conditional use permit (CUP). The following Objectives are recommendations for the future development of the FSC Zoned properties:

Historic Corridor Revitalization Plan and FSC Zoning District criteria applicable to the proposed project:

1. The First Street Corridor ("*FSC*") is located along First Street at the northeast end of the Plan Area. The FSC will have uses including offices, services, and shops. Uses will intensify at the intersection of First and Broadway Streets.

Staff Comment: The proposed expansion of the farmworker housing project is consistent with the uses allowed under a Use Permit within the FSC Zone.

2. The FSC should have a gateway feature inviting visitors into the historic downtown and potentially a hotel modeled after the historic El Camino Real Hotel.

Staff Comment: *The gateway feature is proposed to be located near Pearl Street along First Street and will not impact this proposed project.*

3. Colorful landscaping and other pedestrian amenities will make the FSC an inviting entrance to the City's historic corridor.

Staff Comment: *Phase I of the project included the planting of trees along First Street.*

4. An important part of the HCRP is the proposed passenger rail stop and train depot on First Street. The passenger rail stop can serve commuters and draw tourists to the Historic Corridor, increasing foot traffic and bringing more business to local shops and restaurants."

Staff Comment: *The proposed project will not be inconsistent with the proposal for the future Multi-Modal Station which will be located at or near the employee bus/van parking lot. The bus/van storage is a temporary use and could easily be redeveloped in the future to either parking or train station use should that property be selected for the proposed Multi-Modal Transit Station. (See Exhibit 1, Figure 6.)*

5. The Historic Corridor Revitalization Plan, Section 3.6 provides architectural standards for the FSC Zone. "The Downtown Historic Architectural Design Guidelines (Design Guidelines) are intended to guide the architectural form of new development and redevelopment projects to reinforce the City's historic character in the HCRP. The Design Guidelines cover building styles, materials, windows, doors, other architectural details, and signage. The Design Guidelines apply to the VC, FSC, and VB Zones." "Structures, permanent or temporary, shall be designed and sited consistent with the Downtown Historic Architectural Design Guidelines (Section 3.6)."

Staff Comment: *The proposed project is within an existing building (a former tomato processing plant). The applicant proposes new windows to replace old warehouse doors near the recreation area and adds windows on the building facade north of the existing guest parking spaces. Also, the applicant has agreed to paint the remaining portions of the building (future use areas which will require separate Planning Commission and/or Director permits, as required in the FSC Zone).*

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6. Private and Public parking facilities are conditionally permitted in the FSC Zone with a CUP within the Historic Corridor Revitalization Specific Plan.

Staff Comment: The applicant submitted an application for a CUP. The Commission will need to determine if the proposed bus and van parking area is appropriate for the location and compatible with nearby uses.

General Plan:

The City General Plan encourages the development of affordable housing and the provision of housing for local farmworkers. Along with tourism, agriculture is one of the most important industries in King City. The proposed changes will provide the potential for additional housing for farmworkers at 218 North First Street, increasing the number of residents from the current 214 to 364.

Currently, there are insufficient quarters for farmworkers in and near King City. Many farmworkers live in crowded conditions in existing homes in the City. There's inadequate housing for farmworkers in the southern Salinas Valley. The valley provides vegetables serving the entire nation. Local Farm owners indicate that they bus farmworkers from long distances to work the local farms. The 2007 Housing Element indicated that "according to the USDA, in 2002 there were over 31,000 farmworkers in Monterey County and that "many farmworkers reside in substandard living conditions."

Housing Element Goal 3: To meet the housing needs of special groups of City residents, including a growing senior population, large families, single mothers, farmworkers, homeless, seniors and the disabled.

Housing Element Policy 4.3: Encourage housing opportunities for those residents who have special housing needs, such as farmworkers, large families, elderly, disabled persons, and other identified special needs groups.

Response to the Housing Element Goal 3 and Policy 4.3:

Staff Comment: The CUP proposal for the additional housing at 218 N. First Street will provide for temporary housing to meet local farmworker labor needs, providing the applicant with the time needed to develop more permanent farmworker housing at another location in or near the City.

Housing Element Map: The site is designated "General Commercial (GC). This designation allows a variety of land uses. The underlying zoning, FSC, was modified by the City Council in 2016 when they and the Commission determined that the GC designation could allow farmworker housing with a CUP.

Staff Comment: The CUP proposal for the additional housing at 218 N. First is consistent with the provisions of the GC designation.

Figure 1: Aerial of Proposed Project Site

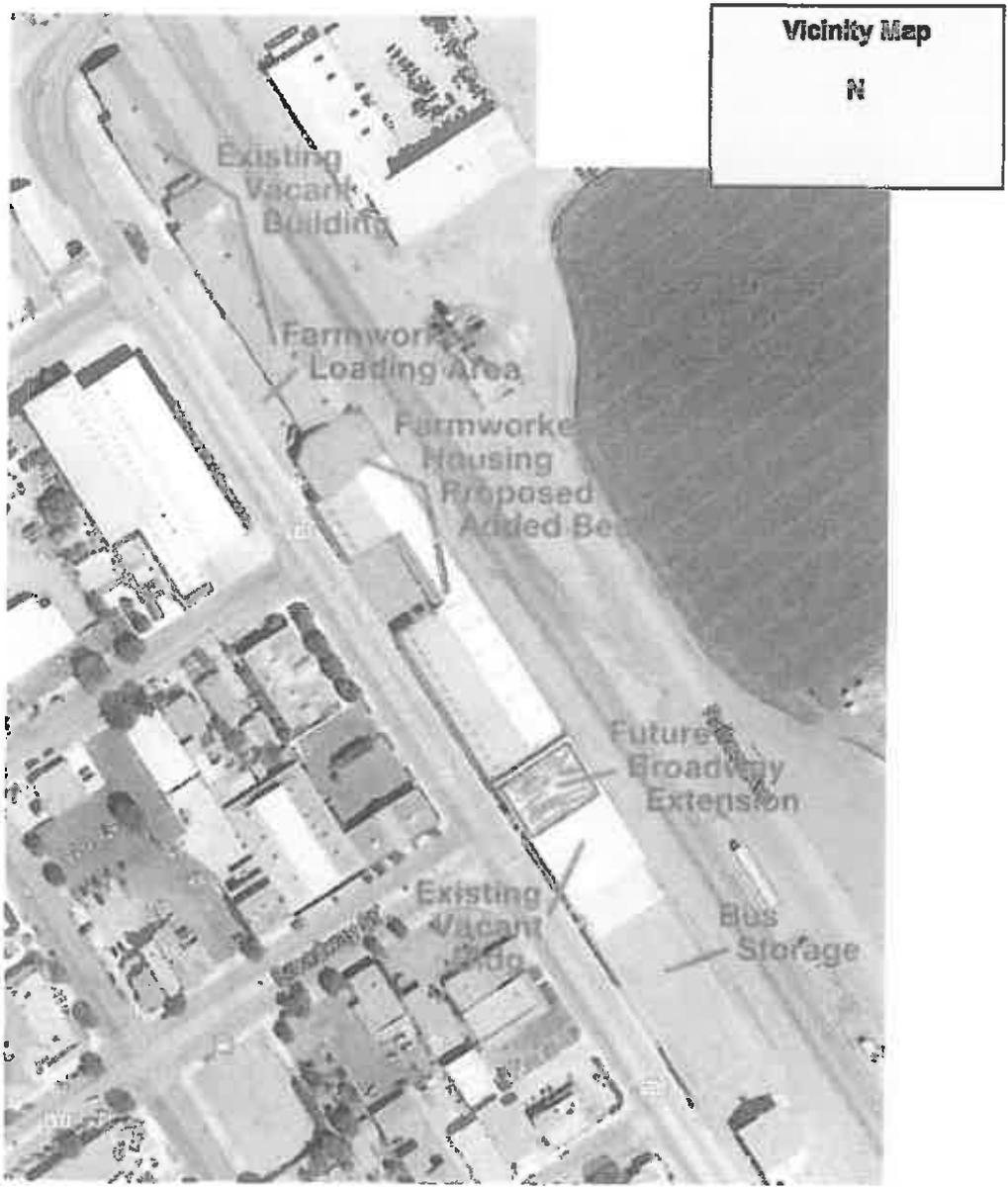


Figure 2: Detailed Aerial of Northern Proposed Project Site

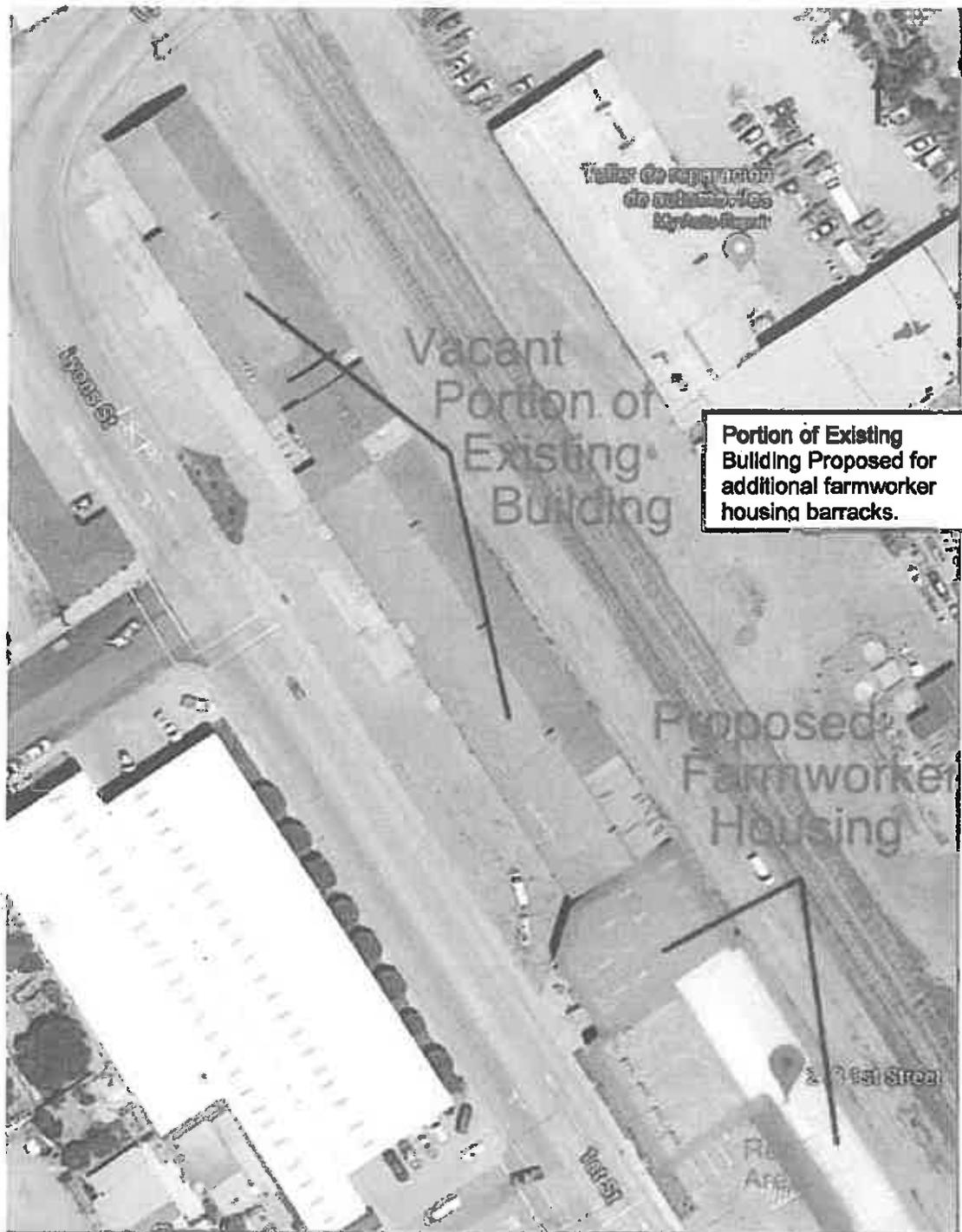
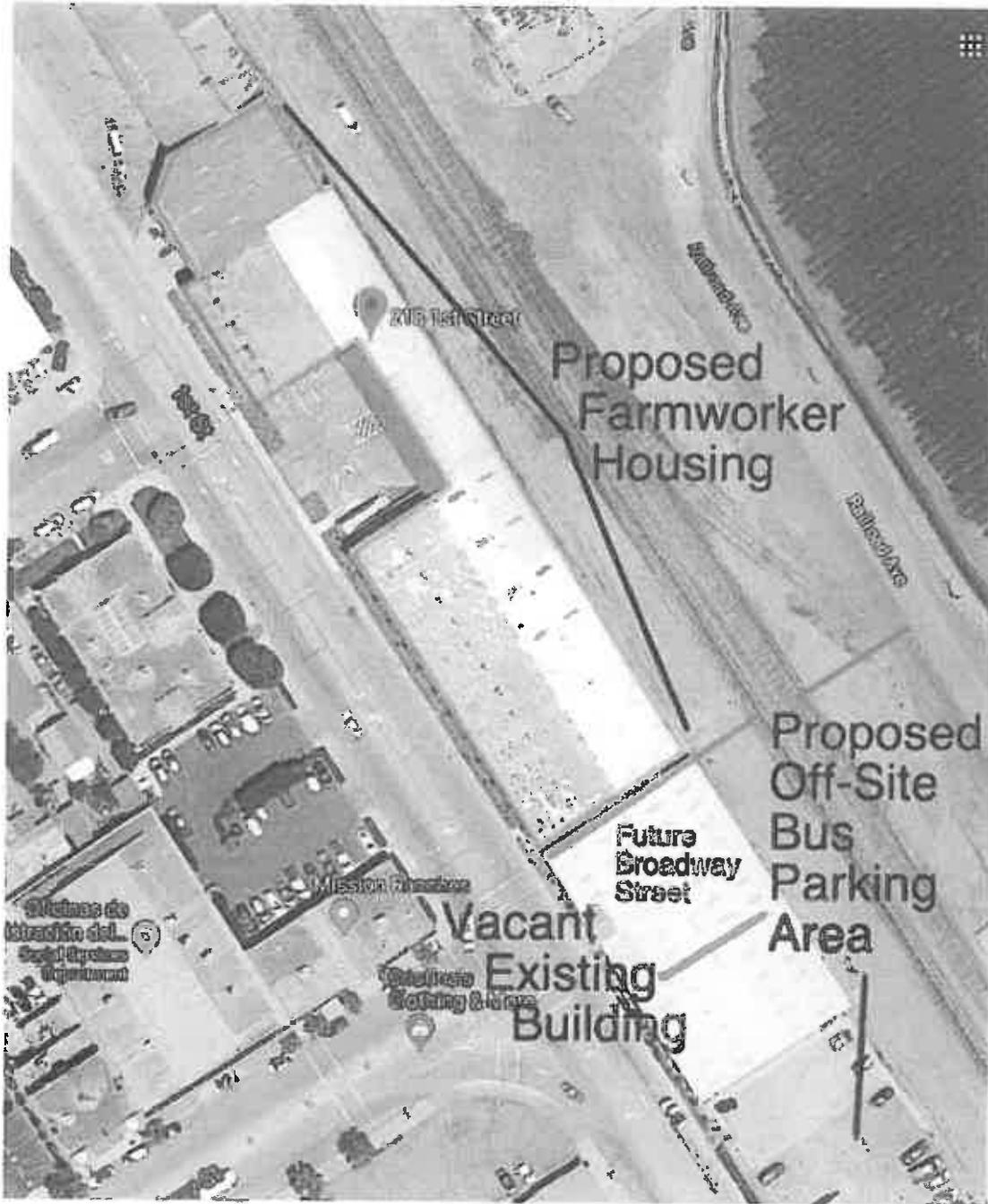
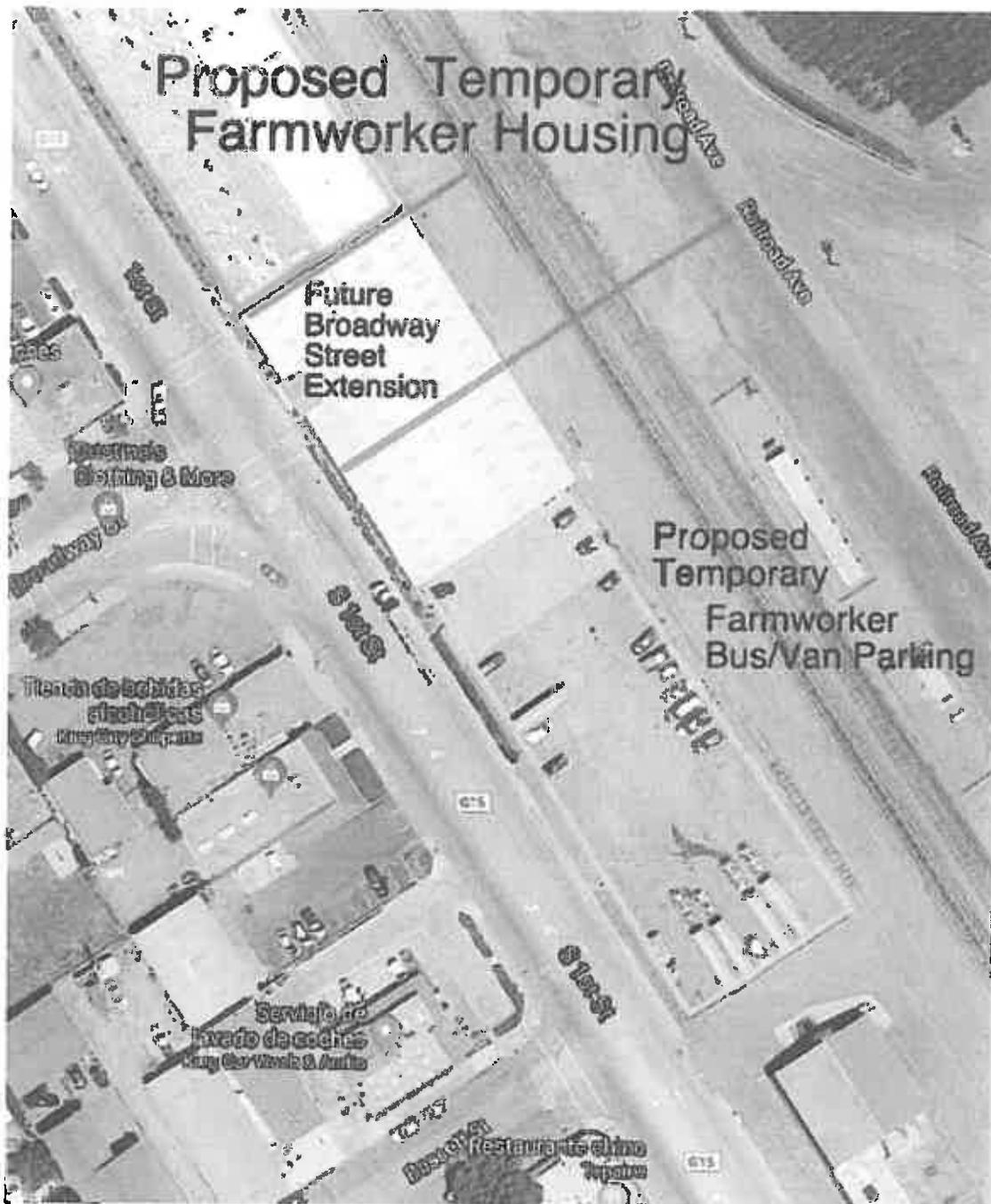


Figure 3: Detailed Aerial of Central Portion of Proposed Project Site



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Figure 4: Detailed Aerial of Southern Portion of Proposed Project Site Including off-site bus/van parking area and Proposed Right-of-Way of Broadway Street Extension



ARCHITECTURAL REVIEW ANALYSIS:

The Commission will act as the Architectural Review Committee ("**ARC**"), pursuant to Municipal Code Section 17.30.120. The applicant is requesting to construct a prefabricated five-thousand (5,000) square foot metal building. It will have metal siding, metal roof and rock veneer along the frontage of the office.

The building and bus parking lot are highly visible from South First Street and Broadway. Both streets are entryways to the City and to Pinnacles National Park. Landscaping and building appearance is very important as part of the Commission's decision. The applicant remodeled the exterior of the barracks in Phase 1, adding windows, paint, landscaping and other aesthetic improvements. The proposed remodel includes the addition of windows near the outdoor recreation area. Staff recommends the painting of the remainder of the existing building, including the vacant portion located north of the barracks. (*Reference COA No. 1 and 34.*)

Building Height

The maximum allowable building height is thirty (30') feet. The existing building is approximately twenty-four (24') feet in height and is not proposed to be expanded.

Lot Coverage

There is no maximum coverage percentage for the FSC Zone.

There are no proposals to add new buildings or increase building coverage. All improvements are within the existing buildings.

Setbacks

Minimum front building setback required is zero (0') feet. The existing building is located zero (0') feet from the First Street right-of-way. The minimum setback for parking is thirty (30') feet. The bus and van parking lot (which is was historically a gravel parking area for the former warehouse) is located zero (0') feet from the front property line.

Minimum rear building setback (if adjacent to commercial zone & use) required is zero (0") feet. The existing building has a zero (0') foot rear setback. The minimum rear setback for parking is zero (0') feet when adjacent to commercial zone and commercial land use. The existing parking lot is zero (0') feet from the railroad right-of-way.

Minimum interior side yard required is zero (0') feet (when adjacent to a commercial zone and commercial use). The existing building has a zero (0') foot setback.

Fencing

The site has existing fencing along the front of the recreation area and fencing and wall along the front and rear of the off-site bus parking area. A condition has been included to inspect the condition of the fencing prior to occupancy. *(Reference COA No. 10 and 14.)*

Driveways and Parking

A CUP is required for all parking lots in the Historic Corridor Revitalization Plan area. There are two (2) driveway accesses on First Street, one for the small parking lot near the building entrance and one (1) for the bus and van parking area near the intersection with Bassett Street. Parking requirements were reduced for the farmworkers since they are typically provided with bus and van transportation to and from farms in the region. All sidewalk and public access shall be reviewed and approved by City Engineer. *(Reference COA No. 17.)*

Landscaping Requirements

The Historic Corridor Revitalization Plan (HCRP) states that projects shall, *"Plant more colorful landscaping and trees on First Street"*. The site's landscaping was improved through Phase I and had previously incorporated six (6) crape myrtles with additional vegetation. A condition was placed to have the existing plants kept in good condition. *(Reference COA No. 12.)*

Drainage

The project will be required to meet all applicable stormwater regulations of the RWQCB and the City Municipal Code Section 17.56.100. At this time, no new structures or building expansion or grading is proposed. However, all new projects are required to meet the standards for drainage and pollution control. The City Engineer will determine if any provisions are required based on the City requirements.

The project will be required to meet State and Federal drainage and erosion standards, keeping drainage from the building onsite in a manner that will permit percolation into the ground water and reduction of stormwater flows.

The goals of City and RWQCB standards are to reduce water pollution and sediment by measures that improve water infiltration and reduce runoff. The drainage and pollution control measures will require review of the City Engineer and RWQCB. Those measures will be required to include grading, construction and future drainage impacts of the improvements. *(Reference COA No. 36.)*

Signage

Any exterior signs shall be done under a separate permit process. No signs are proposed as part of this review. Said sign would be required to comply with the Sign Regulations and will require an application, exhibits and a separate sign permit. **(Reference COA No. 7.)**

Lighting

The project has an existing approved lighting and security plan from Phase I and no changes are proposed. In the event of additional lighting, the applicant shall submit an amended lighting plan and shall be designed to not glare into public areas. **(Reference COA No. 11.)**

Trash Enclosures

The site has an existing trash enclosure and no changes are proposed. The applicant does not propose any changes. A condition is placed to keep all trash containers stored within the trash enclosure and screened from public view. **(Reference COA No. 16.)**

Sidewalk/Public Accessibility

The project includes the bus parking area located off-site. The current conditions of the driveway approach to the parking lot do not meet ADA standards. The Applicant shall provide sidewalk with a 2% max cross slope around the existing driveway. **(See COA No. 17.)**

SURROUNDING USES:

Table 1 provides an overview of the adjacent zoning and existing land uses.

Table 1 Adjacent Zoning/Existing Land Use			
North:	C-2 & FSC Zones Vacant building	East:	Downtown Addition Specific Plan AG (land use)
West:	C-2 & FSC Zones Commercial Uses	South:	FSC Zone Vacant buildings

MUNICIPAL CODE REQUIREMENTS:

Conditional Use Permit Requirements

Table 2 Development Standards for Proposed Project

Table 2		
Development Standards Met?		
	Development Standards	Requirements Met?
Maximum Building Height Allowable	30'	<i>No Expansion Proposed</i>
Minimum Setbacks (Buildings)	<i>Front: 0' Side: 0' Rear: 0'</i>	<i>0' 0' 0'</i>
Minimum Setbacks (Parking Areas)	<i>Front: 30' Side: 0' Rear: 5'</i>	<i>0' (existing parking) 0' 0' (existing parking)</i>
Minimum Off-Street Parking For Similar Use	Off-street parking: <i>Parking for farmworker housing is determined by the Director and Planning Commission based on type of housing and other factors.</i>	<i>6 parking spaces proposed near entry to building. Other parking proposed for buses and vans.</i>
Fences/Walls	<i>Trash and bus parking should be screened.</i>	<i>Applicant has screened parking areas</i>
Signage	<i>No new signs being proposed</i>	<i>Sign permit required for any future new signs.</i>
Trash Enclosures	<i>1 Enclosed trash area</i>	<i>Requirement met</i>

GENERAL PLAN/POLICIES AND REQUIREMENTS:

Table 3 provides the land use designations for the project.

Table 3	
General Plan Designations	
General Plan Land Use Designation:	General Commercial (GC)
Specific Plan Area:	Historic Corridor Revitalization Plan

Land Use Element

The proposal is consistent with the City General Plan designation. The proposed expansion of the facility will provide for additional housing for agricultural employees. Currently there are insufficient quarters for agricultural employees in and near the City of King. Farm owners indicate that they bus agricultural employees from long distances to work the local farms. A project for 218 North Street will expand the number of workers available to work on farms in the region.

- A. The 2007 Housing Element indicated that "according to the USDA, in 2002 there were over 31,000 farmworkers in Monterey County and that "many farmworkers reside in substandard living conditions."
- B. Housing Element Goal 3: To meet the housing needs of special groups of City residents, including a growing senior population, large families, single mothers, farmworkers, homeless, seniors and the disabled.
- C. Housing Element Policy 4.3 Encourage housing opportunities for those residents who have special housing needs, such as farmworkers, large families, elderly, disabled persons, and other identified special needs groups.
- D. Response to the Housing Element Goal 3 and Policy 4.3:
Phase I and Phase II provide additional temporary housing at 218 North First Street to meet local farmworker labor needs, providing the applicant with the time needed to develop more permanent farmworker housing at another location in or near the City.

Advantages

The project will provide additional housing for farmworkers who support the agricultural industry in and around King City. The project will also improve the appearance of the existing building by the exterior modifications and new paint. The project will not impact

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the proposals for the Multi-Modal Transit Station or the future extension of Broadway Street (See *Exhibit 1, Figure 6*)

Disadvantages

There are no known disadvantages. The project will benefit the farmers as well as creating an enhancement to the area. The proposed new windows and painting of the building will improve the appearance of the site. The new recreational facilities will be a benefit to the residents. The applicant will be required to reduce all environmental impacts to a less than significant level.

ENVIRONMENTAL DETERMINATION:

Staff prepared an Initial Study and Mitigated Negative Declaration (MND) on the CUP and AR and was made available for public review on **January 24, 2018**. Environmental review was prepared for the proposed remodel of the existing farmworker housing building and other proposed improvements pursuant to the California Environmental Quality Act (CEQA). The Initial Study (IS) indicated that the proposed project has the potential to result in significant environmental impacts unless specific mitigation measures (MM) are implemented. To date no correspondence has been received regarding the MND.

The mitigation measures are contained in the MND, attached **Exhibit 3**.

PROJECT REVIEW COMMITTEE COMMENTS AND REVIEW AND REVIEW BY AGENCIES:

A representative from each City Department meets to discuss most community development projects. This group operates as the City's staff advisory team, which is referred to as the Project Review Committee (PRC). PRC provides comments to the applicant and conditions of approval (COA) before a project goes to the Planning Commission. No major issues regarding the project arose during the meeting of the PRC. Comments from PRC are incorporated throughout the staff report and their recommendations are incorporated in the attached COA. Comments in this Staff Report reflect comments made by City Staff.

As of the date of the preparation of this staff report, no written testimony has been received by the City.

PUBLIC NOTICE AND INPUT:

A Notice of Intent (NOI) to Adopt a MND was published in the King City Rustler newspaper on January 24, 2018.

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A public hearing notice was published in the King City Rustler newspaper on February 7, 2018 and all property owners of record within three-hundred (300') feet of the subject site were notified of this evening's public hearing and invited to voice any concerns on this application. The end of the twenty (20) day review period required by CEQA is February 12, 2018. A public hearing will be conducted on February 20, 2018.

COST ANALYSIS:

Development review application fees are based on actual time and materials per the City Fee Scheduled. The applicant is covering the cost required for review and processing.

Note: The filing fee to file a Notice of Determination ("**NOD**") when a **Negative Declaration** was prepared is **\$2,330.75** and made payable to the **Monterey County Clerk**. If the applicant chooses to file the NOD, it needs to be filed with the County Clerk within five (5) days of approval to limit the statute of limitation to litigate to thirty (30) days. If the NOD is not filed, the statute of limitation to litigate is six (6) months.

ALTERNATIVES:

The following alternatives are provided for Planning Commission consideration:

1. Adopt Resolution No. 2018-214 which approves CUP2018-001 (A1) and AR2018-001 (A-2);
2. Request modifications in the design and/or proposed use; or
3. Deny Resolution No. 2018-214 which denies the project from construction. (If the Planning Commission wishes to deny the project, the reasons should be specified and the item continued to a future hearing so the appropriate findings of fact and resolution can be prepared by staff.); or
4. Provide other direction to staff.

Exhibits:

- Exhibit 1 – Figures and Photographs of Project Site
- Exhibit 2 – Findings of Fact
- Exhibit 3 – Resolution No. 2018-214
- Exhibit 4 – Conditions of Approval
- Exhibit 5 – Project Description from Applicant's Representative
- Exhibit 6 – Initial Study and Mitigated Negative Declaration

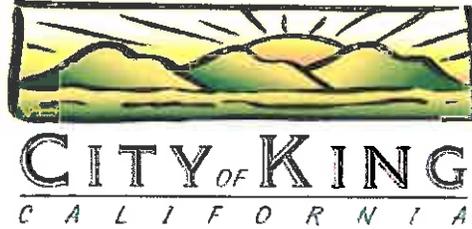
Submitted by: DC For Donald Funk
Donald J. Funk, Principal Planner

Approved by: KGA For Doreen Liberto
Doreen Liberto, AICP, Community Development Director

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**Exhibit 8
Revised Initial Study and Mitigated Negative Declaration**

EXHIBIT 8



INITIAL STUDY AND DRAFT MITIGATED NEGATIVE DECLARATION

Draft: January 16, 2018 (Amended 27 February 2018)

**Proposed Phase II remodel of existing temporary barracks style farmworker housing facility to add beds, a caretaker's unit and recreational areas for 150 farmworker temporary employees addition to existing 214 farmworker quarters
Location: 218 North First Street, King City, CA.**



**In Compliance with the
California Environmental Quality Act ("CEQA")**

General Information About This Document

What's in this document?

The City of King has prepared this Initial Study and Mitigated Negative Declaration ("**IS-MND**") which examines the potential environmental impacts of the proposed project. The document describes the project, which represents an amendment to an existing CUP to add 150 beds and related facilities to an existing farmworker housing facility referred to herein as "the project". The project location is east of and part of the Historic Downtown and adjacent to the Downtown Addition Specific Plan area. The applicant, David Gill and Steve Scaroni, request approval, under a Conditional Use Permit (CUP), to further remodel the existing farmworker housing facility, formerly an old vacant warehouse located at 218 North First Street APN: 026-293-004-000 (at the intersection of Broadway Street and First Street) adding 150 beds and a site-manager's residential apartment to existing temporary farmworker housing facility currently providing space for 214 farmworkers and a manager's apartment. Project includes a private shuttle bus parking area on adjacent property located south of the project site APN: 026-293-005-000. Employee residents of the facility are bussed to and from all work sites.

The IS-MND also describes the existing environment that could be affected by the project, potential impacts, if any, of the proposed project, and proposed avoidance, minimization, and/or mitigation measures.

What should you do?

- Please read this document. Additional copies of this document are available for review at the City Community Development Department, 212 South Vanderhurst Avenue, King City, California.
- Attend the Public Hearings. The Planning Commission will conduct a public hearing on the Initial Study and Mitigated Negative Declaration on **February 6, 2018** at City Hall, 212 South Vanderhurst Avenue.
- We welcome your comments. If you have any concerns about the proposed project, please attend the Planning Commission Hearing on **February 6, 2018**. The deadline for written comments ends on February 6, 2018.
- If you have any questions, please contact the Community Development Department:

Attn: Maricruz Aguilar-Navarro, Assistant Planner
Community Development Department
City of King
212 South Vanderhurst Avenue
King City CA 93930
Phone: 831-385-3281

Or you can send questions via email to: maguilar@kingcity.com

27 Feb 2018 Negative Declaration and Initial Study, Proposed Additional Farmworker sleeping quarters and related changes for 218 N. First Street

What happens next?

After comments are received from the public and reviewing agencies, the Planning Commission, on February 6, 2018, may:

- 1) approve the Negative Declaration and Initial Study for the proposed additional farmworker sleeping quarters at 218 N. First Street and amend the conditional use permit, or
- 2) require additional environmental studies, or
- 3) require changes to the project or deny the project, if there are issues that cannot be mitigated.

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ATTACHMENTS

Proposed Project Design

Letter of Project Description from Wes Beebe

I. PROJECT INFORMATION

Project Title: The Mitigated Negative Declaration includes the environmental evaluation of the proposed additional 150 farmworker sleeping quarters in the temporary farmworker housing facility at 218 North First Street, King City, CA.

Case Number: CUP-2016 (A2) AND AR-2016 (A2)

Project Applicant: David Gill and Steve Scaroni Phone: (760) 352-3080
SGH Holdings, LLC Fax:
King City, CA 93930
Rep: Wes Beebe Phone: (831) 385-0810

Project Landowner: Property Owner: SGH, LLC Phone: (760) 352-3080

Project Lead: Doreen Liberto-Blanck, Community Development Director & Don Funk, Principal Planner Fax: (831) 386-5968
Phone: (831) 386.5916
Maricruz Aguilar-Navarro, Assistant Planner
212 So. Vanderhurst Ave.,
King City, CA 93930

Project Description: **Proposal:**

The proposal involves an addition to an existing Farmworker Housing barracks with related facilities located at 218 N. First Street. The project also involves a private shuttle bus and employee parking area.

The Mitigated Negative Declaration includes an evaluation of the proposal to increase the farmworker housing facility from the current 216 H2A farmworkers to 364 workers. The CUP request for the existing building located at 218 North First Street includes additional modular restrooms, a new dining area, a small outdoor recreation area, parking, bus loading/unloading area, and a one-bedroom caretaker/manager unit. Project also includes employee shuttle bus parking on the adjacent property located south of the site. Applicant has an agreement with the landowner of that property for temporary use as bus parking.

The facility, based on the originally approved Case No. CUP- 2016-001 and Case No. AR 2016-001 has a temporary permit for a period of five (5) years, starting with the original CUP/AR approval date of September 20, 2016, with the ability to have the applicant submit a request of extension one-year at a time for a total of five (5) extensions or up to a total project life of ten (10) years. . The site is located northeast of the intersection of Broadway Street and First Street, between First Street and the Union Pacific Railroad. West of the project is the Historic Downtown Area and east of the project is the Downtown Addition Area.

Background:

1. The Project is proposed for the expansion of existing Farmworker housing located in an existing building at 218 North First Street: The Mitigated Negative Declaration addresses the impacts of the proposed addition of 150 beds to the existing temporary barracks style farmworker housing facility at the northeast corner of the intersection of Broadway and First Streets. The gross area of the both existing Phase I and proposed Phase II is approximately 43,499 square feet, including the sleeping area, dining area, laundry area, restrooms, recreation area and manager's apartment. The applicant proposes that the facility would be occupied by H2A farmworkers, a program that provides for laborers from outside of the United States are brought to the area for a period of approximately nine or ten months to work on local farms and ranches, generally during the spring through late fall of each year.

The applicant also has an agreement for the temporary parking of employee shuttle busses on the adjacent property located south of the site.

Will the Changes Modify coverage, setback or height zoning and Historic Downtown Revitalization Plan standards?:

No.

Uses Being Proposed:

1. Proposed Project at 218 North First Street: The specific project involves additional interior remodel of the current farmworker housing facility. The building was the former Meyer Tomato processing facility. The remodel will add 150 beds in the barracks style housing. There are existing beds for 214 male farmworkers through an H2A migrant program. In addition, a one-bedroom studio apartment is proposed for an on-site manager of the facility. The dining area is proposed to be relocated to the area east of the manager's unit. Additional bathrooms would be added for use of the residents.

The farmworker facility was originally approved on September 20, 2016 to have an initial permit covering a five (5) year period . Time extensions can be requested up to a maximum of five (5) years for a total project life of ten (10) years. Food is currently prepared off-site and brought to the facility for consumption by the farmworkers. Restrooms and showers are proposed to be added to serve the new occupants.

The additional farmworker sleeping areas would be within large remodeled bays located near the manager's unit. Windows would be added to provide light and air are proposed to be added along the street side of the building. These windows would also provide required emergency exiting should a fire or other emergency occur within the building.

A small recreation area exists behind the existing parking area. At this time, there are no outdoor recreational equipment, courts or other recreational facilities within the paved area enclosed by a fence. There is a foosball table near several sofas in the downstairs recreation area as well as a television for the occupants. A bus and van pick-up and drop-off is provided north of the manager's unit. Bus storage is provided on the neighbor's property south of the facility.

The Union Pacific Railroad right-of-way is adjacent to and east of the

proposed farmworker housing. Old vacant areas of the tomato processing facility, north and south of the proposed housing, will remain vacant. First Street is located to the west of the proposed temporary housing.

In general, the project will serve several purposes:

1. Provide local farmers with additional farm employees to assist in the production of food products.
2. Reduce travel of farmworkers who now are being bused from long distances to serve local farm owners.
3. The project will add local employees who will undoubtedly purchase products, including food and clothing, in King City, helping the economy of the City.
4. The project will not block the potential extension of Broadway Street. The building south of the existing housing is now owned by the same company that owns much of the Downtown Addition Specific Plan area east of the railroad tracks.
5. The project will include, as required by code, a heating system and insulation in the walls and ceiling adequate to meet Title 24 requirements as well as to help reduce noise from the adjacent railroad to acceptable levels per the Noise Element.
6. The project will have a limited time span, giving the applicant time to find more permanent solutions for farmworker housing in or near King City.
7. The operator of the facility has committed to ensure that the workers in the facility will continue to be monitored. The Police Chief indicates that there have been no significant issues caused by the current residents of the building.

Parking:

Proposed Project at 218 North First Street: Currently, the existing H2A workers few if any personal vehicles. They are provided for transportation to and from Mexico as well as bus or van pool transportation from the farmworker facility to the local farms and ranches around and near King City. Within the City, the existing occupants either walk or use bicycles around town. For that reason, off-street parking will continue to be limited to that necessary for the on-site manager, other staff and a few guest spaces, estimated to be approximately one space for each 20 workers living at the facility.

The applicant's employee shuttle buses are currently being parked southeast of the intersection of First Street and Broadway in an existing old gravel parking area located on Smith-Monterey owned property. The applicant has an agreement with the owner of that property for the temporary parking of the shuttle busses. The current lease agreement has provisions that allow the land owner to revoke the lease with six-month notice. The project will be conditioned to require the applicant to notify the City of any revocation of the lease or pending dedications of Broadway and/or Bassett Street Right-of-Way (ROW) street extensions that would impact the bus/van parking lot.

Architectural Review:

Proposed Project at 218 North First Street: The proposal includes

limited exterior changes, including the addition of windows and awnings along the First Street frontage near the area described as for recreation for residents. Said improvements will result in an improved exterior appearance of the building. While the proposed building design is not consistent with the Historic Downtown Revitalization Plan, it does improve the appearance of the former warehouse and packing plant.

Recreational and Relaxation Facilities:

Current facilities are limited to a television, several couches and one foosball table. There are not outdoor facilities for residents other than two benches, one of which is broken. In order to provide adequate facilities, we recommend the following:

Outdoor facilities (as part of leisure area)

1. Outdoor recreational equipment for outside play and/or other sports.
2. A minimum of four (4) benches in good condition for outside, including some lawn furniture like chairs, lounge chairs, and outdoor picnic tables (existing broken benches shall be replaced with new benches). The outdoor recreational design plan to be submitted at the time of building permit and reviewed by the Community Development Department.
3. Place for outdoors paved soccer court including balls and permanently painted lines defining court boundaries. The outdoor recreational design plan to be submitted at the time of building permit and reviewed by the Community Development Department.
4. Covered seating area, such as umbrella covered tables.
5. The existing four (4) durable bicycle racks for use by residents to remain.

Indoor play (part of leisure area)

1. Separate TV lounge areas inside building, with a minimum of ten (10) sofas and twenty (20) comfortable chairs with cushions, including a minimum of two (2) televisions connected to cable or satellite television networks.
2. A minimum of six (6) tables and chairs and two (2) computers connected to Wi-Fi.
3. Other indoors play, such as additional foosball table, Ping-Pong, cards, chess and checkers tables and pieces.

Landscaping, Coverage and Other Similar Code Standards:

Proposed Project at 218 North First Street: In the case of 218 North First Street, the existing building has 0 ft. front and 0 ft. rear setbacks and there is an existing narrow grass strip within the First Street right-of-way frontage. During Phase I, the applicant added trees and shrubs along First Street. It is recommended that trees be planted in front of the applicant's bus storage area on the adjacent property located south of the housing area. As part of the Architectural Review it is recommended to paint the remaining portions of the building to match the color scheme of Phase 1.

Drainage:

Regulations for water quality protection are applicable to all farmworker housing projects: Where grading occurs, the State Water Resources Control Board ("**SWRCB**") and Regional Water Quality Control Board ("**RWQCB**") standards will continue to apply to

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development of properties in the City. The State requires Best Management Practices ("**BMPs**") for grading, construction and development. Low Impact Development ("**LID**") criteria is the best management tool for reducing water pollution and increasing percolation. Landscape areas can be incorporated into the LID measures. In this way, the future landscaping areas will have multiple benefits of improving water quality and improving the appearance of the district. Projects are required to meet these standards. In addition, projects involving over one acre of area are required to further include Stormwater Pollution Prevention Plans ("**SWPPPs**") as provided by the RWQCB.

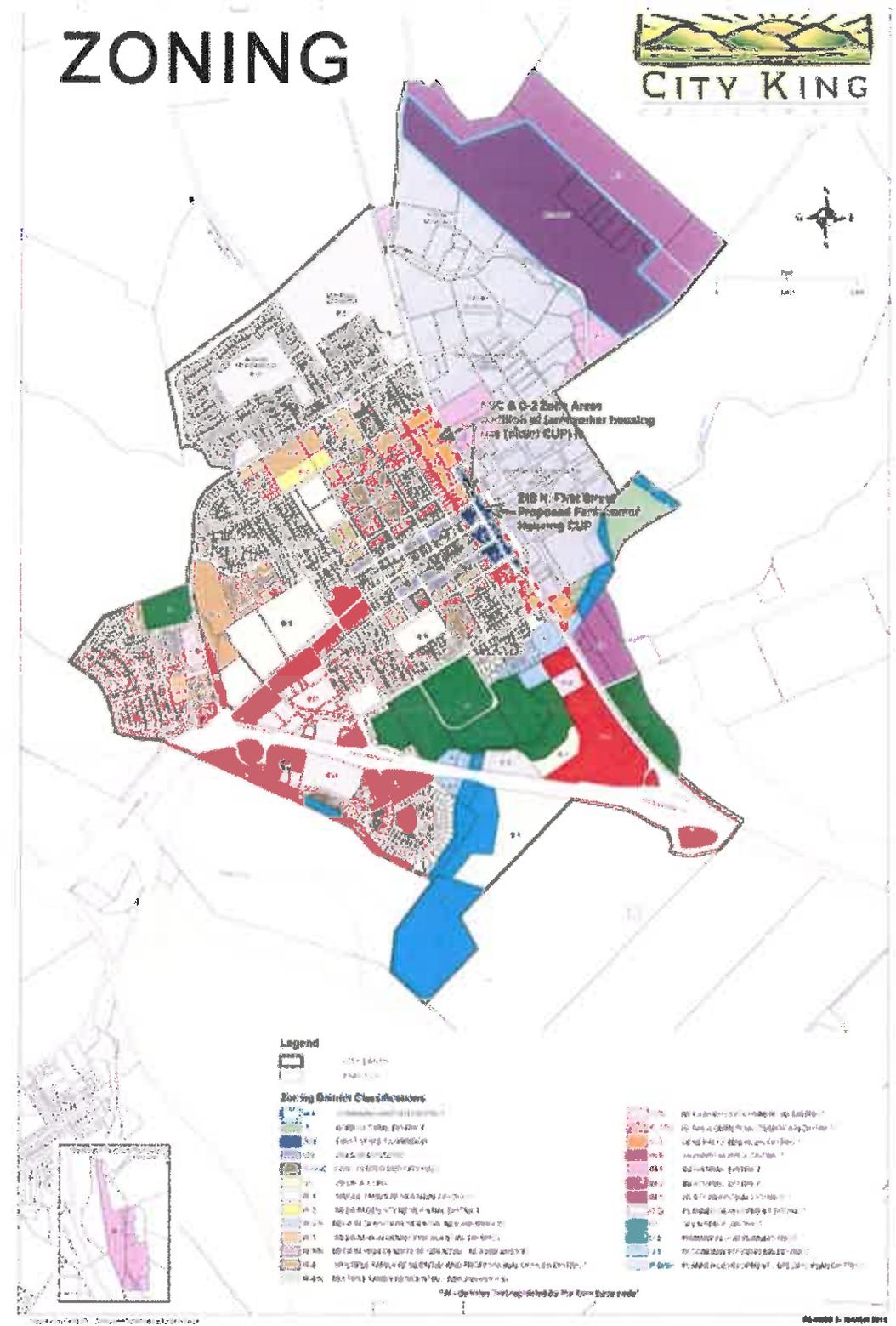


Figure 1. Showing FSC and C-2 Zoning Districts and Project Site 218 N. First St.

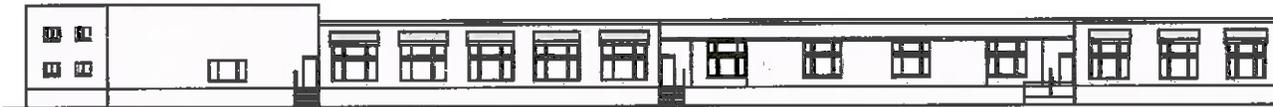


Figure 2. Photo of Existing Building Facade



EXTERIOR ELEVATION - ALONG N. FIRST STREET
SCALE 1/8" = 1'-0"

Figure 3. View of Front of Building



EXTERIOR ELEVATION - ALONG N. FIRST STREET
SCALE 1/8" = 1'-0"

Figure 4. View of Front of building, Section Proposed for Remodel

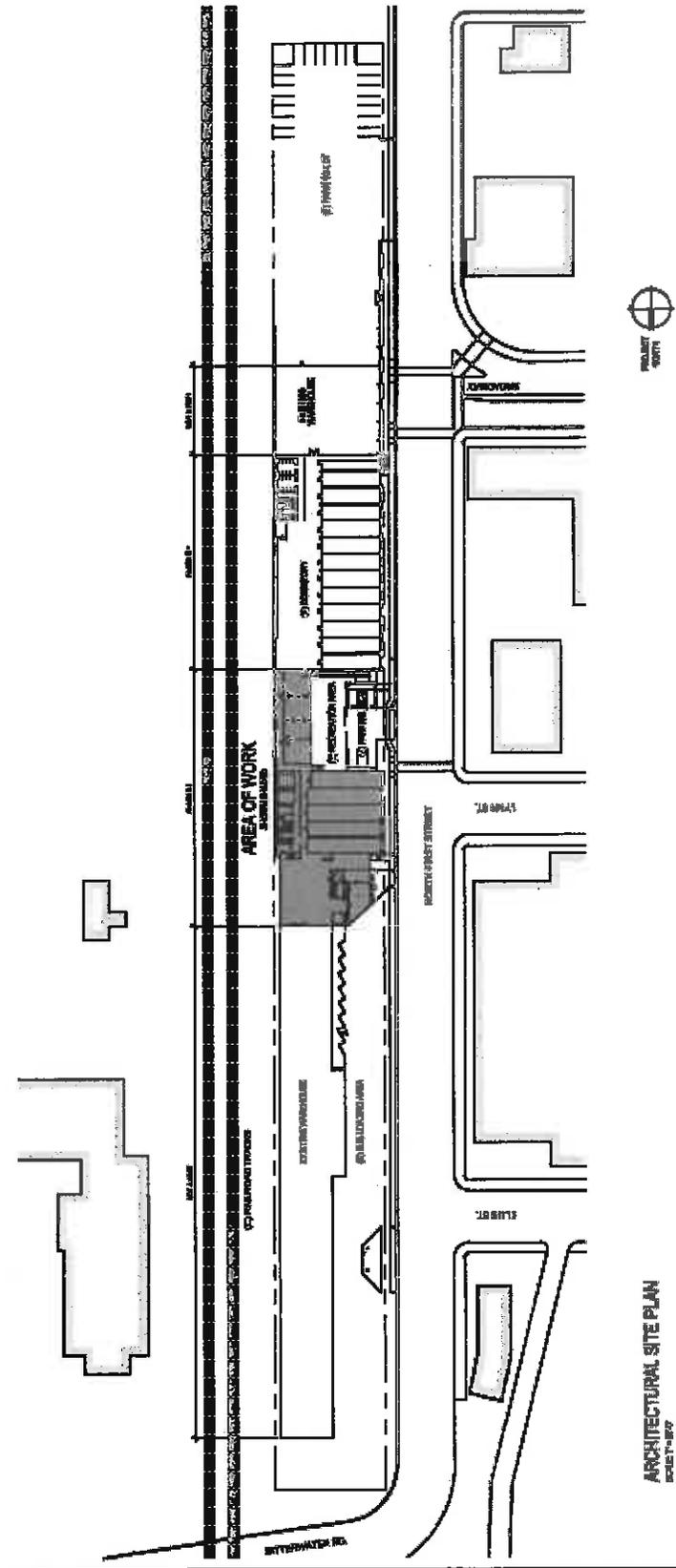


Figure 5. Overall Site Plan. Project Area in Gray
218 N. First Street

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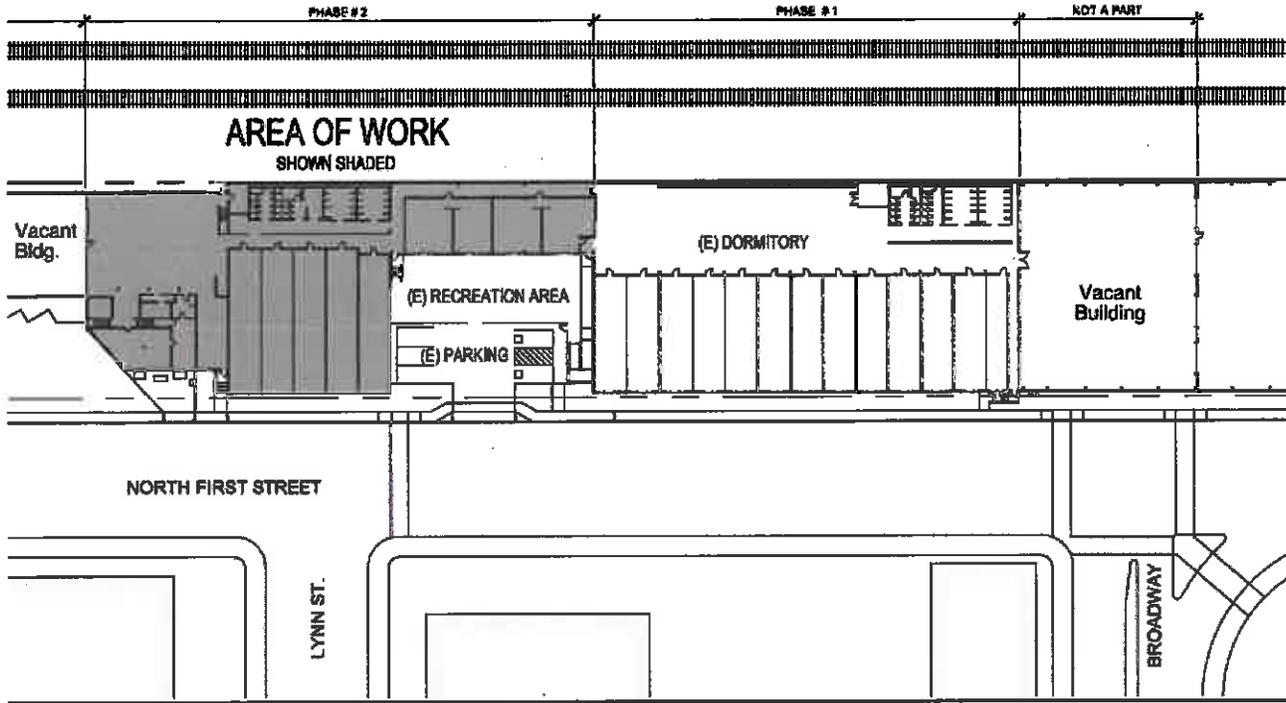


Figure 6. Plot Plan of Building Remodel and Existing Dormitory, 218 First St.

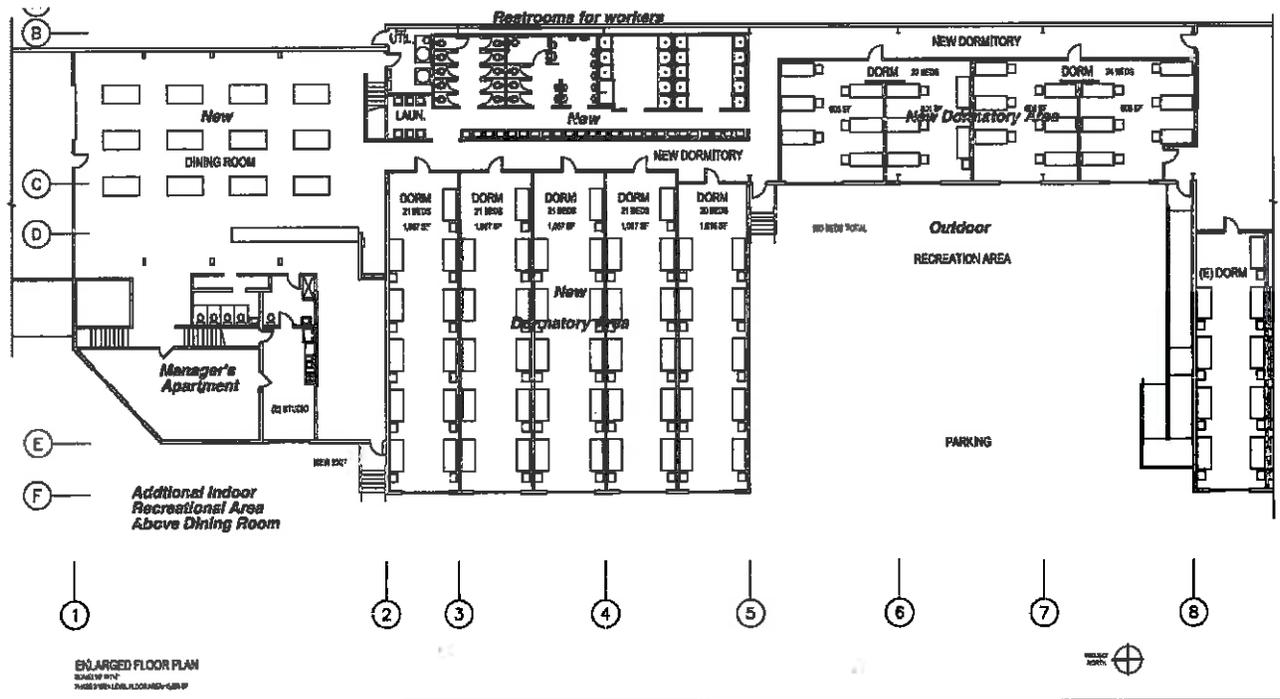


Figure 7. Detail of Building Modifications, 218 N. First Street



Figure 8. Interior of Building Prior to Initial Remodel



Figure 9. Interior of Building After Remodel, Showing Existing Recreation Area, including Existing Sofas, Television and Existing Laundry Area



Figure 10. Proposed Expanded Dorm Sleeping Areas



Figure 11. Current Dining Room (proposed to be Relocated near Manager's unit).



Figure 12. Existing Restrooms



Figure 13. Example of Recommended Leisure Room



Figure 14. Example of Leisure Area

II. DETERMINATION OF MITIGATED NEGATIVE DECLARATION

This proposed Draft MND is included to give notice to interested agencies and the public that it is the City of King's intent to adopt a MND for this project. This MND is subject to change based on comments received by interested agencies and the public. The project is not expected to have a significant effect on the environment. The proposed changes at 218 North First Street will provide for a needed housing for local farmworkers. The proposal for additional beds at 218 N. First Street will not have significant environmental impacts if the mitigation measures identified in this Mitigated Negative Declaration are implemented as conditions of the CUP for said project.

The City of King prepared the IS-MND for this project and pending public review, expects to determine from this study that the project, if developed and operated consistent with any mitigation measures specified in this document, would not have a significant effect on the environment for the following reasons:

- The proposed project would have no significant effect on: growth, farmland/timberland, the community, cultural resources, geology/soils/seismic/topography, hazardous waste or materials, air quality, noise or vibration, Land Use, Parks and Recreational Facilities, Utilities/ Emergency Services, Traffic and Transportation, Visual/ Aesthetics, Hydrology and Floodplain, Water and Storm Water Runoff, Animal Species, Invasive Species, Construction Impacts, or Climate Change, or historical/archaeological/paleontological resources, natural communities, and threatened and endangered species because the following mitigation measures would reduce potential effects to insignificance.

III. ENVIRONMENTAL SETTING

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" or is "Potentially Significant Unless Mitigated," as indicated by the Environmental Checklist:

	1. Aesthetics		9. Land Use/Planning
	2. Agricultural Resources	X	10. Noise
X	3. Air Quality		11. Population/Housing
	4. Biological Resources		12. Public Services
X	5. Cultural Resources		13. Recreation
	6. Geology/Soils		14. Transportation/Circulation
X	7. Hazards/Hazardous Materials		15. Utility/Service Systems
X	8. Hydrology/Water Quality		16. Mandatory Findings of Significance

Surrounding Land Use			
North:	Vacant & Industrial	East:	Agriculture (designated for commercial)
South:	Vacant & mixed use	West:	Historic commercial downtown

Environmental Setting:

The proposed project is located in the central part of the City between the Historic Downtown and the Downtown Addition Specific Plan. The City of King is located in the southern end of Salinas Valley along the US Highway 101 freeway approximately in the center of Monterey County. King City is the hub of the southern part of the agricultural industry of the Salinas Valley. The Salinas Valley is one of the most productive agricultural valleys in the world, producing many of the fruits and vegetables consumed throughout the United States. It is also at the northern edge of the Paso Robles Wine Region, recently named the Wine Enthusiast's Magazine "Wine Region of the Year award for 2013. A major regional winery, Monterey Wine Company, is located in King City near the airport. The Highway 101 corridor connects the San Francisco Bay Area and the Central Coast.

The project has access to First Street and is adjacent to the extension of Broadway Street, which will replace the old vacant warehouse building next to the farmworker housing. The project is also adjacent to the Union Pacific Railroad.

The proposal for the CUP for the additional conversion, creating barracks style farmworker housing within a portion of the existing building located at 218 N. First Street. The site at also bounds the future Downtown Addition area. The Downtown Addition will include a commercial area east of the Railroad as well as planned residential uses and a linear park along San Lorenzo Creek.

The City is approximately 50 miles south of the City of Salinas, 145 miles south of San Francisco, 105 miles south of San Jose, 50 miles north of Paso Robles and 250 miles north of Los Angeles. The City of King is important for its proximity to Pinnacles National Park and as the hub of south Salinas Valley agricultural center. It is a relatively small agriculture-based community located south of the small towns of Greenfield, Soledad, and Gonzales, other agricultural communities in the Salinas Valley.

The topography of the site, which is similar to that of the City and surrounding valley, is flat alluvial plane between mountain ranges to the east and west of the City. San Lorenzo Creek and Salinas River floodplains are a potential hazard, bordering the southwestern portion of the City and traversing the City in a northeasterly direction to intersect the Salinas River. The City is located near the border of the Pacific and Continental Plates and is within an area known to have frequent seismic movement.

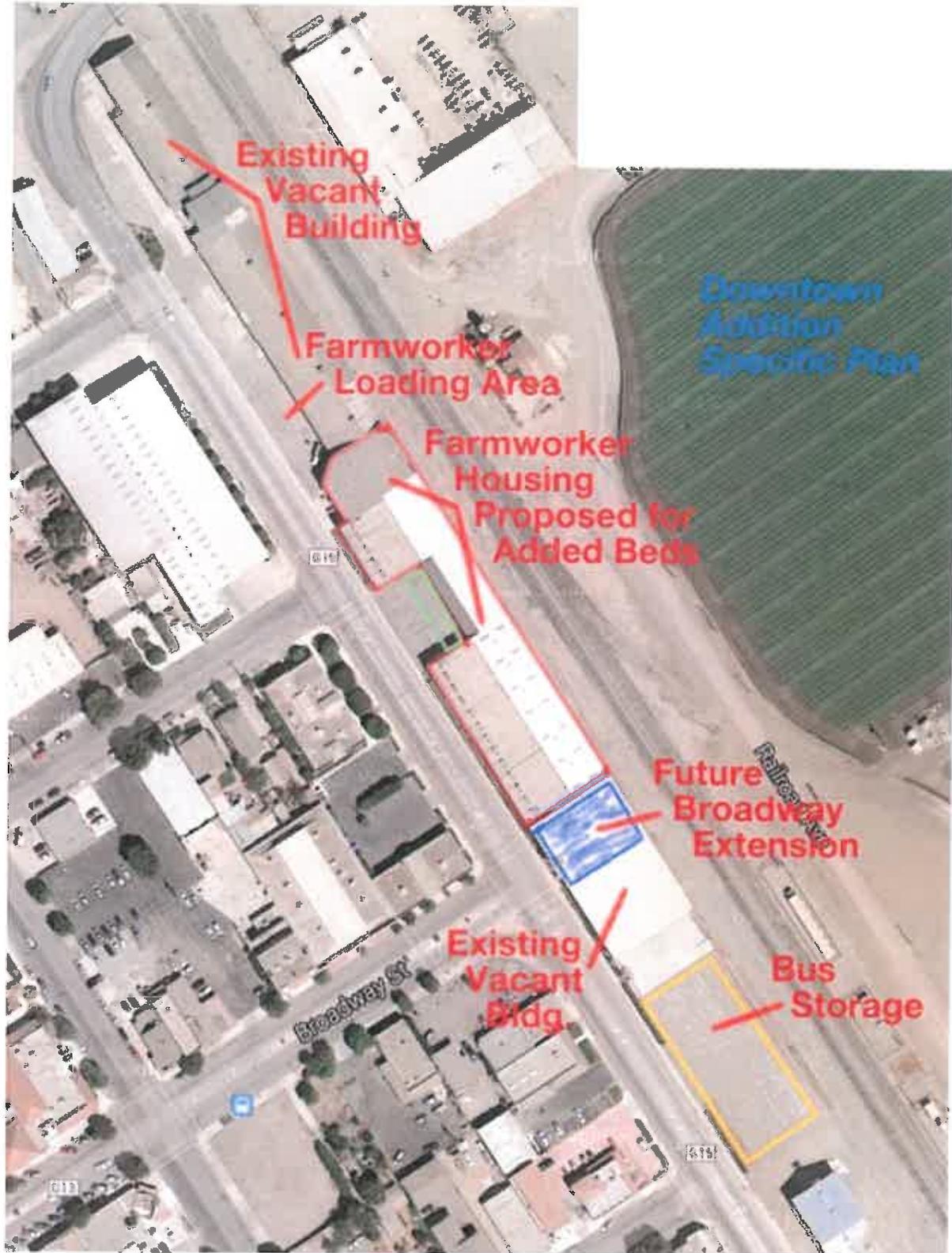


Figure 15. Aerial of Proposed Added Farmworker Housing at 218 N. First Street

IV. ENVIRONMENTAL CHECKLIST AND IMPACT REVIEW

The following checklist indicates the potential level of impact and is abbreviated as follows:

- Known Significant: Known significant environmental impacts.
- Unknown Potentially Significant: Unknown potentially significant impacts, which need further review to determine significance level.
- Potentially Significant and Mitigable: Potentially significant impacts which can be mitigated to less than significant levels.
- Not Significant: Impacts which are not considered significant.
- Impact Reviewed in Previous Document: Adequate previous analysis exists regarding the issue; further analysis is not required due to tiering process (Section 21094 of CEQA and Section 15162 of the State CEQA Guidelines). Discussion should include reference to the previous documents and identification of mitigation measures incorporated from those previous documents. Where applicable, this box should be checked in addition to one indicating significance of the potential environmental impact.

1.	AESTHETICS:	Significant	Unknown Potential Significant	Potential Significant And Mitigated	Not Significant	Impact Reviewed in Previous Document
	Would the project:					
a.	Have a substantial adverse effect on a scenic vista?				X	
b.	Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within view of a state scenic highway?				X	
c.	Substantially degrade the existing visual character or quality of the site and its surroundings?			X		
d.	Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?				X	

Impact Discussion:

The additional farmworker housing proposed for 218 North First Street includes very limited exterior changes, including the addition of windows and awnings along the First Street frontage near the current outdoor recreational area. The remodel only applies to the middle portion of a long series of connected buildings. The ends of the building will remain vacant until some future use is proposed for those vacant areas. Said improvements will result in an improved exterior appearance of the building. While the proposed building design is not consistent with the Historic Downtown Revitalization Plan, it does improve the appearance of the former warehouse and packing plant.

Additionally, the farmworker housing use is only permitted for limited duration of ten years, starting with the original CUP/AR approval date of September 20, 2016 at 218 N. First Street. It is likely that the building, after the term of the CUP has expired (estimated to be a period of five years), will be converted and/or redeveloped to another use allowed in the FSC zone such as visitor serving commercial, offices or other similar use. Those future uses may involve the additional remodel and subsequent architectural improvement of the appearance of the buildings, more consistent with the Historic Downtown Revitalization Plan design standards. The proposed expansion of farmworker housing at 218 N. First Street will not impact the potential future architectural improvement of the site and surrounding area. The only visual impact requiring mitigation is the bus parking on the adjacent property located south of the site. Landscaping can mitigate that impact.

Mitigation Measure No. 1.c: Visual Resources: Planting, including the addition of twelve (12) suitable street trees and irrigation shall be installed and maintained in the landscape strip in front of the shuttle bus

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parking area located south of the project site. Plans to be reviewed by the Director and installed prior to issuance of an occupancy permit.

The remaining unoccupied portions of the existing building located at 218 N. First Street, all building sides shall be painted to match the new remodel. Said painting shall be completed **prior to occupancy of the building** for the added employee residents in Phase II and shall include the front, end and rear of the building along the railroad tracks.

2.	AGRICULTURAL RESOURCES:	Significant	Unknown Potential Significant	Potential Significant And Mitigated	Not Significant	Impact Reviewed in Previous Document
	In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:					
a.	Convert prime farmland, unique farmland, or farmland of statewide importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X	
b.	Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X	
c.	Involve other changes in the existing environment, which, due to their location or nature could result in conversion of farmland, to non-agricultural use?				X	

Impact Discussion:

The proposed CUP to add 150 beds for Farmworker housing at 218 N. First Street is proposed to be for H2A farmworkers who are proposed to be bused or driven in van pools to nearby farms and ranches. The proposal will have a positive impact on agriculture.

Proposed Mitigation Measures:

None necessary. The proposed project will not have any significant impacts.

3.	AIR QUALITY	Significant	Unknown Potential Significant	Potential Significant And Mitigated	Not Significant	Impact Reviewed in Previous Document
	Would the project:					
a.	Conflict with or obstruct implementation of the applicable air quality plan?				X	
b.	Exposure of sensitive receptors to substantial pollution concentrations (emissions from direct, indirect, mobile and stationary sources)?				X	
c.	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				X	
d.	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?				X	
e.	Create objectionable smoke, ash, dust or odors affecting a substantial number of people?				X	

Impact Discussion:

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The proposed CUP for additional Farmworker housing at 218 N. First Street is proposed to be for H2A farmworkers who are not anticipated to include any significant grading. Therefore, dust is not anticipated to be a significant issue at the project site for 218 N. First Street.

Mitigation Measures

None necessary. The proposed project will not have any significant impacts.

4.	BIOLOGICAL RESOURCES	Significant	Unknown Potential Significant	Potential Significant And Mitigated	Not Significant	Impact Reviewed in Previous Document
	Would the project:					
a.	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California department of Fish and Game or U.S. Fish and Wildlife Service?				X	
b.	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of fish and Game or U.S. Fish and Wildlife service?				X	
c.	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc) through direct removal, filling, hydrological interruption, or other means?				X	
d.	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X	
e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X	
f.	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?				X	

Impact Discussion:

The project will not impact biological resources. No impacts are anticipated.

Proposed Mitigation Measures:

None necessary. The proposed project will not have any significant impacts.

5.	CULTURAL RESOURCES	Significant	Unknown Potential Significant	Potential Significant And Mitigated	Not Significant	Impact Reviewed in Previous Document
	Would the project:					
a.	Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5?			X		
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?			X		
c.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			X		
d.	Disturb any human remains, including those interred outside of formal cemeteries?			X		

Impact Discussion:

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The project building already exists. Portions of the vacant part of the existing building may have historical significance, especially the old office portion of the building located north of the remodel. No changes are proposed for that building at this time, so it is unlikely that any historical or archaeological resources would be impacted.

In order to protect any historical portion of the existing building, the following condition is proposed to apply to the CUP:

Mitigation Measure No. 5.a, 5.b, 5.c, 5.d: Cultural Resources: In the event of an accidental discovery or recognition of any human remains, archaeological resources, paleontological resources or historical resources on the project site, if said resources are found during excavation or construction, work will be halted at a minimum of 30 feet from the find and the area will be staked off. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie cultural resources, paleontological resources, historical resources or, in the case of adjacent human remains until the coroner of Monterey County is contacted to determine that no investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission within 24 hours. A qualified professional (to be hired by the applicant and accepted by the City) in cultural resources, paleontological resources or historical resources shall evaluate the resources discovered at the site and provide recommendations for disposition of those resources. In the case of human remains, the Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent ("**MLD**") from the deceased Native American. The MLD may then make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public Resources Code Section 5097.98. The landowner or it's authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance if: a) the Native American Heritage Commission is unable to identify a MLD or the MLD failed to make a recommendation within 24 hours after being notified by the commission; b) the descendent identified fails to make a recommendation; or c) the landowner or it's authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner."

From the California Office of Historic Preservation, Technical Assistance Series #1, California Environmental Quality Act ("**CEQA**") and Historical Resources:

- a. To the extent that unique archaeological resources are not preserved in place or not left in an undisturbed state, mitigation measures shall be required as provided in this subdivision. The project applicant shall provide a guarantee to the lead agency to pay one half the estimated cost of mitigating the significant effects of the project on unique archaeological resources. In determining payment, the lead agency shall give due consideration to the in-kind value of project design or expenditures that are intended to permit any or all archaeological resources or California Native American culturally significant sites to be preserved in place or left in an undisturbed state. When a final decision is made to carry out or approve the project, the lead agency shall, if necessary, reduce the specified mitigation measures to those which can be funded with the money guaranteed by the project applicant plus the money voluntarily guaranteed by any other person or persons for those mitigation purposes. In order to allow time for interested persons to provide the funding guarantee referred to in this subdivision, a final decision to carry out or approve a project shall not occur sooner than sixty (60) days after completion of the recommended special environmental impact report required by this section.
- b. Excavation as mitigation shall be restricted to those parts of the unique archaeological resource that would be damaged or destroyed by the project. Excavation as mitigation shall not be required for a unique archaeological resource if the lead agency determines that testing or studies already completed have adequately recovered the scientifically consequential information from and about the resource, if this determination is documented in the environmental impact report.

6.	GEOLOGY /SOILS Would the project:	Significant	Unknown Potential Significant	Potential Significant And Mitigated	Not Significant or Not Applicable	Impact Reviewed in Previous Document
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a.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					X	
i)	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Publication 42)					X	
ii)	Strong Seismic ground shaking?					X	
iii)	Seismic-related ground failure, including liquefaction?					X	
iv)	Landslides?					X	
b.	Result in substantial erosion or the loss of topsoil?					X	
c.	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?					X	
d.	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?					X	
e.	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?					X	

Impact Discussion:

The valley is generally described as having quaternary deposits according to the State of California Department of Conservation "Geologic Map of California." Quaternary means "belonging to the geologic time, system of rocks, or sedimentary deposits of the second period of the Cenozoic Era, from the end of the Tertiary Period through the present, characterized by the appearance and development of humans and including the Pleistocene and Holocene epochs." (Source: Free Dictionary website.) The Salinas Valley is made up of primarily alluvial soils deposited over time by the periodic flooding processes of the Salinas River and its tributaries. In this sense, flooding is normal and beneficial process in which soils are built up in valley floors.

The City of King is located in the Salinas Valley between the Santa Lucia and Gabilan mountain ranges which is a broad basin filled with several thousand feet of sediment. The City is within close proximity to numerous fault lines, the most prominent being the San Andreas east of the City and the Rinconada to the west. According to the AMBAG 2035 MTP/SCS and RTPs for Monterey, San Benito, and Santa Cruz EIR, Section 4.7 Geology and Soils Section, Monterey County "is susceptible to high levels of groundshaking due to the numerous active faults which pass through or border the area. The portions of Monterey County with the highest susceptibility to ground-shaking are the lower Salinas Valley (northward from the City of Gonzales), the peninsular area from Carmel to the Santa Cruz County line, and in the southeast around Parkfield." According to the EarthquakeTrack.com, in 2013, there were 754 earthquakes of magnitude 1.5 or larger in the region near the City of King, with 63 earthquakes within the past month (at the time of the preparation of this Initial Study). Most of those earthquakes have occurred east of Gonzalez, Soledad, Greenfield and City of King in clusters along the San Andreas Fault which parallels the Salinas Valley.

Future major earthquakes in or near the City of King appear likely. Local building standards require each structure to be designed to meet building code standards, including related structural standards related to earthquake hazards.

The proposed addition of farmworker housing at 218 N. First Street is primarily within an existing older tomato processing plant. The capability of that building to meet applicable standards will be considered during the building permit review.

Proposed Mitigation Measures:

None necessary. Existing building code review at time of building permits should adequately protect future residents.

7. HAZARDS/HAZARDOUS MATERIALS		Significant	Unknown Potential Significant	Potential Significant And Mitigated	Not Significant	Impact Reviewed in Previous Document
Would the project:						
a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X	
b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X	
c.	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X	
d.	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment?				X	
e.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X	
f.	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X	

Impact Discussion:

Project is not anticipated to be impacted by hazardous materials.

Mitigation Measure

None necessary. The proposed project will not have any significant impacts.

8. HYDROLOGY/WATER QUALITY		Significant	Unknown Potential Significant	Potential Significant And Mitigated	Not Significant	Impact Reviewed in Previous Document
Would the project:						
a.	Violate any water quality standards or waste discharge requirements?				X	
b.	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X	
c.	Substantially alter the existing drainage pattern on the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on or off-site?			X		
d.	Substantially alter the existing drainage pattern on the site or area, including through the alteration of the course of a stream or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?			X		
e.	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff or fail to meet the new CCRWQCB standards for stormwater control?				X	

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f.	Otherwise substantially degrade water quality?				X	
g.	Place housing within a 100-year flood hazard area as mapped on a federal flood hazard boundary or flood insurance rate map or other flood hazard delineation map?				X	
h.	Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X	
i.	Inundation by seiche, tsunami, or mudflow?				X	

Impact Discussion:

8.c and d: Grading and development in the FSC and C-2 Zones may create impacts on surface stormwater quality. Developers are required to meet all measures for stormwater pollution control, waste management, and provide public utility connections that comply with the City and other service providers including the requirements of Municipal Code Section 17.56.100 Stormwater Pollution Prevention. These standards protect against stormwater pollution during the grading, construction and post construction stages of each project. As long as projects meet the City and State requirements for pollution prevention, additional mitigation measures are not necessary.

In regards to the project proposed at 218 N. First Street, work is proposed to occur within existing structures. The City Engineer would determine the applicability of standards protecting against pollution are met.

Mitigation Measure No. 8.c and d: Should any grading occur, grading, excavation and construction require measures to protect erosion and protect that runoff leaving each site. In addition, projects are required to meet, as applicable, the all standards contained in Municipal Code Section 17.56.100.

9.	LAND USE AND PLANNING	Significant	Unknown Potential Significant	Potential Significant And Mitigated	Not Significant	Impact Reviewed in Previous Document
	Would the project:					
a.	Physically divide an established community?				X	
b.	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X	
c.	Conflict with any applicable habitat conservation plan or natural community conservation plan?				X	

Impact Discussion:

The farmworker housing landuse is encouraged in the Housing Element and will result in no substantial negative impacts.

Proposed Mitigation Measures:

None necessary. The proposed project will not have any significant impacts.

10.	NOISE	Significant	Unknown Potential Significant	Potential Significant And Mitigated	Not Significant	Impact Reviewed in Previous Document
	Would the project:					
a.	Expose people to, or generate, noise levels exceeding established standards in the local general plan, coastal plan, noise ordinance or other applicable standards of other agencies?			X		
b.	Expose persons to or generate excessive ground borne vibration or ground borne noise levels?			X		

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c.	Cause a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X	
d.	Cause a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				X	

Impact Discussion:

The Noise Element (Figure 10 Noise Contour Map) identifies several corridors as high noise levels requiring measures to reduce noise for occupants of residential housing. The proposed project may expose farmworker residents who occupy any housing facility within the identified corridors to unacceptable noise levels. Noise corridors include First Street and the Union Pacific Railroad.

Figure 10. Noise Contours, 2005

Proposed Mitigation Measures:

Mitigation Measure No. 10.a and b: The noise reduction measures conducted in Phase I of the farmworker housing conversion and in a similar environmental evaluation for residential uses along the Union Railroad corridor at Mills Ranch development, measures to reduce noise for occupants of residential housing were identified. Projects, either standard residential units or facilities for the purpose of occupancy of farmworkers, shall incorporate measures similar to those for Mills Ranch if noise levels at the boundaries of the property exceed those identified in the Noise Element and Municipal Code Section 17. 56.030. Examples of noise mitigation used to protect occupants from excessive noise include building insulation, sound transmission reduction windows, sound walls and other typical measures.

In the case of 218 N. First Street, a sound wall would be impractical. The potential feasible measure to reduce noise along the Union Pacific Railroad would be building insulation and the prevention of windows along the building exterior facing the Railroad tracks.

11. POPULATION AND HOUSING		Significant	Unknown Potential Significant	Potential Significant And Mitigated	Not Significant	Impact Reviewed in Previous Document
Would the project:						
a.	Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X	
b.	Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X	
c.	Induce substantial growth in an area either directly (for example, by proposing new homes and businesses) or indirectly (e.g. through extension of roads or other infrastructure)?				X	

Impact Discussion:

Farmworker housing is encouraged within the Housing Element. Furthermore, farmworker housing is acutely needed within and near King City to provide housing for those working in agriculture.

Proposed Mitigation Measures:

None necessary. The proposed project will not have any significant impacts.

12. PUBLIC SERVICES		Significant	Unknown Potential Significant	Potential Significant And Mitigated	Not Significant	Impact Reviewed in Previous Document
Would the project result in a substantial adverse physical impact associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:						
a.	Fire protection?				X	
b.	Police protection?				X	
c.	Schools?				X	
d.	Parks or other recreational facilities?			X		
e.	Other governmental services?				X	

Impact Discussion:

There are inadequate existing indoor and outdoor recreational and relaxation facilities. If recreational and relaxation facilities are included in Phase II of the project, City facilities would be minimally impacted.

It should be noted that buildings may be required to additional fire sprinkler systems as specified by fire standards.

Mitigation Measure No. 12.d: Prior to occupancy of additional beds, the leisure area and security facility, as shown on Exhibit X, shall be improved to include the following:

Outdoor facilities (as part of leisure area)

1. Outdoor recreational equipment for outside play and/or other sports.
2. A minimum of four (4) benches in good condition for outside, including some lawn furniture like chairs, lounge chairs, and outdoor picnic tables (existing broken benches shall be replaced with new benches). The outdoor recreational design plan to be submitted at the time of building permit and reviewed by the Community Development Department.
3. The outdoor recreational design plan to be submitted at the time of building permit and reviewed by the Community Development Department.
4. Covered seating area, such as umbrella covered tables.
5. The existing four (4) durable bicycle racks for use by residents to remain.

Indoor play (part of leisure area)

1. Separate TV lounge areas inside building, with a minimum of ten (10) sofas and twenty (20) comfortable chairs with cushions, including a minimum of two (2) televisions connected to cable or satellite television networks.
2. A minimum of six (6) tables and chairs and two (2) computers connected to Wi-Fi.
3. Other indoors play, such as additional foosball table, Ping-Pong, cards, chess and checkers tables and pieces.

Security Facilities: Security cameras, to be approved by the Police Chief, shall be installed on the rear of the building, prior to issuance of an occupancy permit.

13. RECREATION		Significant	Unknown Potential Significant	Potential Significant And Mitigated	Not Significant	Impact Reviewed in Previous Document
Would the project:						
a.	Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X		
b.	Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?			X		

Impact Discussion:

The proposed remodel of 218 N. First Street includes a new recreational/relaxation room upstairs. This new recreation room, plus development of the existing recreation yard and downstairs recreational areas indicated in Mitigation Measure 12.d will reduce the impact of the future residents in the facility on other public City parks and recreation facilities.

Proposed Mitigation Measures:

See Mitigation 12.d

14. TRANSPORTATION/CIRCULATION		Significant	Unknown Potential Significant	Potential Significant And Mitigated	Not Significant	Impact Reviewed in Previous Document
Would the project:						
a.	Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e. result in a substantial increase in either the number of vehicle trips, the volume to capacity ration on roads, or congestion at intersections)?				X	
b.	Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				X	
c.	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X	
d.	Substantially increase hazards due to a design feature (e.g. limited sight visibility, sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				X	
e.	Result in inadequate emergency access?				X	
f.	Result in inadequate parking capacity?				X	
g.	Conflicts with adopted policies supporting alternative transportation (e.g. bus turnouts, bicycle racks)?				X	

Impact Discussion:

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The proposal for the additional farmworker housing at 218 N. First Street is likely to have a limited impact on traffic and parking than other potential uses within this building. The added residents at 218 N. First are not anticipated to have personal vehicles. They will be bused or taken in van pools to farms near King City. They likely will walk or use bicycles to get around town. It is recommended that the operator of the facility provide several loaner bicycles for use by the occupants. The impact on traffic from this proposed project at 218 N. First Street will be less than significant.

The number of vehicle trips is reduced due to the use of employee shuttle busses, ensuring that impacts on traffic and air quality are minimal. The applicant stores the shuttle busses on the adjacent property located south of the site through an agreement with that landowner, Smith-Monterey LLC. There is a minor visual impact of the storage, which is addressed in Mitigation Measure 1(a).

In addition, the proposed project design for 218 N. First Street does not preclude the future potential extension of Broadway Street as planned for the Downtown Addition Specific Plan circulation system.

Proposed Mitigation Measures:

None necessary. The proposed language changes will not have any significant impacts.

15. UTILITIES & SERVICE SYSTEMS		Unknown Potential Significant	Potential Significant And Mitigated	Not Significant	Impact Reviewed in Previous Document
Would the project:					
a.	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X	
b.	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c.	Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X	
e.	Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
f.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g.	Comply with federal, state, and local statutes and regulations related to solid waste?			X	

Impact Discussion:

Water for the FSC and C-2 Zoned area is provided by Cal Water. From the 2010 Water Management Plan for Cal Water Service: "The water supply for the King City District is very reliable. Even in drought years there has always been sufficient supply to meet demand. Because of the reasons outlined earlier in this chapter, Cal Water makes the assumption that an adequate supply will be available to its customers in all years. According to well level records, the groundwater level has been consistent over time."

Proposed Mitigation Measures:

None necessary. The proposed project will not have any significant impacts.

V. INFORMATION SOURCES:

A. County/City/Federal Departments Consulted:

- Envirostor
GIS
Geotracker
subsurface
contamination
sites
- California
Water
Services
Company
- City
Department
Heads and
staff
- Monterey County
Environmental
Hazards

B. General Plan

- | | |
|--|--|
| <u> X </u> Land Use Element | <u> X </u> Conservation Element |
| <u> X </u> Circulation Element | <u> X </u> Noise Element |
| <u> X </u> Seismic Safety/Safety Element | <u> X </u> First Street Corridor Master Plan |
| <u> X </u> Zoning Ordinance | <u> X </u> Housing Element |
| <u> X </u> Economic Development Element | <u> X </u> Historic Corridor Revitalization Plan and Form Based Code |
| <u> </u> | <u> </u> |

C. Other Sources of Information

- | | |
|-------------------------------------|--|
| <u> </u> Field work/Site Visit | <u> NA </u> Ag. Preserve Maps |
| <u> </u> Calculations | <u> X </u> Flood Control Maps |
| <u> X </u> Project Area History | <u> X </u> Other studies, reports |
| <u> NA </u> Traffic Study | <u> X </u> Archaeological reports previous studies |
| <u> X </u> Records | <u> X </u> Seismic activity website information |
| <u> X </u> Zoning Maps | <u> X </u> Waste disposal sites |
| <u> X </u> General Plan Map | <u> X </u> Other websites and technical studies |
| <u> </u> | <u> </u> |
| <u> </u> | |

VI. MANDATORY FINDINGS OF SIGNIFICANCE (Cal. Pub. Res. Code §15065)

A project may have a significant effect on the environment and thereby require a focused or full environmental impact report to be prepared for the project where any of the following conditions occur (CEQA §15065):

	Significant	Unknown Potential Significant	Potential Significant And Mitigated	Not Significant	Impact Reviewed in Previous Document
Potential to degrade: Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X	
Cumulative: Does the project have impacts that are individually limited but cumulatively considerable? (Cumulatively considerable means that incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				X	
Substantial adverse: Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?				X	

a. The proposed changes to the FSC and C-2 Zoning District use criteria list do not have the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare, or threatened species. It is possible during grading and construction activities that unknown cultural resources may be unearthed, which may result in a potentially significant impact. Implementation of the mitigation measures for Cultural Resources would ensure the proposed project would not eliminate important examples of the major periods of California history or prehistory.

b. During construction related activities of land uses permitted under the proposed changes to the FSC and C-2 Zones, the proposed changes would have the potential to generate storm-related runoff pollutants. Future projects will be required to prepare a plan that addresses all potential pollutants, including but not limited to soil erosion and sediment, and that plan shall be followed during grading and construction as well as maintained for the entire term of the use of the properties within the District. Other measures to address the protection against all subsurface and surface pollution shall be implemented during construction and for the full duration of the use of the properties.

c. The proposed changes to the FSC and C-2 Zoning Districts that could potentially result in construction dust and equipment exhaust emissions, and noise will be required to reduce dust and emissions to reduce substantial adverse effect on human beings to less than significant levels.

VII. INITIAL STUDY DETERMINATION

On the basis of the Initial Study evaluation:

I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. **A MITIGATED NEGATIVE DECLARATION** will be prepared

I find that the proposed project **MAY** have limited and specific significant effect on the environment, and a **FOCUSED ENVIRONMENTAL IMPACT REPORT** is required.

I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

Initial Study Determination With Public Hearing

Initial Study Determination Without Public Hearing

Previous Document:

Initial Study Project Evaluator:

Donald J. Funk

Signature

December ____, 201__
Initial Study Date

Printed Name

City of King
Lead Agency

VIII. MITIGATION MONITORING AND REPORTING PROGRAM OF THE MITIGATED NEGATIVE DECLARATION

Following are the mitigation measures will be applied to the proposed Conditions of Approval of the proposed addition to the existing farmworker housing project located within a part of an existing building at 218 North First Street.

Mitigation Measure No. 1.c: Visual Resources: Planting, including the addition of twelve (12) suitable street trees and irrigation shall be installed and maintained in the landscape strip in front of the shuttle bus parking area located south of the project site. Plans to be reviewed by the Director and installed **prior to issuance of an occupancy permit.**

The remaining unoccupied portions of the existing building located at 218 N. First Street, all sides of the building shall be painted to match the new remodel. Said painting shall be completed **prior to occupancy of the building** for the added employee residents in Phase II and shall include the front, end and rear of the building along the railroad tracks.

Implementation Party: Applicant/Owner/Developers of development

Enforcement Agency: City of King

Timing: Installed prior to issuance of an occupancy permit and maintained for life of the project.

Implementation Responsibility: Cost and materials are responsibility of Applicant/Owner

Mitigation Measure No. 5.a, 5.b, 5.c, 5.d (Cultural Resources): **This condition would apply to the CUP at 218 N. First Street if any grading or trenching is proposed at that project:** In the event of an accidental discovery or recognition of any human remains, archaeological resources, paleontological resources or historical resources on the project site, if said resources are found during excavation or construction, work will be halted at a minimum of 30 feet from the find and the area will be staked off. There shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie cultural resources, paleontological resources, historical resources or, in the case of adjacent human remains until the coroner of Monterey County is contacted to determine that no investigation of the cause of death is required. If the coroner determines the remains to be Native American, the coroner shall contact the Native American Heritage Commission within 24 hours. A qualified professional (to be hired by the applicant and accepted by the City) in cultural resources, paleontological resources or historical resources shall evaluate the resources discovered at the site and provide recommendations for disposition of those resources. In the case of human remains, the Native American Heritage Commission shall identify the person or persons it believes to be the most likely descendent ("**MLD**") from the deceased Native American. The MLD may then make recommendations to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and associated grave goods as provided in Public Resources Code Section 5097.98. The landowner or it's authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity on the property in a location not subject to further disturbance if: a) the Native American Heritage Commission is unable to identify a MLD or the MLD failed to make a recommendation within 24 hours after being notified by the commission; b) the descendent identified fails to make a recommendation; or c) the landowner or it's authorized representative rejects the recommendation of the descendent, and the mediation by the Native American Heritage Commission fails to provide measures acceptable to the landowner."

From the California Office of Historic Preservation, Technical Assistance Series #1, California Environmental Quality Act ("**CEQA**") and Historical Resources:

- a. To the extent that unique archaeological resources are not preserved in place or not left in an undisturbed state, mitigation measures shall be required as provided in this subdivision. The project applicant shall provide a guarantee to the lead agency to pay one half the estimated cost of mitigating the significant effects of the project on unique archaeological resources. In determining payment, the lead agency shall give due consideration to the in-kind value of project design or expenditures that are intended to permit any or all archaeological resources or California Native American culturally significant sites to be preserved in place or left in an undisturbed state. When a final decision is made to carry out or approve the project, the lead agency shall, if necessary, reduce the specified mitigation measures to those which can be funded with the money guaranteed by the project applicant plus the money

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voluntarily guaranteed by any other person or persons for those mitigation purposes. In order to allow time for interested persons to provide the funding guarantee referred to in this subdivision, a final decision to carry out or approve a project shall not occur sooner than sixty (60) days after completion of the recommended special environmental impact report required by this section.

b. Excavation as mitigation shall be restricted to those parts of the unique archaeological resource that would be damaged or destroyed by the project. Excavation as mitigation shall not be required for a unique archaeological resource if the lead agency determines that testing or studies already completed have adequately recovered the scientifically consequential information from and about the resource, if this determination is documented in the environmental impact report.

Implementation Party: Applicant/Owner/Developers of development

Enforcement Agency: City of King

Timing: Primarily during the grading portion of the project, including the excavation of foundations, pipelines, underground utilities and other similar excavation.

Implementation Responsibility: Cost and materials are responsibility of Applicant/Owner

Mitigation Measure No. 8.c and d: This condition would apply to the CUP at 218 N. First Street if any grading or trenching is proposed at that project. Grading, excavation and construction require measures to protect erosion and protect that runoff leaving each site. In addition, projects are required to meet, as applicable, the all standards contained in Municipal Code Section 17.56.100.

Implementation Party: Applicant/Owner/Developers of development

Enforcement Agency: City of King

Timing: Erosion and sediment control plans and other pollution control plans are required prior to any grubbing, grading, excavation or construction. Measures to prevent erosion and sediment shall occur during the entire period of grubbing, grading, excavation and construction. Measures for on-going pollution control and water quality protection shall be on-going for the life of the project.

Implementation Responsibility: Cost and materials are responsibility of Applicant/Owner

Mitigation Measure No. 10.a and b: The noise reduction measures conducted in Phase I of the farmworker housing conversion and in a similar environmental evaluation for residential uses along the Union Railroad corridor at Mills Ranch development, measures to reduce noise for occupants of residential housing were identified. Projects, either standard residential units or facilities for the purpose of occupancy of farmworkers, shall incorporate measures similar to those for Mills Ranch if noise levels at the boundaries of the property exceed those identified in the Noise Element and Municipal Code Section 17. 56.030. Examples of noise mitigation used to protect occupants from excessive noise include building insulation, sound transmission reduction windows, sound walls and other typical measures.

In the case of 218 N. First Street, a sound wall would be impractical. The potential feasible measure to reduce noise along the Union Pacific Railroad would be building insulation and the prevention of windows along the building exterior facing the Railroad tracks.

Implementation Party: Applicant/Owner/Developers of development

Enforcement Agency: City of King

Timing: Improvements would be installed prior to any residential occupancy or other occupancies as required by Municipal Code.

Implementation Responsibility: Cost and materials are responsibility of Applicant/Owner

Mitigation Measure No. 12.d: Prior to occupancy of additional beds, the leisure area and security facility, as shown on Exhibit X, shall be improved to include the following:

Outdoor facilities (as part of leisure area)

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1. Outdoor recreational for outside play and/or other sports.
2. A minimum of four (4) benches in good condition for outside, including some lawn furniture like chairs, lounge chairs, and outdoor picnic tables (existing broken benches shall be replaced with new benches). The outdoor recreational design plan to be submitted at the time of building permit and reviewed by the Community Development Department.
3. The outdoor recreational design plan to be submitted at the time of building permit and reviewed by the Community Development Department.
4. Covered seating area, such as umbrella covered tables.
5. The existing four (4) durable bicycle racks for use by residents to remain.

Indoor play (part of leisure area)

1. Separate TV lounge areas inside building, with a minimum of ten (10) sofas and twenty (20) comfortable chairs with cushions, including a minimum of two (2) televisions connected to cable or satellite television networks.
2. A minimum of six (6) tables and chairs and two (2) computers connected to Wi-Fi.
3. Other indoors play, such as additional foosball table, Ping-Pong, cards, chess and checkers tables and pieces.

Security Facilities: Security cameras, to be approved by the Police Chief, shall be installed on the rear of the building prior to issuance of an occupancy permit.

Implementation Party: Applicant/Owner/Developers of development

Enforcement Agency: City of King

Timing: Improvements would be installed prior to any residential occupancy or other occupancies as required by Municipal Code.

Implementation Responsibility: Cost and materials are responsibility of Applicant/Owner

Attachment A
Proposed Project Design 218 North First Street

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Attachment B
Letter of Project Description from Wes Beebe

Attachment C
CORRESPONDENCE