

**PLANNING COMMISSION
COUNTY OF MONTEREY, STATE OF CALIFORNIA**

RESOLUTION NO. 02059

A.P. # 169-131-002-000M

FINDINGS AND

DECISION

In the matter of the application of
Steve Mirabito (PLN980301)

for a Use Permit in accordance with Title 21 (Zoning) Chapter 21.74 (Use Permits) of the Monterey County Code, AND Design Approval for a single-story mini-storage warehouse development with a total area of 43,715 sq. ft., including a 900 sq. ft. single-story office, a 35 sq. ft. monument sign, and a proposed 1.51 acre public park dedication; proposed to be built and operated in two phases: Phase 1 will consist of a 900 sq. ft. office and 30,125 sq. ft. of mini-storage; Phase 2 will consist of an additional 12,690 sq. ft. of mini-storage, for a total project area of 43,715 square feet, located at 9640 and 9680 Carmel Valley Road, Carmel west of the intersection of Carmel Valley Road and Robinson Canyon Road, Carmel Valley area, came on regularly for hearing before the Planning Commission on September 25, 2002.

Said Planning Commission, having considered the application and the evidence presented relating thereto,

FINDINGS OF FACT

1. **FINDING:** The proposed Use Permit and Design Approval to allow for a single-story mini-storage warehouse development with a total area of 43,715 sq. ft., including a 900 sq. ft. single-story office, a 35 sq. ft. monument sign, and a proposed 38,303 sq. ft. public park dedication is consistent with the Carmel Valley Master Plan designation of Commercial.

EVIDENCE: Storage warehouses are allowable uses with a use permit consistent with Section 21.20.060.C of Title 21.
2. **FINDING:** The proposed project is statutorily exempt from the California Environmental Quality Act.

EVIDENCE: Section 15270 of the Monterey County CEQA Guidelines statutorily exempts the proposed development from environmental review. Projects recommended for denial are not subject to environmental review.
3. **FINDING:** The proposed project is not consistent with Policy 40.2.1.1 (CV) of Carmel Valley Master Plan which requires that an appropriate setback at a minimum of 100 feet shall be established along Carmel Valley Road without causing existing structures to become non-conforming and without rendering existing lots of record unbuildable.

EVIDENCE: The proposed project provides an approximately 20 foot setback from Carmel Valley Road. The property is large enough not to be rendered unbuildable if a 100 foot setback from Carmel Valley Road is maintained.

EVIDENCE: The property includes an average buildable depth of 330 feet, after subtracting the required 200-foot setback from the Carmel River. Requiring a 100-foot setback from Carmel Valley road would leave an average buildable depth of 230 feet, which is adequate area in which to build. Further, the project is proposed to be single-story, and up to 35 feet of height is permitted by the underlying zoning. This height allows for a taller structure with a greater floor area ratio, which further accommodates building on the site.

EVIDENCE: Plans and materials contained in file PLN980301
4. **FINDING:** The proposed project is not consistent with Policy 26.1.26(CV) of Carmel Valley Master

Plan which requires that development either shall be visually compatible with the character of the valley and immediate surrounding areas, or shall enhance the quality of areas that have been degraded by existing development.

EVIDENCE: As designed, the scale and large bulk of the proposed project will conflict with the rural character of the valley and immediate surrounding areas, and does not enhance the quality of areas that have been degraded by existing adjacent development. The nature of the project requires long, uninterrupted exterior wall expanses to accommodate the approximately 138 self storage units requested. The project includes a 110-foot long front storage building elevation, which will be uniform in height, setback and exterior materials. This elevation will be monotonous in appearance, and will be visually incompatible with the smaller-scale, eclectic-themed Farm Center buildings abutting the site.

EVIDENCE: Site Visit August 14, 2002.

EVIDENCE: The proposed 20-foot setback as well as a lack of water precludes screening the project with a dense stand of existing vegetation for screening.

5. **FINDING:** The proposed project is not consistent with Policy 28.1.20A (CV) of Carmel Valley Master Plan which requires that development should follow a rural architectural theme with design review. This would encourage a visual coherence, which is now lacking.

EVIDENCE: Due to its massive size and long, monotonous wall expanses the proposed project does not follow a rural architectural theme.

EVIDENCE: Plans and materials contained in file PLN980301

EVIDENCE: Site Visit August 14, 2002.

6. **FINDING:** The proposed project to allow for a single-story mini-storage warehouse development with a total area of 43,715 square feet, including interim outdoor boat and RV storage, a 900 sq. ft. single-story office, a 35 square foot monument sign, and a proposed 38, 303 square foot public park dedication is not consistent with the "D-S" (Design Control-Site Control) zoning designation of the property because of the project's siting, size, configuration, and proposed and existing landscaping.

EVIDENCE: The "D-S" zoning designation of the property requires any proposed development to assure protection of the public viewshed, neighborhood character, and to assure the visual integrity of certain developments. The proposed project designed as a large commercial storage building will be inconsistent with the rural character of the neighborhood.

EVIDENCE: See evidence for Findings 4 and 5 above.

7. **FINDING:** The proposed project is not consistent with the Carmel Valley Master Plan policy 28.1.19 (CV) which requires that 'provision should be made for service centers in Carmel Valley. They need not be in developed areas, but sites shall meet the following criteria:

- Low visibility
- Safe and unobtrusive access away from pedestrian traffic areas
- Low noise impact on surrounding uses
- Conform to all other Plan requirements'

EVIDENCE: Discussion and testimony at the Planning Commission public hearing on July 14, 1999

EVIDENCE: Findings 4, 5, 6 and 8 demonstrate the project does not conform to plan requirements

8. **FINDING:** The proposed project is not consistent with the Carmel Valley Master Plan policy 26.1.22 (CV) which requires 'developed areas should be evaluated in light of resource constraints especially the water supply constraint addressed by policy 54.1.7 (CV) and the character of

each area. No further development in such areas shall be considered until a need is demonstrated through public hearings.'

EVIDENCE: There is not proof of sufficient water availability for the proposed project, as determined by the Monterey Peninsula Water Management District.

EVIDENCE: Calculations by staff show that 0.364 acre-feet per year are required to serve Phase One of the project, and that existing uses to be retired on the property use 0.301 acre-feet per year. Adequate water therefore does not exist for Phase One, based on water use figures in the record, or for the landscaping necessary to adequately screen the long walls of the project from Carmel Valley Road. Phase Two, moreover, will require an additional 0.127 acre-feet per year, for which no water source has been identified.

EVIDENCE: Correspondence from the Monterey Peninsula Water Management District dated March 3, 2000; Memorandum from the Water Resources Agency dated December 30, 1999

EVIDENCE: Plans and materials contained in file PLN980301

9. **FINDING:** The proposed project is not consistent with Policy 2.2.1.3(CV) which encourages using plant materials to screen or soften visual impacts

EVIDENCE: Plans and materials contained in file PLN980301, especially the Planting Plan dated August 2002 show that buildings are proposed to be located on the side property line.

EVIDENCE: Earlier proposals included setbacks landscaped with screening vegetation to help screen and soften the long walls of the storage buildings. The current proposal includes no side yards, therefore precluding any screening landscaping.

EVIDENCE: See evidence for findings 3, 4, 5 and 8

10. **FINDING:** The proposed project has the potential to result in traffic hazards

EVIDENCE: The proposed ingress and egress off the Robinson Canyon off-ramp from Carmel Valley Road will result in potential traffic hazards created by the project. Specifically, vehicles pulling trailers, RV's and boats will only be able to pull partially off the road before needing to access the gate controller, creating traffic obstructions on this off-ramp.

11 **FINDING:** The establishment, maintenance or operation of the uses and buildings applied for will 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 or to the general welfare of the County.

EVIDENCE: The project will be detrimental to health, safety and welfare of persons residing or working in Carmel Valley, because it will consume more water than is available for the site according to the Monterey Peninsula Water Management District. Further, the project will degrade the visual quality of the neighborhood by situating a massive structure on Carmel Valley Road with an insufficient setback to allow for adequate screening. The project will therefore be detrimental to the use and possession of surrounding properties, and to Carmel Valley as a whole.

EVIDENCE: See evidence for Findings 3-10

DECISION

THEREFORE, it is the decision of said Planning Commission that said application is denied.

PASSED AND ADOPTED this 25th day of September, 2002, by the following vote:

AYES: Errea, Sanchez, Hawkins, Brennan, Parsons, Diehl, Hernandez, Engell, Wilmot
NOES: None
ABSENT: Pitt-derdivanis

Original Signed By:

DALE ELLIS, SECRETARY

Copy of this decision mailed to applicant on

IF ANYONE WISHES TO APPEAL THIS DECISION, AN APPEAL FORM MUST BE COMPLETED AND SUBMITTED TO THE CLERK OF THE BOARD OF SUPERVISORS 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.