



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

Zoning Administrator ANNOTATED AGENDA

Regular Meeting
March 13, 2008
4:00 p.m.

Zoning Administrator

Todd Bennett
Senior Associate Planner

CALL TO ORDER

Senior Associate Planner Bennett called the meeting to order at 4:02 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 received.

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. **601 East Franklin Street; Major Use Permit 08-051; Applicant The Hertz Corporation; Owner Tom Maher; C-2 Zoning District; Exempt from CEQA Requirements.**

Request Use Permit approval to operate a vehicle rental business (cars and sport utility vehicles). The proposed use would be in addition to the principal use of (new) vehicle sales. No building expansion is proposed.

Action: Approved application with the following Standard and Special Circumstance Findings: 1. That the proposed use, vehicle rentals, is in accord with the objectives of this ordinance and the purposes of the Community Commercial (C-2) zoning district. 2. That the vehicle rental use and the Conditions of Approval under which it would be operated will be consistent with the General Plan; will not be detrimental to the public health, safety, or welfare of persons residing or working in or adjacent to the neighborhood of such use; and will not be detrimental to properties or improvements in the vicinity or to the general welfare of the city; and, 3. That the vehicle rental use will comply with any specific condition required for that use.

Standard and Special Conditions of Approval: 1. That the vehicle rental use is approved as shown on the combined site and floor plan and described in the submittal letter dated February 21, 2008. 2. The vehicle rental use will be restricted to a maximum of fifteen (15) for-rent vehicles on the site at any one time, and these vehicles shall be primarily located as depicted on the February 21, 2008 site plan. 3. No pennants, banners, or other type of attention grabbing devices shall be used in association with the rental of vehicles on the site unless previously approved by the Architectural Review Committee. 4. All new signage or site improvements shall be reviewed and approved by the Architectural Review Committee (ARC) prior to installation or display. 5. The hours of operation shall be restricted to 7:00 AM to 6:00 PM (700 – 1800 hours) Monday through Saturday, with no business operations on Sundays. 6. Vehicles available for rent shall be limited to personal use type vehicles, including Sport Utility Vehicles (SUV's). No open bed trucks, moving vans or other type of vehicle is allowed. 7. The applicant shall comply with all the requirements of the Building Division. 8. This 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

Zoning Administrator
Annotated Agenda
March 13, 2008

permits. No building permits will be issued if water is not available to this project. 9. This permit shall become null and void if not exercised or extended within twenty-four (24) months of the date of granting by the Zoning Administrator. It is the applicant's responsibility to track the 24-month expiration date. No renewal notice will be sent to the applicant.

2. 300 Del Monte Center (Islands Fine Burgers and Drinks); Major Use 08-045; Applicant Moni Dos Anj and Nina Raey; Owner Del Monte – American Assets; C-2-SC Zoning District; Exempt from CEQA Requirements.

Request approval of a Use Permit to allow for hours of operation after 10 PM (11 PM Sunday through Thursday, midnight on Friday and Saturday nights, proposed), adjacent to a residential zone and in conjunction with a full-service restaurant. The new use includes an outdoor dining patio area.

Action: Approved application with the following Standard and Special Circumstance Findings: 1. That, because of special circumstances or conditions applicable to the specific location of the lease area in relation to the subject property, including distance from adjacent residential uses, the physical buffer created by the existing shopping center buildings, and location of parking for employees and customers, strict application of the requirements of this ordinance deprive such property of privileges enjoyed by other properties in the vicinity and under an identical zoning classification. 2. That granting the application with associated Conditions of Approval will not be detrimental or injurious to property or improvements in the vicinity of the development site, or to the public health, safety, or general welfare. 3. That granting the application is consistent with the purposes of this ordinance and will not constitute a grant of special privilege inconsistent with limitations on other properties in the vicinity and in the same zoning district.

Standard and Special Conditions of Approval: 1. That Use Permit 08-045, to allow for extended hours of operation (11 PM Sunday through Thursday, midnight on Friday and Saturday nights) in conjunction with the operation of a full-service restaurant, is approved as shown on the February 15, 2008 site plan, floor plan and described in the letter of the same date. 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 Building Division. 4. This 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. No amplified music shall be permitted on the patio area, notwithstanding the existing shopping center sound system. 6. Employees shall park on the southern portion of the parking lot, depending on parking availability. All late evening and night vehicle trips by employees shall use the driveway located on the southern portion of the subject site. 7. All maintenance and cleaning activities associated with the operation of the restaurant, including the washing of mats, shall be conducted during the morning hours, after 7:00 AM, with the sole exception being the cleaning of the kitchen hood(s), which shall be coordinated with the other food service establishments in the center, and with the typical notification process afforded to the Alta Mesa Neighborhood Association. 8. This permit will be reviewed in 180 days from the date of final occupancy. The Use Permit shall be evaluated by the Zoning Administrator to determine if any valid noise and/or use complaints have been received by the Monterey Police Department. If validated complaints have been submitted in regards to the approved use, the Zoning Administrator shall re-open Use Permit 08-045 for possible modification to the associated Conditions of Approval, or, revocation of the Use Permit. 9. This permit shall become null and void if not exercised or extended within twenty-four (24) months of the date of granting by the Zoning Administrator. It is the applicant's responsibility to track the 24-month expiration date. No renewal notice will be sent to the applicant.

ADJOURNMENT: The meeting was adjourned at 4:47 PM. The meeting scheduled for Thursday, March 27, 2008 has been cancelled.

ZONING ADMINISTRATOR: _____

SENIOR ASSOCIATE PLANNER TODD BENNETT

Zoning Administrator
Annotated Agenda
March 13, 2008

