

**PLANNING COMMISSION
COUNTY OF MONTEREY, STATE OF CALIFORNIA**

RESOLUTION NO. 03070

A.P. # 030-102-001-000

**FINDINGS AND
DECISION**

In the matter of the application of
North County Recreation and Park District (PLN030267)

for a Use Permit in accordance with Title 21 (Zoning) Chapter 21.74 (Use Permits) of the Monterey County Code, to allow the restoration and adaptive reuse of the Castroville Japanese School, a National Historic Landmark, including renovation of the building interior and exterior repairs to the roof, siding, windows and doors, foundation upgraded to meet current seismic standards, to be used as a community room and will provide 1,555 sq. ft. of meeting/event space, including an office, a small kitchenette and a bathroom, located at 11199 Geil Street, Castroville, North County Area Plan, came on regularly for hearing before the Planning Commission on October 29, 2003.

Said Planning Commission, having considered the application and the evidence presented relating thereto,

FINDINGS OF FACT

1. FINDING: CONSISTENCY AND SITE SUITABILITY – The Monterey County Housing & Redevelopment Agency Use Permit (PLN030267), as described in Condition #1 and as conditioned, is consistent with the plans, policies, requirements and standards of the Monterey County General Plan, North County Area Plan, the Monterey County Zoning Ordinance (Title 21) and the “Secretary of the Interior’s Standards for Rehabilitation and Restoration of Historic Structures.” The property is located at 11199 Geil Street, Castroville (Assessor’s Parcel Number 030-102-001-000). The parcel is zoned “PQP-HR-Z” or Public/Quasi-Public, Historic Resource, Improvement District. The Japanese School structure is a National Historic Landmark due to its significance pertaining to our cultural and social history. The site is physically suitable for the use proposed.

- EVIDENCE:**
- (a) The application and plans submitted for the Use Permit in project file PLN030267 at the Monterey County Planning and Building Inspection Department.
 - (b) The Archeological Report prepared by Archaeological Consulting, dated August 27, 2001, concludes that there is no surface evidence of archeological resources on the site. However, Condition #3 requires an archeological monitor to be on site during foundation work in the event historical resources and/or human remains are discovered.
 - (c) The Japanese School Restoration Feasibility Study prepared by Glenn David Mathews, AIA, dated August 1999, concludes that renovation to meet the requirements of the governing codes (i.e., Uniform Building Code, State Historic Building Code and Americans with Disabilities Act) is feasible pursuant to the study’s recommendations.
 - (d) The project planner conducted a site visit on August 16, 2003, to verify that the proposed project complies with the North County Area Plan. The project will not create an adverse visual impact when viewed from a common public viewing area.
 - (e) The North County Non-Coastal Land Use Advisory Committee reviewed and recommended approval (5 – 0 vote) of the Use Permit on August 20, 2003 with minor

suggestions/changes. The LUAC comments are incorporated in the project design or have been met as part of the planning permit review process.

- (f) The Monterey County Historic Resources Review Board reviewed and recommended approval (6 – 0 vote) of the Use Permit on September 4, 2003 with no changes.
- (g) The project and site have been reviewed by the Monterey County Planning and Building Inspection Department, North County Fire Protection District, Monterey County Sheriff's Department, Monterey County Water Resources Agency, Monterey County Public Works Department, Monterey County Parks Department, and Monterey County Environmental Health Division. There has been no indication from these agencies that the site is not suitable. There are no physical or environmental constraints such as geological or seismic hazard areas, environmentally sensitive habitats, or similar areas that would indicate the site is not suitable for the use proposed.
- (h) The Initial Study prepared for the Japanese School Park project (PLN010111) analyzed both the community park as well as the proposed restoration of the Castroville Japanese School. The Initial Study provides additional evidence that there are no physical or environmental constraints that indicate the site is not suitable for the proposed project and that the proposed use is compatible with surrounding uses.

- 2. FINDING: CEQA (Negative Declaration & Addendum)** – The proposed project, including all permits and approvals, will not have significant adverse impacts on the environment. The Planning Commission has considered the previously adopted Negative Declaration that was prepared and adopted and has also considered the Technical Addendum to the Negative Declaration. Neither document identifies any mitigation measures since the project as proposed does not have the potential to result in any potentially significant adverse effects.

On October 10, 2001, the Planning Commission adopted a Negative Declaration for the Japanese School Park project (see file PLN010111 and Resolution No. 01063). The Japanese School restoration and reuse project has been modified slightly, but none of the modifications involve significant environmental impacts not previously addressed in the Negative Declaration. Therefore, an Addendum has been prepared to address minor technical changes to the environmental document.

Potential environmental effects have been studied and there is no substantial evidence in the record, as a whole, that supports a fair argument that the project, as redesigned, may cause a significant effect on the environment. The Negative Declaration and Addendum reflect the independent judgment and analysis of the County based upon the findings and conclusions drawn in the Initial Study and the Addendum and in consideration of testimony and information received, and scientific and factual data presented as evidence during the public review process.

Studies, data and reports prepared by staff from various County departments including Planning and Building Inspection, Public Works, Environmental Health, Water Resources Agency and independent consultants support the Planning Commission's decision that the project does not have a significant environmental impact.

The custodian of the documents and materials that constitute the record of proceedings upon which the adoption of the Negative Declaration and Addendum are based is the Monterey County Planning and Building Inspection Department located at 2620 1st Avenue, Marina. No facts, reasonable assumptions predicated on facts, testimony supported by adequate factual

foundation, or expert opinion supported by facts, have been submitted that refute the conclusions reached by these studies, data and reports. Nothing in the record alters the environmental determination, as presented by staff, based on investigation and the independent assessment of those studies, data and reports.

EVIDENCE: (a) County staff prepared an Initial Study for the Japanese School Park project (PLN010111) in compliance with the California Environmental Quality Act (CEQA) and its Guidelines. This project consists of the construction and operation of a community park, which is located on the same property as the Castroville Japanese School. The Initial Study prepared for that project analyzed the community park proposal as well as the proposed restoration and reuse of the Castroville Japanese School. The Initial Study provided substantial evidence that the project would not have significant environmental impacts. A Negative Declaration was filed with the County Clerk on June 7, 2001.

The project, as currently proposed, has been modified, but none of the modifications involve significant environmental impacts not previously addressed in the Negative Declaration. As a result, an Addendum has been prepared to address minor technical changes to the project and the Negative Declaration.

All comments on the Initial Study have been received and considered as well as evidence in the record that includes studies, data and reports supporting the Initial Study; additional documentation requested by Staff in support of the Initial Study findings; information presented during public hearings; staff reports that reflect the County's independent judgment and analysis regarding the above referenced studies, data and reports; application materials; and expert testimony. Among the studies, data and reports analyzed as part of the environmental determination are the following:

1. Monterey County Zoning Ordinance, Title 21
 2. Monterey County General Plan
 3. North County Area Plan
 4. Monterey County Code, 1993. Noise Control
 5. Monterey Bay Unified Air Pollution Control District, 1995. CEQA Guidelines
 6. Preliminary Archaeological Reconnaissance of Assessor's Parcel 030-102-001-000, The Japanese School Site, Castroville, Monterey County, California, Archaeological Consulting, August 27, 2001
 7. Castroville Recreation Feasibility Study, October 1998
 8. Merritt Street Corridor Revitalization Strategy, May 1998
 9. Japanese School Restoration Feasibility Study, August 1999
 10. Historic Survey and Context Statement of the Japanese School
 - 11.
- (b) Initial Study, Negative Declaration and Technical Addendum in project file PLN030267.
- (c) The application, plans, and support materials submitted by the project applicant to the Monterey County Planning and Building Inspection Department for the proposed project, located in the project file.

3. FINDING: CEQA (No Change in Circumstances) – No new information has been presented to indicate

that circumstances have changed subsequent to adoption of the environmental document. A subsequent analysis of the current proposal determined that the revised project would not increase the potential for any significant adverse impact beyond what was previously analyzed under Article 11 Section 15164 of the California Environmental Quality Act. Therefore an Addendum to the adopted Negative Declaration, describing the minor technical changes as provided under CEQA, has been prepared for this action.

EVIDENCE: The application, plans, support materials, Addendum and Negative Declaration for the proposed development in the project file.

- 4. FINDING: FISH AND GAME** – Considering the record as a whole, there is no evidence that the project will have any potential for an adverse effect either individually or cumulatively on wildlife resources as defined under Section 753.5 (d) of the Fish and Game Code.

EVIDENCE: The project site is located in an urbanized area and does not support biological resources. Development of the proposed project will not result in changes to the resources listed under Section 753.5. Therefore payment of the fee is not required.

- 5. FINDING: PARKING** – Parking is adequate to accommodate the needs generated by the community park and building, as well as residents in the immediate vicinity.

EVIDENCE: (a) Based on the limited capacity of the Japanese School to be used as a community center (200 people maximum) and that the vast majority of users will be residents of the community whom would walk to the school, staff from the Planning and Building Inspection Department and the Department of Public Works have determined that the number of spaces as described in the Initial Study and Technical Addendum would be adequate to accommodate the needs of the community center and residents of the immediate area.

(b) Initial Study and Technical Addendum in project file PLN030267.

(c) Section 21.64.270 (Regulations for Historic Resources) of the Monterey County Code allows for flexibility of certain zoning standards including, but not limited to, a reduction in parking spaces in order to encourage and accommodate the renovation and rehabilitation of designated historic resources and structures such as the Castroville Japanese School.

- 6. FINDING: USE AND OPERATION** – The restored Castroville Japanese School will be used primarily by residents of Castroville specifically for: 1) Community meeting space (room capacity: maximum 200 people); 2) Public educational and recreational activities and classes; 3) Educational/historical displays; 4) Private events including church activities and club meetings; and 5) Use of the office space by the North County Recreation and Park District or another public agency or non-profit organization. Hours of use will vary, but will generally occur between 9:00 a.m. to 9:00 p.m. weekdays and weekends. The County of Monterey will continue to own the facility while the North County Recreation and Park District will be responsible for operation and maintenance. Restoration and reuse of the building will be funded in part by private funding, as well as a grant from the State Office of Historic Preservation/Conservation Heritage Fund and a local grant by the Harden Foundation.

EVIDENCE: Technical Addendum and Materials in project file PLN030267.

- 7. FINDING: RELATED USE PERMIT** – The project site is located on a block of land at the corner of Geil Street and Pajaro Street in Castroville. Development on this block consists of two phases: 1) Construction of a new community park to provide an area for organized youth baseball,

soccer and football; and 2) Restoration of the existing Japanese School, a National Historic Landmark. The community park was approved by the Planning Commission on October 10, 2001 (PLN010111) pursuant to Resolution No. 01063 and is currently under construction. This project consists of an approximately 72,182 sq. ft. recreational park including a dual sports field consisting of a 60-foot baseline diamond with bleacher areas for little league baseball, a 265 foot by 115 foot soccer/football field with turf spectator areas on both sides, field lighting, a 455 sq. ft. concession and score booth building; an 896 sq. ft. storage/maintenance building; a 540 sq. ft. restroom facility; 50 on-street parking spaces along the property frontages; and walking paths, sidewalks/landscaping and street lighting per County Service Area #14 Service Master Plan. The park is currently being developed and is not yet open for public use. Conditions adopted by the Planning Commission for the park pursuant to Resolution No. 01063 remain in effect and are not changed by this Use Permit.

EVIDENCE: Materials in project file PLN030267 and adopted Resolution No. 01063.

8. **FINDING: NO VIOLATIONS** – The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and other applicable provisions of Title 21. Zoning violation abatement costs, if any, have been paid.

EVIDENCE: Sections 21.40.020, 21.54.020 and 21.56.020 of the Monterey County Zoning Ordinance. Staff verification of the Monterey County Planning and Building Inspection Department records indicates that no violations exist on subject property

9. **FINDING: HEALTH AND SAFETY** – The establishment, maintenance, and operation of the proposed use or structure applied for will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood or to the general welfare of the County.

EVIDENCE: Preceding findings and supporting evidence.

10. **FINDING: APPEALABILITY** – The decision on this project is appealable to the Board of Supervisors.

EVIDENCE: Section 21.80.040.D of the Monterey County Zoning Ordinance (Title 21).

DECISION

THEREFORE, it is the decision of said Planning Commission that the Technical Addendum to the previously approved Negative Declaration be adopted and said application be granted as shown on the attached sketch, subject to the following conditions:

1. The Monterey County Housing & Redevelopment Agency Use Permit (PLN030267) allows for the restoration and adaptive reuse of the Castroville Japanese School, a National Historic Landmark. The restoration includes renovation of the building interior and exterior including repairs to the roof, siding, windows and doors, consistent with the “Secretary of the Interior’s Standards for Rehabilitation and Restoration of Historic Structures.” The foundation would be upgraded to meet current seismic standards. The restored building will closely resemble its original appearance and will be used as a community room with 1,555 sq. ft. of meeting/event space, an office, a small kitchenette and a restroom. No increase in the existing square footage is proposed.

The restored Castroville Japanese School will be used primarily by residents of Castroville specifically for: 1)

Community meeting space (room capacity: maximum 200 people); 2) Public educational and recreational activities and classes; 3) Educational/historical displays; 4) Private events including church activities and club meetings; and 5) Use of the office space by the North County Recreation and Park District or another public agency or non-profit organization. Hours of use will vary, but will generally occur between 9:00 a.m. to 9:00 p.m. weekdays and weekends. The County of Monterey will continue to own the facility while the North County Recreation and Park District will be responsible for operation and maintenance. The property is located at 11199 Geil Street, Castroville (Assessor's Parcel Number 030-102-001-000), North County area.

Neither the use nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of Planning and Building Inspection. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. (Planning and Building Inspection)

Prior to the Issuance of Building or Grading Permits:

2. The applicant shall record a notice which states: "A permit (Resolution No. 03070) was approved by the Planning Commission for Assessor's Parcel Number 030-102-001-000 on October 29, 2003. The permit was granted subject to 25 conditions of approval, which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. (Planning and Building Inspection)
3. The applicant shall provide evidence that they have arranged for a qualified archeological monitor to be present during construction activities that involve soil disturbance, such as removal of the unconsolidated fill prior to compaction, excavations into native soils for structures or utilities, any earthwork associated with rehabilitation of the Japanese School building, etc. If intact cultural features or human remains are discovered, work shall be halted on the parcel until the find can be evaluated by the monitor or principal archeologist, and appropriate mitigation measures formulated and implemented. If suitable materials are recovered during monitoring, at least one radiocarbon date shall be obtained as mitigation for incidental impacts to prehistoric resources. (Planning and Building Inspection)

Exterior Lighting: Conditions 4 & 5 (Planning & Building and Sheriff's Department)

4. All exterior lighting shall be down-lit, unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. The applicant shall submit three copies of an exterior lighting plan, which shall indicate the location, type, and wattage of all light fixtures and include catalog sheets for each fixture. The exterior lighting plan shall be subject to approval by the Director of Planning and Building Inspection prior to the issuance of building permits or commencement of the use. (Planning and Building Inspection)
5. Lighting shall be installed over all doorways and along any and all walking pathways and sidewalks. The lighting shall be on from dusk until dawn. Lighting shall be adequate for safety. (Sheriff's Department)

Landscaping: Conditions 6 & 7 (Planning & Building and Sheriff's Department)

6. The site shall be landscaped. Prior to the issuance of a building permit, three copies of a landscaping plan shall be submitted to the Director of Planning and Building Inspection for approval. *The landscaping plan shall be*

reflective of the building style and history. A landscape plan review fee is required for this project. Fees shall be paid at the time of landscape plan submittal. The landscaping plan shall be in sufficient detail to identify the location, specie, and size of the proposed landscaping materials and shall be accompanied by a nursery or contractor's estimate of the cost of installation of the plan. (Planning and Building Inspection)

7. Landscaping shall be adequate and shall not create a safety hazard. It shall allow patrol vehicles unobstructed views around the building from the street during routine patrols. (Sheriff's Department)
8. Prior to the issuance of a building permit, the applicant shall obtain an encroachment permit from the Department of Public Works and shall construct intersection modifications on Geil Street at Pajaro Street and Union Street in accordance with approval plans including the construction of sidewalk along all frontages. (Public Works)
9. Prior to the issuance of a building permit, the applicant shall obtain all necessary permits from CSA14. (Public Works)
10. During construction, a chain link fence shall be erected around the actual construction area in order to deter trespassers. (Sheriff's Department)
11. Before construction begins, temporary or permanent address numbers shall be posted. All address numbers (permanent and temporary) shall be posted on the property so as to be clearly visible from the road. Where visibility cannot be provided, a post or sign bearing the address numbers shall be set adjacent to the driveway or access road to the property. Address numbers posted shall be Arabic, not Roman or written out in words. Address numbers posted shall be a minimum number height of 3 inches with a 3/8-inch stroke, and contrasting with the background colors of the sign. (North County Fire Protection District)

Prior to Final Building Inspection/Occupancy:

12. The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:
 - a) All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.
 - b) Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. (Water Resources Agency)
13. All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof surface, shall require a minimum of Class B roof construction. (North County Fire Protection District)

Signage: Conditions 14, 15, 16, 17, 18, & 19 (Planning & Building, Sheriff's Department and North County Fire Protection District)

14. All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own address. When multiple occupancies exist within a

single building, each individual occupancy shall be separately identified by its own address. (North County Fire Protection District)

15. Permanent address numbers shall be posted prior to requesting final clearance. All address numbers (permanent and temporary) shall be posted on the property so as to be clearly visible from the road. Where visibility cannot be provided, a post or sign bearing the address numbers shall be set adjacent to the driveway or access road to the property. Address numbers posted shall be Arabic, not Roman or written out in words. Address numbers posted shall be a minimum number height of 3 inches with a 3/8-inch stroke, and contrasting with the background colors of the sign. (North County Fire Protection District)
16. A monument sign shall be installed at the front of the building near the entrance. The sign shall note the name of the facility and address. The sign shall be well lit in order to be seen in darkness and shall be illuminated from dusk until dawn. (Sheriff's Department)
17. A plaque/monument shall be installed in front of the Castroville Japanese School which provides a description of the historical/cultural significance of the building. (Planning and Building Inspection)
18. Exit signs shall be posted at all exit doorways. (North County Fire Protection District)
19. "Occupancy Load" signage shall be posted. (North County Fire Protection District)
20. The building shall be equipped with a burglar alarm system. The burglar alarm system shall include exterior door contacts and motion detectors. Window contacts are optional if motion detectors are used. (Sheriff's Department)
21. All exterior doors shall have adequate locks. Locking mechanisms shall be installed on all windows. All door and window locks shall be in accordance with fire codes. (Sheriff's Department)
22. Rooftop openings shall have locks and shall be connected to the burglar alarm. (Sheriff's Department)

Continuous Permit Conditions:

23. If cultural, archeological, historical or paleontological resources or *human remains* are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until it can be evaluated by a qualified professional archeologist. The Monterey County Planning and Building Inspection Department and a qualified archeologist (i.e., an archeologist registered with the Society of Professional Archeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. (Planning and Building Inspection)
24. All landscaped areas and/or fences shall be continuously maintained by the property owner and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition in accordance with conditions 5 and 6. (Planning and Building Inspection)
25. No land clearing or grading shall occur on the subject parcel between October 15 and April 15 unless authorized by the Director of Planning and Building Inspection. (Planning and Building Inspection)

PASSED AND ADOPTED this 29th day of October 2003, by the following vote:

AYES: Errea, Sanchez, Hawkins, Padilla, Brennan, Parsons, Diehl, Salazar, Rochester, Wilmot
NOES: None
ABSENT: None

Original Signed By:

JEFF MAIN, SECRETARY

Copy of this decision mailed to applicant on

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK OF THE BOARD OF SUPERVISORS ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE

This decision, if this is the final administrative decision is subject to judicial review pursuant to California Code of Civil Procedure Sections 1094.5 and 1094.6. Any Petition for Writ of Mandate must be filed with the Court no later than the 90th day following the date on which this decision becomes final.

NOTES

1. You will need a building permit and must comply with the Monterey County Building Ordinance in every respect.

Additionally, the Zoning Ordinance provides that no building permit shall be issued, nor any use conducted, otherwise than in accordance with the conditions and terms of the permit granted or until ten days after the mailing of notice of the granting of the permit by the appropriate authority, or after granting of the permit by the Board of Supervisors in the event of appeal.

Do not start any construction or occupy any building until you have obtained the necessary permits and use clearances from the Monterey County Planning and Building Inspection Department office in Marina.

2. This permit expires 2 years after the above date of granting thereof unless construction or use is started within this period.