

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

In the matter of the application of:

CARMEL VALLEY ATHLETIC CLUB/McKay PRODUCTIONS (PLN100235)

RESOLUTION NO. 10-024

Resolution by the Monterey County Zoning

Administrator:

- 1) Exempts the project from environmental review pursuant to Section 15301 (Class 1) of the CEQA guidelines; and
- 2) Approves an Amendment of a previously approved Use Permit and Design Approval (PLN080184) to allow the Director of the RMA – Planning Department to approve changes of use within existing and previously approved buildings and modifications to the buildings and grounds, provided the changes are consistent with the overall use of the property as an athletic club and do not intensify the overall use of the site beyond levels previously considered and approved by the County of Monterey under File No. PLN080184, and subject to the specific provisions of Condition No. 3 of the Condition Compliance Plan attached to this resolution

(PLN100235, Carmel Valley Athletic Club Inc. and McKay Productions LLC, 27200 & 27300 Rancho San Carlos Road, Carmel Valley, Carmel Valley Master Plan Area (APN: 157-121-014-000 & 157-121-015-000))

The Amendment application (PLN100235) came on for public hearing before the Monterey County Zoning Administrator on July 8, 2010. 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

1. **FINDING:** **CONSISTENCY** – The proposed permit amendment, 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 Monterey County General Plan,
 - the Carmel Valley Master Plan,
 - Greater Monterey Peninsula Area Plan Inventory and Analysis,
 - Monterey County Zoning Ordinance (Title21)

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 site is located at 27200 & 27300 Rancho San Carlos Road, Carmel, (Assessor's Parcel Number 157-121-014-000 & 157-121-015-000, Carmel Valley Master Plan Area. The site is zoned "PQP-D-S-RAZ", which allows public/quasi-public construction. Therefore, the project is an allowed land use for this site.
- c) The proposed amendment of Use Permit and Design Approval PLN080184 was found to be consistent with all applicable policies of the Carmel Valley Master Plan.
- d) The proposed amendment is consistent with the Findings, Evidence and Conditions of Approval contained in Zoning Administrator Resolution No. 080184 dated December 11, 2008. Conditions of approval contained in Resolution No. 080184 are carried forward within this amendment.
- e) The proposed amendment is consistent with the Findings, Evidence and Conditions of Approval contained in Planning Commission Resolution No. 97074 dated October 29, 1997. Conditions of approval contained in Resolution No. 97074 are carried forward within this amendment.
- f) Several site inspections have been conducted since the approval of Use Permit and Design Approval No. PLN080184 to verify that the project on the subject parcels conforms to the plans listed above and is consistent with the Conditions of Approval. Staff has found that the project so far has been developed consistent with those conditions.
- g) The proposed Permit amendment was not referred to the Carmel Valley Land Use Advisory Committee (LUAC) for review. The amendment does not include any changes to the approved uses on the site under the previously approved permits (PC970002 and PLN080184).
- h) 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 Nos. PLN100235, PLN080184 and PC970002.

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

- EVIDENCE:**
- a) The proposed Permit amendment has been reviewed for site suitability by the following departments and agencies: RMA - Planning Department, Carmel Valley Fire Protection District, Public Works, Environmental Health Division, and Water Resources Agency. There has been no indication from these departments/agencies that the site is not suitable for the amendments to the approved uses that may be approved by the Director of Planning as allowed by this amendment. Conditions recommended have been incorporated.
 - b) Several site inspections have been conducted since the approval of Use Permit and Design Approval No. PLN080184 to verify that the site is suitable for this use.
 - c) 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 Nos. PLN100235, PLN080184 and PC970002.

3. **FINDING:** **HEALTH AND SAFETY** - The proposed permit amendment 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 proposed permit amendment was reviewed by the following departments and agencies: RMA - Planning Department, Carmel Valley Fire Protection District, Public Works, Environmental Health Division, and Water Resources Agency. The respective departments/agencies have recommended conditions, where appropriate, to ensure that the implementation of changes to approved uses that may be approved per the amendment will not have an adverse effect on the health, safety, and welfare of persons either residing or working in the neighborhood.

b) Necessary public facilities are available for the existing uses at the site and the proposed Permit amendment does not include increases to those uses. The existing septic disposal systems at the site have been deemed acceptable for the existing/approved levels of use by the Environmental Health Bureau (EHB) as shown in Exhibit 3 of this Resolution . Any proposed changes to those uses would be reviewed by the EHB to make sure that they do not exceed the capacity of those systems. Water for the existing domestic uses is provided by Cal Am and individual wells provide irrigation water. The proposed permit amendment would not allow increases in the levels of use that would require additional water supply. The proposed permit amendment would not allow any changes that require parking additional to the parking approved as part of the existing permit. No change to the approved levels of usage would be approved under the provisions of the proposed Permit amendment that require infrastructure improvements without further amending the approved Use Permit (PLN080184).

c) Preceding findings and supporting evidence.

4. **FINDING:** **NO VIOLATIONS** - The subject property is in compliance with all rules and regulations pertaining to zoning uses, subdivision, and any other applicable provisions of the County's 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 several site inspections and researched County records to assess if any violation exists on the subject property.

c) Currently there are no known violations on the subject parcel. Previous violations exists on parcels 157-121-015-000 and 157-121-014-000 however; the subject property is now in compliance with all rules and regulations pertaining to the property.

d) The application, plans and supporting materials submitted by the project applicant to the Monterey County Planning Department for the proposed development are found in Project File PLN100235, PLN080184 and PC970002.


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 (Class 1) categorically exempts the operation or minor alteration of existing private facilities such as the one existing at the site.
- b) The proposed Permit amendment does not include, nor would it allow, expansion of the approved levels of use at the site. Any changes to those uses proposed under the amendment that are determined by staff to require additional infrastructure cannot and would not be allowed under the provisions of the amendment. Any such changes would require further amendment to the approved Use Permit (PLN080184).
- c) No adverse environmental effects have been identified during staff review of the proposed Permit amendment nor during the site visits conducted.
- d) See preceding and following findings and supporting evidence.
6. **FINDING:** **APPEALABILITY** - The decision on this project may be appealed to the Planning Commission.
- EVIDENCE:** a) Section 21.80 of the Monterey County Zoning Ordinance (Title 21).

DECISION

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

- A. Exempts the project from environmental review pursuant to Section 15301 (Class 1) of the CEQA guidelines;
- B. Approves the proposed amendment to Use Permit and Design Approval No. PLN080184, subject to the conditions, subject to the attached areas (square footages) approved for each use and the existing Wastewater Generation Flow Analysis dated July, 2010, and in general conformance with the attached Site Plan and Septic System Layout, all being attached hereto and incorporated herein by reference.
- C. Adopts the Condition Compliance/Reporting Plan

PASSED AND ADOPTED this 8th day of July, 2010.


TAVEN KINISON BROWN, Acting Zoning Administrator

COPY OF THIS DECISION MAILED TO APPLICANT ON **JUL 19 2010**

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 ZONING ADMINISTRATOR ALONG WITH THE APPROPRIATE FILING FEE ON OR BEFORE **JUL 29 2010**

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.

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
2.		<p>PD002 - NOTICE-PERMIT APPROVAL</p> <p>The applicant shall record a notice which states: "An amendment to Use Permit and Design Approval No. PLN080184 (Resolution <u>10-024</u>) was approved by the Zoning Administrator for Assessor's Parcel Numbers APNs 157-121-015-000 and 157-121-014-000 on <i>July 8, 2008</i>. The amendment was granted subject to <u>5</u> conditions of approval which run with the land. The uses on the project site are also subject to all conditions of approval included under Planning Commission Resolution No. 97074 dated October 29, 1997 for Use Permit No. PC970002, and subject to all conditions of approval included under Zoning Administrator Resolution No. 080184 dated December 11, 2008 for Use Permit and Design Approval No. PLN080184. Copies of these permits are on file with the Monterey County RMA - Planning Department." (RMA-Planning Department)</p>	<p>Obtain appropriate form from the RMA-Planning Department.</p> <p>The applicant shall complete the form and furnish proof of recordation of this notice to the RMA - Planning Department.</p>	<p>Owner/ Applicant</p> <p>RMA- Planning</p>	Prior to the issuance of grading and building permits or commencement of use.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
3.		<p>The Director of the RMA – Planning Department, in consultation with and after review by other County land use agencies, may approve changes of uses within existing and previously approved buildings and minor additions and modifications to the buildings and grounds approved under Planning Department File Nos. PLN970002 and PLN080184 subject to the following:</p> <ol style="list-style-type: none"> 1. The applicant owner shall be responsible for submitting plans of any proposed changes to all land use reviewing agencies, including the Environmental Health Bureau, Water Resources Agency, Public Works and the Monterey County Rural Fire District, and shall provide evidence to the Planning Department that the proposed changes have been approved by those agencies before the Director of Planning can approve the changes. 2. The Director of Planning may review and approve changes of use within existing and previously approved buildings, minor additions and modifications to the buildings and grounds and similar changes, provided the changes are consistent with the overall use of the property as an athletic club and do not intensify the use beyond levels previously considered and approved by the County of Monterey. 3. The applicant owner shall pay plan review fees to individual agencies as required by those agencies at the time plan changes are submitted. 4. Over-the-Counter Design Review applications and related fees shall be required for any minor exterior modifications to the approved buildings. The Director of Planning shall require other types of design review or discretionary permits that may be needed for certain changes to the uses and approved square footages or as may be recommended by other agencies 	Submit all plans and information pertaining to any proposed change of use per the requirements of the conditions.	Owner	Any time a proposed change to the approved uses under PLN080184 is proposed.	

<i>Permit Cond. Number</i>	<i>Mitig. Number</i>	<i>Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department</i>	<i>Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
Health Department Environmental Health Division						
4.		Septic Loading Rates Any change to the uses on the property must not increase waste generation over the allowed septic loading rates on each system. Any proposed change must be reviewed by Environmental Health Bureau for compliance with wastewater loading. (Environmental Health)	When a change is proposed on the property the following must be submitted to EHB for review and approval: <ul style="list-style-type: none"> • Site plan with all existing buildings, wells and septic systems and proposed changes A wastewater rate table showing all uses, wastewater generation and all proposed changes	Owner	Continuous	
RMA – Public Works Department						
5.		PW0044- CONSTRUCTION MANAGEMENT PLAN (NON-STANDARD) Submit a Construction Management Plan (CMP) to the Public Works Department for review and approval. The CMP shall include measures to minimize traffic impacts during the construction/grading phase of the project. The following information shall be included in the CMP: duration of the construction, hours of operation, and an estimate of the number of truck trips that will be generated, truck routes, number of construction workers, parking areas for both equipment and workers, and location of truck staging areas. Approved measures included in the CMP shall be implemented by the applicant during the construction/grading of any proposed change.	Submit the Construction Management Plan as part of the submittal requirements included in Condition No. 3 of this Resolution.	Owner	Any time a proposed change to the approved uses under PLN080184 is proposed	

END OF CONDITIONS

Rev. 05/27/2010

**“APPROVED PROJECT AREAS AND BUILDING USES UNDER ZONING
ADMINISTRATOR RESOLUTION No. 080184”**

BUILDING/EXISTING USE	AREAS
A-1 CLUB HOUSE	4,738 SF
A-2 RECEPTION/OFFICE/OTHER EXERCISE	1,790 SF 5,795 SF
B-1 OFFICE/STORAGE	1,628 SF
C-1 OFFICE/STORAGE	2,590 SF
D-1 EXERCISE	1,015 SF
F-1 EXERCISE	1,358 SF
F-2 CHILDCARE	848 SF
H-1 OFFICE/STORAGE	1,648 SF
I-1 CAMP KITCHEN/DINING	864 SF
TOTAL EXERCISE AREA	8,168 SF
TOTAL AREA	22,275 SF
11 TENNIS COURTS	

CARMEL VALLEY ATHLETIC CLUB

JULY 2010 WASTEWATER GENERATION FLOW ANALYSIS

SYSTEM A

H-1	Storage/Office (4@15gpd)	60 gpd
BARN		
	(Future Offices 4@15gpd)	60 gpd
		<hr/>
		120 gpd

SYSTEM B

A-2	Exercise 4588 sq ft.	
	4588 sq ft. x .06 gal. Per sq. ft	275 gpd
	Reception/Lobby/Offices 3738 sq. ft.	
	4 Offices 6 Employees @15 gpd	90 gpd
B-1	Office/Storage/Existing Locker Rooms to Remain	
	2 Offices 2 Employees @15 gpd	30 gpd
	Existing Locker room (showers)	240 gpd
C-1	Office/Storage	
	4 Offices 4 Employee @15 gpd	60 gpd
D-1	Exercise 962 sq. ft.	
	962 sq ft. X .06 gal per sq. ft.	58 gpd
		<hr/>
		753 gpd

SYSTEM C

F-2	Daycare (average 2 kids per/hr. per day	
	Employee (1)	15 gpd
	2 Kids per/hr. X 4hrs 5gpd/per kid	40 gpd

CARMEL VALLEY ATHLETIC CLUB

2010

A-1 Clubhouse 4738 sq. ft.
Exercise 3554 sq. ft. X .06 gal per sq ft.
213 gpd
Offices 2 Employees @15 gpd 30 gpd
Snack Bar Paper Products/No Table Service
20 seats ☆750 gpd
☆ (This number is grossly over-estimated
should be more like 20 seats @15 gpd
300 gallons per day
Locker Room (Showers) 240 gpd
1233 gpd

SYSTEM D

I-1 Camp Kitchen (Occasional Use) 348 gpd
Storage 0

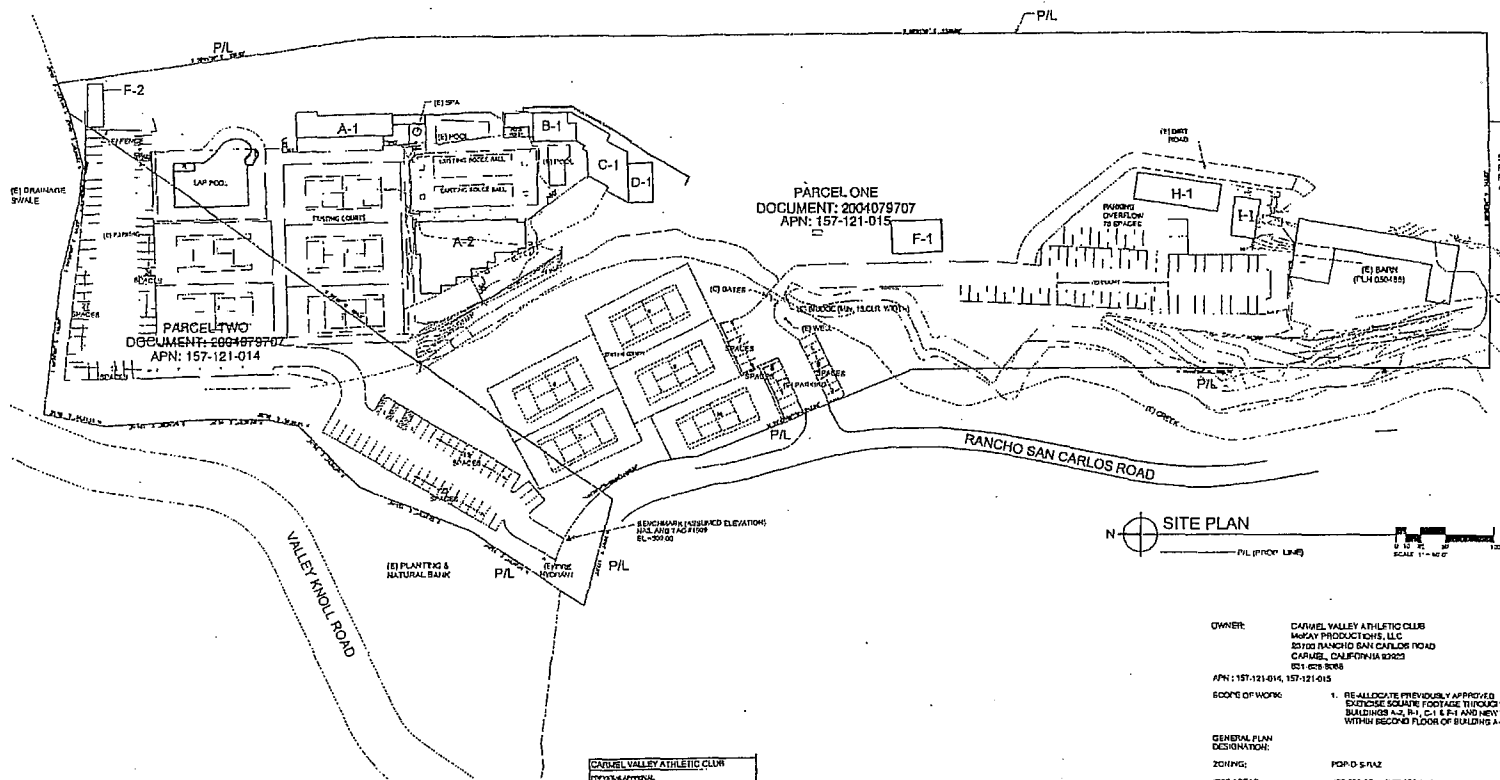
SYSTEM E

F-1 Exercise 1358 sq ft.
1358 sq ft. @ .06 gal per sq. ft. 82 gpd

SYSTEM	TANK SIZE	DRAINFIELD SYSTEM 1	DRAINFIELD SYSTEM 2	TOTAL TANK CAPACITY PER DAY	TOTAL DRAINFIELD CAPACITY PER DAY	CURRENT AMOUNT ON SYSTEM PER DAY	COMMENTS
A	2000 gal	1500 sq	2400 sq	667 gal/day	720 gpd	120 gpd	
B	3500 gal	2560 sq	2560 sq	1167 gal/day	759gpd	753 gpd	
C	6000 gal	4200 sq	5534 sq	2000 gal/day	1660 gpd	1233 gpd	
D	1500 gal	1760 sq	_____	500 gal/day	528 gpd	348 gpd	SYSTEM D & E SHARE A DRAINFIELD BUT HAVE SEPARATE SEPTIC TANKS
E	2000 gal	1760 sq	_____	667 gal/day	528 gpd	82 gpd	

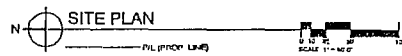
**CARMEL VALLEY ATHLETIC CLUB
JULY 2010 SEPTIC SYSTEM SIZE FLOW CAPACITY**

BUILDING	DECRPTION OF USE	WASTE WATER GENERATION (gal/day) from WASTEWATER FLOW ANALYSIS		SEPTIC SYSTEM	COMMENTS
		1997	2010		
F-2	DAYCARE	218 gpd	55 gpd	C	
A-1	CLUB HOUSE	2605 gpd	1233 gpd	C	
A-2	NEW FITNESS		365 gpd	B	
B-1	OFFICE/STORAGE EXISTING LOCKER ROOM		270 gpd	B	
C-1	OFFICE/STORAGE	818 gpd	60 gpd	B	
D-1	EXERCISE		58 gpd	B	
H-1	STORAGE/OFFICE		60 gpd	A	
BARN	BARN/GARAGE		120 gpd	A	
F-1	EXERCISE	216 gpd	82 gpd	E	PREVIOUSLY DAYCARE CENTER
I-1	CAMP KITCHEN	348 gpd	348 gpd	D	



Project # 2000
**CARMEL VALLEY
 ATHLETIC CLUB**
 27320 RANCHO SAN CARLOS RD.
 CARMEL, CA 95008
 APN 157-121-015

**THE
 PAUL DAVIS
 PARTNERSHIP**
 ARCHITECTS & PLANNERS
 The Paul Davis Partnership LLP
 300 California Street
 Monterey, CA 93940
 TEL: 408.386.7373 FAX: 408.386.7374
 paul@paul-davis.com paul-davis.com



OWNER: CARMEL VALLEY ATHLETIC CLUB
 MARY PRODUCTIONS, LLC
 28120 RANCHO SAN CARLOS ROAD
 CARMEL, CALIFORNIA 95023
 (408) 808-3088

APN: 157-121-014, 157-121-015

SCOPE OF WORK: 1. RE-ALLOCATE PREVIOUSLY APPROVED EXISTING SQUARE FOOTAGE THROUGHOUT BUILDINGS A-2, B-1, C-1 & F-1 AND MOVE THE SF WITHIN SECOND FLOOR OF BUILDING A-2.

GENERAL PLAN DESIGNATION: POPO 570A2

ZONING: POPO 570A2

SITE AREAS: 479,526 SF (157-121-014)
 193,363 SF (157-121-015)
 374,182 SF TOTAL

EXISTING BUILDING AREAS: 34,767 SF

COVERAGES: PROPOSED COVERAGES: NO CHANGE
 EXISTING FLOOR AREA: 5.2%

TREE REMOVALS: NONE

WATER UTILITY: CURRENT CAL AM BRANCH TO EXISTING WELL FOR BARN



SITE PLAN

CARMEL VALLEY ATHLETIC CLUB		
EXISTING/PROPOSED		
FLOOR AREA		
A-1	CLUBHOUSE	1,234 SF
A-2	RECEPTION/THEATRE	7,540 SF
	EXERCISE	1,234 SF
	RECEPTION OFFICE/LOBBY	1,234 SF
B-1	OFFICE/STORAGE	1,890 SF
B-2	OFFICE/STORAGE	6,890 SF
D-1	EXERCISE	1,810 SF
F-2	EXERCISE	1,234 SF
F-3	CLUBHOUSE	844 SF
H-1	OFFICE/STORAGE	1,344 SF
H-2	CLUBHOUSE	850 SF
	TOTAL	37,418 SF
	TOTAL EXERCISE	9,144 SF
	EXISTING EXERCISE	1,234 SF
	NEW EXERCISE	7,910 SF



A1.0

SEPTIC
SYSTEM

CARMEL VALLEY
ATHLETIC CLUB
27320 RANCHO BLVD CARLOS RD.
CARMEL, CA 93923
APN 157-121-015

THE
PAUL DAVIS
PARTNERSHIP
ARCHITECTS & PLANNERS

The Paul Davis Partnership, 1117
San Fernando Street
Alhambra, CA 91801
610.253.2701 FAX 610.253.2750
PDA1117@pauldavispartnership.com

Drawn By:
Drawing Date: 7/6/10
Project Number: 0150

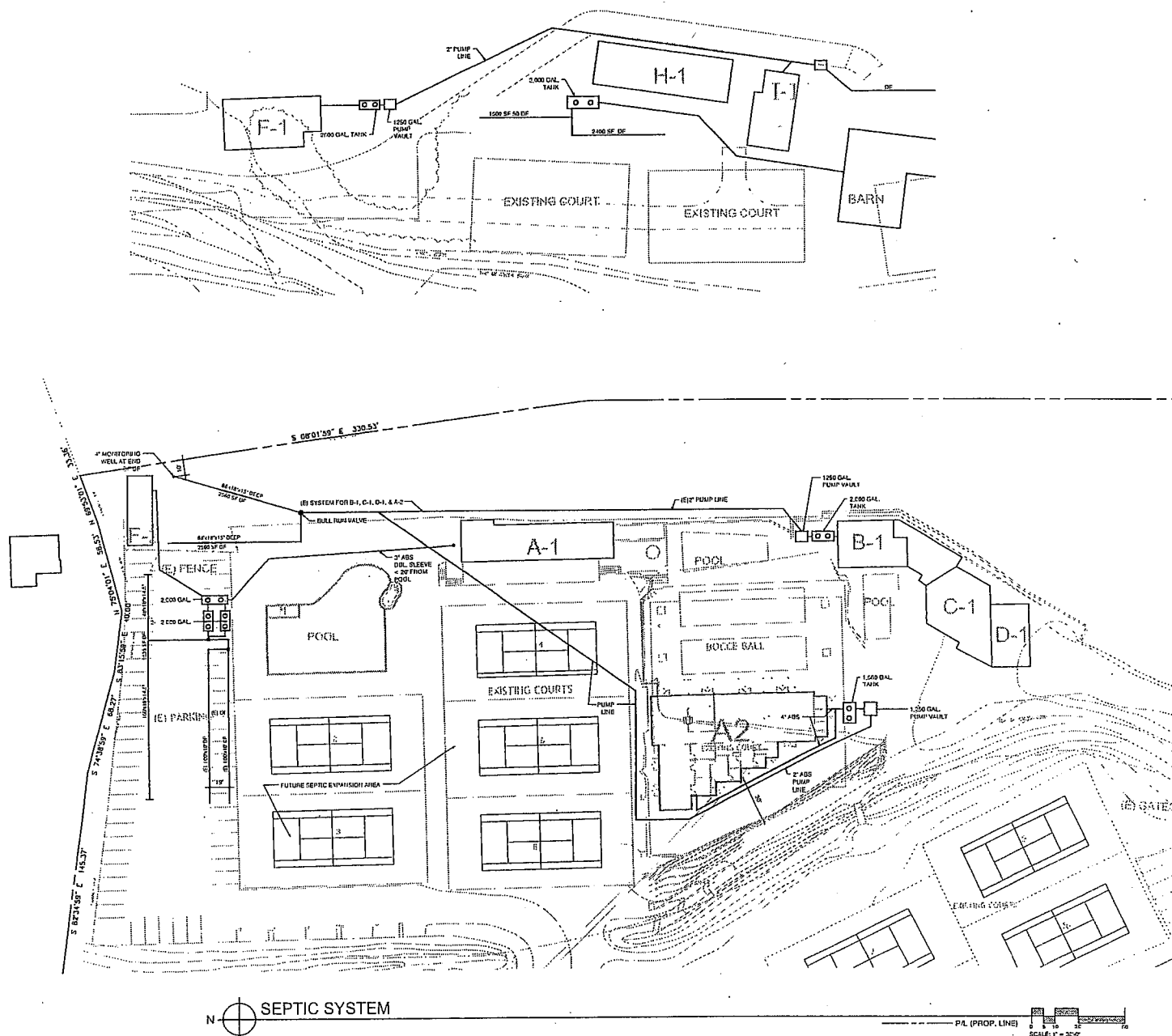
Revisions:

By the use of these plans and specifications it is intended
that the contractor shall be responsible for obtaining
all necessary permits and for obtaining all necessary
information from the local authorities. It is the intent
of the architect to provide the information necessary
for the contractor to obtain the necessary permits
and information from the local authorities.

Sheet Title:
SEPTIC SYSTEM

Sheet Number:

A1.3



CARMEL VALLEY

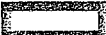


APPLICANT: MC KAY PRODUCTIONS LLC

APN: 157-121-014-000 & 157-121-015-000

FILE # PLN100235

Water



2500' Limit



300' Limit



City Limits

