

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

RESOLUTION NO. 03066

A.P. # 169-131-002-000  
and 169-131-003-000

**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 two-story mini-storage warehouse development proposed to be constructed in two phases; Phase One: 109 sq. ft. office and 29,916 sq. ft. of mini-storage; Phase Two: 33,574 sq. ft. of mini-storage; Total project size: 64,599 sq. ft.; and a 35 sq. ft. monument sign, 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 October 8, 2003.

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 (**Mirabito, PLN980301**) for a two-story mini-storage warehouse development proposed to be constructed in two phases (Phase One will include a 1,109 square foot office, 29,916 square feet of mini-storage and 33,574 square feet of open storage for boats and RVs. Phase Two will consist of 33,574 square feet of mini-storage to replace the outdoor storage, for a total project size of 64,599 square feet), and public trail area dedication, is consistent with the zoning designation of Heavy Commercial, and the Carmel Valley Master Plan designation of Commercial.

**EVIDENCE:** Mini-storage is an allowable use as listed in Section 21.20.060.C of Title 21, Inland Zoning, subject to obtaining a Use Permit from the Planning Commission.

**EVIDENCE:** The front setback of 100 feet, side setbacks of 0 feet and rear setback of 75 feet conform with the front, side and rear setbacks of the Inland Zoning regulations for Heavy Commercial uses, and Carmel Valley Master Plan, and Land Use Map Figure 2, Mid Valley Area.

**EVIDENCE:** The project height of 32 feet conforms to the maximum allowable height of 35 feet for the Heavy Commercial zoning designation

**EVIDENCE:** Materials in file PLN980301.
- 2. FINDING:** The proposed self-storage facility will not conform to Policies 28.1.20A(CV) and 28.1.9(CV) of the Carmel Valley Master Plan, requiring rural architectural design; and controlling mass and bulk of structures, respectively.

**EVIDENCE:** The overall 64,559 square-foot project size, two story design for Phase two of the project, and long walls of the project will be out of scale with the surrounding commercial and residential buildings in the project area.

**EVIDENCE:** The long walls and overall mass of the structure are inconsistent with the rural character policy of the Carmel Valley Master Plan.

**EVIDENCE:** Plans and materials contained in file PLN980301.
- 3. FINDING:** The establishment, maintenance, or operation of the use or structure applied for will, under the circumstances of the particular case, be detrimental to health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood of such proposed use.

- EVIDENCE:** The Carmel Valley Road / Robinson Canyon Road intersection design is visually confusing to drivers. This visual confusion combined with the high speeds at which vehicles travel on this road and off ramp could potentially result in collisions between vehicles attempting to enter or exit the project driveway and other traffic. Larger, slower-moving vehicles of the type anticipated to be stored at the facility (i.e. RVs), and those transporting items to be stored at the facility, are especially incompatible with the faster-moving traffic on this road and the confusing intersection design.
- EVIDENCE:** Testimony of members of the Planning Commission and members of the public commenting on the project during the public hearing for the project.
- EVIDENCE:** The project will result in the removal of an existing single-family home and a potters studio. These uses are supportive of the community, and contribute to the unique character of Carmel Valley, in contrast with a self-storage facility, which has only one employee and rows of storage lockers.
- EVIDENCE:** Allowing future phases of a project to be developed when water becomes available is inconsistent with good planning practice.
- EVIDENCE:** Other uses for the property, such as affordable housing or open space, would be more beneficial to the community and appropriate for the rural setting of the project.
- EVIDENCE:** Self storage uses are associated with break-ins and can become a public nuisance when abandoned, increasing demands on the community while providing no benefits.
- EVIDENCE:** Written comments by the public on the initial study
- EVIDENCE::** Findings and Evidence for 1 and 2 above.
4. **FINDING:** The project is appealable to the Board of Supervisors
- EVIDENCE:** Section 21.80.040.D of the Monterey County Zoning Ordinance (Title 21)
5. **FINDING:** The Planning Commission took no action on the proposed Mitigated Negative Declaration for the project
- EVIDENCE:** Section 15074(a) of the CEQA Guidelines requires the approval authority to adopt a negative declaration prior to approving the project. Because the Planning Commission did not approve the project, no action was taken on the proposed mitigated negative declaration.
- EVIDENCE:** Recorded proceedings for the September 24, 2003 Planning Commission public hearing for the project.

### **DECISION**

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

**PASSED AND ADOPTED** this 8th day of October, 2003, by the following vote:

AYES: Errea, Sanchez, Hawkins, Padilla, Brennan, Parsons, Diehl, Rochester, Wilmot  
NOES: None  
ABSENT: Salazar

Original Signed By:

JEFF MAIN, 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 90<sup>th</sup> day following the date on which this decision becomes final.