

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: January 10, 2013	Time: 1: 45pm	Agenda Item No.: 4
Project Description: Consider a Use Permit to allow alcoholic beverages to be served in an existing restaurant and lounge within the Courtyard by Marriott Inn, which is located within 200 feet of the boundary of a residential district.		
Project Location: 17225 El Rancho Way Salinas		APN: 261-146-015-000
Planning File Number: PLN120271		Owner: Fargo Inns Pool C Realty LP Agent: Alcoholic Beverage Consulting Service
Planning Area: Greater Salinas Area Plan		Flagged and staked: No
Zoning Designation: "LC-UR" (Light Commercial and Urban Reserve)		
CEQA Action: Categorically Exempt per Section 15301		
Department: RMA - Planning Department		

RECOMMENDATION:

Staff recommends that the Zoning Administrator adopt a resolution (**Exhibit C**) to:

- 1) Find the project Categorically Exempt per Section 15301; and
- 2) Approve a Use Permit to allow alcoholic beverages to be served in an existing restaurant and Lounge within the Courtyard by Marriott Inn, which is located within 200 feet of the boundary of a residential district, based on the findings and evidence and subject to the conditions of approval (**Exhibit C**)

PROJECT OVERVIEW: The subject property is located at 17225 El Rancho Way Salinas and is zoned Light Commercial with an Urban Reserve overlay. On December 4, 2001, the Monterey County Board of Supervisors approved a Combined Development Permit (PLN990374) for the Salinas Courtyard by Marriott Inn which now occupies the site. The Inn currently maintains a restaurant and lounge area and would like to serve alcoholic beverages within the existing facility is to provide for the comfort and convenience of the guests of the Inn.

The RMA-Planning Department has determined that a Use Permit is required in order for the Courtyard by Marriott Inn to serve alcoholic beverages to the guests of the Inn because the facility is within 200 feet of a residential district. The County determined, in this case, that the serving of alcohol only for the comfort and enjoyment of the guests of the Inn is not expected to create any greater impact than when previously approved by the Board of Supervisors in 2001. The Planning Department's review of the application confirmed that project will not require additional parking, change existing traffic patterns, generate new trips nor would it be allowed to advertise the facility as a public facility. Therefore, County does not anticipate impacts to the community from the proposed use to affect the surrounding residential districts because the project does not intensify the existing use nor alter existing traffic conditions or traffic patterns of travel to and from the Inn. The County of Monterey and the City of Salinas have reviewed the proposed application and no comments or conditions were received from any County agency. The City of Salinas indicated in writing that there are no issues of concern for the City.

Staff analysis of the project found it to be consistent with the Zoning Ordinance Title 21, Greater Salinas Area Plan, and the Boronda Neighborhood Improvement Plan. Based on the application and the originally approved project, the proposed use will not create any new impacts not already analyzed for the approved facility or be detrimental to persons living and working in the area. Consequently, the County finds the proposed project to be categorically exempt under Section 15301, Class 1 existing facilities may exempt a project which involves negligible or no expansion of the existing use.

See attached discussion (**Exhibit B**)

OTHER AGENCY INVOLVEMENT: The following agencies and departments reviewed this project:

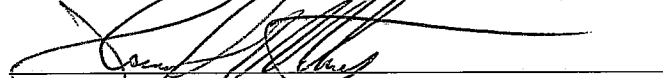
- RMA - Planning Department
- RMA - Public Works Department
- Environmental Health Bureau
- Water Resources Agency
- Monterey County Sheriffs Department
- Monterey County Regional Fire Protection District
- √ City of Salinas

Agencies that submitted comments are noted with a check mark ("√"). Conditions recommended by RMA-Planning Department have been incorporated into the Condition Compliance/Mitigation Monitoring and Reporting Plan attached to the draft resolution (**Exhibit C**).

A comment letter was received (**Exhibit C**). The letter from the City of Salinas listed several conditions typically put on similar projects. County staff contacted the staff planner for the City and determined that the conditions they outlined in the letter were informational only, with no expectation to be placed on this project. Staff noted the comment and conditioned the project within the standards of existing County conditions.

Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application was not referred to a Land Use Advisory Committee as there is currently no public advisory committee for this area of the County.

Note: The decision on this project is appealable to the Monterey County Planning Commission.



Ramon Montano, Assistant Planner
(831) 755-5169, montanor@co.monterey.ca.us
December 20, 2012

cc: Front Counter Copy; Zoning Administrator; RMA – Planning Department; RMA - Public Works Department; Environmental Health Bureau; Water Resources Agency; Monterey County Sheriff’s Department; Monterey County Regional Fire Protection District; City of Salinas; Laura Lawrence, Planning Services Manager; Delinda Robinson Senior Planner; Ramon Montano, Project Planner; Carol Allen, Senior Secretary; Fargo Inns Pool C Realty LP, Owner; Alcoholic Beverage Consulting Service, Agent; The Open Monterey Project; Land Watch; Planning File PLN120271.

Attachments: Exhibit A Project Data Sheet
 Exhibit B Discussion
 Exhibit C Resolution
 • Recommended Conditions of Approval
 • Site Plan, Floor Plan
 Exhibit D Vicinity Map
 Exhibit E Comment Letter from the City of Salinas

This report was reviewed by Laura Lawrence, Planning Services Manager



EXHIBIT B DISCUSSION

Project Description

The project consists of a Use Permit to allow alcoholic beverages to be served at an existing on-site restaurant and lounge in the existing Inn for the convenience and comfort of the guests of the Courtyard Inn which is located within 200 feet of the boundary of a residential district.

History

The subject property was granted a Combined Development Permit to allow the development of the Marriott "Courtyard Inn" with 90 rooms and the "Residence Inn" with 107 rooms on December 4, 2001 and has been in operation since December of 2003. The existing restaurant and lounge within the Courtyard Inn are limited facilities which cater to guests of the Inn. Based on the traffic report prepared for the original project, more than ample parking spaces (202) were provided for the facility. The proposed use permit to allow alcoholic beverages to be served within the existing restaurant and lounge will not require additional parking spaces because no new staff will be required nor will the restaurant and lounge be utilized as a public facility.

Project

A Use Permit is required in order to allow the serving of alcoholic beverages within 200 feet of a residential district. The purpose of this permit to allow alcoholic beverages to be served at the ancillary restaurant/lounge pursuant to a Type 47 On-Sale General Eating Place license from the California Department of Alcoholic Beverage Control. The Courtyard by Marriott Inn currently holds a Type 70 license which authorizes the sale or furnishing of beer, wine and distilled spirits for consumption on the premises to the establishment's overnight transient occupancy guests or their invitees. This license is normally issued to "suite-type" Inns and motels, which exercise the license privileges for guest's "complimentary" happy hour. Minors are allowed on the premises. Per Marriott International policy, the Courtyard Marriott does not advertise the restaurant/lounge to the public or put up any signage on the exterior of the building to advertise the restaurant/lounge. The restaurant/lounge is provided primarily for the comfort and use of the guests staying at the Inn.

No physical expansion, new development, changes to parking, operational changes, signs, or advertising is proposed nor considered as part of this application. The only modification would be to allow a Type 47 license. Therefore, the County does not anticipate that the proposed use permit will affect the surrounding residential community because the project does not intensify the existing use nor alter existing traffic conditions or traffic patterns of travel to and from the Inn.

Environmental Review

The County found the proposed application consistent with County regulations and based on existing use of the current Inn facility found no new or unresolved issues which would indicate the potential for impacts to the environment or surrounding community. Therefore, the County of Monterey finds the proposed Use Permit to allow on-site sale of alcoholic beverages at an existing Courtyard by Marriott Inn to be exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15301 which categorically exempt existing facilities which provides that the proposed uses involve a negligible expansion of the existing use.

Recommendation

Staff recommends that the Zoning Administrator find the proposed Use Permit application categorically exempt from CEQA and approve PLN120271, subject to the findings, evidences and conditions of approval contained within the draft resolution (**Exhibit C**).

**EXHIBIT C
DRAFT RESOLUTION**

**Before the Zoning Administrator in and for the
County of Monterey, State of California**

In the matter of the application of:

Fargo Inns Pool C Realty LP (PLN120271)

RESOLUTION NO.

Resolution by the Monterey County Zoning
Administrator:

- 1) Finding the project Categorically Exempt per
Section 15301; and
- 2) Approving Consider a Use Permit to allow
alcoholic beverages to be served in an existing
restaurant and lounge within the Courtyard by
Marriott Inn, which is located within 200 feet of
the boundary of a residential district.

[PLN120271, Fargo Inns Pool C Realty LP, 17225
El Rancho Way Salinas, Greater Salinas Area Plan,
(Assessor's Parcel Number 261-146-015-000)]

The Fargo Inns Pool C Realty LP application PLN120271 came on for public hearing before the Monterey County Zoning Administrator on January 10, 2013. Having considered all the written and documentary evidence, the administrative record, the staff report, oral testimony, and other evidence presented, the Zoning Administrator finds and decides as follows:

FINDINGS AND EVIDENCE

1. **FINDING:** **CONSISTENCY** - The Project, as conditioned, is consistent with the applicable plans and policies which designate this area as appropriate for development.
EVIDENCE: a) During the course of review of this application, the project has been reviewed for consistency with the text, policies, and regulations in:
 - The 2010 Monterey County General Plan;
 - The Greater Salinas Area Plan;
 - Boronda Neighborhood Improvement Plan; and
 - Monterey County Zoning Ordinance (Title 21).No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.
- b) The property is located at 17225 El Rancho Way Salinas, Greater Salinas Area Plan, (Assessor's Parcel Number 261-146-015-000), at the intersection of Calle De Adobe and El Rancho Way. The parcel is Zoned Light Commercial and Urban Reserve, ["LC-UR"]. The project is located within the Boronda community plan area, which allows for commercial uses such as a restaurant where alcoholic beverages are served. A Use Permit is required per Section

- 21.12.030. U. to serve alcohol within 200 feet of a residential zoning district in each case. Therefore, the project is an allowed land use for this site with a use permit.
- c) The Courtyard by Marriott Inn, which is located on 17225 El Rancho Way Salinas, is within 200 feet the boundary of a residential district. The Inn is situated at the intersection of Calle De Adobe and El Rancho Way. The entrance to the Inn is on Calle De Adobe which also provides access to the Heavy Commercial district directly west of the Inn. The residential area is zoned Medium Density residential and is contiguous with the project site west of the Inn. The entrance and exit of the facility do not travel through the residential area. Guests leaving the facility would exist through a primarily commercial area.
 - d) **LU-4:** encourages commercial development in proximity to major residential areas. The project is consistent with the overall goal of commercial zoning districts to provide accommodations close to a major transportation route Highway 101.
 - e) **LU-2.22:** the project is consistent with the objective to provide integrate commercial into the residential area and preserving a natural aesthetic for the community with open space landscaping, as well as opportunities to live near jobs, and where adequate public facilities are available. The project is located and served by the local water and sewer services districts
 - f) **LU-2.15:** Urban Reserve the proposed project was referred to the City of Salinas. The city indicated that there were standard conditions applied to project of similar type use.
 - g) **GS-1.14:** Area Plan policies related to areas under the Urban Reserve or sphere of influence areas. The City of Salinas has reviewed the project and no issue with the proposed use permit.
 - h) **Boronda Neighborhood Improvement Plan**, the project is consistent with the applicable policies in the Improvement Plan and uses for Planned Commercial and will not affect the planned commercial build-out because the proposed use is within an approved area rezoned for the current commercial uses.
 - i) The project planner conducted a site inspection in October of 2012 to verify that the project on the subject parcel conforms to the plans listed above.
 - j) Based on the LUAC Procedure guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application was not referred to a Land Use Advisory Committee as there is currently no public advisory committee for this area of the County.
 - k) The plans application, and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development found in Project File PLN120271.

2. **FINDING:** **SITE SUITABILITY** – The site is physically suitable for the use proposed.

EVIDENCE: a) The project has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Monterey Regional Fire Protection District, Public Works, Environmental Health

Bureau, Water Resources Agency, Monterey County Sheriff's Department, and City of Salinas. There has been no indication from these departments/agencies that the site is not suitable for the proposed development. Conditions recommended have been incorporated.

- b) Staff identified no potential impacts to the environment or the surrounding community. The project remains within the threshold of the environmental review adopted for the original project and remains consistent with the Greater Salinas Area Plan and the Boronda Neighborhood Improvement Plan. Therefore, the County finds the proposed uses will have no physical or environmental constraints that would indicate that the site is not suitable for the use proposed.
- c) Staff conducted a site inspection in October of 2012 to verify that the site is suitable for this use.
- d) The plans application, and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development found in Project File PLN120271.

3. **FINDING:** **HEALTH AND SAFETY** - The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

- EVIDENCE:**
- a) The project was reviewed by RMA - Planning Department, Monterey Regional Fire Protection District, Public Works, Environmental Health Bureau, Water Resources Agency, Monterey County Sheriff's Department, and City of Salinas. The respective departments/agencies have recommended conditions, where appropriate, to ensure that the project will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
 - b) Staff reviewed the site plan and the residential area adjacent to the existing Inn and determined it would not be necessary for guests of the Inn to traverse into the residential area just west of the Inn. The traffic pattern leaving the Inn would normally leave on El Rancho Way or Calle Del Adobe (a commercial district) to access the main intersection North Davis Road where travelers would gain access to Highway 101 going north or south.
 - c) The Courtyard Inn will not be allowed to advertise the restaurant and lounge to the general-public, or provide entertainment. Therefore, the change to allow the Inn to serve alcoholic beverages to guests would not bring additional traffic into the area, nor would it cause an increase in noise that might impact nearby residential areas.
 - d) Necessary public facilities are available. The site has public water and is connected to public sewer. The proposed uses will not require additional services or expansion of existing infrastructure.
 - e) Staff conducted a site inspection in October of 2012 to verify that the site is suitable for this use.
 - f) The application, project plans, and related support materials submitted by the project applicant to the Monterey County RMA - Planning Department for the proposed development found in Project File

4. **FINDING:** **NO VIOLATIONS** - The subject property complies with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County zoning ordinance. No violations exist on the property.
- EVIDENCE:**
- a) Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on subject property.
 - b) Staff conducted a site inspection in October of 2012 and researched County records to assess if any violation exists on the subject property.
 - c) There are no known violations on the subject parcel.
 - d) The plans application, and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development found in Project File PLN120271.
5. **FINDING:** **CEQA (Exempt)** - The project is categorically exempt from environmental review and no unusual circumstances were identified to exist for the proposed project.
- EVIDENCE:**
- a) California Environmental Quality Act (CEQA) Guidelines Section 15301 which categorically exempts existing facilities which provides that the proposed uses involve a negligible expansion of the existing use.
 - b) The County previously approved a Combined Development Permit (PLN990374) for the Salinas Marriott Inns which established the current use and adopted a Mitigated Negative Declaration for the project. The proposed Use Permit to allow on-site sale of alcoholic beverages at the existing Courtyard by Marriott Inn is for the convenience and comfort of the guests of the Inn will not intensify or create any new impacts not already identified in the previously approved project.
 - c) No adverse environmental effects were identified during staff review of the development application during a site visit in October of 2012.
 - d) None of the exceptions under CEQA Guidelines Section 15300.2 applies to this project. The project is located in a commercial zoning district which allows restaurants and bars. The project is not located near a Scenic Highway, Hazardous Waste Sites, nor will it affect any Historical Resources.
 - e) Findings 2, 3, and associated evidence, in conjunction with the material in the Planning File PLN120271, support the conclusion that the serving of alcoholic beverages for the convenience and comfort of the residents staying in the Inn will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.
 - f) Staff conducted a site inspection in October of 2012 to verify that the site is suitable for this use.
 - g) The plans application, and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development found in Project File PLN120271.

6. **FINDING:** **APPEALABILITY** – The Monterey County Planning Commission is the appropriate authority to consider appeals from the discretionary decisions of the Zoning Administrator.
- EVIDENCE:** Per Section 21.80.040.B. of the Monterey County Zoning Ordinance.

DECISION

NOW, THEREFORE, based on the above findings and evidence, the Zoning Administrator does hereby:

- 1) Find the project (PLN120271) Categorically Exempt per Section 15301; and
- 2) Approve a Use Permit to allow alcoholic beverages to be served in an existing restaurant and lounge within the Courtyard by Marriott Inn, which is located within 200 feet of the boundary of a residential district, in general conformance with the attached sketch and subject to the attached conditions, all being attached hereto and incorporated herein by reference.

PASSED AND ADOPTED this 10th day of January 2013 by:

Jacqueline Onciano, Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON

THIS APPLICATION IS APPEALABLE TO THE PLANNING COMMISSION.

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE SECRETARY OF THE PLANNING COMMISSION 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 Department and Building Services Department office in Salinas.

2. This permit expires 3 years after the above date of granting thereof unless construction or use is started within this period.

Monterey County Planning Department

DRAFT Conditions of Approval/Mitigation Monitoring Reporting Plan

PLN120271

1. PD001 - SPECIFIC USES ONLY

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: This Use Permit to allow alcoholic beverages to be served in an existing restaurant and lounge within the Court yard by Marriott Inn, which is located within 200 feet of the boundary of a residential district, was approved in accordance with County ordinances and land use regulations subject to the terms and conditions described in the project file. The property is located at 17225 El Rancho Way Salinas, Greater Salinas Area Plan, (Assessor's Parcel Number 261-146-015-000), at the intersection of Calle De Adobe and El Rancho Way. Neither the uses 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 the RMA - Planning Department. 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. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed: The Owner/Applicant shall adhere to conditions and uses specified in the permit on an ongoing basis unless otherwise stated.

2. PD002 - NOTICE PERMIT APPROVAL

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The applicant shall record a Permit Approval Notice. This notice shall state:
"A Use Permit (Resolution Number ***) was approved by the Zoning Administrator for Assessor's Parcel Number 261-146-015-000 on January 10, 2013. The permit was granted subject to 5 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department."
Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the issuance of grading and building permits or commencement of use, the Owner/Applicant shall provide proof of recordation of this notice to the RMA - Planning Department.

3. PD004 - INDEMNIFICATION AGREEMENT

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The property owner agrees as a condition and in consideration of approval of this discretionary development permit that it will, pursuant to agreement and/or statutory provisions as applicable, including but not limited to Government Code Section 66474.9, defend, indemnify and hold harmless the County of Monterey or its agents, officers and employees from any claim, action or proceeding against the County or its agents, officers or employees to attack, set aside, void or annul this approval, which action is brought within the time period provided for under law, including but not limited to, Government Code Section 66499.37, as applicable. The property owner will reimburse the County for any court costs and attorney's fees which the County may be required by a court to pay as a result of such action. The County may, at its sole discretion, participate in the defense of such action; but such participation shall not relieve applicant of his obligations under this condition. An agreement to this effect shall be recorded upon demand of County Counsel or concurrent with the issuance of building permits, use of property, filing of the final map, whichever occurs first and as applicable. The County shall promptly notify the property owner of any such claim, action or proceeding and the County shall cooperate fully in the defense thereof. If the County fails to promptly notify the property owner of any such claim, action or proceeding or fails to cooperate fully in the defense thereof, the property owner shall not thereafter be responsible to defend, indemnify or hold the County harmless.
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Upon demand of County Counsel or concurrent with the issuance of building permits, use of the property, recording of the final/parcel map, whichever occurs first and as applicable, the Owner/Applicant shall submit a signed and notarized Indemnification Agreement to the Director of RMA-Planning Department for review and signature by the County.

Proof of recordation of the Indemnification Agreement, as outlined, shall be submitted to the RMA-Planning Department.

4. PD032(A) - PERMIT EXPIRATION

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: The permit shall be granted for a time period of 3 years, to expire on January 10, 2016 unless use of the property or actual construction has begun within this period. (RMA-Planning Department)

Compliance or Monitoring Action to be Performed: Prior to the expiration date stated in the condition, the Owner/Applicant shall obtain a valid grading or building permit and/or commence the authorized use to the satisfaction of the Director of Planning. Any request for extension must be received by the Planning Department at least 30 days prior to the expiration date.

5. SPD001 - HOURS OF OPERATION & NO. OF EMPLOYEES

Responsible Department: Planning Department

Condition/Mitigation Monitoring Measure: Hours of operation for the restaurant and lounge shall be as follows: Mornings, Monday through Friday 6:00 AM to 9:30 AM; Saturday and Sunday 7:00 AM to 10:30 AM.; Number of employees: 8 employees total; 2 employees per morning shift and 1 per evening shift
(RMA - Planning Department)

Compliance or Monitoring Action to be Performed: Ongoing condition, Hours of operation and number of employees shall be ongoing per condition number 6 any changes will require approval of the RMA-Director of Planning.

EXHIBIT C
FARGO HOTELS (PLN120271)
Site Plan/Floor Plan

PROJECT DESIGNER:



GUY HANKS & ASSOCIATES
444 EXCELLORE WAY
SUITE 100
HOUSTON, TEXAS 77056
ARCHITECT OF RECORD

EXCEL ENGINEERING
100 CANCELETTA DRIVE
FOND DU LAC, WI 54931
126-70-3401 (PLN)
ARCHITECT OF RECORD

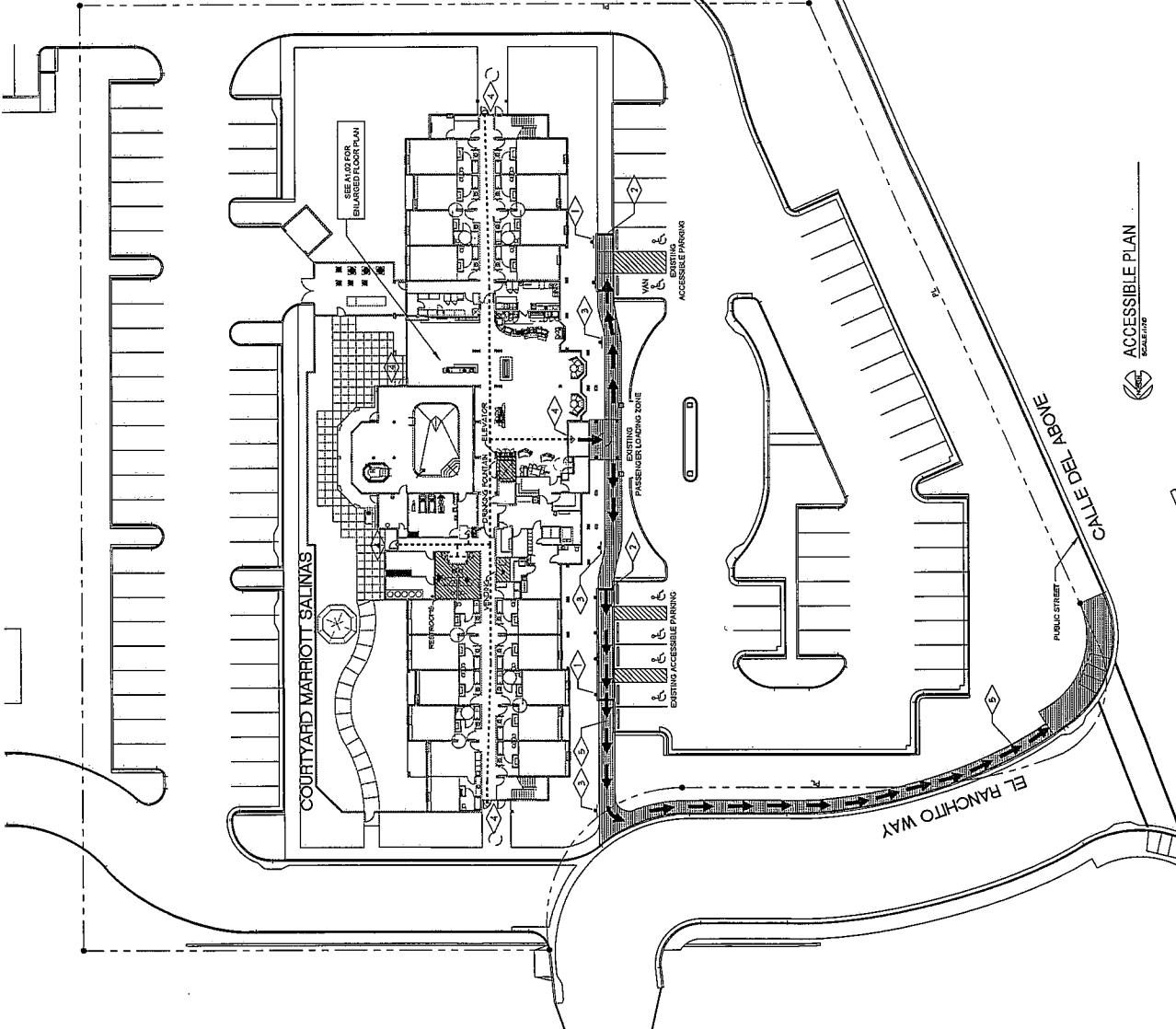
PILLAR HOTELS & RESORTS
7700 WOLF RIVER BLVD. SUITE 101
MEMPHIS, TN 38228
PROJECT
COURTYARD by MARIOTT - SALINAS MONTEREY
CLIENT: RANCHOWAY
SUNSET, CALIFORNIA 94067

PROJECT: 201008
DATE: 04/20/11
SCALE: AS NOTED
OWNER: PILLAR HOTELS & RESORTS
DATE: 04/20/11
SCALE: AS NOTED
OWNER: PILLAR HOTELS & RESORTS
DATE: 04/20/11
SCALE: AS NOTED
OWNER: PILLAR HOTELS & RESORTS

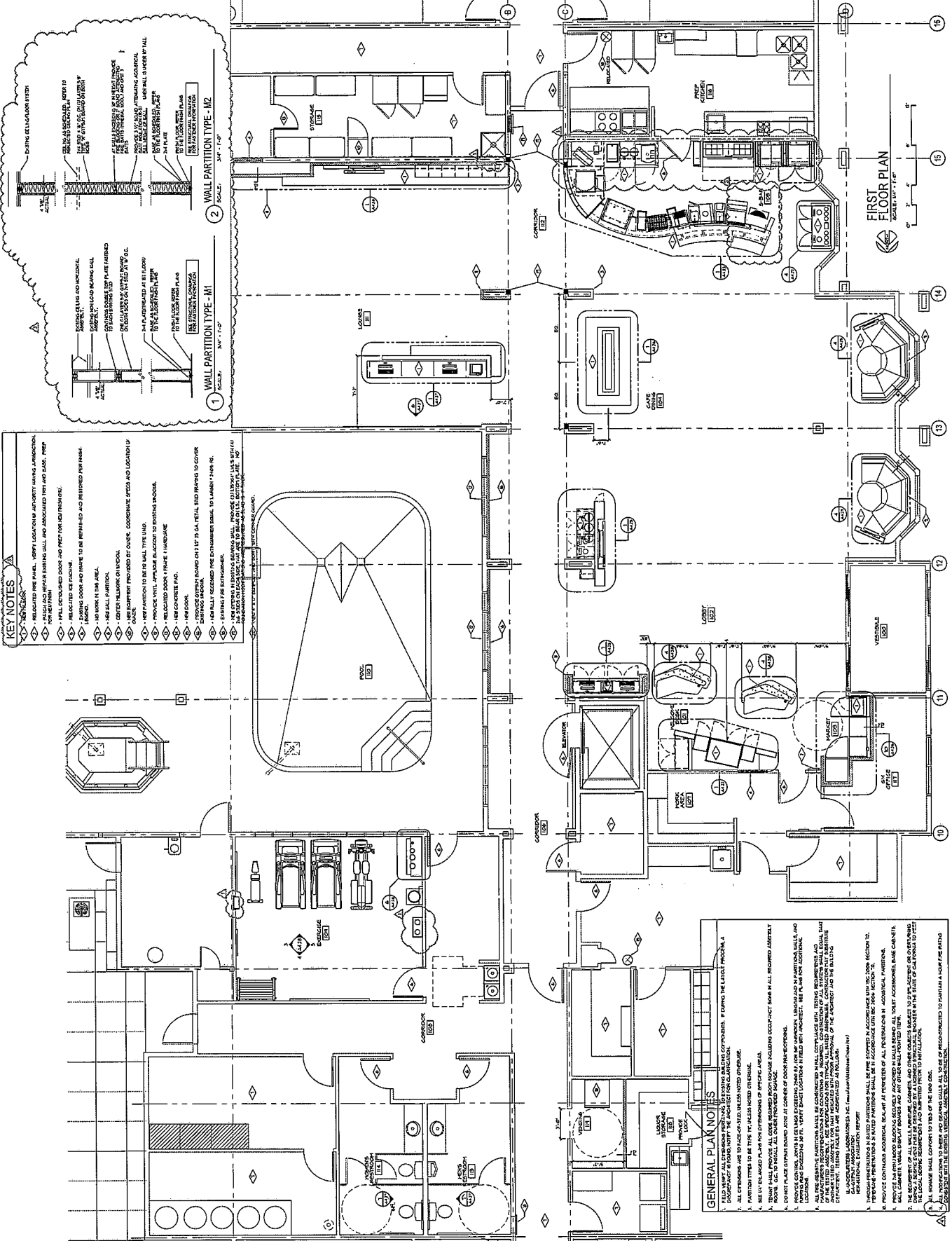
ACCESSIBLE
PLAN
A1.01

GENERAL ACCESSIBILITY NOTES:
ALL WORK UNDER THE SCOPE OF WORK SHALL BE FULLY COMPLIANT WITH THE ACCESSIBILITY REQUIREMENTS OF THE 2010 IRC.
1. ACCESSIBILITY SIGNAGE SHALL BE PROVIDED FOR ALL ENTRANCES AND EXITS. SIGNAGE SHALL BE PROVIDED FOR ALL ENTRANCES AND EXITS. SIGNAGE SHALL BE PROVIDED FOR ALL ENTRANCES AND EXITS. SIGNAGE SHALL BE PROVIDED FOR ALL ENTRANCES AND EXITS. SIGNAGE SHALL BE PROVIDED FOR ALL ENTRANCES AND EXITS.
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SYMBOL LEGEND
◆ NETWORK... INDICATES REMOVAL OF ITEM
KEY NOTES - DEMOLITION
◆ EXISTING HATCHED PAVING MUST BE DEMOLISHED AND REPLACED WITH PERVIOUS PAVING.
◆ EXISTING CONCRETE SHALL BE DEMOLISHED AND REPLACED WITH PERVIOUS CONCRETE.
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ACCESSIBLE PLAN
SCALE: 1/8" = 1'-0"



KEY NOTES

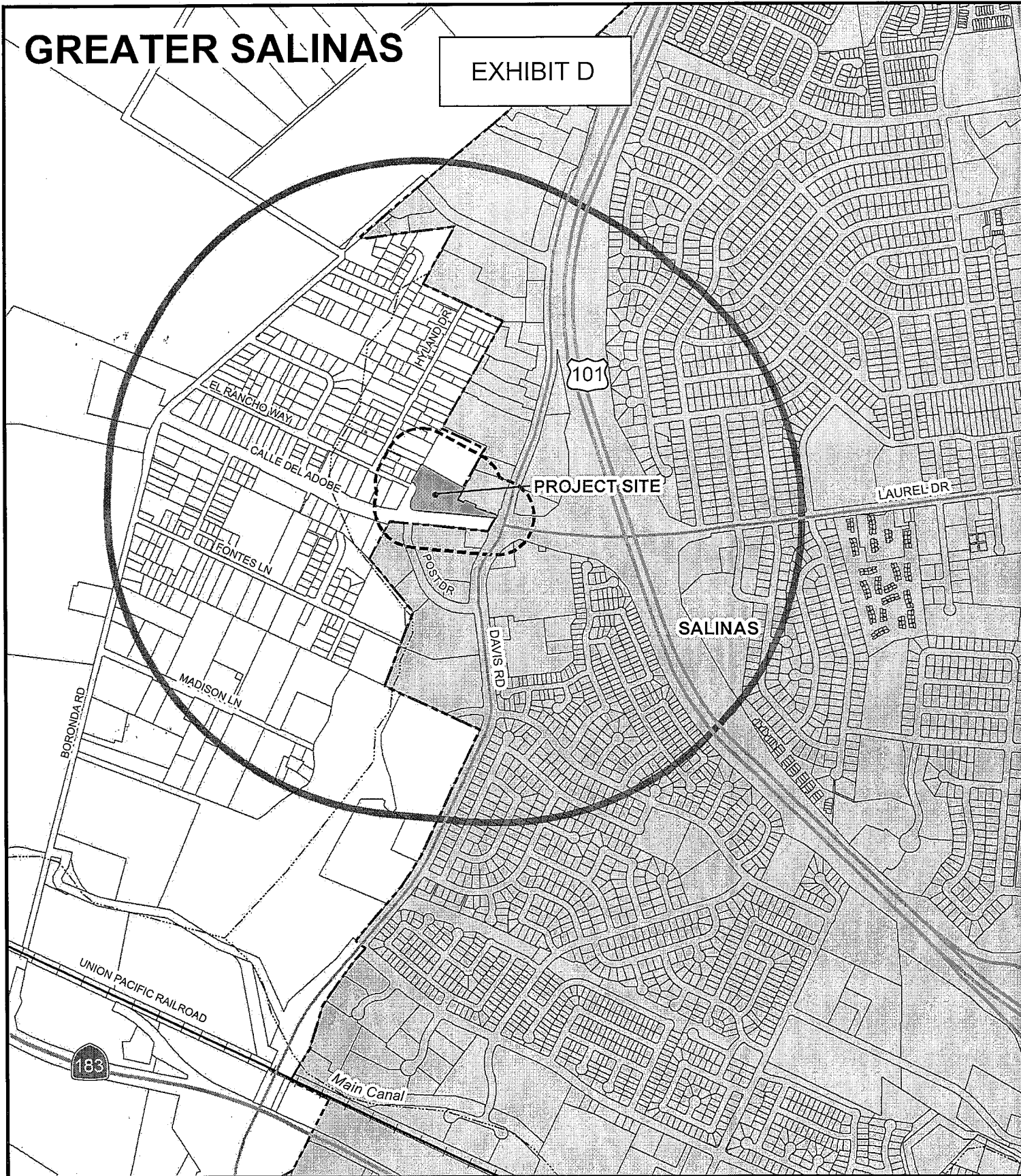
- 1. RELOCATED FIRE PANEL. VERIFY LOCATION BY AUTHORITY HAVING JURISDICTION.
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- 15. RELOCATED FIRE PANEL. VERIFY LOCATION BY AUTHORITY HAVING JURISDICTION.
- 16. RELOCATED FIRE PANEL. VERIFY LOCATION BY AUTHORITY HAVING JURISDICTION.
- 17. RELOCATED FIRE PANEL. VERIFY LOCATION BY AUTHORITY HAVING JURISDICTION.

GENERAL PLAN NOTES

1. VERIFY THAT ALL DIMENSIONS MATCH TO THE ARCHITECT'S RECORD DRAWINGS.
2. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
3. PARTITION TYPES TO BE TYPE 1 UNLESS NOTED OTHERWISE.
4. SEE ALL RELATED PLANS FOR DIMENSIONS OF SPECIFIC AREAS.
5. ROOMS, ETC. TO BE TYPE 1 UNLESS NOTED OTHERWISE.
6. DO NOT PLACE STRIP HANDED JOINTS AT CORNERS OF DOOR FRAMEWORKS.
7. PROVIDE CONTINUOUS JOINTS AT CORNERS OF DOOR FRAMEWORKS.
8. PROVIDE CONTINUOUS JOINTS AT CORNERS OF DOOR FRAMEWORKS.
9. PROVIDE CONTINUOUS JOINTS AT CORNERS OF DOOR FRAMEWORKS.
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16. PROVIDE CONTINUOUS JOINTS AT CORNERS OF DOOR FRAMEWORKS.
17. PROVIDE CONTINUOUS JOINTS AT CORNERS OF DOOR FRAMEWORKS.

GREATER SALINAS

EXHIBIT D

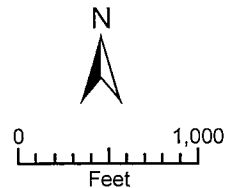


APPLICANT: W2005/FARGO HOTELS POOL C REALTY LP

APN: 261-146-015-000

FILE # PLN120271

Water 2500' Limit 300' Limit City Limits



PLANNER: MONTANO

EXHIBIT E
FARGO HOTELS (PLN120271)
Comment Letter from the City of Salinas

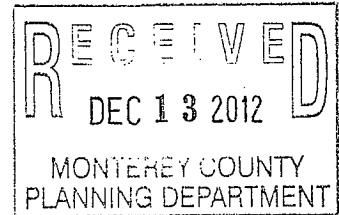


City of Salinas

COMMUNITY & ECONOMIC DEVELOPMENT DEPARTMENT * 65 W. Alisal Street * Salinas, California 93901 * (831) 758-7206 *
Fax (831) 758-7215

December 12, 2012

Monterey County Planning Department
c/o Ramon Montano, Assistant Planner
168 West Alisal Street, Second Floor
Salinas, CA 93901



RE: CITY CONSULTATION OF A USE PERMIT TO ALLOW ON-SITE SALE OF ALCOHOLIC BEVERAGES AT AN EXISTING COURTYARD BY MARRIOTT HOTEL AND AN AMENDMENT TO A PREVIOUSLY APPROVED PERMIT TO ALLOW CONTINUATION OF AN ON-SITE CASUAL RESTAURANT AND BAR LOCATED AT 17225 RANCHO ROAD IN THE LIGHT COMMERCIAL – URBAN RESERVE (LC-UR) ZONING DISTRICT (PLN120271).

Dear Mr. Montano:

The Community and Economic Development Department would like to thank the Monterey County Planning Department for the opportunity to review the above referenced application. The proposed application would allow on-site sale of alcoholic beverages (within 200 feet of the boundary of a residential district) at an existing Courtyard by Marriott Hotel and an amendment to the existing use permit to continue the on-site casual restaurant and bar with a General Development Plan to establish the parameters of the restaurant and bar hours of operation, location, and tenant improvements. The County zoning of the subject property is LC-UR (Light Commercial-Urban Reserve).

Similar proposed projects in the City of Salinas would require compliance with the Alcohol License Review Section of the City of Salinas Zoning Code. Standard conditions below set forth are generally applicable to on-site alcohol sales at a restaurant within the City of Salinas:

1. Alcohol shall not be sold on Sunday through Thursday after 11:00 p.m. until 6:00 a.m. the following day, and after 12:00 midnight on Friday and Saturday until 6:00 a.m. the following day, unless otherwise authorized in this Permit.
2. The primary use of the restaurant is for sit-down food service of patrons. Seating for sit-down food service of patrons is provided on the premises and constitutes at least fifty percent of the establishment's seating area, unless otherwise authorized in this Permit. The on-sale alcohol use is accessory to the food service use and there is not a distinguishable separate bar area, unless otherwise authorized in this Permit.
3. Any alcohol license violation and/or suspension by the Alcohol Beverage Control Board or significant criminal activity, in the opinion of the City Police Chief, shall constitute grounds for review and modification or revocation of this use Permit in accordance with Section 37-60.640: Expiration-transferability-recordation-rescission-revocation; of the Salinas Zoning Code.
4. No alcoholic beverages shall be sold, dispensed, or offered for consumption except within the licensed premises.
5. Alcohol sales shall not occur except in conjunction with the maintenance of the premises as a "bona fide public eating place," i.e. a place which is regularly, and in a bona fide manner, used and kept open for the serving of meals to guests for compensation and which has on-site kitchen

facilities for cooking an assortment of foods required for ordinary meals. No off-sale alcohol sales shall be allowed, unless otherwise permitted for.

6. Pursuant to Zoning Code Section 37-50.030(f)(6), all business owners and managers shall complete a program certified by the Department of Alcoholic Beverage Control (ABC) as a qualified responsible beverage service (RBS) program prior to the commencement of the use. Such training is required within ninety days of ownership transfer or hire. Failure of managers to obtain training shall be the liability of the owner. The owner shall maintain on the premises a file containing the certificates of training and shall present the file and its contents upon request by the City at any time during normal business hours. The provisions regarding responsible beverage training shall be suspended only upon a finding by the City Planner that the training is not reasonably available.
7. The applicant shall keep the rear door shut during evening and nighttime hours. Applicant shall control parking lot noise, etc. by restaurant/bar patrons.
8. The premises and the common driveways and parking areas used by the premises shall be maintained free of litter at all times.
9. No outdoor storage, display, or sale of merchandise of any kind will be permitted.
10. Prior to the issuance of any building permit, the applicant shall consult with the Police Department regarding crime prevention and security. Written confirmation from the Police Department demonstrating compliance with this condition shall be submitted to the Community and Economic Development Department prior to issuance of a building permit.
11. The issuance of this Permit is required in addition to the issuance of an alcoholic beverage sales license from the State Alcoholic Beverage Control Board.

Once again, the Community and Economic Development Department is grateful for the opportunity to review this proposed application. If you have any questions, please contact me at (831) 758-7206.

Sincerely,



Bobby Latino
Planning Technician

cc: Planning Manager

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