

# MONTEREY COUNTY RESOURCE MANAGEMENT AGENCY

Carl P. Holm, AICP, Director  
John Guertin, Acting Deputy Director

Daniel Dobrilovic, Acting Building Official  
Michael Novo, AICP, Director of Planning  
Robert K. Murdoch, P.E., Director of Public Works



168 W. Alisal Street, 2<sup>nd</sup> Floor  
Salinas, CA 93901  
<http://www.co.monterey.ca.us/rma>

November 20, 2015  
**VIA E-MAIL**

Mr. Charles Nichols  
C/o Christine Kemp, Noland, Hamerly, Etienne & Hoss  
P.O. Box 2510  
Salinas, CA 93902

**RE: PROJECT REVIEW STATUS; PROPOSED YANKS AIR MUSEUM SUBDIVISION  
FILE NO. PLN150424**

Dear Ms. Kemp:

This is to notify you that as of this date, the County has deemed the application as incomplete per the items identified below:

1. The Development Project Application filed with the Tentative Map describes the proposed project only as a subdivision. However you also submitted a Site Plan which is not consistent with the approved General Development Plan. The information you submitted also contains a Master Sign Program including a number of freeway oriented signs which the size and height are not consistent with the signs discussed in the project EIR; further, the sign program is not consistent with the Sign Regulations (Chapter 21.60) of the Zoning Ordinance. The plans also allude to building heights that are not consistent with the height limitations of the Zoning District. One of the following directions must be taken:
  - A. Modify all exhibits to be consistent with the approved General Development Plan. Or,
  - B. Modify your application to include revisions to the General Development Plan.

Please resubmit information as appropriate indicating whether the map will implement the existing project as approved or whether this is a modification which may trigger additional environmental review.

2. As noted in the attached Memorandum from the Public Works Department, right-of-way needs for highway improvements must be identified and dedicated on the subdivision map. The map is not shown to be a phased map. Prior to recordation of the map a Project Study Report will need to be completed to identify necessary right-of-way dedications (which shall be shown on the Final Map) and improvements, and estimate the cost of improvements to the satisfaction of Caltrans. A subdivision improvement agreement will need to be entered into for the installation of these improvements. All comments from Public Works (attached) will be requirements of the map.

3. Condition of the approval No. 4 of the approval of the permit extension in 2008, requires review by the City of Greenfield of all development plans including final layout of the master plan. We have provided the plans to the City of Greenfield. Their comments are attached.

Please let me know if you would have any questions or would like to discuss.  
Thank you.

Luis Osorio  
Senior Planner



Attachments:

1. Memorandum from RMA-Public Works, November 19, 2015
2. Correspondence from the City of Greenfield, November 5, 2015
3. Memorandum from RMA-Environmental Services, November 16, 2015

# Project Referral Sheet

Monterey County RMA Planning  
168 W Alisal St 2nd Floor  
Salinas, CA 93901  
(831) 755-5025

TO: **FIRE DEPARTMENT**  
**PUBLIC WORKS**  
**PARKS DEPARTMENT**

**HEALTH DEPARTMENT**  
**WATER RESOURCES AGENCY**  
**OTHER:** \_\_\_\_\_

PLEASE SUBMIT YOUR COMMENTS FOR THIS APPLICATION BY: Monday, November 16, 2015

**Project Title:** NICHOLS CHARLES F & JUDITY A TRS (YANKS AIR MUSEUM)

**File Number:** PLN150424

**File Type:** PC

**Planner:** OSORIO

**Location:** 40399 LIVINGSTON RD GREENFIELD

**Assessor's No:** 111-012-019-000-M

**Project Description:**

Standard Subdivision Tentative Map and General Development Plan for the division of the 134.7 acre parcel of the approved Yanks Air Museum into ten (10) parcels ranging in size from 1.85 to 68.79 acres. The Subdivision would allow the location of the components of the approved project into separate parcels; and the General Development Plan includes a Phasing Plan for the development of the project and a Master Sign Program. The purpose of the Subdivision is to allow the financing and leasing of the components and uses already approved by the County for the Yanks Air Museum (File Nos. SH94002, PLN020482 and PLN060582). The property is located at 40399 Livingston Road, Greenfield (Assessor's Parcel Number 111-012-019-000 and portion of 111-012-017-000), Greenfield area, Central Salinas Valley Area Plan.

NOTE: This project was reviewed at the Development Review Committee meeting on July 7, 2015.

**Status:** COMPLETE/INCOMPLETE (highlight/circle one)

**Recommended Conditions:**

**Pending submittal of the following:**

1. Right-of-way needs for highway improvements must be identified and dedicated on the subdivision map. Alternatively, the Department of Public Works, in consultation with Caltrans for any required state highway improvements, may consider a phased subdivision consistent with the construction phases identified in the Phasing Plan dated July, 2013, provided that areas on the project site that may be affected by right-of-way dedications/infrastructure improvements (identified as Lot Nos. 4, 5, 8 and 10 on the tentative map dated July 2015 and received by the County October 23, 2015) are not included for recordation in any phase prior to the completion of a Project Study Report that identifies the needed highway improvements for the project/subdivision as required by the current conditions of approval and mitigations for the Yanks Air Museum project.
2. Improvement Plans for all private and public infrastructure within and providing access to the subdivision.
3. If improvements are not constructed and accepted prior to filing of the final map, owner of the subdivision shall enter into a Subdivision Improvement Agreement, agreeing to complete construction of all required infrastructure for the subdivision.
4. All necessary easements (e.g., utility, access) must be identified on the tentative map. Easements shall be shown and dedicated, as applicable, on the final map.

**Signature:** Chad Alinio

**Date:** November 19, 2015

# Project Referral Sheet

Monterey County RMA Planning  
168 W Alisal St 2nd Floor  
Salinas, CA 93901  
(831) 755-5025

TO: **FIRE DEPARTMENT**  
**PUBLIC WORKS**  
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**HEALTH DEPARTMENT**  
**WATER RESOURCES AGENCY**  
**OTHER:** \_\_\_\_\_

PLEASE SUBMIT YOUR COMMENTS FOR THIS APPLICATION BY: Monday, November 16, 2015

5. Clarification of approved vs. proposed building square footages. There appears to be a discrepancy in the size of development between the currently approved project and this proposal. If there is a modification in the size of development, additional analysis must be submitted that identifies whether or not there are: additional vehicle trips generated; new impacts associated with those additional trips; and new mitigations or modifications of existing mitigations required. The analysis also shall identify if any changes in the size of development affect the timing and need for road improvements established in the existing phasing plan.

Signature: Chad Alinio  
Please return a copy to RMA Planning

Date: November 19, 2015



## *City of Greenfield*

599 El Camino Real Greenfield CA 93937 831-674-5591  
www.ci.greenfield.ca.us

November 5, 2015

Louis Osorio  
Resource Management Agency – Planning  
County of Monterey  
168 W. Alisal Street, 2nd Floor  
Salinas, CA 93901

RE: Tentative Map Application  
Yanks Air Museum Subdivision (PLN150424)

Dear Mr. Osorio:

Thank you for providing the City of Greenfield with a copy of the Yanks Air Museum Subdivision/Tentative Map application. I have reviewed the application along with its attachments/enclosures and have enclosed a summary of my comments for your consideration. The key points of that review are as follows:

1. The current subdivision and tentative map application includes significant changes to the project description and program elements from those considered in the 1997 environmental review under CEQA. There have also been significant baseline traffic volume increases from 1997 to 2014. Do these changes rise to the level of “substantial changes” that would trigger a need for a subsequent EIR under §15162 of CEQA Guidelines; can they be adequately addressed through a supplemental EIR under §15163; or can they be considered “minor technical changes or additions” such that only an addendum under §15164 is required?
2. With increased baseline traffic volumes from 1997 to 2014, are mitigation measures 14-20 still appropriate and adequate?
3. The application includes significant changes in the number, height, and size of free-standing freeway signs. The proposed Master Sign Program must be consistent with the City of Greenfield Municipal Code. A conditional use permit is also required for free-standing freeway signs. Additional documentation is required in accordance with mitigation measure 39. The applicant needs to describe how the proposed Master Sign Program is consistent with the City’s municipal code.
4. The City’s zoning code states that the maximum building height of 45 feet may be exceeded upon issuance of a conditional use permit. The applicant will need to submit a conditional use permit application to the City before its proposed building heights can be approved by the City.
5. At the time the original 1997 EIR was completed, CEQA did not require an analysis of greenhouse gas emissions. How will the current CEQA requirement for this analysis be addressed by the applicant? Can this requirement be addressed through either an addendum or supplement to the existing EIR?

6. The proposed project must comply with the City's general plan and zoning code. The applicant must describe how the project as currently proposed complies with all requirements of the zoning code. If it does not, the applicant must either (1) revise the current drawings and project/program to ensure conformity with the City's existing zoning code or (2) negotiate with the City a development agreement that establishes program and design guidelines and standards that supersede what is otherwise required by the City's zoning code. The 2001 Memorandum of Agreement between the applicant and the City requires the City and applicant enter into such an agreement to guide the development of the project. Without a development agreement, compliance with all requirements of the City's existing zoning and subdivision codes is mandatory.
7. The City's general plan states that "any application to construct the site as originally proposed ... would be considered consistent with the General Plan Land Use Element." The applicant needs to describe how the significant changes to the project description and program elements from those in place in 1997 continue to be "as originally proposed" such that the current development proposal remains consistent with the City's general plan.
8. The applicant must submit a number of planning applications to the City, along with the payment of required fees and the execution of a reimbursement agreement that is required of all applicants. The required applications are: (1) major subdivision/tentative map, (2) conditional use permit for freeway oriented pole signs, (3) conditional use permit to exceed the building height limits of the City's municipal code, and (4) development agreement. Receipt of these applications and the associated fee payments is required before the City will be able to conduct any further review of this County application for subdivision/tentative map approval.

In a letter to you dated July 13, 2015, the City stated that it would not object to Monterey County processing this subdivision/tentative map application. That position is not changed. In addition to the comments/conditions set forth above, however, the terms and conditions of the City's consent set forth in the July 13, 2015, letter remain valid.

As the City has previously stated, it cannot emphasize any more strongly that it fully supports Mr. Nichols' Yanks Air Museum project, and has done so for nearly 20 years. The successful completion of this project is a very high priority for the City and one that has the full and unanimous support of the City Council and City administration. This project must, however, be developed in accordance with previous agreements and commitments between and among the City, the County, Mr. Nichols, and LAFCO. This project must also be developed in conformity with the City's general plan and its zoning and subdivisions codes. Those are requirements that cannot be waived. Deviations and exceptions can be considered, and allowed in appropriate circumstances, but established procedures under the California government code and the City municipal code must be followed. The City must abide by its ordinances and established development processes, procedures, and standards. Processing the subdivision/tentative map applicant in accordance with the comments/requirements outlined in this letter and the City's previous July 13, 2015, letter will ensure this project is developed in a timely and expeditious manner. It will also ensure the interests of the City, Mr. Nichols, the County, and LAFCO are protected.

Sincerely,



Michael A. Steinmann, J.D.  
Community Services Director

**Yanks Air Museum Subdivision Application**  
**Summary of Preliminary Review by City of Greenfield**

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**A. Project Characteristics**

Comparison of project program elements analyzed in 1997 EIR, and the elements identified in the current subdivision/tentative map application submitted to Monterey County.

	<u>1997 EIR</u>	<u>Application</u>
Airstrip	3,350 feet	4,150 feet
Museum	181,000 sf	275,000 sf
Winery	30,000 sf	10,500 sf
Vineyards/Park	included	not included
Hotel (150 rooms)	135,000 sf	150,000 sf
Retail	60,000 sf	75,818 sf
Gas Station		
2 @ 2,000 sf	4,000 sf	
1 @ 9,600 sf		9,600 sf
Aircraft Hangers	75,000 sf	54,400 sf
Restaurant (sit-down)	10,000 sf	12,400 sf
Restaurant/Retail		9,500 sf
Fast Food (2)	6,000 sf	
Gas/Fast Food		9,200 sf
RV Parking (no overnight)	80 spaces	--
RV Park (overnight)	--	80 spaces
Lake	2-acre	not included
Education Center	not included	9,078 sf
Parking Spaces	1,712	1,500+
<b>Total Space</b>	<b>501,000 sf</b>	<b>615,496 sf</b>
Greenfield Population	10,977	17,547
Daily traffic volumes	18,700 to 21,500	31,500 to 33,700
Peak month		38,000 to 41,000
Peak hour	1,850 to 2,100	3,200 to 3,600

- Issues:
1. Do the program changes (23% increase in total space, significant change in size of some elements, increase in airstrip length, and change of RV Park from day-use only parking to an overnight RV Park facility with caretaker residence, recreation facilities, and community room) rise to level of "substantial changes" that would trigger need for subsequent EIR under §15162 of CEQA Guidelines or supplemental EIR under §15163?
  2. Can program/project changes be considered "minor technical changes or additions" such that only an addendum under §15164 is required?
  3. With increased baseline traffic volumes from 1997 to 2014, are mitigation measures 14-20 still appropriate and adequate?

**Yanks Air Museum Subdivision Application  
Summary of Preliminary Review by City of Greenfield**

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4. Does the significant increase in baseline traffic volumes rise to level of “substantial changes” requiring a subsequent EIR or supplemental EIR, or can any resulting increased traffic volumes be considered “minor technical changes or additions” such that only an addendum to the existing EIR is required?

**B. Viewshed and Aesthetics**

EIR: “[T]he applicant proposes to incorporate signs identifying entrances to the project and on-site advertising of the highway-related businesses according to County and Caltrans standards. ... The applicant proposes that the maximum allowable height for free-standing signs will be 25 feet, and 60 feet for free-standing freeway signs. The freestanding sign identifying the air museum is proposed to be 300 square feet in area.”

“At a minimum, the sign plan shall avoid clutter in the location and size of free standing signs.”

Application: Sign program proposes 6 freestanding freeway oriented signs, up to 85 feet each and sign face up to 800 square feet each.

City Zoning Code: Freeway oriented pole signs require conditional use permit.

- Issues:
5. The Master Sign Program submitted with the application does not include all elements and design guidelines required by mitigation measure 39. Additional documentation is required.
  6. Mitigation measure 39 requires the on-site advertising signs, fences, walls, and entry gates must be consistent with applicable Monterey County Codes. Consistency with the City of Greenfield municipal code is also required. Statement from applicant is required documenting conformity of the proposed Master Sign Program with the requirements of the Greenfield Municipal Code.
  7. Is proposed master sign program consistent with, or a “minor technical change or addition” from, signage identified in 1997 EIR?
  8. Statement from applicant required explaining how the number, height, and size of freestanding freeway oriented signs “avoid[s] clutter in the location and size of free standing signs.”

**C. Building Height**

EIR: Not to exceed 35 feet

Application: Hangers and Museum not to exceed 51 feet, other buildings not exceed 35 feet

**Yanks Air Museum Subdivision Application  
Summary of Preliminary Review by City of Greenfield**

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City Zoning Code: Maximum 45 feet, may be exceed with conditional use permit

- Issues:
9. Are there any CEQA implications increasing the building height considered in the EIR (35 feet) to 51 feet?
  10. To exceed the City's building height limits, applicant must apply to the City for a conditional use permit and pay associated fees for that application. The City will need to consider this conditional use permit application in conjunction with its review of the tentative map application. When does the applicant intend on submitting a conditional use permit application?

**D. Greenhouse Gas Emissions**

EIR: Not addressed; analysis not required at time of original EIR

Application: Not addressed

- Issues:
11. How does the applicant propose addressing the Greenhouse Gas Emissions requirement of CEQA? Can this be addressed through a supplemental EIR?

**E. Subdivision Must Comply with Greenfield General Plan and Zoning Ordinance**

Monterey County "Checklist for Land Use and Development Applications" requires that the proposed subdivision must comply with the City's general plan and zoning ordinance and must be reviewed and approved by the City Council prior to approval by the County.

- Issues:
12. Statement from applicant required documenting conformity of project with the City's zoning code.
  13. If the proposed project does not conform to all requirements of the zoning code, statement from applicant required explaining how the project can be brought into conformity by either (1) revising drawings and project/program for conformity with existing zoning code or (2) adopting a Development Agreement as required by the 2001 MOU between the applicant the City that by mutual agreement supersedes the requirements of the zoning code.
  14. Statement from applicant required documenting how the changes in the project/program maintain the integrity of the proposed project "as originally proposed" such that the project remains in conformity with the City's General Plan.

**F. City Planning Application**

- Issues:
15. City planning application for tentative map approval required, along with payment of required fees. Upon application and payment of fees, City will

**Yanks Air Museum Subdivision Application  
Summary of Preliminary Review by City of Greenfield**

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request the City's contract engineer review drawings submitted with application for compliance with the City's technical tentative map submittal requirements set forth in §16.16.020 and §16.16.030 of the City's municipal code.

16. Reimbursement agreement must be executed and submitted to City along with tentative map application and payment of fees.
17. Applicant must make application to the City for a conditional use permit for the freeway oriented pole signs.
18. Applicant must make application to the City for a conditional use permit to exceed the building height limits of the City's municipal code.

**G. Development Agreement**

The 2001 Memorandum of Agreement between the applicant and the City of Greenfield requires a development agreement to guide the development of the project. This agreement is not yet in place.

Issues:

19. The applicant must meet with the City and negotiate in good faith the terms of a development agreement. This is required by the 2001 Memorandum of Agreement between the applicant and the City. When does the applicant propose doing this?
20. Approval of a development agreement by the City Council is required before the City Council will consider and approve the tentative map application.

MONTEREY COUNTY  
RESOURCE MANAGEMENT AGENCY – ENVIRONMENTAL SERVICES  
168 WEST ALISAL ST., 2<sup>nd</sup> FLOOR  
SALINAS, CA 93901

TO: Monterey County Planning Department  
PROJECT PLANNER: Luis Osorio

APPLICANT: Nichols (Yanks Air Museum)  
FILE #: PLN150424  
APN: 111-012-019-000  
DATE: 11/16/2015

COMMENTS: INCOMPLETE

The project is not located within the Municipal General Permit Boundary as defined by the California State Water Quality Control Board Order No.2013-0001-DWQ; therefore, the Post-Construction Stormwater Management Requirements (PCRs) for Development Projects in the Central Coast Region do not apply.

The proposed project includes 975,000 cubic yards of grading, is located in a moderate to low erosion hazard zone and includes new buildings totaling approximately 616,000 square feet.

**PRIOR TO DEEMING THE APPLICATION COMPLETE:**

The applicant shall submit an updated Geotechnical Report that includes data regarding the nature, distribution, and strength of existing soils, as well as, a description of the site geology and any applicable geologic hazards. The report shall also include recommendations and conclusions regarding design criteria and grading procedures.

SIGNATURE: Tom Moss, PG, QSD, CFM

DATE: 11/17/2015