



# **Zoning Administrator ANNOTATED AGENDA Special Meeting**

Zoning Administrator

Todd Bennett  
Senior Associate Planner

City Council Chambers  
Few Memorial Hall of Records  
Pacific and Madison Streets  
Monterey, California

June 3, 2005  
4:00 p.m.

## **CALL TO ORDER**

The meeting was called to order at 4:01 PM

## **PUBLIC COMMENTS**

PUBLIC COMMENTS allows the public to speak for a maximum of three minutes on any subject which is not on the agenda. Any person or group desiring to bring an item to the attention of the Zoning Administrator may do so by addressing the Administrator during Public Comments or by addressing a letter of explanation to: Zoning Administrator, City Hall, Monterey CA 93940. The appropriate staff person will contact the sender concerning the details.

Mr. Richard Rucello, President of CONA, indicated that he believes that the Cypress Center is a classy project and will benefit the community.

Mr. Gary Carlson, of 25 Melway Circle, expressed his concerns with reviewing and potentially approving Use Permit applications for proposed new tenants of the center before completion of the Use Permit Conditions of Approval. Specifically, Mr. Carlson indicated that he understood that security fencing located at the rear of the site was required, but it has yet to be installed. Mr. Carlson also indicated that the approved landscape plan had not been followed. Staff informed Mr. Carlson that his concerns were related to the Use Permit for the Center, and that those concerns should be directed to the Building Division as part of the Building Permit.

## **PUBLIC HEARINGS**

PUBLIC HEARINGS are held to receive public comment on certain items pending Zoning Administrator action. You are welcome to offer your comments after being recognized by the Administrator. The Administrator may limit the time allocated to each speaker.

1. **2440 North Fremont Street, Suite #203; Use Permit 05-216; Applicant–Dave Mickelson for Rollick’s Inc./Owner–Tony Sammut Investments; C-2 Zoning District; Exempt from CEQA Requirements.**

Request approval of a Use Permit to allow for a Fast Food use (coffee shop).

**Action: Approved with Standard and Special Circumstance Findings: 1) That staff completed an evaluation of the proposed and approved tenants for the Center to determine parking requirements based on the amount of area to be occupied and the proposed use. Staff determined that the number of parking spaces approved and constructed for the Center are sufficient to accommodate all of the approved and proposed uses for the Center.**

**Standard and Special Conditions of Approval:**

- 1) That the exterior doors located at the back of the building (facing Melway Circle) shall

remain closed during the early morning hours (between the hours of 6 AM and 10 AM, Monday - Sunday).

- 2) That all development on the project property shall be constructed and thereafter maintained in accordance with the conditions of this permit.
- 3) The applicant shall comply with all the requirements of the Fire and Building Departments.
- 4) That all proposed exterior alterations and signs for the use shall require Architectural Review Committee (ARC) review and approval prior to installation.
- 5) The project is subject to the categorical water allocation program approved by the City council. The applicant will proceed at his own risk that water may not be available at the time he requests Building Permits. No building permits will be issued if water is not available to this project.
- 6) This permit shall become null and void if not exercised or extended within two (2) years of the date of granting by the Planning Commission. It is the applicant's responsibility to track the two-year expiration date and request permit approval extensions prior to the permit expiration date. No renewal notice will be sent to the applicant.

2. **2440 North Fremont Street, Suite #102; Use Permit 05-221; Applicant–Patsy Boles for Curves / Owner–Tony Sammut Investments; C-2 Zoning District; Exempt from CEQA Requirements.**

Request approval of a Use Permit to allow for personal improvement use (personal fitness).

**Action: Approved with Standard and Special Circumstance Findings:**

- 1) That staff completed an evaluation of the proposed and approved tenants for the Center to determine parking requirements based on the amount of area to be occupied and the proposed use. Staff determined that the number of parking spaces approved and constructed for the Center are sufficient to accommodate all of the approved and proposed uses for the Center.

**Standard and Special Conditions of Approval:**

- 1) That the exterior doors located at the back of the building (facing Melway Circle) shall remain closed during the early morning hours (between the hours of 6:30 AM and 10 AM, Monday - Sunday).
- 2) That all development on the project property shall be constructed and thereafter maintained in accordance with the conditions of this permit.
- 3) The applicant shall comply with all the requirements of the Fire and Building Departments.
- 4) That all proposed exterior alterations and signs for the use shall require Architectural Review Committee (ARC) review and approval prior to installation.
- 5) The project is subject to the categorical water allocation program approved by the City council. The applicant will proceed at his own risk that water may not be available at the time he requests Building Permits. No building permits will be issued if water is not available to this project.
- 6) This permit shall become null and void if not exercised or extended within two (2) years of the date of granting by the Planning Commission. It is the applicant's responsibility to track the two-year expiration date and request permit approval extensions prior to the permit expiration date. No renewal notice will be sent to the applicant.

3. **2440 North Fremont Street, Suite #201; Use Permit 05-220; Applicant–Harbhajan S. Dadwal for Subway / Owner–Tony Sammut Investments; C-2 Zoning District; Exempt from CEQA Requirements.**

Request approval of a Use Permit to allow for Fast Food use (sandwich shop).

**Action: Approved with Standard and Special Circumstance Findings:**

- 1) That staff completed an evaluation of the proposed and approved tenants for the Center to determine parking requirements based on the amount of area to be occupied and the proposed use. Staff determined that the number of parking spaces approved and constructed for the Center are sufficient to accommodate all of the approved and proposed uses for the Center.

**Standard and Special Conditions of Approval:**

- 1) That all development on the project property shall be constructed and thereafter maintained in accordance with the conditions of this permit.
- 2) The applicant shall comply with all the requirements of the Fire and Building Departments.
- 3) That all proposed exterior alterations and signs for the use shall require Architectural Review Committee (ARC) review and approval prior to installation.
- 4) The project is subject to the categorical water allocation program approved by the City council. The applicant will proceed at his own risk that water may not be available at the time he requests Building Permits. No building permits will be issued if water is not available to this project.
- 5) This permit shall become null and void if not exercised or extended within two (2) years of the date of granting by the Planning Commission. It is the applicant's responsibility to track the two-year expiration date and request permit approval extensions prior to the permit expiration date. No renewal notice will be sent to the applicant.

**ADJOURNMENT: The meeting was adjourned at 4:24 PM**  
The next meeting will be held June 16, 2005

**ZONING ADMINISTRATOR:** \_\_\_\_\_  
**SENIOR ASSOCIATE PLANNER TODD BENNETT**