



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

Zoning Administrator ANNOTATED AGENDA

Regular Meeting
June 21, 2007
4:00 p.m.

Zoning Administrator

Todd Bennett
Senior Associate Planner

CALL TO ORDER

Senior Associate Planner Bennett called the meeting to order at 4:00 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.

No public comments were submitted.

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. **6 Bush Street; Special Permit 07-196; Applicant/Owner Syl & Karen Enea; R-1-6 Zoning District; Exempt from CEQA Requirements.**

Request Special Permit approval for a Pet Permit to allow for more than 3 dogs (6 dogs proposed).

Action: Approved with Standard and Special Circumstance Findings: 1) The City of Monterey Animal Control Officer conducted a field inspection of the subject site and determined that the proposed use meets the standards as outlined in Zoning Code Section 38-26(K). 2). Notice to neighbors was completed and resulted in two (2) letters in support of the application, and one phone call in opposition to the application.

Standard and Special Conditions of Approval: 1) Special Permit 07-196 is approved to allow for the care and housing of six (6) Toy Fox Terriers. The six dogs are all immediately related, and the approval is specific to these dogs as outlined in the May 24, 2007 description letter. No "substitute" or "replacement" dogs are allowed under this permit. 2) That Special Permit 07-196 is specific to the original applicants, and this permit is not transferable or assumable. 3) That the following standards shall be maintained for the life of this permit at this address-

- a) The lot is adequate in size and shape to support the number and type of pets proposed;
- b) Any non-dwelling structure erected to house four or more pets complies with requirements for accessory buildings, pursuant to this chapter;
- c) The maintaining of the pets on the premises will not result in a nuisance or disturbance to the neighborhood;
- d) Adequate provisions for housing and maintaining the pets have been demonstrated, including collection and disposal of animal wastes; and
- e) If more than three dogs are to be maintained on the premises, adequate measures have been

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taken to prevent excessive noise from barking to occur.

4) Special Permit 07-196 will be in effect for the duration of the use at this address, unless complaints are generated. If complaints are received, then this permit is subject to re-opening and possible revocation.

2. 9 Soledad Drive, Suite A & B; Use Permit 07-188; Applicant Antonio or Hazel Nuovo; Owner James Davi for the Mariana Family Partnership; C-1 Zoning District; Exempt from CEQA Requirements.

Request approval of Use Permit to allow for Fast Food Use (bakery). No expansion of building is proposed.

Action: Approved with Standard and Special Circumstance Findings: 1) That based upon the original use of the lease area as retail sales with the corresponding parking requirements (6 spaces), compared to the approved use of the lease area for the bakery use (4 spaces), a parking adjustment is not required. 2) That based upon historical uses for the lease space, including a veterinary clinic, a water allocation is not required for the bakery use.

Standard and Special Conditions of Approval: 1) The existing trash enclosure shall be evaluated by the City's Recycling Coordinator or their designee, and if required, shall be upgraded to meet current standards. 2) The approved bakery use may require installation of grease pretreatment equipment to control fats, oils, and grease discharges to the sanitary sewer. The approved use shall be subject to all requirements of the Public Works Department, including but not limited to grease interceptors or grease traps. 3) The approved use shall be subject to all requirements of the Building Division. 4) If the approved uses result in a determination by the Community Development Director that off site trash and litter impacts are creating a problem and nuisance, the business owners may be required to contract with a litter clean-up service. 5) All exterior modifications to the building or site, including, but not limited to, new signage, require review and approval by the Architectural Review Committee (ARC).

3. 700 Munras Avenue; Application 07-176 to Re-Open Use Permit 06-354; Applicant Daryl Hawkins, AIA for JHW Architects, Inc.; Owner Casa Munras Hotel, Inc.; VAF Zoning District; Exempt from CEQA Requirements.

Conversion of existing building from retail to personal services spa. Spa is accessory use to existing hotel. Accessory use additions require Use Permit approval.

Action: Approved with Standard and Special Circumstance Findings: 1) That the approved use of the existing building as an accessory use for the adjacent hotel is appropriate for the site and the downtown area. 2) That there are adequate water credits associated with the site to accommodate the approved use. 3) That the use of the building as a personal service spa will not result in a net loss of parking spaces on the site.

Standard and Special Conditions of Approval: 1) The project requires review and approval by the Architectural Review Committee, including but not limited to, compatibility with the hotel architecture. 2) That any signage or additional modifications to the building exterior require review and approval by the Architectural Review Committee. 3) That the project shall be subject to all requirements of the Building Division and the Public Works Departments.

4. 3 Toda Vista; Variance 07-168; Applicant Jeremy D. Wilson; Owner Dan and Elizabeth Hoffman; R-1-10 Zoning District; Exempt from CEQA Requirements.

Request variance approvals for: 1) corner side yard setback for house (14'-4" standard, 10'-0" proposed), 2) corner side yard setback for garage (20'-0" standard, 10'-0" proposed), and 3) rear yard setback for garage (5'-0" standard, 3'-0" proposed). This project is classified as a voluntary demolition (more than 50% of the perimeter walls to be removed) and new construction.

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Action: Approved with Standard and Special Circumstance Findings: 1) That due to the site configuration as a reverse corner lot, and the location of existing structures, strict adherence to the standards associated with this zoning district deprive the property of privileges enjoyed by other property in the vicinity and under an identical zoning classification.

Standard Conditions of Approval.

ADJOURNMENT: The meeting was adjourned at 4:50 PM. The next meeting will be held Thursday, July 12, 2007.

ZONING ADMINISTRATOR: _____
SENIOR ASSOCIATE PLANNER TODD BENNETT
