

MONTEREY COUNTY PLANNING COMMISSION

Meeting: September 10, 2007	Time: 9:00 A.M.	Agenda Item No.:
Project Description: Use Permit and Design Approval to allow the renovation and restoration of Rosie's Cracker Barrel, a designated historical structure. Renovation and restoration scope of work includes: (1) excavation around building perimeter and the installation of a concrete foundation in sections; (2) raise roof plate line at west end (rear of building) 8 inches to allow for head clearance and reinforcement of over-stressed rafters and beams; and (3) modify front door, interior doors, and restrooms to allow for compliance with the Americans with Disabilities Act (ADA) requirements.		
Project Location: 1 Esquiline Road, Carmel Valley		APN: 189-311-011-000
Planning File Number: PLN070425		Name: Kenneth M Blackwell Inc., Property Owner; Paul E. Davis, Architect
Plan Area: Carmel Valley Master Plan		Flagged and staked: No
Zoning Designation: "LC-HR-D-S" [Light Commercial, Historic Resources with Design Control, and Site Plan Review zoning overlays]		
CEQA Action: Categorically Exempt per Section 15331 of the CEQA Guidelines		
Department: RMA - Planning Department		

RECOMMENDATION:

Staff recommends that the Planning Commission approve the Use Permit and Design Approval based on the Findings and Evidence (**Exhibit C**) and subject to the recommended Conditions (**Exhibit D**).

PROJECT OVERVIEW:

Historic Resource or "HR" zoning regulations, Chapter 21.54 of the Monterey County Zoning Ordinance (Title 21), require a Use Permit and approval by the Planning Commission for alterations and modifications to historical structures. The applicants' proposed changes to the historical structure are intended to repair and/or replace the existing deteriorated state of the structure as well as to reconstruct a portion of the structure which was severely damaged by a car accident in 2005. The project does not amend or modify previously approved uses nor involve or contribute to the expansion or intensification of approved uses.

See Discussion attached as **Exhibit B** for additional information.

OTHER AGENCY INVOLVEMENT:

- | | |
|------------------------------------------|---------------------------------|
| ✓ Carmel Valley Fire Protection District | ✓ Parks Department |
| ✓ Building Department | ✓ Environmental Health Division |
| ✓ Public Works Department | ✓ Water Resources Agency |

The above checked agencies and departments have reviewed this project. Conditions recommended by Carmel Valley Fire Protection District, Public Works Department, Parks Department, Environmental Health Division, and Water Resources Agency, have been incorporated into the condition compliance reporting plan (**Exhibit D**).

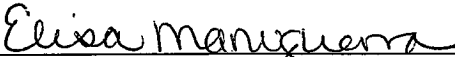
HRRB RECOMMENDATION:

The project was referred to the Historical Resources Review Board for review on September 6, 2007 pursuant to Section 21.54.040 of the Monterey County Zoning Ordinance. The Board unanimously recommended approval. The HRRB minutes and Resolution are attached as **Exhibits F & G**.

LUAC RECOMMENDATION:

The Carmel Valley Land Use Advisory Committee (LUAC) reviewed the Use Permit and Design Approval on September 4, 2007 and September 17, 2007. The committee recommended approval with a 4 to 1 vote with one member absent. The minutes are attached as **Exhibit E**.

Note: The decision on this project is appealable to the Board of Supervisors.


Elisa Manuguerra, Associate Planner
(831) 755-5179, manuguerrae@co.monterey.ca.us
September 3, 2008

cc: Planning Commission Members (10); County Counsel; Carmel Valley Fire Protection District; Public Works Department; Parks Department; Environmental Health Division; Water Resources Agency; Luis Osorio, Planning Services Manager; Elisa Manuguerra, Planner; Carol Allen, Planning Commission Hearing Secretary; Kenneth M Blackwell Inc., Applicant; Paul E. Davis, Architect; Richard Rosenthal, Citizen; Pamela Manas, Citizen; Janet Brennan, Citizen; File PLN070425.

Attachments: Exhibit A Project Data Sheet
Exhibit B Discussion
Exhibit C Recommended Findings and Evidence
Exhibit D Recommended Conditions of Approval
Exhibit E Vicinity Map
Exhibit F Project Plans
Exhibit G Carmel Valley LUAC Minutes for September 4, 2007 and September 17, 2007 meetings
Exhibit H Historic Resources Review Board September 6, 2007 meeting minutes
Exhibit I Historical and Architectural Evaluation dated June 30, 2008 (LIB080453)
Exhibit J Planning Commission Resolution No. 99032
Exhibit I Board of Supervisors Resolution No. 99-012

This report was reviewed by Luis Osorio, Planning Services Manager.



EXHIBIT A

Project Information for PLN070425

Project Title: KENNETH M BLACKWELL INC

Location: 1 ESOUILINE RD CARMEL VALLEY

Primary APN: 189-331-011-000

Applicable Plan: Carmel Valley Master Plan

Coastal Zone: No

Permit Type: Use Permit

Zoning: LC-HR-D-S

Environmental Status: Exempt

Plan Designation: COMMERCIAL

Advisory Committee: N/A

Final Action Deadline (884): 11/9/2007

Project Site Data:

Lot Size: 36,000 SF

Coverage Allowed: 50% MAX

Existing Structures (sf): 3,821 SF

Coverage Proposed: 10.4%

Proposed Structures (sf): 3,821 SF

Height Allowed: 35 FT

Height Proposed: 17 FT

Total Sq. Ft.: 3,821 SF

FAR Allowed: N/A

FAR Proposed: N/A

Resource Zones and Reports:

Environmentally Sensitive Habitat: No

Erosion Hazard Zone: VI

Biological Report #: N/A

Soils Report #: N/A

Forest Management Rpt. #: N/A

Archaeological Sensitivity Zone: HIGH

Geologic Hazard Zone: IV

Archaeological Report #: N/A

Geologic Report #: N/A

Fire Hazard Zone: EXTREME

Traffic Report #: N/A

Other Information:

Water Source: PUBLIC SYSTEM

Sewage Disposal (method): SEPTIC

Water Dist/Co: CAL-AM WATER COMPANY

Sewer District Name: N/A

Fire District: CARMEL VALLEY FPD

Grading (cubic yds.): 0.0

Tree Removal: 0

EXHIBIT B DISCUSSION

Project Description and Setting

The 0.84-acre project site is located on Esquiline Road, approximately 11 miles east of the intersection of Highway One and Carmel Valley Road. Esquiline Road confines the parcel along the eastern parcel boundary. The subject property, commonly known as Rosie's Cracker Barrel, is located at the base of the rising ground adjacent to the Carmel River and prior to the ascent up the hill to the Robles del Rio Lodge and surrounding residential subdivisions. The two structures at this property, Rosie's Cracker Barrel Grocery Store and a former gas station are both considered significant local historical resources and are listed as such in the Greater Monterey Peninsula Area Plan. It is the historical significance of these structures and the property's Historic Resources zoning designation which subject the property to County Use Permit requirements.

Restoration Scope of Work

The applicants' proposed construction to the historical structure is intended to repair and/or replace the existing deteriorated state of the structure as well as to reconstruct a portion of the structure which was severely damaged by a car accident in 2005. The Secretary of the Interior's Standards for the Treatment of Historic Properties identify four primary treatment approaches to historic buildings: Restoration, Preservation, Reconstruction, and Rehabilitation. The Historical and Architectural Evaluation dated June 30, 2008 (LIB080453), attached as **Exhibit I**, evaluated the damages sustained by the structure and recommends that the structure be rehabilitated. An abbreviated version of the renovation and restoration work required for the rehabilitation, as described in the historical evaluation and described Condition No. 8, includes:

- (1) Excavation around building perimeter and the installation of a concrete foundation in sections;
- (2) Raise roof plate line at west end (rear of building) 8 inches to allow for head clearance and reinforcement of over-stressed rafters and beams; and
- (3) Modify front door, interior doors, and restrooms to allow for compliance with the Americans with Disabilities Act (ADA) requirements.

Uses Allowed On-Site

In 1999, the Planning Commission approved a Combined Development Permit (Resolution No. 99032) consisting of: (1) an Administrative Permit for a convenience market; (2) a Use Permit for the on-site sale of alcoholic beverages; and (3) a Design Approval for development in the "HR" District. A subsequent court order resulted in the addition of conditions of approval. The conditions of approval of the Combined Development Permit and those added to the permit by court order run with the land in perpetuity. The subject development application requests to rehabilitate the structure by reconstructing the damaged portions of the building. This development project application does not request to amend, modify, or involve, or contribute to, the expansion or intensification of approved uses. For the public's reference, staff has attached Planning Commission Resolution No. 99032 (**Exhibit J**) which establishes uses on-site, and the Board of Supervisors Resolution No. 99-012, a letter of public convenience for the sale of alcohol (**Exhibit I**).

Permit Requirements

Modifications and alterations to historical structures require adherence to specific regulations provided within the Zoning Ordinance (Title 21) and the Building and Construction Ordinance (Title 18). Historic Resource or "HR" zoning regulations require a Use Permit and consideration by the Planning Commission for alterations and modifications to historical structures such as the

subject renovation and restoration activities. See Section 21.54.080.A of the Monterey County Zoning Ordinance (Title 21). The Regulations for the Preservation of Historic Resources, Chapter 18.25 of the Building and Construction Ordinance (Title 18) provides that a review board (the Historic Resources Review Board or HRRB) review alterations or modification proposed to historical structures.

Historic Resources Review Board (HRRB) Review

The project was referred to the Historical Resources Review Board for review on September 6, 2007 pursuant to Section 21.54.040 of the Monterey County Zoning Ordinance. The Board unanimously recommended approval. The HRRB minutes are attached as **Exhibit H**.

Recommended Conditions of Approval

One of the powers and duties delegated to the board is to provide direction as to the appropriate treatments for the restoration, preservation, reconstruction, or rehabilitation of historical structures, to ensure compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties. The HRRB may prescribe mitigations and/or recommendations for compliance with these standards. Section 21.54.080.F of the Monterey County Zoning Ordinance (Title 21), requires that "*feasible mitigation measures recommended by the Historic Resources Review Board or contained in any required historic or archaeologic survey report prepared for the project shall be made conditions of approval.*" As such, the applicants have incorporated appropriate measures into the project design as recommended by the HRRB and as described by the historical evaluation to ensure compliance with the Secretary of the Interior's Standards for the rehabilitation of historical structures. The project plans are attached as **Exhibit F**. Staff has incorporated the following conditions as recommended by the HRRB and Historical Evaluation to ensure compliance with applicable County Codes and Secretary of Interior Standards:

- Condition No. 7 requires the applicants to communicate regularly with the project historian throughout construction activities. Periodic progress reports prepared by or in consultation with a qualified professional historian are required to be submitted to the RMA – Director of Planning at important points of the construction process. The reports are required to allow continued progression through the sequence building permit inspections. These inspection reports are required periodically until the final inspection or before occupancy can be granted by the Building Official.
- Condition No. 8 is a detailed version of the scope of work. In the event that unforeseen repairs or construction work exceed the scope of work as defined by this condition, Condition 7 would require review and approval by the RMA – Planning Department Staff and a qualified professional historian or that the applicant amend this permit.

Rosie's Cracker Barrel – A Historical Resource

Listing Status

In 1993, Rosie's Cracker Barrel was listed on the Historic Resource Inventory of Monterey County. It is not included in the "Historic Property Data File for Monterey County" maintained by the California Office of Historic Preservation which was last updated June of 2008. The structure is not listed on the National Register of Historic Places or the California Register of Historical Resources. A Historical and Architectural Evaluation dated June 30, 2008 was prepared for this project by Kent Seavy, a Preservation Specialist. It is attached for reference as **Exhibit I**.

Historical Significance

The Robles del Rio area of the Carmel Valley Village (south of Carmel Valley Road on Esquiline Road) was created by three Robles del Rio Carmelo tracts from 1927 to 1932. Created to attract tourism to the area, the subdivisions included smaller lots intended for weekend cabins, a Lodge resort, and a nine-hole golf course. Rosie's Cracker Barrel was the original real estate office used to promote the sale of lots created by Robles del Rio Carmelo subdivisions. In 1930, Frank and Jet Porter, successful Salinas Valley developers, purchased the area from the Robles del Rio Carmelo partners and established the Robles del Rio Water Company. In 1932, the partners opened the Robles del Rio Club as a semi-private county club for property owners of the lots within subdivisions and 125-non property owners to promote the sale of the remaining cabin lots.

William Irwin "Rosie" Henry purchased the former real estate office in 1939 and established the Robles del Rio Store selling general merchandise and groceries. In 1941, the store became Carmel Valley's post office and commenced "Rosie's" service as the area's Postmaster until 1949 when the post office was moved to Carmel Valley Village. The Robles del Rio Country Club was eventually established at the grocery store. It started as an informal tavern in a back room of the building as a favorite gathering place for locals including horse wranglers, ranchers, writers, and occasional film actors. During "Rosie's" lifetime the Cracker Barrel was unofficially considered Carmel Valley's cultural and social center.

On July 23, 2005 a speeding driver crashed into the southeast side of the 80-year old structure causing major damage to the façade as illustrated at **Figure 2 and Exhibit I**. As evidenced by the photographs of the damaged structure, the accident caused structural damage and a considerable loss of the original building fabric. Despite the damages sustained, Rosie's Cracker Barrel remains a cultural icon of the early day of Carmel Valley for its historical association with William Irwin "Rosie" Henry.

Carmel Valley Land Use Advisory Committee (LUAC) Review

The Carmel Valley Land Use Advisory Committee (LUAC) reviewed the Use Permit and Design Approval on September 4, 2007. At that meeting, the Committed expressed concerns regarding previously approved uses and the relationship to the proposed changes. Staff provided the committee with additional information regarding the scope of work of this permit and previously approved uses. The item returned to the committee on September 17, 2007 and was

Figure 1. Vicinity Map

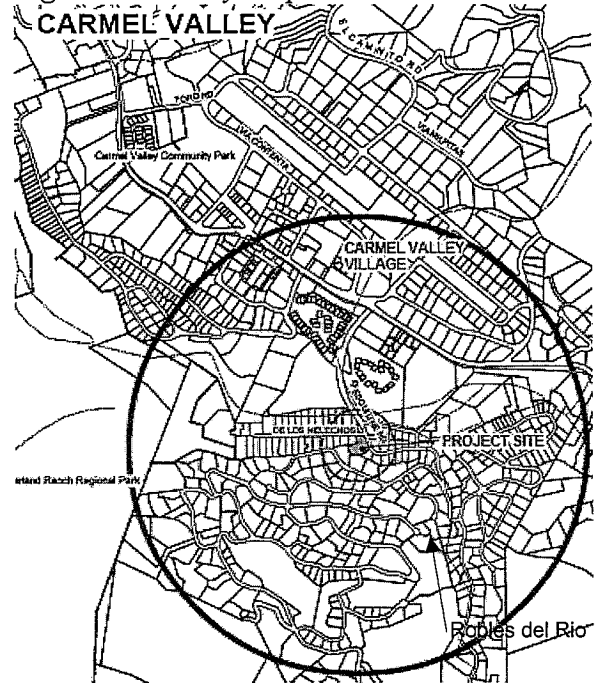


Figure 2. Damaged Sustained to Structure from Car Crash



recommended for approval with a 4 to 1 vote with one member absent. The minutes are attached as **Exhibit G**.

Environmental Review / California Environmental Quality Act (CEQA) Compliance:

Section 15331 of the CEQA Guidelines categorically exempts “projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior’s *Standards for the Treatment of Historic Properties*. The guidelines provide for four treatment approaches for historic structures. They are Preserving, Rehabilitation, Restoring, and Reconstructing Historic Buildings (1995)” from environmental review. A Historical and Architectural Evaluation (LIB080453), prepared by Kent Seavey, dated June 30, 2008, confirms that the modifications proposed to the structure will be limited to those repairs necessary for the rehabilitation and restoration of the structure and do not accommodate changes in the scope of previously approved uses. Conditions No. 7 and 8 have been incorporated to require adherence to a set scope of work, and oversight by a qualified professional historian to ensure that any unforeseen repairs necessary to the stabilization and rehabilitation of the structure arising during construction activities be evaluated for consistency with Secretary of Interior Standards prior to commencing construction on those unforeseen repairs. Compliance with these conditions of approval will allow execution of construction practices consistent with the Secretary of the Interior’s Standards. Therefore, these construction activities as required by County Code are Categorically Exempted from CEQA.

Conclusion

Staff concludes that adherence to the recommended conditions of approval will enable proper rehabilitation of the historical structure and ensure compliance with all applicable County of Monterey policies, standards, and regulations.

EXHIBIT C
RECOMMENDED FINDINGS AND EVIDENCE

1. FINDING: CONSISTENCY – The project, as described in Condition No. 1 and as conditioned, conforms to the policies, requirements, and standards of the Monterey County General Plan, Carmel Valley Master Plan, and the Monterey County Zoning Ordinance (Title 21), which designates this area as appropriate for development.

- EVIDENCE:**
- (a) The text, policies, and regulations in the above referenced documents have been evaluated during the course of review of applications. 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 1 Esquiline Road, Carmel Valley (Assessor's Parcel Number 189-311-011-000), Carmel Valley Master Plan Area. The parcel is zoned Light Commercial, Historic Resources with Design Control, and Site Plan Review zoning overlays "LC-HR-D-S". The subject property complies with all the rules and regulations pertaining to zoning uses and any other applicable provisions of Title 21, and is therefore suitable for the proposed development.
 - (c) Historic Resource or "HR" zoning regulations, Chapter 21.54 of the Monterey County Zoning Ordinance (Title 21), require review of the alteration of historical structures. Pursuant to Section 21.54.080.A a Use Permit is required to allow alterations to designated historical structures such as the renovation and restoration of Rosie's Cracker Barrel. See Historic Resources Finding No. 3.
 - (d) Design Control or "D" zoning regulations, Chapter 21.44 of the Monterey County Zoning Ordinance (Title 21), require design review of structures and fences to assure the protection of the public viewshed, neighborhood character, and the visual integrity of certain developments without imposing undue restrictions on private property as provided at. As such, a Design Approval has been required. The materials and colors that will be used to renovate and restore Rosie's Cracker Barrel will match the existing historical structure.
 - (e) Site Plan Review or "S" zoning regulations require review of development in those areas of the County of Monterey where development, by reason of its location, has the potential to adversely affect or be adversely affected by natural resources or site constraints, without imposing undue restrictions on private property. As provided by Section 21.45.040.C of the Monterey County Zoning Ordinance (Title 21), an Administrative Permit is not required to allow and construct the proposed changes as described in Condition No. 1.
 - (f) In 1999, the Planning Commission approved a Combined Development Permit (Resolution No. 99032 attached as Exhibit J of the September 10, 2008 Planning Commission Staff Report) consisting of: (1) an Administrative Permit for a convenience market; (2) a Use Permit for the on-site sale of alcoholic beverages; and (3) a Design Approval for development in the "HR" District. A subsequent court order resulted in the addition of conditions of approval. Board of Supervisors Resolution No. 99-012 (attached as Exhibit I of the September 10, 2008 Planning

Commission Staff Report) approved a letter of public convenience for the sale of alcohol on-site. The conditions of approval of the Combined Development Permit and those added to the permit by court order run with the land in perpetuity. The subject development application is approved to rehabilitate the structure by reconstructing the damaged portions of the building. This development project application does not request to amend, modify, or involve, or contribute to, the expansion or intensification of approved uses, and therefore is consistent with those approvals.

- (g) The Carmel Valley Land Use Advisory Committee (LUAC) reviewed the Use Permit and Design Approval on September 4, 2007. At that meeting, the Committed expressed concerns regarding previously approved uses and the relationship to the proposed changes. Staff provided the committee with additional information regarding the scope of work of this permit and previously approved uses. The item returned to the committee on September 17, 2007 and was recommended for approval with a 4 to 1 vote with one member absent. The minutes are attached to the September 10, 2008 Planning Commission Staff Report as Exhibit E.
- (h) The project was referred to the Historical Resources Review Board for review on September 6, 2007 pursuant to Section 21.54.040 of the Monterey County Zoning Ordinance (Title 21). The Board's review and recommendation ensures compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties. The Board unanimously recommended approval. The HRRB minutes are attached as **Exhibits I**.
- (i) The project planner conducted site inspections on September 9, 2007 and July 3, 2008 to verify that the project on the subject parcel conforms to the plans listed above.
- (j) 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 PLN070425.

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, Carmel Valley Fire Protection District, Parks, 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 proposed development. Conditions recommended have been incorporated.
 - (b) According to Monterey County Resource Maps, the parcel is located within an area of "high" archeological sensitivity. The project involves the restoration of an existing structure. No significant land disturbance is proposed. As such, an Archeological Reconnaissance was not prepared for this project. A standard condition of approval, Condition No. 3, has been incorporated requiring that work stop should any archeological resources or human remains be discovered during construction.
 - (c) The site is located within a VI or "very high" landslide and erosion susceptibility zone and within an IV or "moderately high" seismic hazard zone. Condition No. 6 has been incorporated requiring that geotechnical certification be submitted to the Director of the RMA - Planning Department for review and approval prior to final building inspection.

- (d) In 1993, Rosie's Cracker Barrel was listed on the Historic Resource Inventory of Monterey County. It is a structure of local historical importance. On July 23, 2005 a speeding driver crashed into the southeast side of the 80-year old structure causing major structural damage and a considerable loss of the original building fabric. Construction to the historical structure is intended to repair and/or replace the existing deteriorated state of the structure as well as to reconstruct a portion of the structure which was severely damaged by the car accident. A Historical and Architectural Evaluation dated June 30, 2008 (LIB080453), attached as Exhibit I to the September 10, 2008 Planning Commission Staff Report, evaluated the damages and recommends that the structure be rehabilitated. Conditions No. 7 and 8 have been incorporated requiring that the applicants communicate regularly and receive progress inspections with the project historian throughout construction activities. These conditions ensure that the construction activities adhere to the scope of work as approved and listed in Condition No. 8 for the rehabilitation of the structure and compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties.
- (e) The project was referred to the Historical Resources Review Board for review on September 6, 2007 pursuant to Section 21.54.040 of the Monterey County Zoning Ordinance. The Board unanimously recommended approval. The HRRB minutes are attached as Exhibit H to the September 10, 2008 Planning Commission Staff Report.
- (f) The Carmel Valley Land Use Advisory Committee (LUAC) reviewed the Use Permit and Design Approval application on September 4, 2007 and September 17, 2007. The Committee recommended approval with a 4 to 1 vote with one member absent indicating that the LUAC finds that the site is suitable for the proposed project. The minutes are attached to the September 10, 2008 Planning Commission Staff Report as Exhibit E.
- (g) Staff conducted site inspections on September 9, 2007 and July 3, 2008 to verify that the site is suitable for this use.
- (h) Materials in Project File PLN070425.

3. FINDING: HISTORIC RESOURCES – In order to grant the Use Permit for the proposed modifications and/or alterations to the historical structure in a designated Historic Resources zoning district, the Planning Commission shall make the following findings pursuant to Section 21.54.060.E of the Monterey County Zoning Ordinance (Title 21):

1. With regard to a designated resource, the proposed work is found to be consistent with the purposes of this Chapter and will neither adversely affect the significant architectural features of the designated resource nor adversely affect the character of historical, architectural, or aesthetic interest or value of the designated resource and its site.
2. With regard to any property located within an historic district, the proposed work is found to be consistent with the purposes of the Regulations for Historic Resources zoning districts, Chapter 21.54 of the Monterey County Zoning Ordinance (Title 21) and conforms to the prescriptive standards and design guidelines for the district adopted by the Board of Supervisors and does not adversely affect the character of the district.

3. The case of construction of a new improvement, addition, building, or structure upon a designated historic resource site, the use and exterior of such improvements will neither adversely affect nor be incompatible with the use and exterior of existing designated historical resources, improvements, buildings, natural features, and structures on such site.
4. The action proposed is necessary to correct an unsafe or dangerous condition on the property and such unsafe or dangerous condition has not been ordered to be corrected pursuant to Section 18.25.160 of Monterey County Code.

- EVIDENCE:** (a) In 1993, Rosie's Cracker Barrel was listed on the Historic Resource Inventory of Monterey County. It is a structure of local historical importance. On July 23, 2005 a speeding driver crashed into the southeast side of the 80-year old structure causing major structural damage and a considerable loss of the original building fabric. Construction to the historical structure is intended to repair and/or replace the existing deteriorated state of the structure as well as to reconstruct a portion of the structure which was severely damaged by the car accident. A Historical and Architectural Evaluation dated June 30, 2008 (LIB080453), attached as Exhibit I to the September 10, 2008 Planning Commission Staff Report, evaluated the damages and recommends that the structure be rehabilitated.
- (b) In 1999, the Planning Commission approved a Combined Development Permit (Resolution No. 99032 attached as Exhibit J of the September 10, 2008 Planning Commission Staff Report) consisting of: (1) an Administrative Permit for a convenience market; (2) a Use Permit for the on-site sale of alcoholic beverages; and (3) a Design Approval for development in the "HR" District. A subsequent court order resulted in the addition of conditions of approval. Board of Supervisors Resolution No. 99-012 (attached as Exhibit I of the September 10, 2008 Planning Commission Staff Report) approved a letter of public convenience for the sale of alcohol on-site. The conditions of approval of the Combined Development Permit and those added to the permit by court order run with the land in perpetuity. The subject development application is approved to rehabilitate the structure by reconstructing the damaged portions of the building. This development project application does not request to amend, modify, or involve, or contribute to, the expansion or intensification of approved uses.
- (c) The project was referred to the Historical Resources Review Board for review on September 6, 2007 pursuant to Section 21.54.040 of the Monterey County Zoning Ordinance. The Board unanimously recommended approval. The HRRB minutes are attached as Exhibit H to the September 10, 2008 Planning Commission Staff Report.
- (d) Section 21.54.080.F of the Monterey County Zoning Ordinance (Title 21), requires that "feasible mitigation measures recommended by the Historic Resources Review Board or contained in any required historic or archaeological survey report prepared for the project shall be made conditions of approval." Conditions No. 7 and 8 have been incorporated into the approval of the project to ensure that the construction activities adhere to the scope of work as approved by the Planning Commission.
- (e) The Carmel Valley Land Use Advisory Committee (LUAC) reviewed the Use Permit and Design Approval on September 4, 2007. At that meeting, the Committed expressed concerns regarding previously approved uses

and the relationship to the proposed changes. Staff provided the committee with additional information regarding the scope of work of this permit and previously approved uses. The item returned to the committee on September 17, 2007 and was approved with a 4 to 1 vote with one member absent. The minutes are attached to the September 10, 2008 Planning Commission Staff Report as Exhibit E.

- (f) Staff conducted site inspections on September 9, 2007 and July 3, 2008.
- (g) The application and plans submitted for the use permit and design approval in project file PLN070425 at the Monterey County Resource Management Agency - Planning Department.

4. 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 15331 (Class 31) exempts “projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior’s Standards for the Treatment of Historic Properties with Guidelines Preserving, Rehabilitation, Restoring, and Reconstructing Historic Buildings (1995)” to be exempted from further environmental review.
 - (b) In 1993, Rosie’s Cracker Barrel was listed on the Historic Resource Inventory of Monterey County. It is a structure of local historical importance. On July 23, 2005 a speeding driver crashed into the southeast side of the 80-year old structure causing major structural damage and a considerable loss of the original building fabric. Construction to the historical structure is intended to repair and/or replace the existing deteriorated state of the structure as well as to reconstruct a portion of the structure which was severely damaged by the car accident. A Historical and Architectural Evaluation dated June 30, 2008 (LIB080453), attached as Exhibit I to the September 10, 2008 Planning Commission Staff Report, evaluated the damages and recommends that the structure be rehabilitated. The evaluation confirms that the modifications proposed to the structure is limited to those repairs necessary for the rehabilitation and restoration of the structure and does not amend, modify, or involve, or contribute to, the expansion or intensification of approved uses.
 - (c) The Secretary of the Interior’s Standards for the Treatment of Historic Properties identify four primary treatment approaches to historic buildings: Restoration, Preservation, Reconstruction, and Rehabilitation. The Historical and Architectural Evaluation dated June 30, 2008 (LIB080453), attached as Exhibit I to the September 10, 2008 Planning Commission Staff Report, evaluated the damages sustained by the structure and recommends that the structure be rehabilitated. An abbreviated version of the renovation and restoration work required for the rehabilitation, which is elaborated in the historical evaluation and at Condition No. 8, includes: (1) Excavation around building perimeter and the installation of a concrete foundation in sections; (2) Raise roof plate line at west end (rear of building) 8 inches to allow for head clearance and reinforcement of over-stressed rafters and beams; and (3) Modify front

door, interior doors, and restrooms to allow for compliance with the Americans with Disabilities Act (ADA) requirements.

- (d) The project was referred to the Historical Resources Review Board for review on September 6, 2007 pursuant to Section 21.54.040 of the Monterey County Zoning Ordinance. The Board unanimously recommended approval. The HRRB minutes are attached as Exhibit H to the September 10, 2008 Planning Commission Staff Report.
- (e) The HRRB may prescribe mitigations and/or recommendations for compliance with these standards. Section 21.54.080.F of the Monterey County Zoning Ordinance (Title 21), requires that "feasible mitigation measures recommended by the Historic Resources Review Board or contained in any required historic or archaeological survey report prepared for the project shall be made conditions of approval." As such, the applicants have incorporated appropriate measures into the project design as recommended by the HRRB and as described by the historical evaluation to ensure compliance with the Secretary of the Interior's Standards for the rehabilitation of historical structures. Conditions No. 7 and 8 have been incorporated into the approval of the project to ensure that the construction activities adhere to the scope of work as approved by the Planning Commission.
- (f) In 1999, the Planning Commission approved a Combined Development Permit (Resolution No. 99032 attached as Exhibit J of the September 10, 2008 Planning Commission Staff Report) consisting of: (1) an Administrative Permit for a convenience market; (2) a Use Permit for the on-site sale of alcoholic beverages; and (3) a Design Approval for development in the "HR" District. A subsequent court order resulted in the addition of conditions of approval. Board of Supervisors Resolution No. 99-012 (attached as Exhibit I of the September 10, 2008 Planning Commission Staff Report) approved a letter of public convenience for the sale of alcohol on-site. The conditions of approval of the Combined Development Permit and those added to the permit by court order run with the land in perpetuity. The subject development application is approved to rehabilitate the structure by reconstructing the damaged portions of the building. This development project application does not request to amend, modify, or involve, or contribute to, the expansion or intensification of approved uses.
- (g) Staff conducted site inspections on September 9, 2007 and July 3, 2008.
- (g) No significant adverse environmental effects were identified during staff review of the development application during a site visit on September 9, 2007.
- (h) The application and plans submitted for the use permit and design approval in project file PLN070425 at the Monterey County Resource Management Agency - Planning Department.

5. 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. Zoning violation abatement costs, if any, have been paid.

EVIDENCE: Staff reviewed Monterey County RMA - Planning Department and Building Services Department records and is not aware of any violations existing on subject property.

6. 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: Preceding findings and supporting evidence.

7. FINDING: APPEALABILITY - The decision on this project is appealable to the Board of Supervisors.

EVIDENCE: Sections 21.80.040(D) of the Monterey County Zoning Ordinance (Title 21).

EXHIBIT D
Monterey County Resource Management Agency
Planning Department
Condition Compliance and/or Mitigation Monitoring
Reporting Plan

Project Name: Kenneth M Blackwell Inc.
 File No: PLN070425
 APN: 189-311-011-000
 Approved by: Planning Commission
 Date: September 10, 2008

**Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
1.		<p>PD001 - SPECIFIC USES ONLY This Use Permit and Design Approval permit (PLN070425) allows the renovation and restoration of Rosie's Cracker Barrel, a designated historical structure. Renovation and restoration scope of work includes: (1) excavation around building perimeter and the installation of a concrete foundation in sections; (2) raise roof plate line at west end (rear of building) 8 inches to allow for head clearance and reinforcement of over-stressed rafters and beams; and (3) modify front door, interior doors, and restrooms to allow for compliance with the Americans with Disabilities Act (ADA) requirements. The property is located at 1 Esquiline Road, Carmel Valley (Assessor's Parcel Number 189-311-011-000), Carmel Valley Master Plan Area. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. 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</p>	<p>Adhere to conditions and uses specified in the permit.</p>	<p>Owner/ Applicant</p>	<p>Ongoing unless otherwise stated</p>	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		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)				
2.		PD002 - NOTICE-PERMIT APPROVAL The applicant shall record a notice, which states: "A permit (Resolution _____) was approved by the Planning Commission for Assessor's Parcel Number 189-311-011-000 on September 10, 2008 . The permit was granted subject to 19 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)	Proof of recordation of this notice shall be furnished to the RMA - Planning Department.	Owner/ Applicant	Prior to the issuance of grading and building permits or commencement of use.	
3.		PD003(A) - CULTURAL RESOURCES - NEGATIVE ARCHAEOLOGICAL REPORT If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources) work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery.	Owner/ Applicant/ Archaeologist	Ongoing	

Permit Cond. Number	Miting Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		resources and to develop proper mitigation measures required for the discovery. (RMA - Planning Department)				
4.		PDSP002 - COMPLIANCE WITH PREVIOUS PERMITS (NON-STANDARD) This permit does not modify or amend any previous conditions applied to the subject property as contained within Planning Commission Resolution No. 99032 and Board of Supervisors Resolution No. 99-012. Conditions prescribed by those resolutions are in full force and effect. (RMA - Planning Department)	Ongoing	Owner/ Applicant	Ongoing	
5.		PD035 - UTILITIES - UNDERGROUND All new utility and distribution lines shall be placed underground. (RMA - Planning Department; Public Works)	None	Applicant/ Owner	Ongoing	
6.		PD009 - GEOTECHNICAL CERTIFICATION Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. (RMA - Planning Department and Building Services Department)	Submit certification by the geotechnical consultant to the RMA - Building Services Department showing project's compliance with the geotechnical report.	Owner/ Applicant/ Geotechnical Consultant	Prior to final inspection	
7.		PDSP001 - COMPLIANCE WITH SECRETARY OF INTERIOR STANDARDS FOR HISTORICAL STRUCTURES (NON-STANDARD) To assure compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties the approved building rehabilitation shall be completed per the recommendations of the Historical and Architectural	1) Prior to issuance of building permit the applicants shall post a 100% performance bond to guarantee the completion of the construction in the amount of, or in excess of, the cost of rehabilitating the structure to be determined by a professional construction estimator or by submitting construction budget.	Owner/ Applicant	Prior to issuance of building permits.	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>Evaluation (LIB080453) prepared for the project shall be Rehabilitated pursuant to Secretary of the Interior's Standards. To achieve compliance with said standards the applicant, owners and/or applicant shall:</p> <ol style="list-style-type: none"> 1. Reuse as much of the historic building materials of the subject property as feasible in the rehabilitation. 2. Prepare a set of measured drawing to the Historical American Building Survey standards for the subject property. The drawings shall include detailed drawings of any elements proposed for alteration, in order to return them to their original form and integrity if desired in the future. <p>To ensure compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties the applicant shall schedule an on-site preconstruction meeting to review scope of work and establish parameters that would constitute an exceedance of scope of work as approved by this project which shall require amendment of this permit. Upon submission of the letter report establishing parameters for the exceedance of the approved scope of work periodic inspection reports shall be submitted by a qualified professional historian to document the progression of the restoration efforts and to recommend further steps or modifications to construction activities to ensure compliance with the rehabilitation of the historical structure for compliance with the Secretary of the Interior's Standards for the Treatment of Historic Properties. (RMA – Planning Department, RMA – Building Department and Parks Department)</p>	<ol style="list-style-type: none"> 2) Schedule and complete an on-site preconstruction meeting with the Building and Planning Departments to review scope of work, establish guidelines for construction practices, and parameters which confine construction to the scope of work as approved by this permit (Condition No. 8). 3) A qualified historian shall prepare and submit to the RMA – Director of Planning for review and approval a letter summarizing on-site preconstruction meeting discussion, parameters that would constitute exceeding the approved scope of work, and any recommendations and/or schedule of additional reporting that would be necessary to ensure compliance with Condition No. 6. 4) Owner/applicant shall provide a schedule of periodic inspections for important phases of the construction activities prepared in consultation with a qualified professional historian to be reviewed and approved by the Director of the RMA – Planning Department and Director of the RMA – Building Department. 5) If, during the course of construction, impacts to the significance of the resource are identified by the project 	<p>Owner, Applicant, Architect, Planning Dept Staff, Building Dept. Staff, Construction crew, & Historian</p> <p>Historian</p> <p>Owner/ Applicant / Historian</p> <p>Owner, Architect, Planner, &</p>	<p>Prior to issuance of building permits.</p> <p>Prior to issuance of building permits.</p> <p>Prior to issuance of building permits.</p> <p>Ongoing</p>	

Permit Cond. Number	Ming. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
			<p>historian, work shall be halted immediately. The Monterey County RMA - Planning Department shall be immediately contacted by the responsible individual present on-site. When contacted, the RMA - Planning Department staff and the qualified professional historian shall visit the site to determine the extent of the impacts and to develop proper measures required to address the impacts.</p> <p>6) If, during the course of construction, previously unidentified impacts to the historical structure are identified beyond those approved by this permit, work shall be halted immediately until a qualified professional historian can evaluate them. The qualified professional historian shall be immediately contacted by the responsible individual present on-site. The professional historian shall immediately visit the site to determine the extent of the impacts to the historical resource and to develop proper mitigation measures required for the compliance with Secretary of the Interior's Standards for the Treatment of Historic Properties.</p> <p>7) Submit certification by a qualified professional historian to the RMA - Building Services Department showing project's compliance with the Historical and Architectural Evaluation dated June 30, 2008 was prepared by Kent Seavy.</p>	Historian		
				Owner/ Applicant/ qualified professional historian	Prior to final inspection	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
8.		<p>PDSP002 – PROJECT SCOPE OF WORK (NON-STANDARD)</p> <p>This project consists of the renovation and restoration of Rosie's Cracker Barrel, a designated historical structure. The scope of work approved by this permit, (Resolution No. _____) was approved by the Planning Commission on September 10, 2008 includes:</p> <ol style="list-style-type: none"> 1. Installation of a new concrete foundation because its deteriorated condition and differential settlement. 2. Remove section of interior flooring in order to replace rotted wood floor joists and boards as needed to stabilize the floor system. 3. Add wood stud sections with plywood sheathing as required by code for seismic bracing. 4. Keep building walls and floor in place- repair and/or replace as needed rotted exterior boards and trim. 5. Add roof structure over main room areas by sistering new members of to existing to reinforce over-stressed rafters and beams. Sister new rafters to the existing to reinforce. Raise roof plate line at west end of the main store room 10 inches for head clearance code compliance, and provide for new header above the existing window for structural strengthening. 6. Add plywood sheathing on roof and replace existing composition shingles and roofing materials in kind. 7. Repair and/or replace in kind, deteriorated windows, doors and trim as needed. Replace damaged wood windows along south side-elevation matching the existing windows in kind. 8. Make front door, interior doors and bathroom door ADA accessible. Raise existing floor 6 inches in the bathroom to provide ADA access from the main store area. 9. Add a doorway in the wooden wall on the north side of the main store building connecting it to the 	Adhere to the scope of work listed in this condition.	Applicant/ Owner	Ongoing	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		<p>Quonset hut by the oak tree in order to provide access to the rear courtyard.</p> <p>10. Rebuild existing brick stoop at front door and raise 6 inches for ADA access. Ramp paving at south side for maximum 5% ramp access to new brick stoop.</p> <p>11. Pour concrete slab floor inside of Quonset hut storage unit.</p> <p>Any changes or deviations from this scope of work shall be submitted to the RMA – Planning Department for review. Approval of any changes or deviations will be considered in consultation with a qualified professional to ensure compliance with Secretary of the Interior’s Standards for the Treatment of Historic Properties for the Rehabilitation of historical structures. (RMA - Planning Department, RMA – Building Department, and Parks Department)</p>				
9.		<p>FIRE011 - ADDRESSES FOR BUILDINGS</p> <p>All buildings shall be issued an address in accordance with Monterey County Ordinance No. 1241. Each occupancy, except accessory buildings, shall have its own permanently posted address. When multiple occupancies exist within a single building, each individual occupancy shall be separately identified by its own address. Letters, numbers and symbols for addresses shall be a minimum of 4-inch height, 1/2-inch stroke, contrasting with the background color of the sign, and shall be Arabic. The sign and numbers shall be reflective and made of a noncombustible material. Address signs shall be placed at each driveway entrance and at each driveway split. Address signs shall be and visible from both directions of travel along the road. In all cases, the address shall be posted at the beginning of construction and shall be maintained thereafter. Address signs along one-way roads shall be visible from both directions of travel. Where multiple addresses are required at a single driveway, they</p>	<p>Applicant shall incorporate specification into design and enumerate as “Fire Dept. Notes” on plans.</p> <p>Applicant shall schedule fire dept. clearance inspection</p>	<p>Applicant or owner</p> <p>Applicant or owner</p>	<p>Prior to issuance of building permit.</p> <p>Prior to final building inspection</p>	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
		shall be mounted on a single sign. Where a roadway provides access solely to a single commercial occupancy, the address sign shall be placed at the nearest road intersection providing access to that site. Permanent address numbers shall be posted prior to requesting final clearance. (Carmel Valley Fire Protection District)				
10.		FIRE019 - DEFENSIBLE SPACE REQUIREMENTS - (STANDARD) Remove combustible vegetation from within a minimum of 100 feet from all structures. Limb trees 6 feet up from ground. Remove limbs within 10 feet of chimneys. Additional and/or alternate fire protection or firebreaks approved by the fire authority may be required to provide reasonable fire safety. Environmentally sensitive areas may require alternative fire protection, to be determined by Reviewing Authority and the Director of Planning and Building Inspection. (Carmel Valley Fire Protection District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans. Applicant shall schedule fire dept. clearance inspection	Applicant or owner Applicant or owner	Prior to issuance of grading and/or building permit. Prior to final building inspection	
11.		FIRE028 - ROOF CONSTRUCTION - (CARMEL VALLEY FPD) All new structures, and all existing structures receiving new roofing over 50 percent or more of the existing roof surface within a one-year period, shall require a minimum of ICBO Class A roof construction. (Carmel Valley Fire Protection District)	Applicant shall enumerate as "Fire Dept. Notes" on plans.	Applicant or owner	Prior to issuance of building permit.	
12.		FIRE030 - FIRE EXTINGUISHER - (NON-STANDARD) Fire extinguishers are required to be installed and maintained pursuant to Fire Code as applicable to the Carmel Valley area. (Carmel Valley Fire Protection District)	Applicant shall incorporate specification into design and enumerate as "Fire Dept. Notes" on plans. Applicant shall schedule fire dept. clearance inspection	Applicant or owner Applicant or owner	Prior to issuance of building permit. Prior to final building inspection	

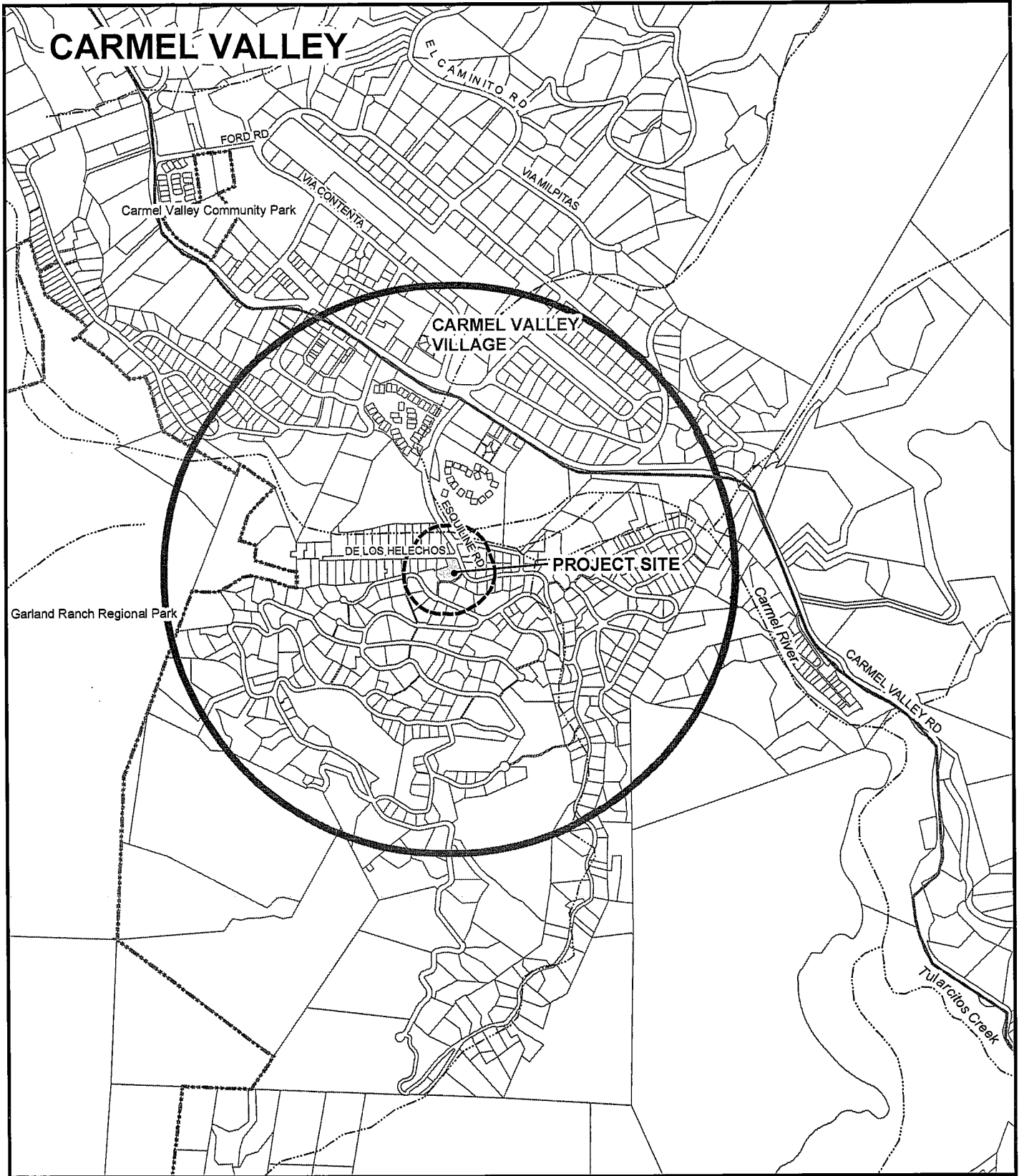
Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed - Where applicable, a certified professional is required for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
13.		PW0007 – PARKING STD The parking shall meet the standards of the Zoning Ordinance and be approved by the Director of Public Works and the Director of Planning and Building Inspection. (Public Works)	Applicant's engineer or architect shall prepare a parking plan for review and approval.	Owner/ Applicant/ Engineer	Prior to Building/ Grading Permits Issuance	
14.		PWSP001 – ACCESS (NON-STANDARD) That the access be approved by the Department of Public Works. This will require that the locations of the driveway be clearly defined by approved barriers (dike, low growing landscaping, etc.). (Public Works)		Owner/ Applicant/ Engineer	Prior to Building/ Grading Permits Issuance	
15.		EH12 - EXISTING SEPTIC SYSTEM Submit a plot plan to the Division of Environmental Health showing the locations of all existing septic systems on the property. Any sewage disposal system or part thereof which crosses property lines or does not meet the setback requirements specified in Monterey County Code, Chapter 15.20 will require proper abandonment and replacement with an approved system. A permit for the system replacement shall be obtained from the Monterey County Health Department. (Environmental Health)	Division of Environmental Health must approve plans.	CA Licensed Engineer /Owner/ Applicant	Prior to filing the final parcel map or issuance of a building permit	
16.		EH35 - CURFFL All improvements shall comply with the California Uniform Food Facilities Law as approved by the Director of Environmental Health. If necessary, submit plans and necessary review fees for review and approval prior to obtaining a building permit/final inspection. (Environmental Health)	Submit plans and necessary review fees to the Division of Environmental Health for review and approval.	Owner/ Applicant	Prior to issuance of building permits.	
17.		WR22 - FLOODPLAIN RECORDATION The owner shall provide the Water Resources Agency a recorded Floodplain Notice stating: "The property is located within or partially within a floodplain and may be subject to building and/or land use restrictions." (Water Resources Agency)	Submit the recorded floodplain notice to the Water Resources Agency for review and approval. (A copy of the County's standard notice can be obtained at the Water Resources Agency.)	Owner/ Applicant	Prior to issuance of any grading or building permits	

Permit Cond. Number	Mitig. Number	Conditions of Approval and/or Mitigation Measures and Responsible Land Use Department	Compliance or Monitoring Actions to be performed. Where applicable, a certified professional is required, for action to be accepted.	Responsible Party for Compliance	Timing	Verification of Compliance (name/date)
18.		<p>WR40 - WATER CONSERVATION MEASURES The applicant shall comply with Ordinance No. 3932, or as subsequently amended, of the Monterey County Water Resources Agency pertaining to mandatory water conservation regulations. The regulations for new construction require, but are not limited to:</p> <p>a. All toilets shall be ultra-low flush toilets with a maximum tank size or flush capacity of 1.6 gallons, all shower heads shall have a maximum flow capacity of 2.5 gallons per minute, and all hot water faucets that have more than ten feet of pipe between the faucet and the hot water heater serving such faucet shall be equipped with a hot water recirculating system.</p> <p>b. Landscape plans shall apply xeriscape principles, including such techniques and materials as native or low water use plants and low precipitation sprinkler heads, bubblers, drip irrigation systems and timing devices. (Water Resources Agency)</p>	<p>Compliance to be verified by building inspector at final inspection.</p>	<p>Owner/ Applicant</p>	<p>Prior to final building inspect-ion/ occupancy</p>	
19.		<p>WR43 - WATER AVAILABILITY CERTIFICATION The applicant shall obtain from the Monterey County Water Resources Agency, proof of water availability on the property, in the form of an approved Monterey Peninsula Water Management District Water Release Form. (Water Resources Agency)</p>	<p>Submit the Water Release Form to the Water Resources Agency for review and approval.</p>	<p>Owner/ Applicant</p>	<p>Prior to issuance of any building permits</p>	

END OF CONDITIONS

Exhibit E
Vicinity Map




CARMEL VALLEY



APPLICANT: KENNETH M BLACKWELL INC

APN: 189-331-011-000

FILE # PLN070425

 300' Limit  2500' Limit  City Limits

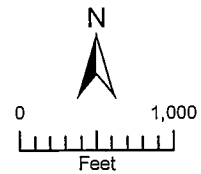


Exhibit F

Project Plans

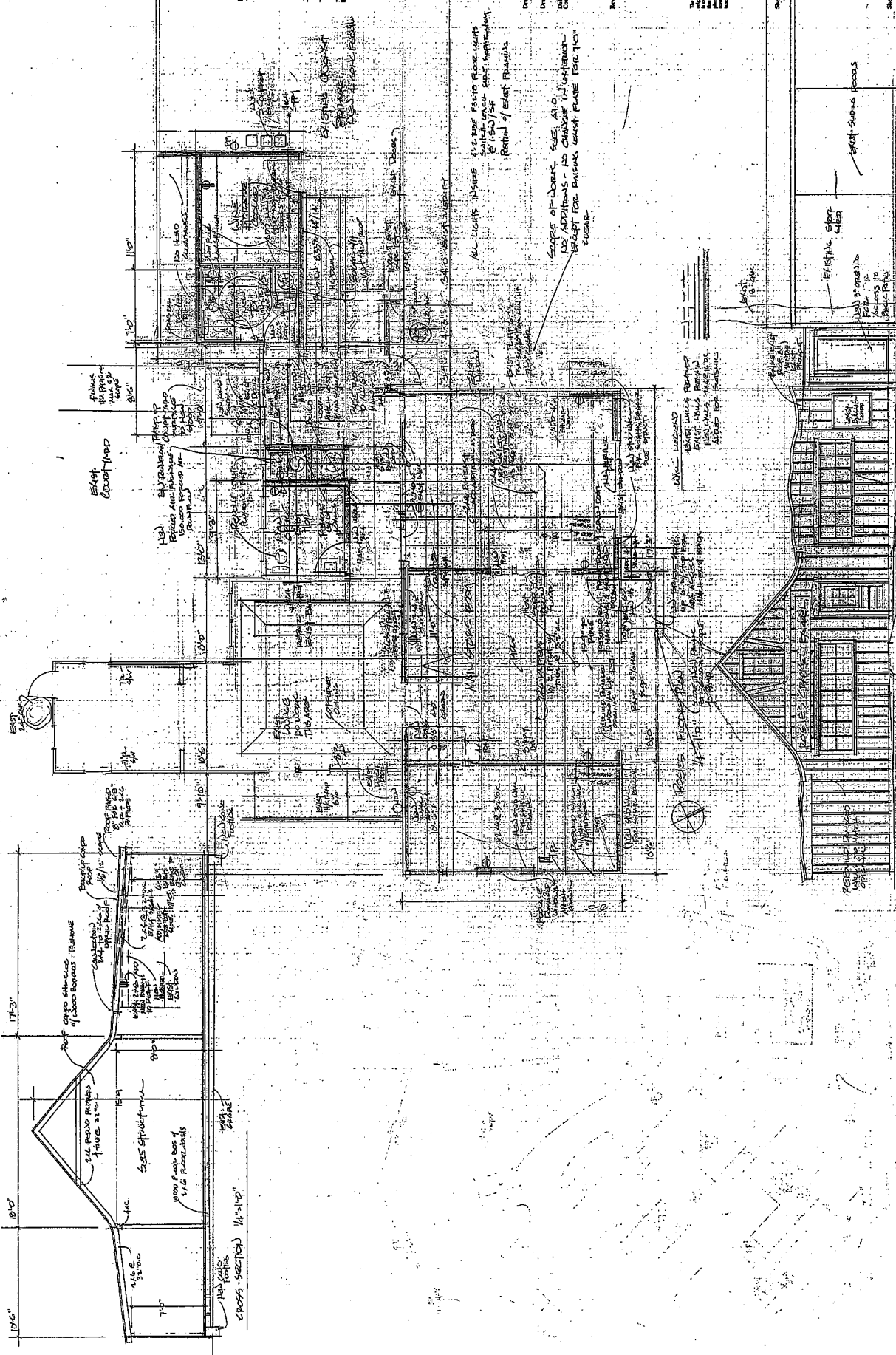
Project / Owner

**ROSIE'S
CRACKER
BARREL**
1 ESCOLINE ROAD,
CARMEL VALLEY, CA

APR 18 1993 1:00 PM
CARMEL VALLEY
HOSPITALITY, INC.
689-3705

**THE
PAUL DAVIS
PARTNERSHIP**
ARCHITECTS & PLANNERS

2300 Woodside Ave., Menlo Park, CA 94025
Tel: (415) 321-7201 Fax: (415) 321-7489



Drawn by: RPD
Drawing Date: 9/10/91
Checked by: [Signature]
Contract No.:

Revision: 5/1/91
5/1/91

All work shall be in accordance with the Building Code of the City of Carmel Valley, California. The contractor shall be responsible for obtaining all necessary permits and for complying with all applicable codes and regulations. The architect shall not be responsible for the contractor's failure to obtain permits or for the contractor's failure to comply with applicable codes and regulations.

Roof Plan
Cross Section
Front Elevation

A 1.0

Project / Client:

**ROSIE'S
CRACKER
BARREL**
1155 SCULLINE ROAD
CARMEL VALLEY, CA

ARCHITECTS PLANNERS
ALAN 1661-331-011
CARMEL VALLEY, CA
HOSPITALITY, INC.
6591-3766

**THE
PAUL DAVIS
PARTNERSHIP**
ARCHITECTS PLANNERS

28 Elmwood Street - Monterey, CA 93940
Telephone (831) 372-2344 - FAX (831) 372-2349

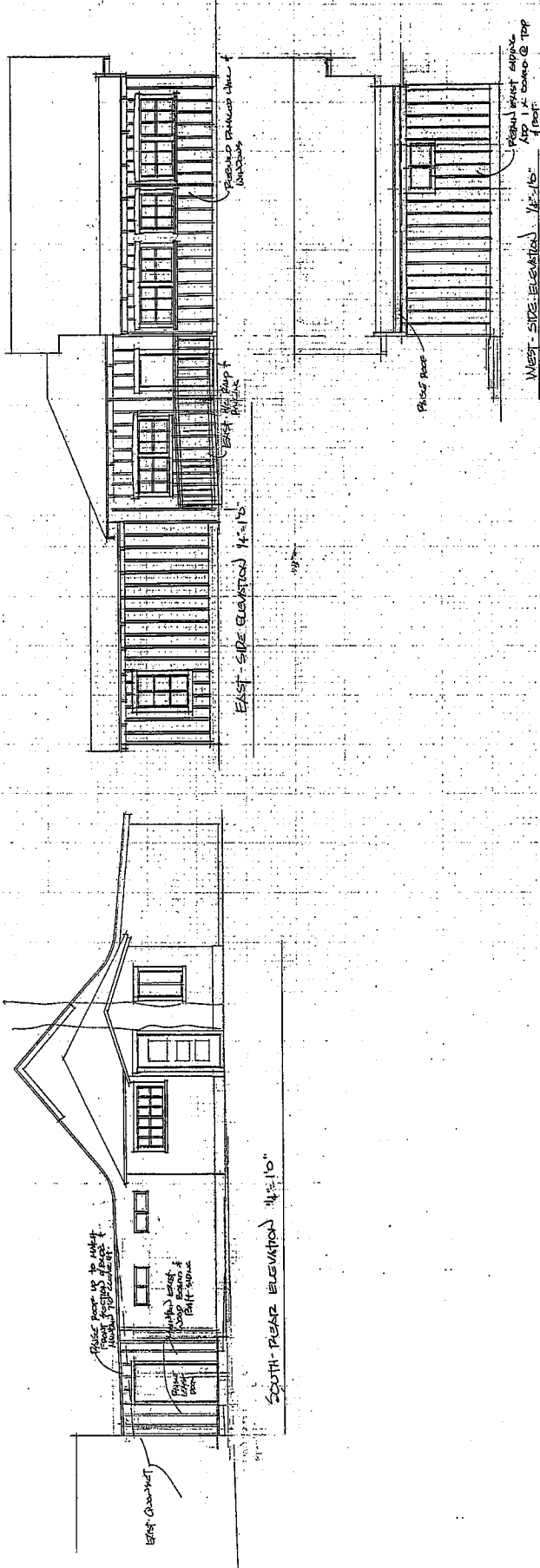
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Date Issued for
Construction:

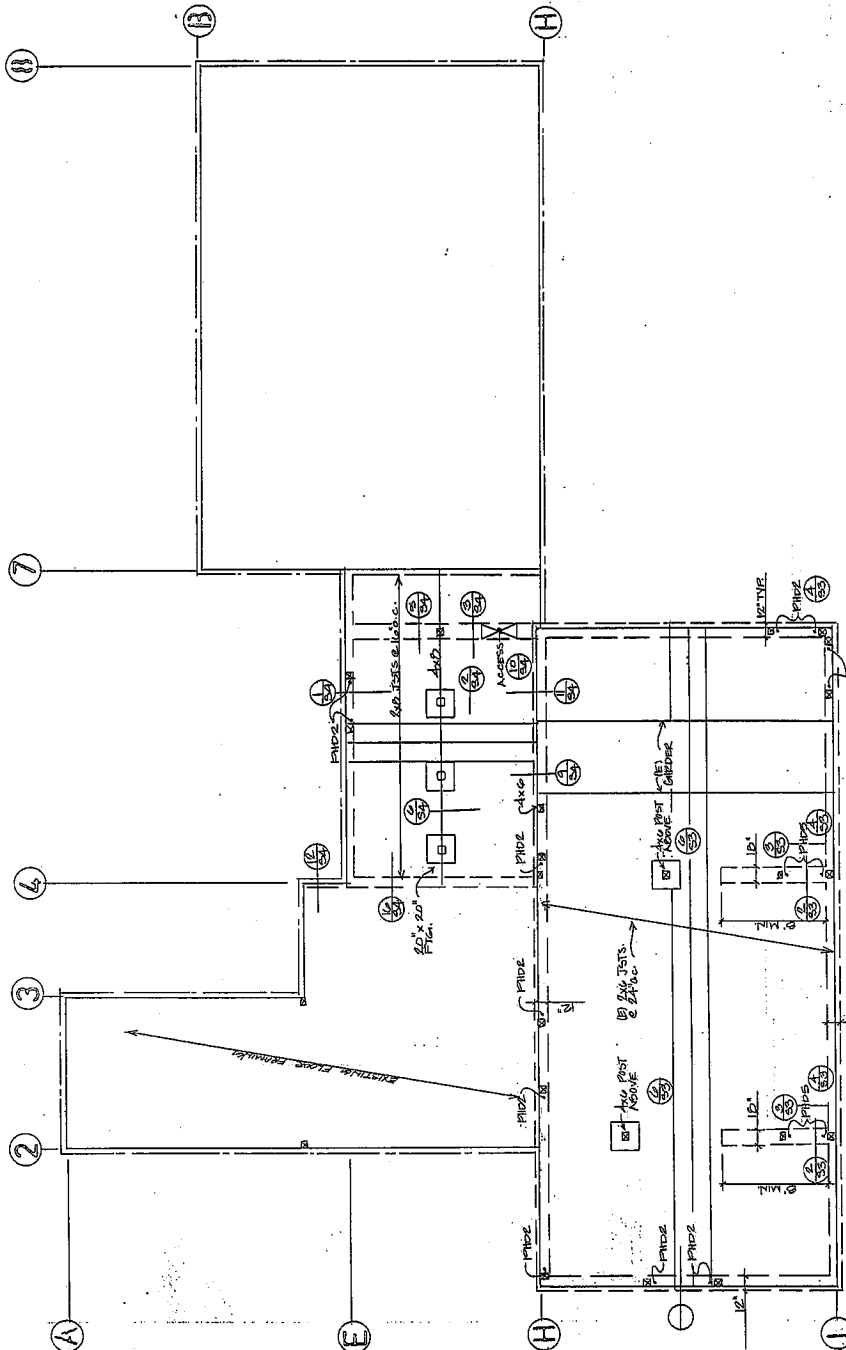
Revised:

The use of these plans and specifications is limited to the particular site and conditions described herein. Any use of these plans and specifications for other sites or conditions is at the user's risk. The user shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities. The user shall be responsible for any changes to these plans and specifications that may be required during the course of the project.

Swartz: **Interior: Elevations**

Sheet Number:
A 3.6





FOUNDATION PLAN
 SCALE: 1/4" = 1'-0"

- NOTES**
- 1. SITE CONDITIONS:** Contractor shall verify all existing conditions and discrepancies prior to proceeding with work. All new work shall be in accordance with the approved plans, specifications and finishes to be used on this project.
 - 2. MATERIALS:** All materials shall be of the highest quality and shall be approved by the architect. All materials shall be tested and certified by a qualified testing agency. All materials shall be approved by the architect prior to use.
 - 3. CONCRETE:** All concrete shall be cast in place and shall be tested and certified by a qualified testing agency. All concrete shall be approved by the architect prior to use.
 - 4. REINFORCEMENT:** All reinforcing steel shall conform to A.S.T.M. Grade 60.
 - 5. FORMWORK:** All required shoring shall be the sole responsibility of the contractor. The contractor shall provide all necessary bracing as required until all shoring is removed.
 - 6. FINISHES:** All finishes shall be in accordance with the approved plans and specifications. All finishes shall be tested and certified by a qualified testing agency. All finishes shall be approved by the architect prior to use.
 - 7. HANDOVER:** All trades handovers shall be by Simpson company or equal.
 - 8. CONNECTIONS:** All exposed steel, bolts and nails shall be galvanized or all plates shall be 3/8" x 6" x 1/2" or better. Bolt all plates to foundation with 5/8" A.S.T.M. A307 bolts. Bolt within 6" to 12" from the end of each plate. Provide minimum two bolts per plate.
 - 9. SHEAR WALLS:** See framing plans for location and type of shear walls. Shear walls shall be the length specified and sheathing shall be continuous unless otherwise specified.
 - 10. BRACING:** All bracing at bearing walls shall be 2 x 6 or 2 x 8 - trimer and 1 - 2 x 4 - king stud at all walls.
 - 11. FORMWORK:** All formwork shall be tested with to match which depth to match depth of wall. D.O.F. on plans shall be the minimum to be used for formwork. Formwork shall be braced with 1/2" x 4" post caps, 48" post caps at ends and 1/2" x 4" post caps at ends.
 - 12. JOINTS:** All joints shall be tested with to match which depth to match depth of wall. D.O.F. on plans shall be the minimum to be used for formwork. Formwork shall be braced with 1/2" x 4" post caps, 48" post caps at ends and 1/2" x 4" post caps at ends.
 - 13. FORMWORK:** All formwork shall be tested with to match which depth to match depth of wall. D.O.F. on plans shall be the minimum to be used for formwork. Formwork shall be braced with 1/2" x 4" post caps, 48" post caps at ends and 1/2" x 4" post caps at ends.
 - 14. FORMWORK:** All formwork shall be tested with to match which depth to match depth of wall. D.O.F. on plans shall be the minimum to be used for formwork. Formwork shall be braced with 1/2" x 4" post caps, 48" post caps at ends and 1/2" x 4" post caps at ends.
 - 15. FORMWORK:** All formwork shall be tested with to match which depth to match depth of wall. D.O.F. on plans shall be the minimum to be used for formwork. Formwork shall be braced with 1/2" x 4" post caps, 48" post caps at ends and 1/2" x 4" post caps at ends.
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Project / Owner

ROSIE'S FAMILY GROCERY
1 ESCUDINE ROAD
CARMEL VALLEY, CA
APH: 08-381-011
CARMEL VALLEY HOSPITALITY, INC.
658-3705

THE PAUL DAVIS PARTNERSHIP ARCHITECTS & PLANNERS

The Paul Davis Partnership, LLP
200 Palmdale Street
BURLINGAME, CA 94010-2409
PH: 650-341-7800
EMAIL: paul@pauldavispartnership.com

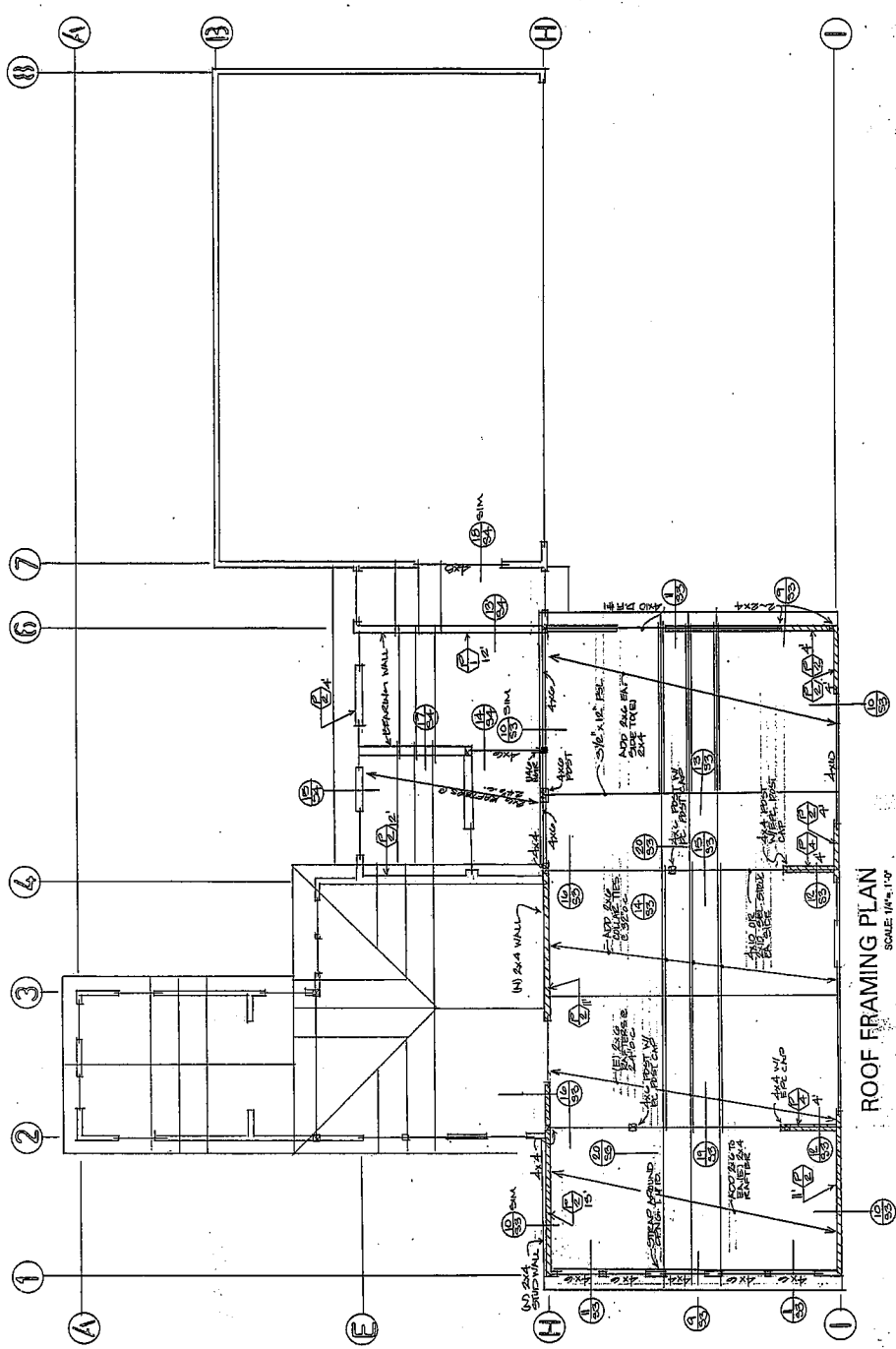
Drawn By: J.L. Hagan
Drawing Date: 11/12/07
Project Number: 0489

Revised: 11/12/07

NO PORTION OF THIS DRAWING IS TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

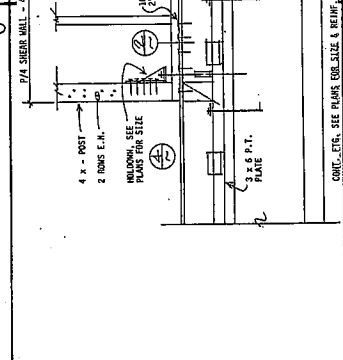
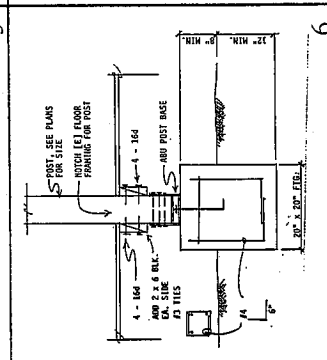
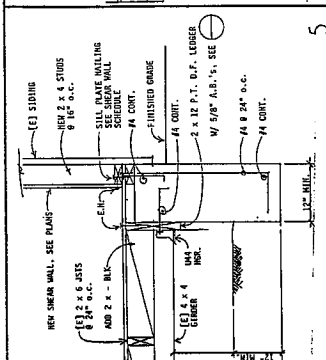
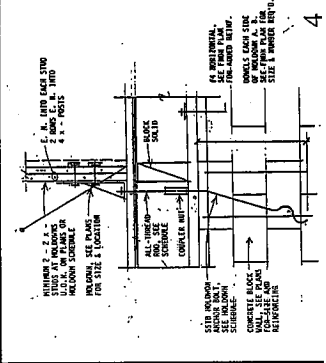
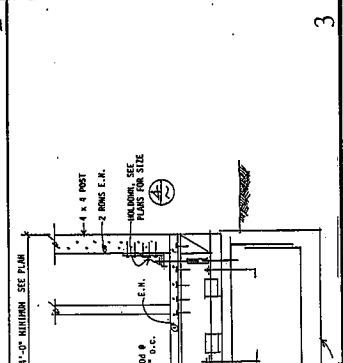
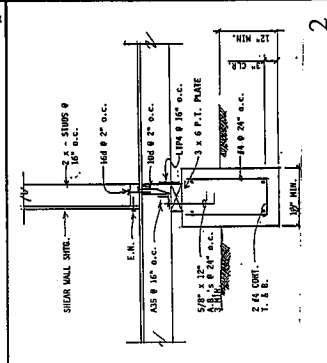
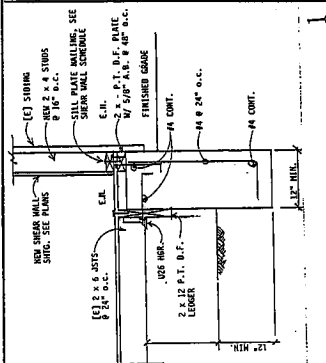
Sheet Title:

Sheet Number: **S2**



MARK	SHEAR WALL	VERTICAL REINFORCEMENT	WALLING	WALLING	WALLING
①	10' x 16' WALL	4 # 4	16' x 16' F.W.	16' x 16' F.W.	16' x 16' F.W.
②	10' x 16' WALL	4 # 4	16' x 16' F.W.	16' x 16' F.W.	16' x 16' F.W.
③	10' x 16' WALL	4 # 4	16' x 16' F.W.	16' x 16' F.W.	16' x 16' F.W.
④	10' x 16' WALL	4 # 4	16' x 16' F.W.	16' x 16' F.W.	16' x 16' F.W.
⑤	10' x 16' WALL	4 # 4	16' x 16' F.W.	16' x 16' F.W.	16' x 16' F.W.
⑥	10' x 16' WALL	4 # 4	16' x 16' F.W.	16' x 16' F.W.	16' x 16' F.W.
⑦	10' x 16' WALL	4 # 4	16' x 16' F.W.	16' x 16' F.W.	16' x 16' F.W.
⑧	10' x 16' WALL	4 # 4	16' x 16' F.W.	16' x 16' F.W.	16' x 16' F.W.

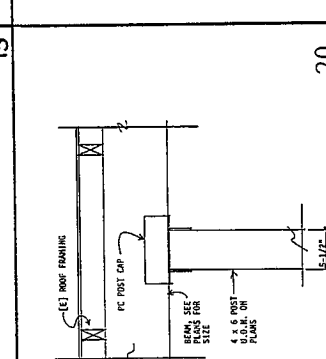
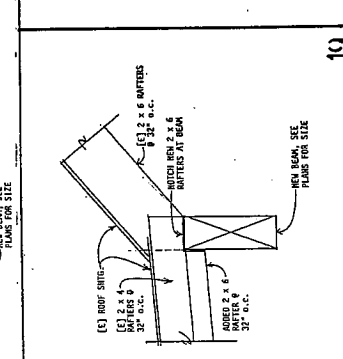
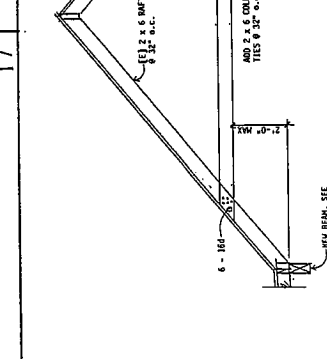
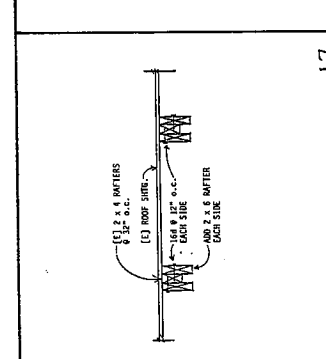
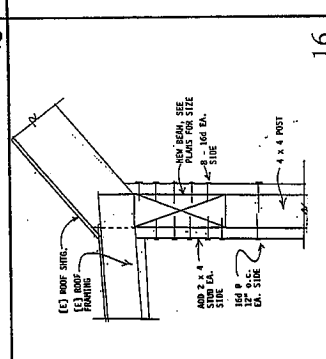
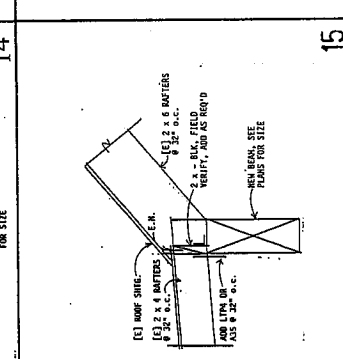
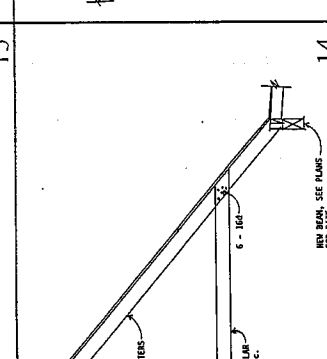
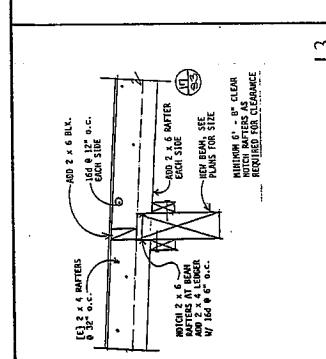
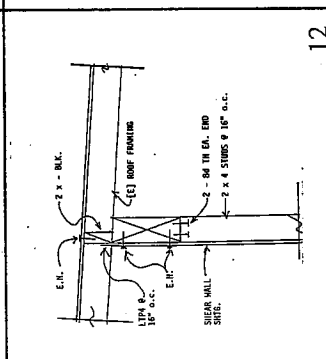
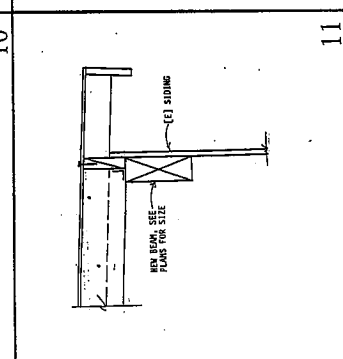
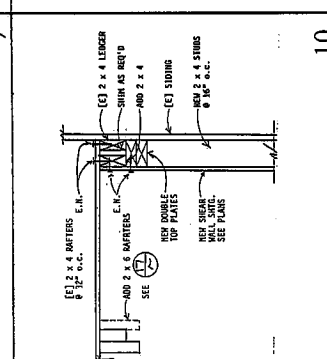
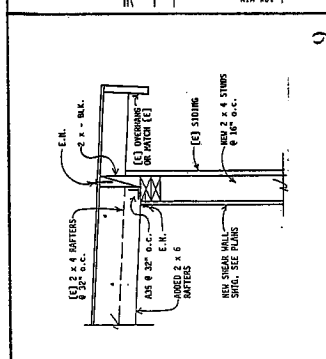
NOTES:
1. See Section 05110 for details of foundation.
2. See Section 05120 for details of exterior wall.
3. See Section 05130 for details of interior wall.
4. Use two rows of reinforcement for exterior walls with 16' x 16' F.W.
5. All walls shall be constructed with 16' x 16' F.W. unless otherwise noted.
6. All walls shall be constructed with 16' x 16' F.W. unless otherwise noted.
7. All walls shall be constructed with 16' x 16' F.W. unless otherwise noted.



NOTES:

- All rods or posts shall be D, E, No. 2 or better.
- Fasteners shall be galvanized steel.
- Use each post that is bolted to holddown.
- Use each post that is bolted to holddown.
- Use each post that is bolted to holddown.
- Use each post that is bolted to holddown.

HOLDOWNS	ROD SIZE	POST SIZE	A	B	C	D
WOOD ON FLOOR	6\"/>					



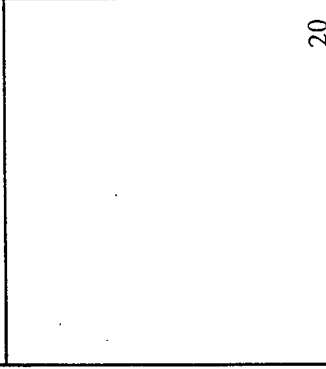
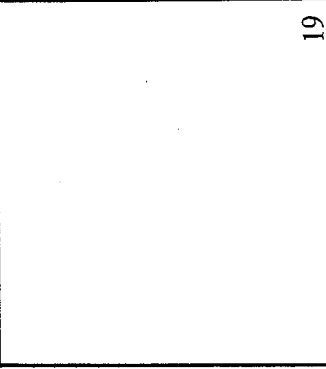
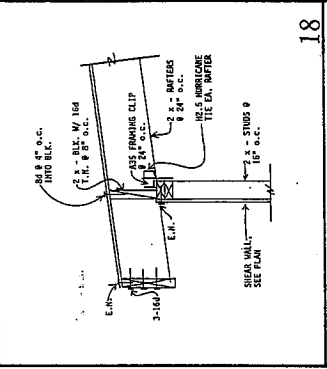
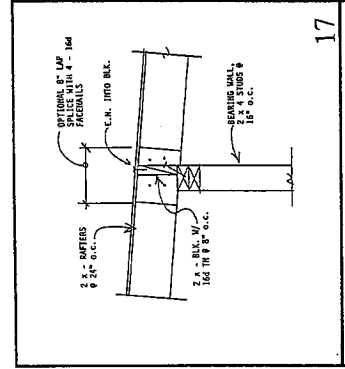
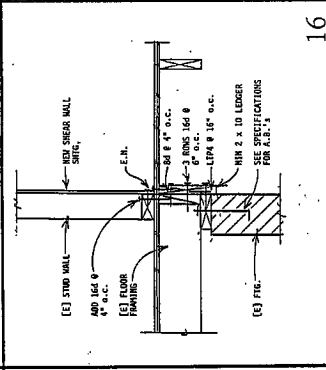
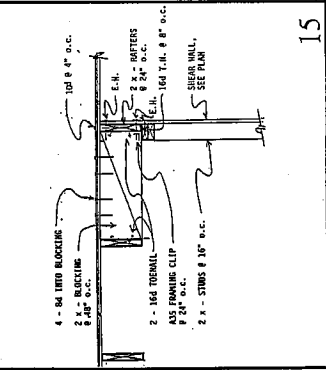
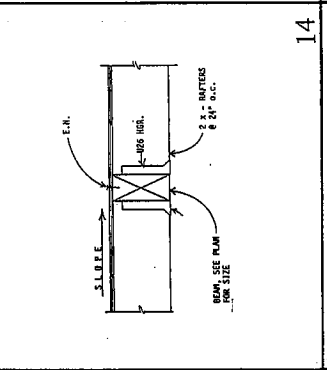
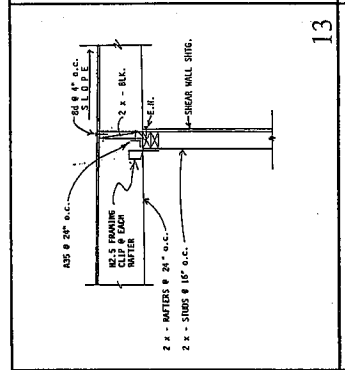
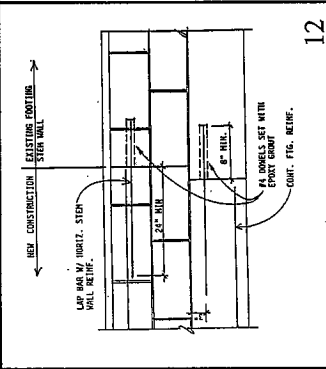
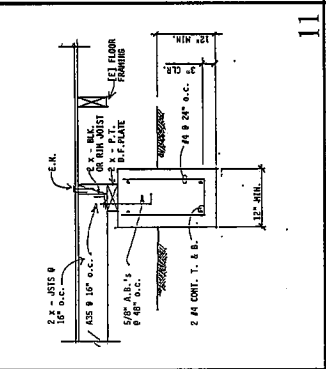
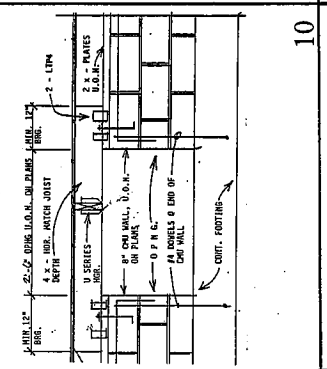
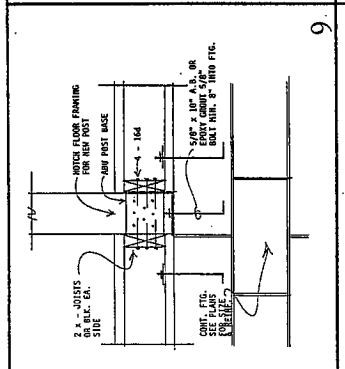
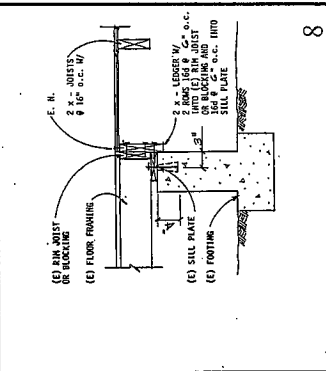
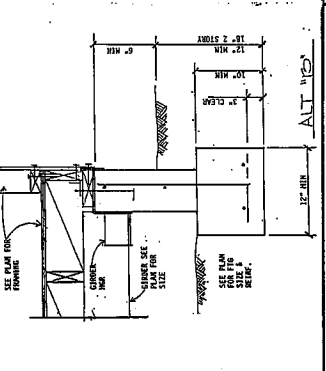
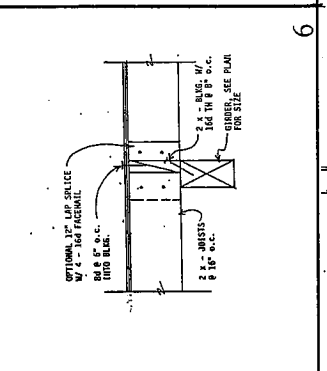
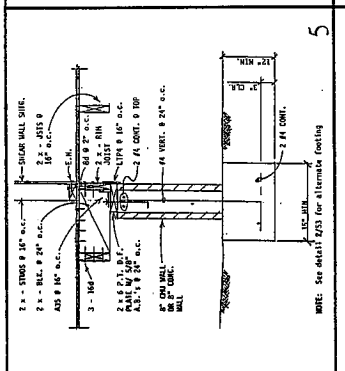
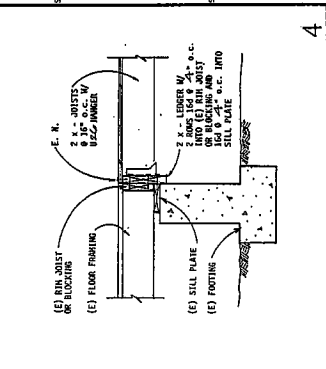
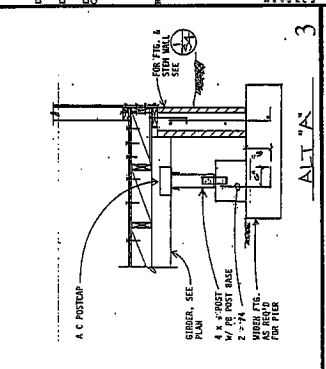
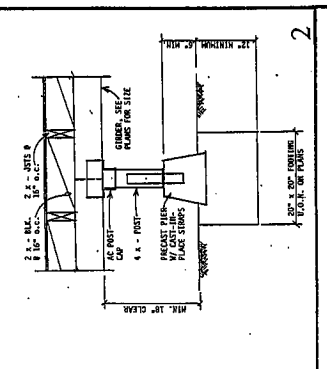
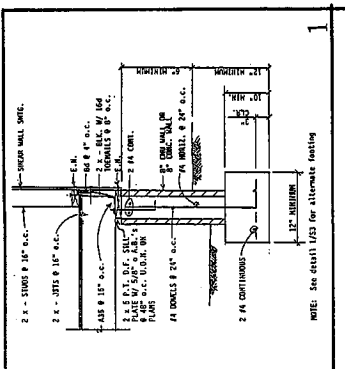


Exhibit G
Carmel Valley LUAC Minutes
for September 4, 2007 and
September 17, 2007 meetings

MINUTES

Carmel Valley Land Use Advisory Committee
TUESDAY, September 4, 2007

1. Meeting called to order 6:30 pm

2. Members Present: J. Anzini, J. Brennan, V. Rugg, J. MacClelland

3. Members Absent: S. Radford

4. Approval of Minutes:

(April 16, 2007) Motion: J. MacClelland (LUAC Member's Name)

Second: J. Anzini (LUAC Member's Name)

Ayes: J. Brennan, J. MacClelland, J. Anzini, V. Rugg

Noes: 0

Absent: S. Radford

Abstain: 0

5. Public Comments:

none

6. Other Items:

A) Election of Secretary As of Oct 15th mtg?
John Anzini - ~~with share of Judy~~
moved by Judy MacClelland 2nd by Victoria Rugg
Ayes: all of us V. Rugg, J. Brennan, J. MacClelland
B) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects/Applications: & J. Anzini

none

Action by Land Use Advisory Committee Project Referral Sheet

Monterey County Planning Department
168 W Alisal St 2nd Floor
Salinas, California
(831) 755-5025

Advisory Committee: Carmel Valley

Please submit your recommendations for this application by Tuesday, September 04, 2007.

Project Title: LEPLUS FRANCIS ET AL (JAN DE LUZ)

File Number: PLN060483

File Type: ZA

Planner: QUENGA

Location: 350 VIA LOS TULARES CARMEL VALLEY

Project Description:

COMBINED DEVELOPMENT PERMIT CONSISTING OF (1) AN ADMINISTRATIVE PERMIT AND DESIGN APPROVAL TO ALLOW THE CONSTRUCTION OF A 5,755 SQUARE FOOT TWO-STORY SINGLE FAMILY DWELLING WITH A 504 SQUARE FOOT DETACHED GARAGE WITHIN AN "S" DISTRICT AND (2) A USE PERMIT TO ALLOW DEVELOPMENT ON SLOPES IN EXCESS OF 30%. THE PROPERTY IS LOCATED AT 350 VIA LOS TULARES, CARMEL VALLEY (ASSESSOR'S PARCEL NUMBER 197-132-006-000), CARMEL VALLEY MASTER PLAN AREA.

Was the Owner/Applicant/Representative Present at Meeting? Yes _____ No

PUBLIC COMMENT:

no one showed up.

AREAS OF CONCERN (e.g. traffic, neighborhood compatibility, visual impact, etc.):

- TOO LARGE
- should be scaled down to fit; and not be on excess 30% slope
- No mention of medium size oak they are getting rid of for garage location

RECOMMENDED CHANGES/CONDITIONS (e.g. reduce scale, relocate on property, reduce lighting, etc.):

- Reduce scale
- Relocate back up on property off 30%
- No lighting fixtures provided
- Not clear as to septic tank location and leach field

ADDITIONAL LUAC COMMENTS:

Oak trees and previous grading into 30% slope for well area should have been addressed. Strong concern re: removal of oak tree yet no mention to its being transplanted to other spot on property — it is a prime specimen of oak.

J. MacClelland moved — J. Anzini 2nd

RECOMMENDATION (e.g. recommend approval; recommend denial; recommend continuance):

in order to understand fully the garage and house site, w/ attention to oak tree not mentioned, lighting issues and redoing of driveway etc, and representation by owners/designers.

CONCUR WITH RECOMMENDATION:

AYES: J. Brennan, J. MacClelland, J. Anzini, V. Rugg

NOES: 0

ABSENT: S. Radford

ABSTAIN: 0

Action by Land Use Advisory Committee Project Referral Sheet

Monterey County Planning Department
168 W Alisal St 2nd Floor
Salinas, California
(831) 755-5025

Advisory Committee: Carmel Valley

Please submit your recommendations for this application by Tuesday, September 04, 2007.

Project Title: KENNETH M BLACKWELL INC

File Number: PLN070425

File Type: PC

Planner: MANUGUERRA

Location: 1 ESQUILINE RD CARMEL VALLEY

Project Description:

USE PERMIT AND DESIGN APPROVAL TO ALLOW RESTORATION/RENOVATION OF ROSIE'S CRACKER BARREL, A DESIGNATED HISTORICAL STRUCTURE. THE PROPERTY IS LOCATED AT 1 ESQUILINE ROAD, CARMEL VALLEY (ASSESSOR'S PARCEL NUMBER 189-311-011-000), CARMEL VALLEY MASTER PLAN AREA.

Was the Owner/Applicant/Representative Present at Meeting? Yes No

Architect

PUBLIC COMMENT:

Pamela Manas ← neighbor not noticed would like to know what is going on.
Richard Rosenthal — concerned as well — not noticed, see Attachment A regarding conditions filed by suit of 1999. (2 pgs)
1) what is going on now — what is permit approval process
2) Is other bldg addressed and should not a sep. app have been brought before LUACS fully.

AREAS OF CONCERN (e.g. traffic, neighborhood compatibility, visual impact, etc.):

- Rear handicap access needs to be pressure treated
- Janet Brennan did not receive notice even though on mailing list, concerned that others on list did not receive public notice so wish continuation to be sure all neighbors aware.

RECOMMENDED CHANGES/CONDITIONS (e.g. reduce scale, relocate on property, reduce lighting, etc.):

— handicap ramp in back did not appear to be properly treated wood to be in contact with ground — A fully up-to-code ramp should be installed.

ADDITIONAL LUAC COMMENTS:

J. Anzini moves for J. MacClelland - 2nd

RECOMMENDATION (e.g. recommend approval; recommend denial; recommend continuance):

There should be full background information to support "previous approval"; full mailing to all names on list.

CONCUR WITH RECOMMENDATION:

AYES: J. Brennan, J. MacClelland, V. Rugg, J. Anzini

NOES: _____

ABSENT: S. Radford

ABSTAIN: _____

MEETING ADJOURNED AT: 7:02 pm PREPARED BY: Victoria A. Rugg
secretary
prepared

Attachment A¹⁰
1 of 2

MEMORANDUM

OFFICE OF THE COUNTY COUNSEL
COUNTY OF MONTEREY

DATE: November 3, 1999

TO: Bill Phillips, Director
ATTN: Dale Ellis, Zoning Administrator
Planning & Building Inspection

FROM: COUNTY COUNSEL

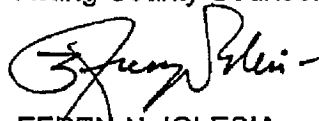
SUBJECT: Rosenthal v. County (Gurries / Rosie's Cracker Barrel / PLN 980603)
Superior Court Case No. M 44772
Our File No. L-500-99-006

This is a follow-up to our memorandum dated November 2, 1999 regarding the Settlement Agreement, Stipulation for Judgment and Judgment in the above-referenced case.

In that previous memorandum we requested that you mail a copy of the Supplemental Conditions to all parties who requested or received notice of the Zoning Administrator's hearing on the Project. Pursuant to a request by Mr. Rosenthal, and acquiesced to by Mr. Bridges, we have added paragraph 6 of the settlement agreement to the Supplemental Conditions and request that you mail the modified document to all parties who requested or received notice of the Zoning Administrator's hearing on the Project.

Thank you for your assistance in this matter.

ADRIENNE M. GROVER
Acting County Counsel



EFREN N. IGLESIA
Senior Deputy County Counsel

ENI:dw

Attachments

cc: Richard Rosenthal, Esq.
John S. Bridges, Esq.

2 of 2

SUPPLEMENTAL CONDITIONS TO PROJECT APPROVAL PLN 980603

1A: For purposes of this permit, convenience market and associated uses does not include bicycle shops or law enforcement substations in the gas station building, or outdoor vegetable market (except vegetable display carts).

2A: There shall be no ingress or egress directly to De Los Helechos Road. There shall be no deliveries, loading or unloading in front of the gas station building fronting on Esquiline Road.

4A: For purposes of Condition 4, the 30 person limit shall be interpreted as 30 persons at one time, and facility shall mean the entire property as shown on Attachment A.

6A: The hours of operation defined in Condition 6 notwithstanding, the daily hours of operation during the months of November-March of each year shall not exceed 7:00 a.m. to 7:00 p.m. and the hours of operation on Sundays shall not exceed 7:00 a.m. to 7:00 p.m. year-round.

7A: For purposes of Condition 7, normal business operations shall be interpreted to allow up to two neighborhood open house type events annually (subject to conditions 4 & 4A). Normal business operations does not include operation as a winery. The facilities may also be used for emergency operations purposes.

14A: The number of lighting fixtures along the front of the building shall not exceed the historic number (i.e., 6). The four light fixtures at the front of the gas station building shall be limited to 40 watts each. The light over the main entrance to Rosie's shall be turned off when the store is closed.

6. **Court Oversight.** In accordance with California Code of Civil Procedure section 664.6, the parties stipulate that the Court may enter judgment in Case Number M 44772 pursuant to the terms of this settlement and that the Court shall retain jurisdiction over Gurries and Gurries only to ensure compliance with the Supplemental Conditions as follows: upon motion filed with the Court by Petitioners, which motion shall be supported by written petition of 10 property owners in the Robles del Rio Subdivision or on Lazy Oaks Street or upon motion filed with the Court by written petition of 10 such property owners and, in either case, submitted between 12 and 36 months following the project approval date, the Court or its designee shall investigate and evaluate the adequacy of the Supplemental Conditions and assess the traffic and noise impacts of the Project as developed. If the Court determines, based on substantial evidence, that said conditions are inadequate and therefore should be modified or that there are significant traffic and noise impacts that were not assessed, the Court shall enter such order(s) deemed necessary and appropriate to modify the inadequate Supplemental Condition and/or to establish mitigation measures to address significant traffic and noise impacts. Nothing in this paragraph 6, or in this Agreement, shall be construed or interpreted to preclude Gurries from applying to the County for modifications to the Approval. If approved by the County, such modifications shall control over the terms and conditions of this Agreement including, without limitation, the Supplemental Conditions except that Supplemental Condition 2A shall not be superceded and Supplemental Condition 14A may only be superceded if necessary for ascertainable safety reasons. Such modifications shall not, however, control over any additional mitigations ordered by the Court pursuant to this paragraph. Petitioners shall have the right to object to any such application for modification in accordance with applicable County zoning procedures.

MINUTES

Carmel Valley Land Use Advisory Committee
Monday, September 17, 2007

1. Meeting called to order 6:30 PM

2. Members Present: J. Anzini, N. Agron, J. Brennan, J. MacClelland (4)

3. Members Absent: S Radford (1)

4. Approval of Minutes:

(September 4, 2007) Motion: J. MacClelland (LUAC Member's Name)

Second: J. Anzini (LUAC Member's Name)

Ayes: 4 - Anzini Agron Brennan MacClelland

Noes: ∅

Absent: S. Radford

Abstain: ∅

5. Public Comments:

NONE

6. Other Items: A) Preliminary Courtesy Presentations by Applicants Regarding Potential Projects/Applications:

NONE

Action by Land Use Advisory Committee Project Referral Sheet

Monterey County Planning Department
168 W Alisal St 2nd Floor
Salinas, California
(831) 755-5025

Advisory Committee: Carmel Valley

Please submit your recommendations for this application by Monday, September 17, 2007.

Project Title: LEPLUS FRANCIS ET AL (JAN DE LUZ)

Item continued from 9/4/07 meeting

File Number: PLN060483

File Type: ZA

Planner: QUENGA

Location: 350 VIA LOS TULARES CARMEL VALLEY

Project Description:

COMBINED DEVELOPMENT PERMIT CONSISTING OF (1) AN ADMINISTRATIVE PERMIT AND DESIGN APPROVAL TO ALLOW THE CONSTRUCTION OF A 5,755 SQUARE FOOT TWO-STORY SINGLE FAMILY DWELLING WITH A 504 SQUARE FOOT DETACHED GARAGE WITHIN AN "S" DISTRICT AND (2) A USE PERMIT TO ALLOW DEVELOPMENT ON SLOPES IN EXCESS OF 30%. THE PROPERTY IS LOCATED AT 350 VIA LOS TULARES, CARMEL VALLEY (ASSESSOR'S PARCEL NUMBER 197-132-006-000), CARMEL VALLEY MASTER PLAN AREA.

Was the Owner/Applicant Representative Present at Meeting? Yes No

Gail HATTER - CRAWFORD

PUBLIC COMMENT:

AREAS OF CONCERN (e.g. traffic, neighborhood compatibility, visual impact, etc.):

Large Home to be looked at by Neighbors below.

RECOMMENDED CHANGES/CONDITIONS (e.g. reduce scale, relocate on property, reduce lighting, etc.):

ADDITIONAL LUAC COMMENTS:

When did current Grading occur in well Area AND were the necessary permits issued?

were permits issued for Tree removal in grading area?

was there a demolition permit for removal of the primary residence?

was there a health department permit issued for the well?

Motion to Continue by: J. Anzini

Second by: J MacClelland

RECOMMENDATION (e.g. recommend approval; recommend denial; recommend continuance):

Motion to continue until answers resolved regarding prior Tree removal and site Grading in well AREA - Was a permit obtained from the Health Department for the well, was a grading permit issued. Was there a Demolition permit for removal of the original House that burned. The project Description shall be amended to add the proposal removal of an EXISTING OAK TREE.

CONCUR WITH RECOMMENDATION:

AYES: H Anzini, Agron, Brennan, MacClelland

NOES: Ø

PLN060483 LEPLUS CONTINUED

ABSENT: S. Radford (1)

ABSTAIN: Ø

Action by Land Use Advisory Committee Project Referral Sheet

Monterey County Planning Department
168 W Alisal St 2nd Floor
Salinas, California
(831) 755-5025

Advisory Committee: Carmel Valley

Please submit your recommendations for this application by Monday, September 17, 2007.

Project Title: KENNETH M BLACKWELL INC
File Number: PLN070425
File Type: PC
Planner: MANUGUERRA
Location: 1 ESQUILINE RD CARMEL VALLEY

Item continued from 9/4/07 meeting

Project Description:
USE PERMIT AND DESIGN APPROVAL TO ALLOW RESTORATION/RENOVATION OF ROSIE'S CRACKER BARREL, A DESIGNATED HISTORICAL STRUCTURE. THE PROPERTY IS LOCATED AT 1 ESQUILINE ROAD, CARMEL VALLEY (ASSESSOR'S PARCEL NUMBER 189-311-011-000), CARMEL VALLEY MASTER PLAN AREA.

Was the Owner/Applicant Representative Present at Meeting? Yes X No _____

PUBLIC COMMENT:

none

AREAS OF CONCERN (e.g. traffic, neighborhood compatibility, visual impact, etc.):

none

[PLN070425 KENNETH BLACKWELL INC CONTINUED]

RECOMMENDED CHANGES/CONDITIONS (e.g. reduce scale, relocate on property, reduce lighting, etc.):

Existing Handicaps ramp in rear AREA does not appear to be constructed of properly treated wood for earth contact. Recommend replacement with proper wood installed.

ADDITIONAL LUAC COMMENTS:

Motion to Approve By: J. MacClelland
Second By: N. Agron

RECOMMENDATION (e.g. recommend approval, recommend denial; recommend continuance):

CONCUR WITH RECOMMENDATION:

AYES: Hanzini, Agron, Brennan, MacClelland.

NOES: Ø

ABSENT: S. Stafford (1)

ABSTAIN: ~~Ø~~ _____

MEETING ADJOURNED AT: 6:56 P.M.

PREPARED BY: JOHN ANZINI



MONTEREY COUNTY

Planning and Building Inspection Department

230 Church St Bldg 1, Salinas, Ca 93902 (831) 755-5025; Fax (831) 755-5487
 2620 First Avenue, Marina, CA 93933 (831) 883-7500; Fax (831) 384-3261
 http://www.co.monterey.ca.us/pbi

DESIGN APPROVAL REQUEST FORM

ASSESSOR'S PARCEL NUMBER: 189-331-011

PROJECT ADDRESS: 1 Esquiline Road, Carmel Valley

PROPERTY OWNER: Gail M. Brown Telephone: _____
 Address: 670 Clubhouse Drive Fax: _____
 City/State/Zip: Aptos, CA 95003 Email: _____

APPLICANT: Greg Blackwell Telephone: _____
Carmel Valley Hospitality, Inc.
 Address: 1st Street Fax: _____
 City/State/Zip: San Jose, CA Email: _____

AGENT: Paul E. Davis Telephone: 373-2784
 Address: 286 Eldorado Street Fax: 373-7459
 City/State/Zip: Monterey, CA 93940 Email: _____

PROJECT DESCRIPTION: *(see scope of work)*
Renovate and rebuild existing damaged and deteriorated
Rosies Store historical building.

MATERIALS TO BE USED: Match existing materials and color.

COLORS TO BE USED: _____

You will need a building permit and must comply with the Monterey County Building Ordinance. Additionally, the Zoning Ordinance provides that no building permit 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.

PROPERTY OWNER/AGENT SIGNATURE: [Signature] DATE: 8/9/07

FOR DEPARTMENT USE ONLY

ZONING: LC-HR-D-S
 GENERAL/AREA PLAN: CV MP
 ADVISORY COMMITTEE: CV LUAC
 RELATED PERMITS: BPO7180Z

LUAC REFERRAL: YES NO
 ADMINISTRATIVE APPROVAL: YES NO
 PUBLIC HEARING: YES NO
 DOES THIS CORRECT A VIOLATION? YES NO
 LEGAL LOT: 1964 BOOK YES NO

GIVEN OUT BY: GUAM DATE: 8/10/07
 ACCEPTED BY: GUAM DATE: 8/10/07

COMMENTS: Designated Historic Resource

ADVISORY COMMITTEE RECOMMENDATION

APPROVAL DENIAL
 For: 4 Against: 0 Abstain: 0
 Absent: 1

Was the Applicant Present? YES NO

Recommended Changes: See 9/17/07 minutes

Signature: John Anzini
 Date: 8/11/07 (MF)

APPROPRIATE AUTHORITY: DIRECTOR OF P&BI ZONING ADMINISTRATOR PLANNING COMMISSION
 ACTION: APPROVED DENIED

CONDITIONS: _____

APPROVED BY: _____ DATE: _____

PROCESSED BY: _____ DATE: _____

Exhibit H
Historic Resources Review Board
September 6, 2007 meeting minutes

MONTEREY COUNTY HISTORIC RESOURCES REVIEW BOARD

**Thursday, September 6, 2007
Monterey County Administration Building
Monterey Room, Second Floor
168 W. Alisal Street, Salinas, CA 93901**

DRAFT MINUTES

I. CALL TO ORDER

John Scourkes called the meeting to order at 11:35 a.m.

II. ROLL CALL

Members Present

Enid Sales
Salvador Munoz
John Scourkes
Barbara Rainer
Jeff Norman

Members Absent

Marleen Burch
Kellie Morgantini

Staff Present

Meg Clovis
Lynn Learch
Craig Spencer
Elisa Manuguerra
Erin Nickerson

Guests

Mark Norris
Paul Davis

III. APPROVAL OF MINUTES August 2, 2007

Salvador Munoz motioned to approve the August 2, 2007 minutes. Barbara Rainer seconded the motion. Sales, Munoz, Rainer and Norman approved the minutes while Scourkes abstained.

IV. PUBLIC COMMENT

None was noted.

V. PROJECT REVIEW

1. Recommend to the Director of Planning and Building Department:

Combined development permit consisting of a coastal administrative permit to allow the demolition of an existing 4,584 square foot single family dwelling; a coastal development permit to allow an existing 1,323 square feet, historic, legal non-conforming guesthouse to remain and a coastal development permit to allow development within 750 feet of a known archaeological site. The property is located at 3296 Seventeen Mile Drive, Pebble Beach (Assessor's Parcel Number 008-455-015-000), East of the Intersection of Stevenson Drive and Cypress Drive, Del Monte Forest Area, Coastal Zone. Planner: Craig Spencer

Craig Spencer, Monterey County Planner, gave a brief overview of the Chappellet home. The owners are requesting demolition of the main house and a permit to allow a guesthouse to remain. There is no proposed development at this time.

The Historic Report submitted addresses the significance and integrity of the main structure but makes no conclusion about the guesthouse. The main house has lost integrity over the years. Craig Spencer made two corrections in the draft resolution. First, omit the word "historic" in the description of the guesthouse and second, under the second WHEREAS, to cross out "has been determined" by a qualified historian to read "may be" eligible for listing on the Local Register of Historic Resources.

Enid Sales had previously inspected and reviewed the house and felt that it was not "historically significant" although Jeff Norman thought it might have some historic significance for its association with the early development of Pebble Beach.

Action: Enid Sales motioned to recommend approval of the project and resolution to the Director of Planning and Building Department with changes as noted above. Jeff Norman seconded the motion and it was unanimously approved.

2. Recommend to the Director of Planning and Building Department:

Combined development permit consisting of: 1) a coastal administrative permit to allow the demolition of a 348 square feet detached garage, major remodel and two-story additions totaling 3,487 square feet with a new 441 square feet attached garage to an existing one-story 1,954 square feet single family dwelling and cut of 298 cubic yards with fill of 60 cubic yards; 2) a coastal development permit for development within 750 feet of a known archaeological resource; and 3) design approval. The property is located at 26325 Isabella Avenue, Carmel (Assessor's Parcel Number 009-463-011-000), Coastal Zone. Planner: Craig Spencer

Craig Spencer presented a brief overview of this project. The building is a ranch-style Hugh Comstock home situated on a large lot. The owners want to demolish a detached garage and remodel and add two two-story additions to the existing single family home. The owners had a pre-application meeting with both Meg Clovis and Salvador Munoz to work out design solutions that would meet the Secretary of Interior's Standards. The goal is to preserve the front elevation and try to mitigate the visual impact of the additions from the street.

Meg Clovis indicated she wanted two corrections to the resolution. In the first Finding, omit "designated" and "site" from historic resource. Secondly, in the second WHEREAS, replace Local Register of Historic Places with Monterey County Register of Historic Resources. Craig Spencer requested to omit under Evidence, #2 which reads, "An Initial Study is being prepared to address Impacts to significant architectural features, characteristics, and aesthetics due to the proposed development."

Jerry Case, architect, briefly spoke about the project and preserving the hip roof and front elevation while adding two wings with gable roofs. The owner was required to complete Phase I and Phase II studies as the consultant deemed the property historic because the house was designated by a noted architect as a Hugh Comstock house.

Enid Sales questioned the validity of the house being designed by Hugh Comstock.

Action: Jeff Norman motioned to recommend approval of the project and resolution to the Director of Planning and Building Department with changes in Finding #1, the second WHEREAS and removal of #2 under Evidence. Salvador Munoz seconded it and it was unanimously approved.

3.

Recommend to the Director of Planning and Building Department:

Use permit and design approval to allow restoration/renovation of Rosie's Cracker Barrel, a designated historical structure. The property is located at 1 Esquiline Road, Carmel Valley (Assessor's Parcel Number 189-311-011-000), Carmel Valley Master Plan Area.

Planner: Elisa Manuguerra

Elisa Manuguerra, Monterey County Planner, stated that this project is again before the HRRB because it needs a use permit. Although the HRRB had previously approved the project, the Planning Staff had rescinded the design approval.

Paul Davis, architect, stated that this is the same project as was previously approved. There is a list of 9 design/construction improvements listed under Scope of Work. The exterior of the building will not be altered.

Action: Enid Sales motioned to recommend approval of the project as presented to the Director of Planning and Building Department. Salvador Munoz seconded the motion and it was unanimously approved.

4. Recommend to the Director of Planning and Building Department:

Design approval to allow replacement of existing clapboard siding with board and batten siding on a one story single family dwelling. Installation will cover 400 square feet of wall area, consisting of the front of the house and an un-stuccoed sidewall. Proposed building materials and color consist of cream siding and Brownington Court exterior paint. This home has been listed as non-contributing to the historical significance of the neighborhood, as it was built in the late 1960s. The project is located at 76 First Street, Spreckels (Assessor's Parcel Number 177-062-004-000). Greater Salinas Area Plan Planner: Erin K. Nickerson

Erin Nickerson, Monterey County Planner, presented the project. Erin Nickerson corrected the description by stating that the existing clapboard siding will be replaced with shiplap or the same siding and not board and batten. This is non-contributing home within the Spreckels Historic District.

Erin Nickerson also corrected Finding #2 on the Resolution to read:

“The proposed work is found to be consistent with the County’s Historic Resources ordinance and conforms with the prescriptive standards and design guidelines for the district adopted by the Board of Supervisors and does not adversely affect the character of the district.”

Action: Barbara Rainer moved to recommend approval of the project and resolution to the Director of Planning and Building Department with changes and Jeff Norman seconded the motion. It was unanimously approved.

VI. NEW BUSINESS

1. Granny Units in Spreckels (Mark Norris)

Mark Norris, builder and designer, asked the status of detached and detached granny units in Spreckels in regards to the Spreckels Design Guidelines. Generally granny units are allowed in the County.

Meg Clovis said that the Spreckels Design Guidelines only address the design elements of the Spreckels homes and not there uses. Craig Spencer said that the County allows attached granny units up to 700 square feet and detached units of no more than 850 square feet for either handicapped or residents older than 60 years old.

Meg Clovis informed Mark Norris that if his applicant wishes, he could have a pre-application meeting with HRRB prior to applying for a permit.

2. Reconvene Preservation Ordinance Subcommittee

Meg Clovis said that several years ago an historic consultant had drawn up a new preservation ordinance but because the General Plan had not been adopted the Planning Department was not willing to consider it. However, the attitude of the Planning Department has changed and they would entertain a new ordinance now. The General Plan is in its 5th Revision.

Meg Clovis asked the Preservation Ordinance Subcommittee to reconvene with Salvador Munoz, John Scourkes and Enid Sales. A meeting will be held on September 17, 2007 at 2:00 at the Carmel Preservation Foundation in Carmel.

VI. HRRB COMMENTS

John Scourkes expressed concern that the HRRB consider viewshed implications more carefully on future projects because of unanticipated viewshed obstructions on the Spreckels homes and the East Garrison church.

Enid Sales said the AMAP newsletter will be mailed soon and Orientations of the Marsh will be hosted on October 26, 2007 from 5:30 to 7:30 followed by a reception. This event will be hosted across from Lake Elistero.

VIII. ADJOURNMENT

The meeting was adjourned at 1:15 p.m.

IX. NEXT MEETING

Date: October 2, 2007

Time: 11:30 a.m.

Place: Monterey County Government Center Building, Monterey Room, 2nd Floor
168 W. Alisal Street, Salinas, CA

Prepared by: Lynn Learch, Administrative Secretary

Exhibit I
Historical and Architectural
Evaluation dated
June 30, 2008 (LIB080453)

LIB 080453
PLN 980603

HISTORICAL AND ARCHITECTURAL EVALUATION

Rosie's Cracker Barrel
1 Esquiline Road
Carmel Valley, CA 93924

RECEIVED

JUL 22 2008

MONTEREY COUNTY
PLANNING & BUILDING
INSPECTION DEPT.

For Blackwell Homes
871 E. Hamilton Avenue, Suite A
Campbell, CA 95008

Prepared By:

Kent L. Seavey
Preservation Consultant
310 Lighthouse Ave.
Pacific Grove, CA 93950
(831) 375-8739

June 30, 2008

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INTRODUCTION

This is an historical and architectural evaluation of Rosie's Cracker Barrel. The commercial property is located at 1 Esquiline Road in Carmel Valley, California. The study was conducted between March and April, 2008 by Kent L. Seavey, consultant for the owners, Blackwell Homes. The owners requested this report to repair and rehabilitate the historic Rosie's Cracker Barrel, with some alterations to meet building code compliance requirements.

The commercial building is over fifty years of age, and is located at the south side of Esquiline Road in Pebble Carmel Valley. The property is identified as 1 Esquiline Road. The Assessor's Parcel Number is 189-331-011. The project lot size is approximately .84 acre. This evaluation is in the form of a report and includes existing State of California DPR 523 forms, used for recordation of properties of possible historical and cultural significance. For Monterey County Planning Dept. purposes the project is identified as PLN# 980603.

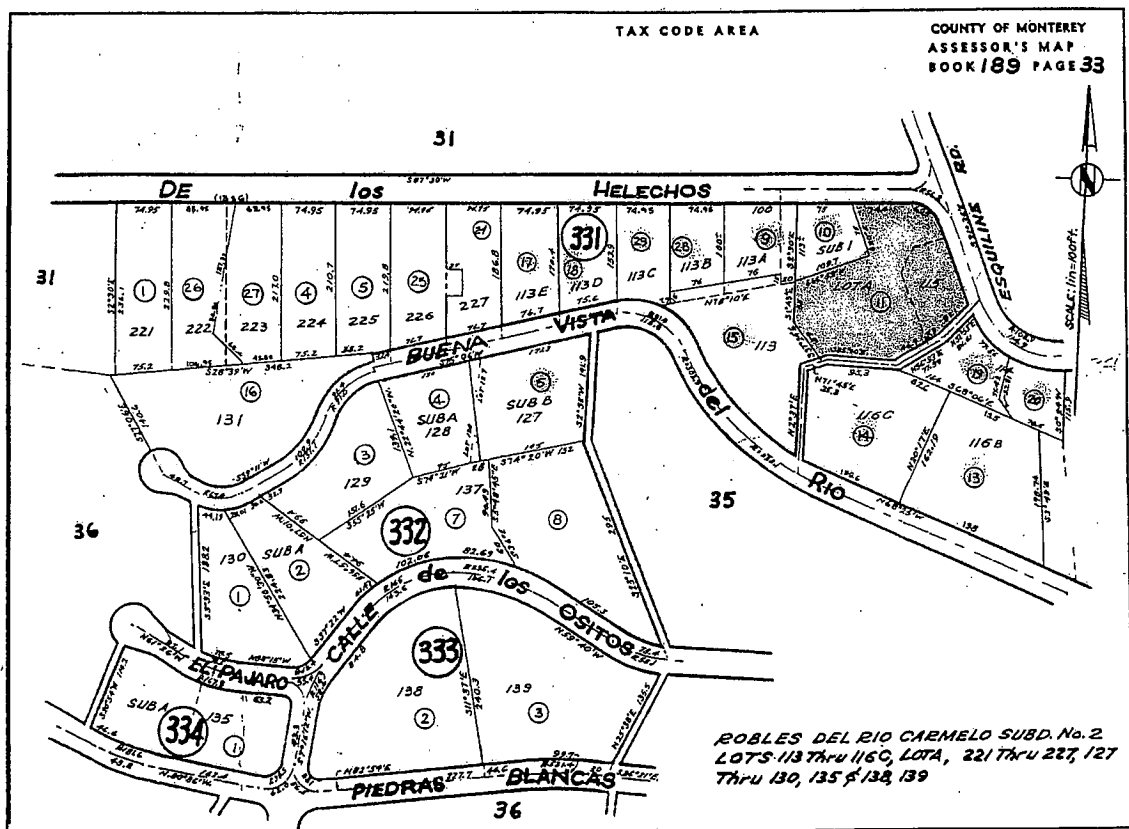
Qualifications

Kent L. Seavey, Principal of the firm has a Bachelor of Arts Degree in the Humanities, with a concentration on architectural history from San Francisco State University, and did graduate work at Stanford University in art and architectural history. Mr. Seavey was the first Historical Coordinator for the County of Monterey, and has been an independent historic preservation consultant in Monterey County since 1978. Mr. Seavey is listed with the Northwest Information Center as meeting the requirements to perform identification, evaluation, registration and treatment activities within the profession of Architectural Historian in compliance with state and federal environmental laws. The Northwest Information Center utilizes the criteria of the National Park Service outlined in 36 CFR Part 61. Mr. Seavey is also a certified Preservation Professional with the California Council for the Promotion of History, and adheres to their standards of professional conduct.

Methodology

Kent Seavey conducted a field survey of the subject property in March of 2008. The principal building on the property was examined.

Notes on the architecture, characteristic features, and the physical setting were made. Photographs were taken of the exterior elevations of the subject property. The architectural descriptions within this report were written based on these notes and photographs, as well as earlier and subsequent site visits. Research was conducted in major repositories of local source materials. These repositories included the Monterey County Assessor's Office; Monterey County Planning Department; Chicago Title Co.; Local History Section of the Monterey County Library, the Harrison Memorial Library in Carmel; California History Room of the Monterey Public Library, and the Carmel Valley Historical Society. The report was prepared utilizing the methodology recommended by the National Park Service, as outlined in Preservation Briefs #17 (Architectural Character: Identifying the Visual Aspects of Historic Buildings as an Aid to Preserving their Character), and #35 (Understanding Old Buildings: The Process of Architectural Investigation).



(Location Map)

Historic Status

Rosie's Cracker Barrel is not included in the California Office of Historic Preservation-maintained "Historic Property Data File for Monterey County" (updated to June, 2008). It was listed on the Historic Resource Inventory for Monterey County in 1993, but is not listed on the National Register of Historic Places or the California Register of Historical Resources.

HISTORICAL BACKGROUND

Brief Historical Background of the Subject Property

Spanish-Mexican Period: 1770-1834

It is reported that the first use of the Carmel Valley in what might be described as a recreational capacity was as early as mission times when the fathers at Mission San Carlos de Borromeo brought some their neophytes to a place in the Carmel Valley known as the "Rancho de Convalecente". It was a place where the Mission Indians were sent to recover from the diseases that decimated the native population of San Carlos (Breschini 1993:16).

After the Secularization Act of 1834 the Carmel Valley was divided into several large land grants. Typical of these land holdings was the 6,625 acre Rancho Los Laureles, granted to Don Jose Manuel Boronda and Vicente Blas Martinez in 1839 (Fink 1972:259). It was occupied by the Boronda family from about 1840 until the 1860s.

Early American Period: 1850-1880

The 1860s saw the expansion of a ranching economy in the Carmel Valley, and the beginning of absentee land ownership. As an example, in the 1860s the Boronda family sold Rancho Los Laurales to San Francisco lumberman Nathaniel W. Spaulding. Through Spaulding's hired ranch manager, Kinzea Klinkenbeard, many improvements were made including the introduction of improved breeds of cattle. Homesteading began during this time. Dairying and sheep raising in the valley was also expanded as well as the growing of cereal and orchard crops

As early as 1875, the *Hand Book of Monterey* suggested the possibilities of the Carmel Valley as a tourist destination:

The Valley of the Carmello affords attractions to lovers of Nature such as few other places in the state can furnish. The passing traveler -- be he artist or antiquary, geologist or "grizzly shootist," piscator or pedestrian, "prospector" or pleasure seeker -- may here find something congenial to his taste.

The same publication noted the development of the Tasajara Hot Springs in the Cachagua area by proprietor, John Borden.

The Middle American Period: 1880-1929

IN 1880 the Southern Pacific Railroad Company came to Monterey and established the Del Monte Hotel, the first major tourist resort on the central California coast. As part of its development a holding company, the Pacific Improvement Company, purchased the Rancho Los Laureles and established the Del Monte dairy to supply fresh milk products for the hotel. The original San Clemente Dam was constructed in 1883 to assure a fresh water supply to the Del Monte Hotel and the Monterey peninsula.

By the 1890s the guests of the Del Monte Hotel had discovered the recreational possibilities of the Carmel Valley with its excellent fishing and abundance of game for hunting. The mild climate and beautiful natural setting drew admiring visitors. Despite the eight hour round trip from the Del Monte Hotel to Los Laureles by carriage. The original ranch house was enlarged and a group of small cottages were constructed to accommodate overnight guests. Some of these moneyed visitors began acquiring large tracts in the valley for individual estates.

Salinas area dairyman Joseph Steffani sold lots on his property on the NE bank of the Carmel River near its junction with Klondike Canyon for summer homes in the 1880s. Variousy known as Camp Carmel and Eagle camp, in 1910 it became known as Camp Steffani. It was a favorite camping spot for several Salinas families (Clark 1991:68).

In 1915 the Pacific Improvement Company sold its Carmel Valley holdings to the newly formed Del Monte Properties Company, headed by S.F.B. Morse. Unable to sell the Rancho Los Laureles as a single entity, Morse subdivided the land into smaller units (Fink 1972:201). Morse was able to sell some of the Los Laureles property to moneyed easterners who frequented at his Pebble Beach Lodge. International golf champion Marian Hollins bought 2,000 acres, part of which became the valley village, and another portion the C.E.Holman ranch. Samuel Fertig, of Pennsylvania, acquired the Los Laureles ranch headquarters, including the original Boronda adobe. However, the most important sale was a 600 acre oak studded hillside parcel in the southeast corner of the Los Laureles rancho, recorded in June of 1927, by Salinas relator George S. Gould. Gould had partners in the enterprise, Howard F. Cozzens, and Frank and Jet Porter.

Frank B. Porter, a native of Georgetown California came to the Monterey area sometime just before the turn of the twentieth century, living variously at Westmere along the Big Sur coast and in Pacific Grove, where he worked for T.A. Work. Work later married Porter's sister Maude. Moving to San Francisco, Porter became the first non-Italian to work for the Bank of Italy. The 1906 the San Francisco earthquake and fire brought Porter back to Monterey County where he took up residence in Salinas with another sister, Florence Cahoon. In 1913 he married a local girl, Jet Louise Towt. Porter worked at a number of jobs into the mid 1920s, when he went into real estate development (Porter family archives).

The Later American Period: 1930-The Present

Patterns of land use established during earlier years have continued throughout this later period. Residential homes were constructed on smaller acreages and were supplied by new shopping centers like the Carmel Valley Village. Road improvements followed the increase of automobile traffic.

The impetus toward facilitating tourism was elaborated during this period, especially in the late 1940s and 1950s. The initial investments associated with resort facilities accelerated in the 1930s in spite of a national economic depression. S.F.B. Morse developed the San Clemente Lake and Guest Ranch in the early 1930s, in conjunction with their Del Monte Fish and Game Preserve, primarily for the benefit of Del Monte Hotel guests and owners of Pebble Beach property. The Los Laureles ranch house was revived as a visitor accommodating facility in 1946 by Sanborn Griffin. However, it was the 1927 subdivision and development of the Robles Del Rio Carmelo tracts that spearheaded this movement.

Frank B. Porter with his wife Jet purchased their Carmel Valley property in partnership with Salinas relator George S. Gould, and Monterey County Surveyor Howard F. Cozzens, naming the tract Robles Del Rio Carmelo.

In 1927 the Berta family from Carmel Valley began carving out dirt roads into the steep terrain with Cozzens supplying the pipe for eventual water delivery (Leo Berta 1997).

There were three Robles Del Rio Carmelo tracts. Subdivision, #1, filed on June 6, 1927, included residential lots along the south side of the Carmel River.

Subdivision #2, filed November 7, 1927, included more residential lots, the Robles Del Rio Lodge site, and a 9 hole golf course laid out below and surrounding the resort, on the north, west and south sides. The golf course was sold to the Robles Del Rio Carmelo Water Company in January of 1941. Subdivision #3 was filed June 7, 1932 and included residential lots. Surveyor Cozzens laid out the residential tracts, which included a number of lots that were 75 X 150 feet, intended for weekend cabins, selling for \$90 apiece. What is now Rosie's Cracker Barrel, in Subdivision #1, at the base of the rising ground adjacent to the Carmel River, was the original tract office for the sale of real estate. The Robles Del Rio Lodge was initially built to promote sales.

Lot sales were slow as the country in general was suffering from the initial effects of the Great Depression. The local press of the period observed that:

Most of the valley and coast are held in large acreages. A small portion of the whole is subdivided into residential sites of one-third an acre or more. Ranches change hands, but they are not available for the small investor or home builder.... Most of the purchases have been by men of means who want to hold what they have for their own purposes (*Carmel Pine Cone*, Dec.14, 1928:36).

The Porters were fortunate in that Salinas Valley agriculture was not as economically affected as other portions of the country. Actually it prospered, In 1929 and 1930 this allowed for the success of their Maple Park residential development in Salinas and afforded them the capital to continue improvements on the Robles Del Rio Carmelo project.

Frank and Jet Porter bought out their Robles Del Rio Carmelo partners in 1930, (Porter family archives) and continued improvements with noted Carmel builder Michael J. Murphy who constructed the main resort building, recreation hall, cabins, the swimming pool and bath house, which were all completed by 1932 (*Carmel Valley News*, Sept. 19, 1953:12).

Porter and his associates also established the Robles Del Rio Water Company at this time (June 18, 1932), to assure Robles Del Rio Carmelo property owners a reliable domestic water supply. The water company held its meetings in the recreation room of the Lodge until it was sold to the California Water & Telephone Company in 1949.

(Robles Del Rio Water Company, Letter to Shareholders, Sept. 16, 1949).

The Robles Del Rio Club, a semi-private country club catering to Robles Del Rio Carmelo property owners and 125 non-property owner members was advertised in the *Monterey Herald* in April, 1932. It was described as a recreation club for golf, tennis, swimming, horseback riding and other outdoor sports. It was touted as the "charm spot of California", the club opened officially on September 18, 1932. The only physical additions to the resort between 1932 and 1939 were a guest unit, about 1934, and the "Cantina", a bar holding Carmel Valley's first liquor license constructed in 1937. The name was changed from the Robles Del Rio Club to the Robles Del Rio Inn in the late 1930s. In February of 1939 Frank and Jet Porter sold the resort to William D. Wood, David Prince and Milton Mauzy (*Monterey Herald*, Feb. 20, 1939).

In 1939 William Irwin "Rosie" Henry purchased the former Porter-Gould real estate office and established a general merchandise and grocery called the Robles del Rio Store, which soon came to be called "Rosie's Cracker Barrel". In 1941 the store became Carmel Valley's post office, authorized under the name Robles del Rio Post Office. It was the first time since 1903 that local mail service was afforded Carmel Valley residents. "Rosie" served as Postmaster from 1941 to 1949 when the post office was moved to Carmel Valley Village.

"Rosie" established an informal tavern in a back room of the building that came to be known as the "Robles del Rio Country Club". It was a favorite gathering place for locals including horse wranglers, ranchers, writers and occasional film actors. Rosie's Cracker Barrel, during the owners lifetime was Carmel Valley's cultural and social center.

Later owners of Rosie's Cracker Barrel maintained the character of the historic building over time. On July 23, 2005 a speeding driver ploughed into the southeast side of the 80 year old building causing major damage to the facade (see photo #1 and #2, Appendix I). The accident resulted in structural damage and considerable loss of original building fabric (*Carmel Pine Cone*, Jul. 29, 2005:8A). In spite of the damage sustained as a result of the accident, Rosie's Cracker Barrel remains a cultural icon in Carmel Valley for its colorful history and association with William Irwin "Rosie" Henry. The property clearly qualifies for listing in the California and National Registers at the local level of significance.

DESCRIPTION OF HISTORIC RESOURCE

Rosie's Cracker Barrel is a one-and-one-half-story wood-framed vernacular Storybook style commercial building, irregular in plan, resting on a partial concrete foundation. The exterior wall cladding is vertical board-and-batten.

The roof system consists of a one-story central front gabled commercial building with wide overhanging flared eaves showing false purlins. Flanking one-story flat roofed wings running north and south from the flared gable eaves sit behind a raised and undulating parapet capping the continuous board-and-batten wall along the front (east) elevation. All roof covering is composition shingle.

Fenestration is irregular with two wide horizontal fixed multi-paned wood windows on the front (east) elevation and one vertical fixed multi-paned window in the apex of the front gable. False half-timbering frames the apex window with shaped wood casings, echoing the undulating parapet walls covering the main store windows. The multi-paned store windows flank a simple wood screened entry door above a concrete stoop located just below the flared eave on the north side of the gabled roof. The one-story wing to the north held the post office, while the general store occupied the gabled portion of the building and the wing to the south (see photo # 2, Appendix I). Other fenestration includes individual small horizontal wood sliding windows on the north, west and offset portion of the south elevations and two further fixed multi-paned wood windows along the rear (west) elevation. There is a band of larger fixed multi-paned wood windows running along the principal wall of the south side elevation. These windows have casings similar to those found on the front (east) elevation (see photos # 3, 4, 5, 6 & 7, Appendix I).

The store is sited just off Esquiline Road behind a dirt parking area, framed by mature trees to the west and north. There is a metal-clad Quonset hut added in 1946 immediately adjacent to the NW corner of the store, used for storage. The subject property is located at the northern edge of the Robles Del Rio neighborhood, a wooded residential enclave along the south side of the Carmel River of one and two story residences of varying ages, sizes and styles.

EVALUATION FOR SIGNIFICANCE

The eligibility criteria for designating historic properties under federal and state criteria are essentially the same. Monterey County also has its own evaluation criteria. This section will address the federal and state criteria together and first, and then will address the local county criteria.

The criteria for listing properties in the National Register of Historic Places (NRHP) are codified in 36 CFR 60 and expanded upon in numerous guidelines published by the National Park Service. Buildings, structures, objects, sites and districts listed in, eligible for listing in, or appear eligible for listing in the NRHP are considered historic properties under the regulations for Section 106 of the National Historic Preservation Act (NHPA).

Eligibility for listing buildings, structures, objects, sites, and districts (i.e., resources) in the NRHP rests on twin factors of *historic significance* and *integrity*. A resource must have both significance and integrity to be considered eligible. Loss of integrity, if sufficiently great, will overwhelm the historic significance a resource may possess and render it ineligible. Likewise, a resource can have complete integrity, but if it lacks significance, it must also be considered ineligible. *Historic significance* is judged by applying the NRHP criteria, identified as Criteria A through D.

The NRHP guidelines state that a historic resource's "quality of significance in American history, architecture, archaeology, engineering, and culture" must be determined by meeting at least one of the four main criteria. Properties may be significant at the local, state or national level. The NRHP criteria are:

- Criterion A: association with "events that have made significant contributions to the broad patterns of our history;"
- Criterion B: association with "the lives of persons significant in our past;"
- Criterion C: resources "that embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values;"

Criterion D: resources “that have yielded, or may be likely to yield, information important to history or pre history.”

Integrity is determined through applying seven factors to the historic resource: location, design, setting, workmanship, materials, feeling and association. These seven can be roughly grouped into three types of integrity considerations. Location and setting relate to the relationship between the property and its environment. Design, materials, and workmanship, as they apply to historic buildings, relate to construction methods and architectural details. Feeling and association are the least objective of the seven criteria and pertain to the overall ability of the property to convey a sense of historical time and place in which it was constructed.

The California Environmental Quality Act (CEQA) requires consideration of the possible impacts to and the evaluation of resources using the criteria set forth by the California Register of Historical Resources (CRHR). In order to be determined eligible and considered a historical resource for the purpose of CEQA, each resource must be determined to be *significant* under the local, state, or national level under one of four criteria (Criteria 1 through 4) and retain historic *integrity*. The CRHR criteria closely parallel those for the NRHP (Criteria A through D) outlined above. Resources must be at least 50 years old in order to be eligible to the NRHP or the CRHR.

Monterey County has its own local criteria for designating buildings as historically significant. The review criteria are outlined in Chapter 18.25 “Preservation of Historic Resources” at Section 18.25.070. Under Criterion A, “Historical and Cultural Significance” the local ordinance includes criteria similar to the NRHP and CRHR programs, but also adds:

- properties that are “representative of a way of life;”
- properties that were “once common but now rare;”
- properties “connected with someone renowned;”
- properties that are “connected with a business or use which was once common but is now rare.”

Under Criterion B, "Historic, Architectural, and Engineering Significance," the local ordinance establishes certain thresholds for significance that are not found in the National Register of California Register criteria. These include properties proposed for designation that:

- exemplifies "a particular style or way of life important to the county;"
- exemplifies the "best remaining architectural type of a community;"
- embodies "elements of outstanding attention to architectural or engineering design, detail, material, or craftsmanship."

Under Criterion C, "Community and Geographic Setting," properties are considered historically significant if the proposed resource:

- materially benefits the historic character of a community
- by virtue of its location or singular physical characteristics represents "an established and familiar feature of the community, area, or county;"
- possesses "a significant concentration or continuity of buildings, structures or objects unified by past events, or aesthetically by plan or physical development;"
- "is essential to the integrity of" a historic district.

Using these federal, state and local criteria to define the potential historic significance of Rosie's Cracker Barrel, the property would clearly qualify for significance under the criteria established by the California and National Registers at the local level, for its historic value as part of the early cultural history of Carmel Valley and its association with William Irwin "Rosie" Henry who developed the social center.

Areas of Significance

Rosie's Cracker Barrel is significant under California Register criterion 1 & 2 and National Register criterion A & B for its historic value in the context of the cultural development of Carmel Valley, and its association with William I. "Rosie" Henry.

Integrity

Rosie's Cracker Barrel, was damaged by a hit-and-run automobile accident in July of 2005 and is still awaiting repairs. However, in spite of the damage, the historic property continues to retain a high degree of physical integrity as constructed in 1927. According to Monterey County Assessor's records the only recorded physical change to the commercial building occurred in 1946 when a military surplus Quonset hut was added to the north side of the store as a storage unit.

An undated photograph in the collection of the Monterey Public Library's California History Room shows the building with a staggered-butt shingled roof on the gabled portion of the building (see photo # 2 Appendix I). This appears to have been the original roof covering. Photo #1 shows the existing composition shingles.

The 2005 accident took out the exterior siding and one of the principal windows along the east facing facade and also several windows along the easterly wall of the south side-elevation. The large fixed focal window from the east facing facade appears to be repairable. The windows affected on the south side-elevation are beyond repair and will have to be replicated and replaced in kind using the remaining historic windows on that elevation as templates for those lost in the accident.

The proposed rehabilitation will repair/replace the damaged exterior components in kind while making needed structural improvements to bring the property into code compliance for continued commercial use.

All work proposed is to be done in conformance with the Secretary of the Interior's *Standards for the Treatment of Historic Properties* under the treatment for *Rehabilitation*. All work undertaken will be reversible.

IMPACTS OF THE PROPOSED PROJECT

The Secretary of the Interior's *Standards for the Treatment of Historic Properties* identify four primary treatment approaches to historic buildings. They are Restoration, Preservation, Reconstruction and Rehabilitation. Because of the damage sustained in the July 2005 accident Rehabilitation is the recommended standard for treatment.

Rehabilitation is defined as the act or process of making a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values.

The Secretary's Standards encourages "placing a new addition on a non-character-defining elevation." and locating alterations to historic properties in areas where previous alterations already exist. Character-defining features of Rosie's Cracker Barrel include:

- A vertical board-and-batten exterior wall cladding.
- Simple Random curvilinear roof parapets on either side of the principal front gabled roof along the east facing facade.
- Flared eaves, exposed false half-timbering, and false purlins in the apex of the principal roof gable.
- Bands of fixed, multi-paned wood windows along the facade and south-side elevation with shaped wood casings.
- Staggered shingle pattern on original main roof.

Following the July, 2005 automobile accident, which caused considerable loss of original building fabric, the building was stabilized, braced and enclosed. Fortunately measured drawings of all elevations had been completed prior to the accident (see plans and drawings, Appendix III). As proposed the damage sustained due to the accident will be repaired in compliance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties*, with particular attention to Standard #6 (see Standards, Appendix II).

Those original components that can be salvaged will be repaired and returned to service. Those elements that were damaged beyond repair will be replaced in kind, employing the measured drawings of the building to return the damaged elevations to their historical appearance.

Other repairs and minor alterations currently proposed for the subject property are intended to repair /replace existing deteriorated elements and to meet current building code related health and safety requirements. They will be undertaken employing the Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings.

Rehabilitation is defined as the act or process of making a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values (see copy of Rehabilitation standards attached). Proposed treatments will include:

1. Installation of a new concrete foundation because of its deteriorated condition and differential settlement.

The proposed treatment for this work will be to excavate around the building, removing the old foundation in short sections and rebuilding it, in place, with new reinforced concrete footings.

Replacement of the foundation in situ will be minimally invasive, and keep the existing exterior walls intact. The work will be consistent with Standards #2, #5, #6 and #9.

2. Remove sections of interior flooring in order to replace rotted wood floor joists and boards as needed to stabilize the floor system.

Where the condition of the floor boards allow, the original boards will be placed back in service. This work is consistent with Standards #5, #6 and #9.

3. Add wood stud sections with plywood sheathing as required by code for seismic bracing.

4. Keep building walls and roof in place - repair and/or replace as needed rotted exterior boards and trim

This work is consistent with Standards #2, #5, and #6.

5. Add roof structure over main room areas by sistering new members to existing to reinforce over-stressed rafters and beams. Sister new rafters to the existing to reinforce - Raise roof plate line at west end of the main store room 10 inches for head clearance code compliance, and provide for a new header above the existing window for structural strengthening.

These are primarily code compliance issues. However, the sistering of structural members for reinforcement addresses Standards #2, #5 and #6. Any minor change in roof height at this location will be masked from public view behind the existing parapet wall.

6. Add plywood sheathing on roof and replace existing composition shingles and roofing material in kind.

The plywood sheathing is a structural code compliance issue. Matching the existing roof covering addresses Standards #2, #5, #6 and #9.

7. Repair and/or replace in kind, deteriorated windows, doors and trim as needed. Replace damaged wood windows along south side-elevation matching the existing windows in kind.

This work is consistent with Standards #2, #5, #6 and #9.

8. Make front door, interior doors and bathroom door ADA accessible. Raise existing floor 6 inches in the bathroom to provide ADA access from the main store area.

This is a health and safety code compliance requirement.

9. Add a doorway in the wooden wall on the north side of the main store building connecting it to the Quonset hut by the oak tree in order to provide access to the rear courtyard.

The Secretary's Standards encourages locating alterations to historic properties in areas where previous alterations already exist. The connection of the main store building to the quonset-Hut is in a secondary location and was cobbled together at some undated time after 1946. The treatment is consistent with Standards #9 and #10.

10. Rebuild existing brick stoop at front door and raise 6 inches for ADA access. Ramp paving at south side for maximum 5% ramp access to new brick stoop.

This is a health and safety code compliance requirement.

11. Pour concrete slab floor inside of Quonset hut storage unit.

There will be no visible change to the exterior of this feature.

It is the consultant's professional opinion that the proposed repairs and minor alterations to the Rosie's Cracker Barrel building (APN# 189-331-011) located at 1 Esquiline Road, in Carmel Valley, Monterey County are consistent with the Secretary of the Interior's Standards for the treatment of Historic Properties under the treatment for Rehabilitation.

The repairs and minor alterations outlined in the proponents scope of work will not produce a substantial adverse change in the significance of the historical resource (Rosie's Cracker Barrel) and its immediate surroundings. It will not materially impair those physical characteristics of the subject property that convey its historical significance, and therefore will not create an adverse effect on the environment.

MITIGATION

The proposed project is in conformance with the Secretary of the Interior's *Standards for the Treatment of Historic Properties* under the standard for *Rehabilitation*.

The proposed modifications to the property are in areas that have previously been damaged, altered, or that are on secondary elevations. The changes reflect the return of documented historic features, solutions to code compliance, and adjustment for contemporary living. The subject property, has been vacant for several years.

Specific mitigation measures to assure full compliance with the Secretary's Standards would include:

1. Reuse of as much of the historic building materials of the subject property as feasible in the rehabilitation.

2. Prepare a set of measured drawings, to HABS standards for the subject property. Include detailed drawings of any elements proposed for alteration, in order to return them to their original form and integrity if desired in the future.

SOURCES

1. Ariss, Bruce, "It's In The Barrel", What's Doing on the Monterey Peninsula, Vol 3, No. 1, April, 1948.
2. Breschini, Gary S., and others, *Phase II Cultural Resources Investigations for the New Los Padres Dam and Reservoir Project, Carmel Valley, Monterey County, California*, Monterey Peninsula Water Management District, April, 1993.
3. Clark, D, *Monterey County Place Names*, Kestrel Press: Carmel Valley, CA, 1991, p.482.
4. Fink, Augusta, *Monterey The Presence of the Past*, Chronicle Books: San Francisco, 1972, p.p. 193-203.
5. Hale, Sharron, *A Tribute to Yesterday*, Valley Publishers: Santa Cruz, CA, 1980, p.p. 112-113.
6. Robles Del Rio Lodge Archives, located at the Robles Del Rio Lodge, Carmel Valley, CA.
7. Monterey County Assessor's records, Mo. Co. Assessor's office, Salinas, CA.
8. Monterey County building files, Monterey County Planning Dept., Salinas, CA.
9. Monterey County Deeds
10. Sanders, Marilyn, *Rosie And His Cracker Barrel*, self-published: Carmel Valley, 2002.
11. Woolfenden, John, "Rosie's Cracker Barrel...A Community Center", *Monterey Peninsula Herald, Weekend Magazine*, 7/15/72.

APPENDIX I

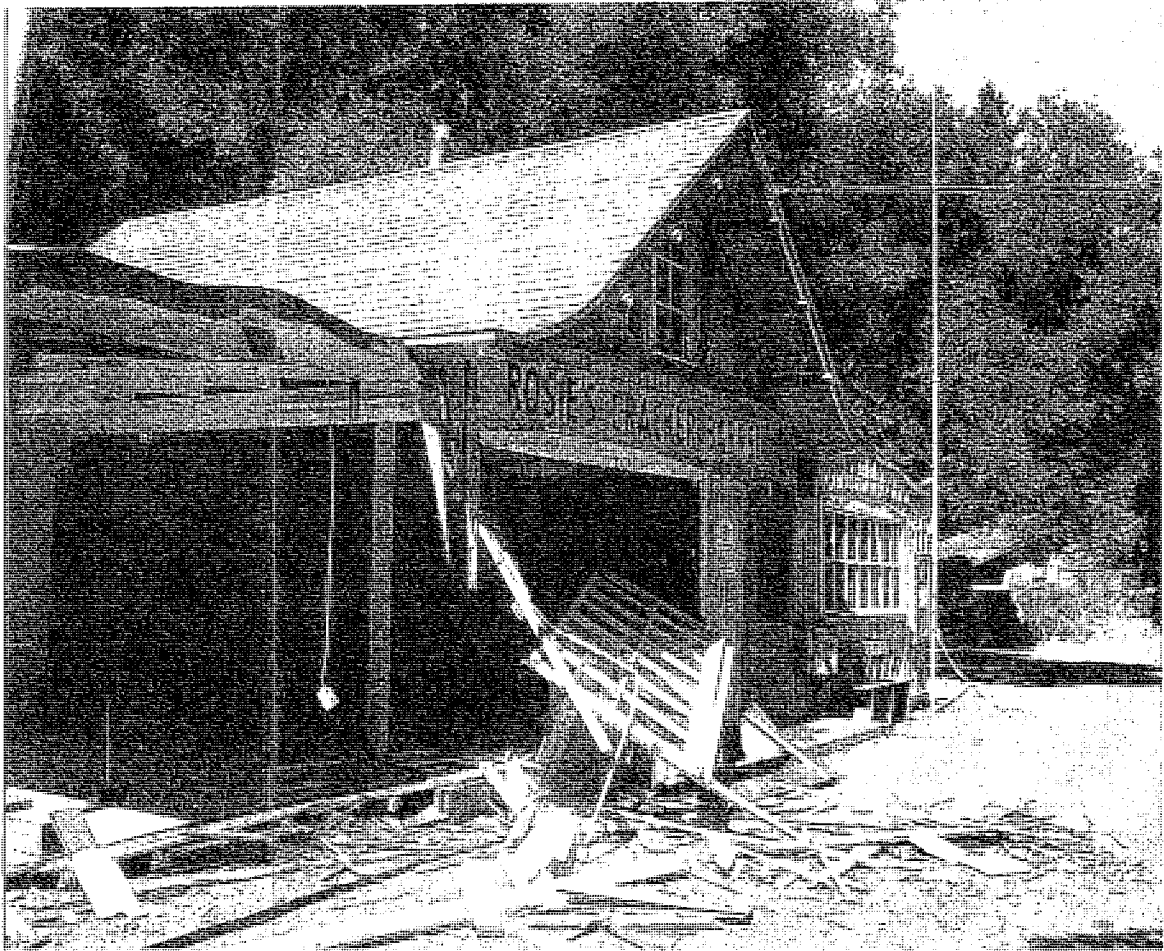


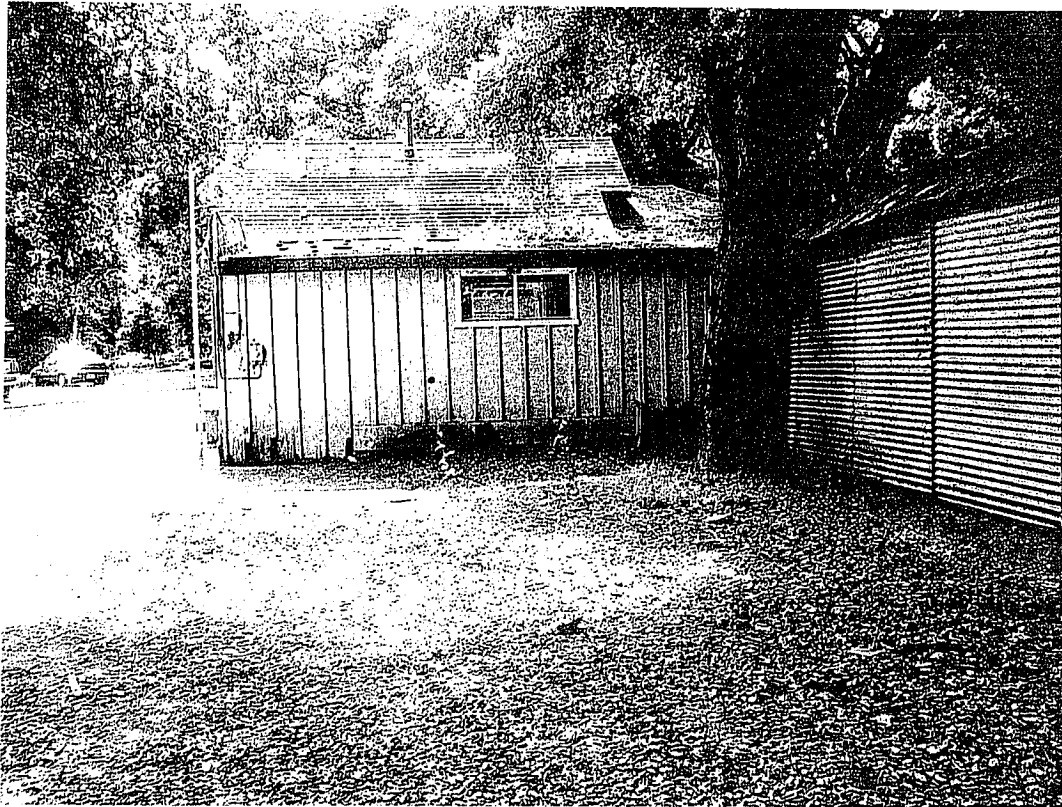
Photo #1. Looking NW at the damage on the east facing facade from the July 23, 2005 hit-and-run incident.



Photo #2. Looking SE at the east facing facade prior to 1952.



Photo #3. Looking SE at the east facing facade, June 2005.



Photo# 4. Looking south at the north side-elevation with Quonset hut to right, June, 2005.

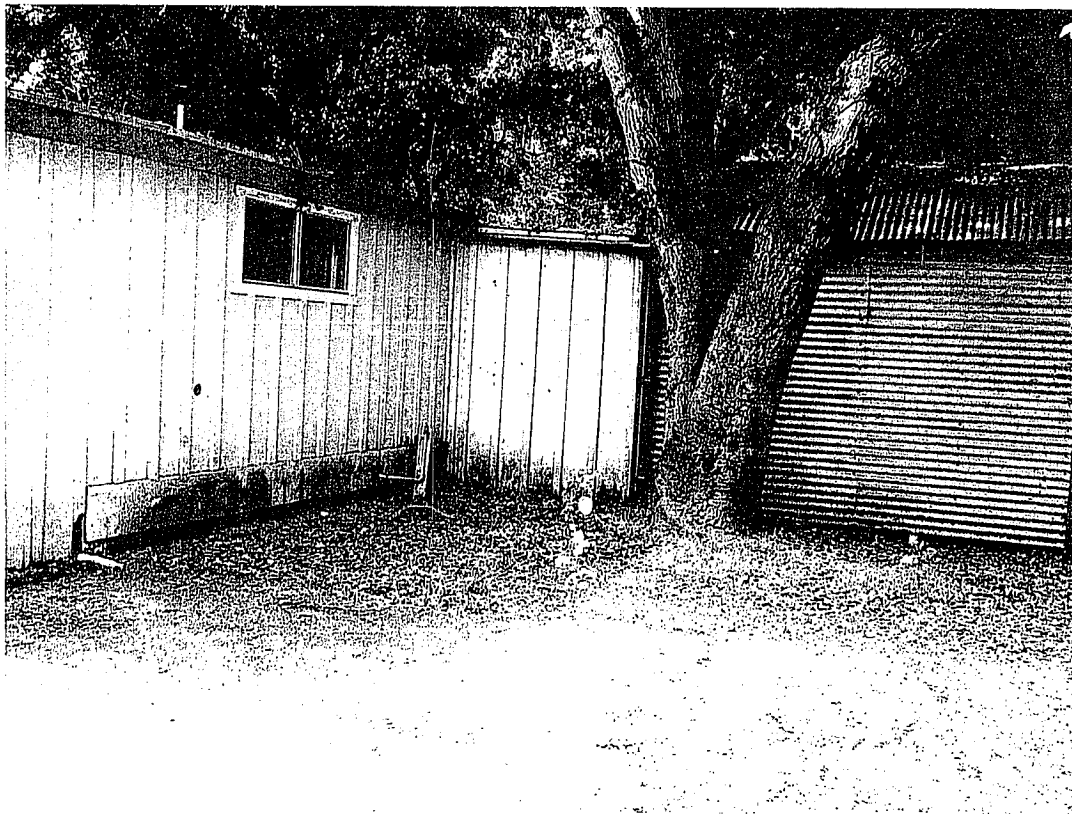


Photo #5. Looking west at the hyphen connecting the store to the Quonset hut on the north end of the building, June, 2005.

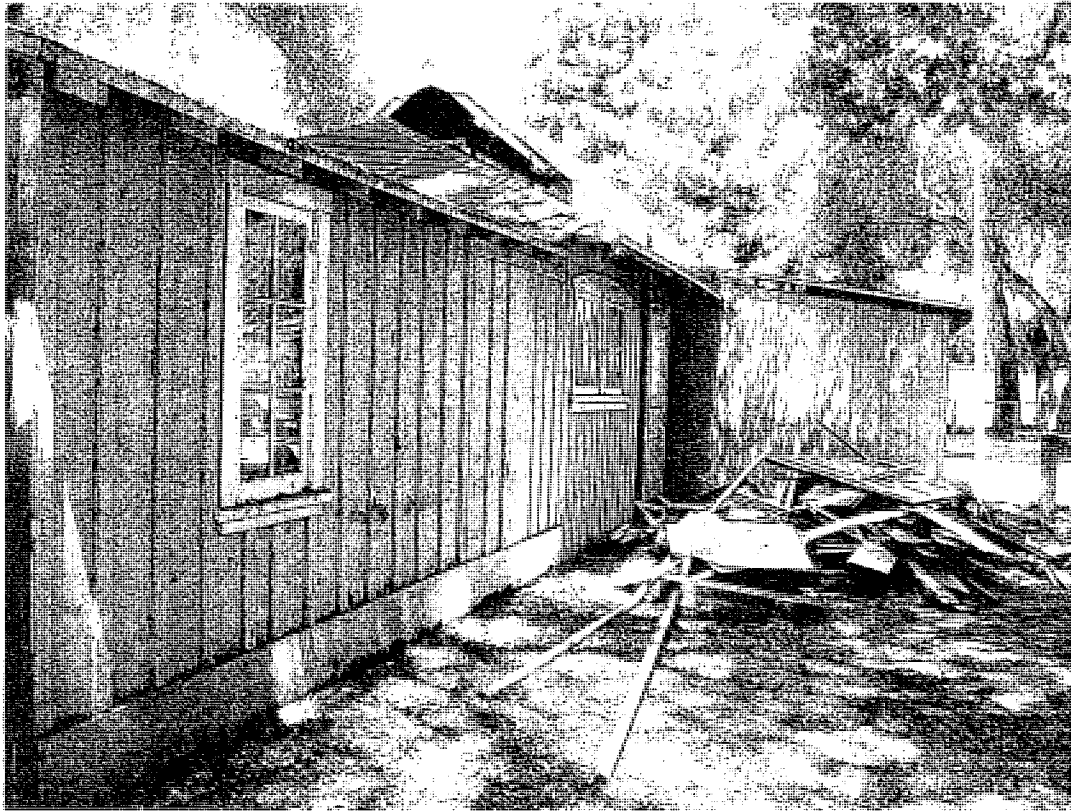


Photo #6. Looking east along the south side-elevation, August, 2005. (Note debris from auto damage).

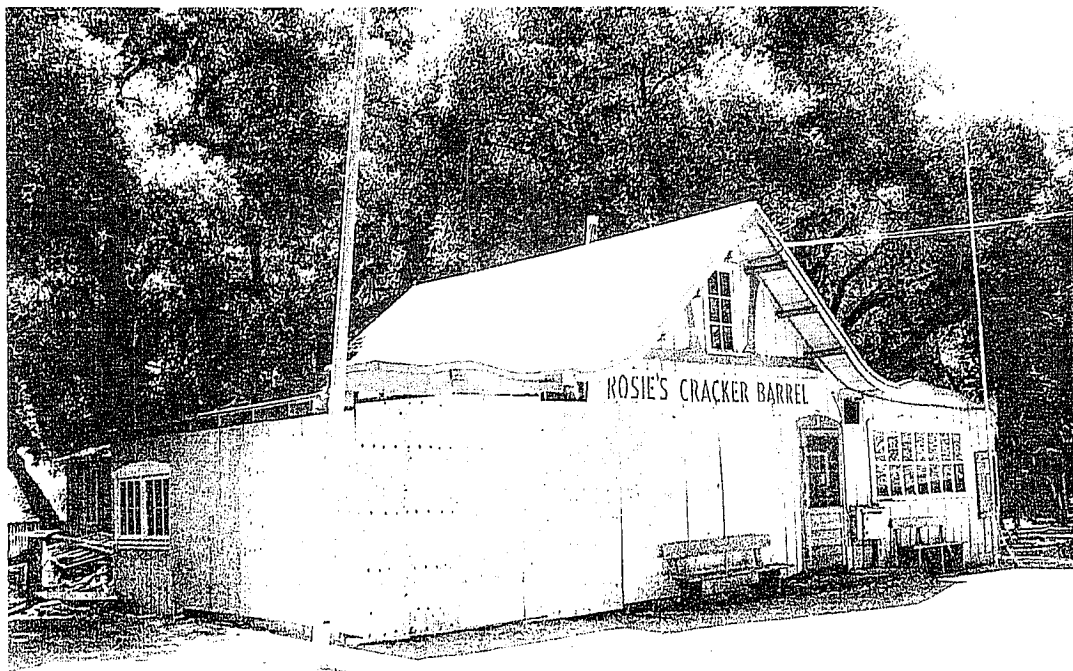


Photo #7. Looking NW at the east facing facade and south side-elevation following mothballing, August, 2005.

APPENDIX II

HISTORIC RESOURCES INVENTORY

Ser. No. 119-05
HABS _____ HAER _____ NR _____ SHL _____ Loc XX
UTM: A 140371 B _____
C Carmel Valley D _____
7.5

IDENTIFICATION

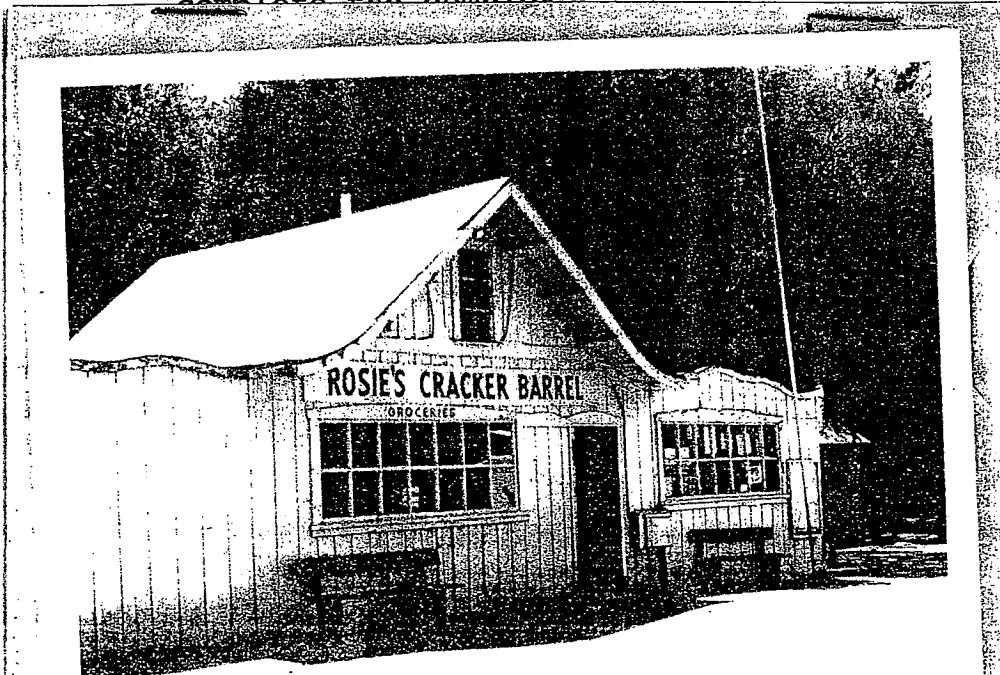
1. Common name: Rosie's Cracker Barrel
2. Historic name: Robles del Rio Store
3. Street or rural address: Esquiline Road
City Carmel Valley, California Zip 93924 County Monterey
4. Parcel number: _____
5. Present Owner: _____ Address: _____
City _____ Zip _____ Ownership is: Public _____ Private
6. Present Use: Commerical Original use: Commerical

DESCRIPTION

- 7a. Architectural style: Commerical "Rustic" Vernacular
- 7b. Briefly describe the present *physical description* of the site or structure and describe any major alterations from its original condition:

The store building is a 1-1/2 rectangular wood frame structure with a medium gable asphalt shingle roof that extends over attached buildings in an undulating false cornice. The exterior is of board and batten with exposed rafters extending from the overhanging eave. A simple rectangular wood door is on the right front of the main section, and two sets of ribboned sash windows adorn the front elevation. These and other multiple paned windows are decorated with flat sawn molding in fanciful curves. The sign ROSIE'S CRACKER BARREL adorns the front over the window. A second structure is a one story "L" shaped rectangular board and batten bungalow style cottage, with a low gable roof extending over a deep porch on the right ~~front~~. Tapered wooden columns rest on a rustic stone half-wall to provide support for the overhanging roof. Details and exterior board and batten echo the "rustic-cottage" style of the adjacent store, and a picket gate and river-stone chimney complete the country-rustic look. Three additional buildings of the same motif with various functional purposes complete the complex.

siding



8. Construction date: 1927
Estimated _____ Factual 1927 ✓
9. Architect Unknown
10. Builder Frank & Jet Porter
11. Approx. property size (in feet)
Frontage _____ Depth _____
or approx. acreage _____
12. Date(s) of enclosed photograph(s) (3)
1978

13. Condition: Excellent XX Good _____ Fair _____ Deteriorated _____ No longer in existence _____
14. Alterations: Unknown
15. Surroundings: (Check more than one if necessary) Open land _____ Scattered buildings _____ Densely built-up _____
Residential XX Industrial _____ Commercial _____ Other: _____
16. Threats to site: None known XX Private development _____ Zoning _____ Vandalism _____
Public Works project _____ Other: _____
17. Is the structure: On its original site? XX Moved? _____ Unknown? _____
18. Related features: Surrounding Subdivision

SIGNIFICANCE

19. Briefly state historical and/or architectural importance (include dates, events, and persons associated with the site.)

SEE ATTACHED

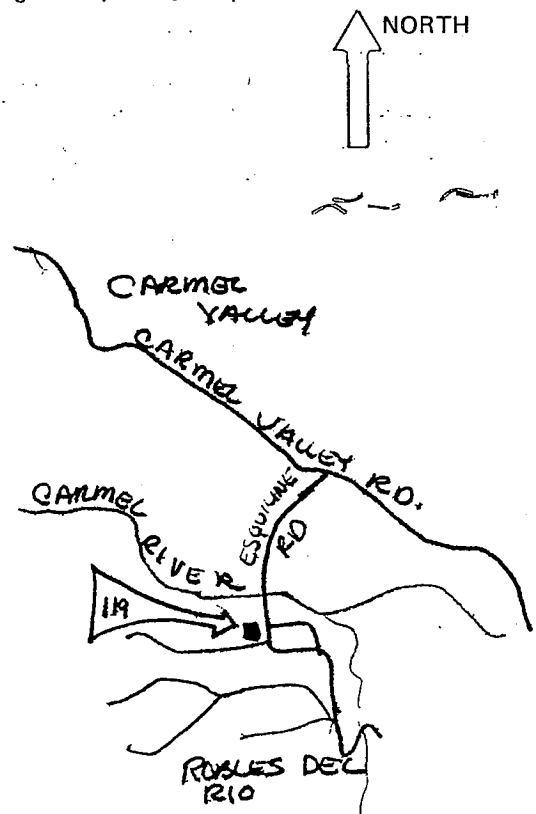
20. Main theme of the historic resource: (If more than one is checked, number in order of importance.)
Architecture (2) Arts & Leisure (1)
Economic/Industrial _____ Exploration/Settlement _____
Government _____ Military _____
Religion _____ Social/Education _____

21. Sources (List books, documents, surveys, personal interviews and their dates).

SURVEY: D. Wardell, Mnt. Co.
Parks, 1978-9

22. Date form prepared 06/29/81
By (name) MaryEllen Ryan, Hist. Aide
Organization Mnt. Co. Parks Dept.
Address: P.O. Box 367 (Courthouse)
City Salinas, California Zip 93902
Phone: (408) 424-8611 ext. 208

Locational sketch map (draw and label site and surrounding streets, roads, and prominent landmarks):



HISTORIC RESOURCES INVENTORY

Page Two

SIGNIFICANCE

19. Briefly state historical and/or architectural importance (include dates, events, and persons associated with the site.)

Although the entity of "Rosie's Cracker Barrel" did not come into existence until 1939 it is included in this inventory by virtue of its being one of the best known and loved landmarks of the Village of Carmel Valley. The official name is the Robles del Rio Store and is located on Esquiline Road south of Carmel Valley Road. William "Rosie" Henry bought the property from the Porters back in 1939.

The building which "Rosie" converted into a store was originally the Porter real estate office for the Robles del Rio residential development built in 1927; the first significant residential development in Carmel Valley on land that was originally part of the Rancho Los Tularcitos.

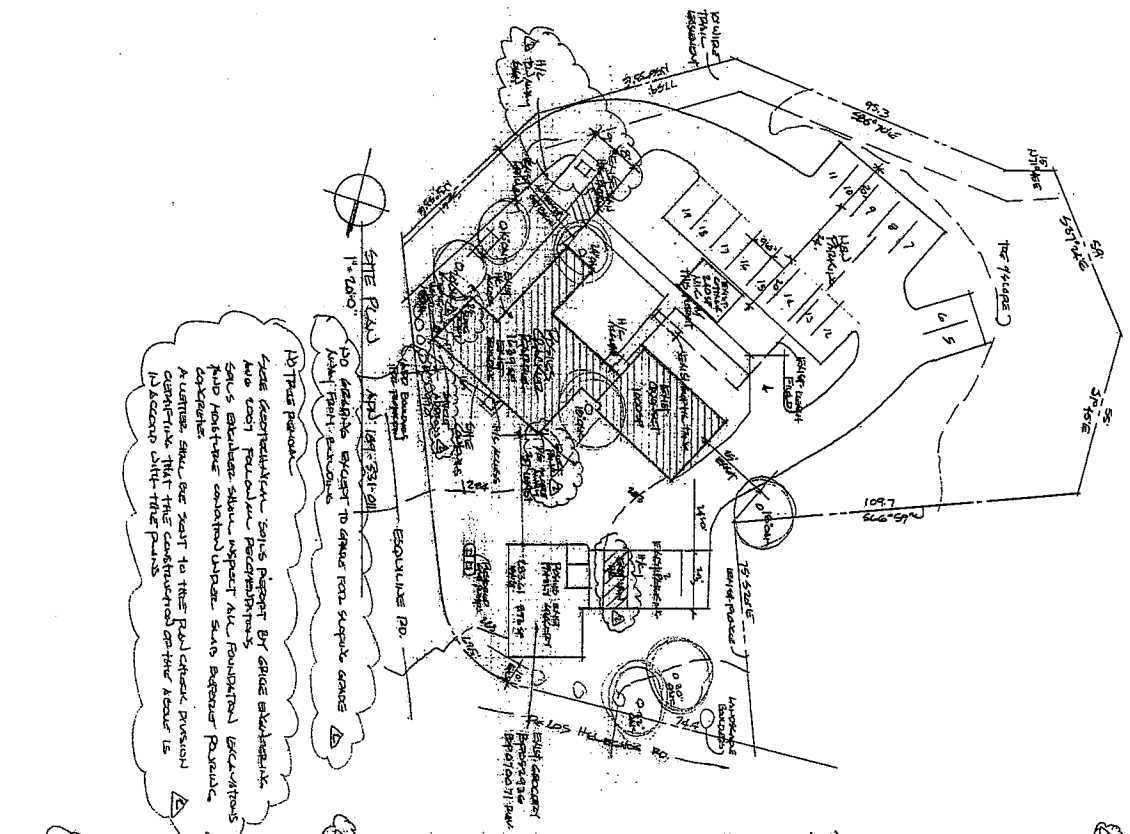
In 1941 Rosie's Cracker Barrel became the first Carmel Valley Post Office, although it was authorized under the name Robles del Rio Post Office. The name was changed in 1952 when the office was moved to a location in the center of the village on Carmel Valley Road.

"Rosie" recalls that when he first arrived in the village there was nothing but a few houses, Robles del Rio Lodge and himself. He would drive daily to the city of Carmel on a then dirt Carmel Valley Road to pick up groceries, milk and the mail. Rosie's is one of the favorite gathering places for the locals who enjoy the atmosphere of the "Robles del Rio Country Club" as the bar attached to the rear of Rosie's is lovingly called.

SECRETARY OF THE INTERIOR'S STANDARDS FOR REHABILITATION

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

APPENDIX III



Sheet Labels

- 1.10 Site Plan
- 1.11 Floor Plan
- 1.12 Sectional View
- 1.13 Elevation
- 1.14 Blower Compartment

Property Information

Business Graveston, Biscuit

Blair Traffic & Parkin Street - 720' 0" (approx)

Edge of Lot 1

1. Reconfigure & reorganize the layout of the existing building to accommodate the new process flow.
2. Reconfigure & reorganize the layout of the existing building to accommodate the new process flow.
3. Add a new structure to the site to accommodate the new process flow.
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10. Add a new structure to the site to accommodate the new process flow.

Request for Proposal

Blair Traffic & Parkin Street - 720' 0" (approx)

Edge of Lot 1

Blair Traffic & Parkin Street - 720' 0" (approx)

Edge of Lot 1

107.500 sq ft

120' 0" (approx) 100' 0" (approx) 100' 0" (approx)

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THE PAUL DAVIS PARTNERSHIP

ARCHITECTS & PLANNERS

1800 Business Center, Monterey, CA 93940

Telephone: (408) 241-1234 • Fax: (408) 241-1235

ROSE'S CRACKER BARREL

1 ESQUILINE ROAD

CARMEL VALLEY, CA

APN# 188-331-011

CARMEL VALLEY HOSPITALITY, INC.

659-3706

107.500 sq ft

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107.500 sq ft

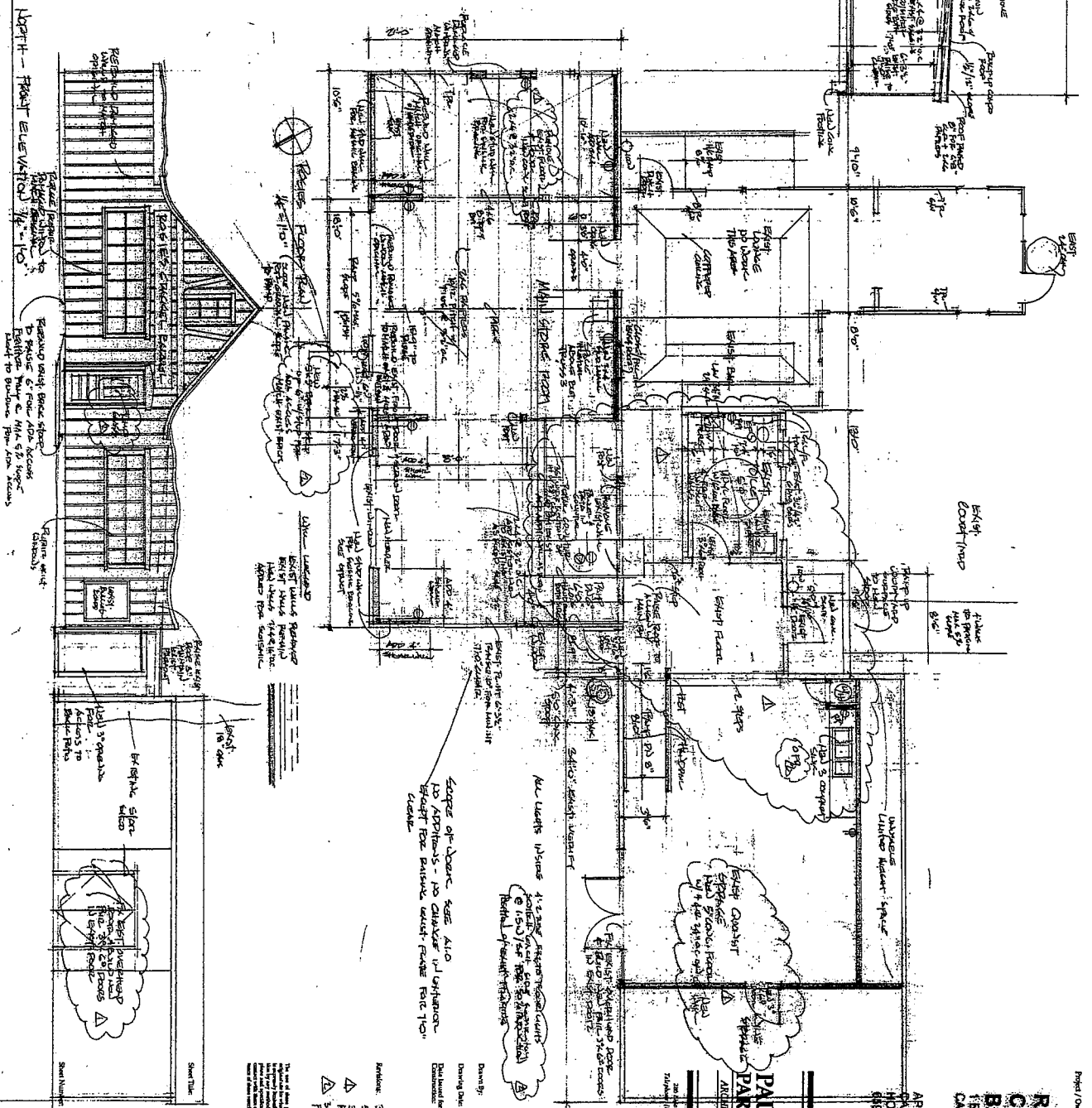
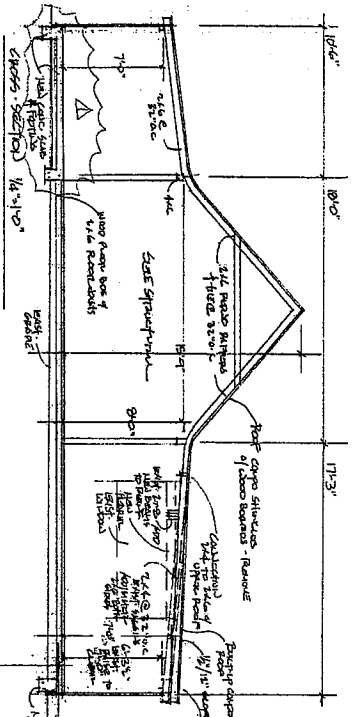
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Section - Front Elevation 1/4" = 1'-0"

Front Road
Cross-section
Front elevation

DATE: 3/1/81
 DRAWN BY: S/14/81
 CHECKED BY: S/14/81
 PROJECT: 1/1/81

THE PAUL DAVIS
 ARCHITECTS & PLANNERS
 2000 UNIVERSITY AVENUE, SUITE 100
 BERKELEY, CALIFORNIA 94704
 (415) 841-2200

ROSE'S
 CRACKER
 BARREL
 13500 VALLEY ROAD
 CARMEL VALLEY, CA
 95006

ARCHITECTS & PLANNERS
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 2000 UNIVERSITY AVENUE, SUITE 100
 BERKELEY, CALIFORNIA 94704
 (415) 841-2200

**ROSIE'S
CRACKER
BARREL**
1 ESQUILINE ROAD
CARMEL VALLEY, CA

APR# 198-331-077
CARMEL VALLEY
HOSPITALITY, INC.
460-3708

**THE
PAUL DAVIS
PARTNERSHIP**
ARCHITECTS & PLANNERS

280 Edwards Street • Albany, CALIFORNIA
Telephone: (415) 779-2994 • FAX: (415) 779-2994

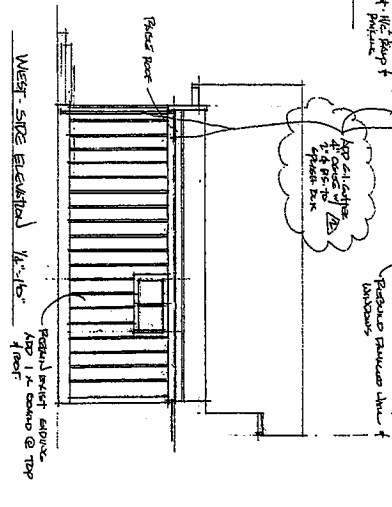
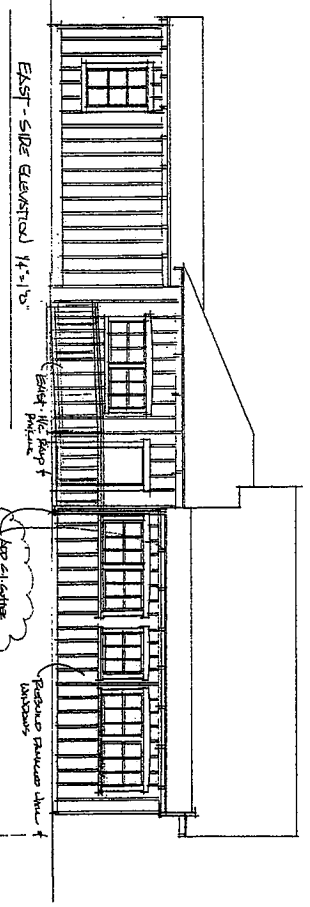
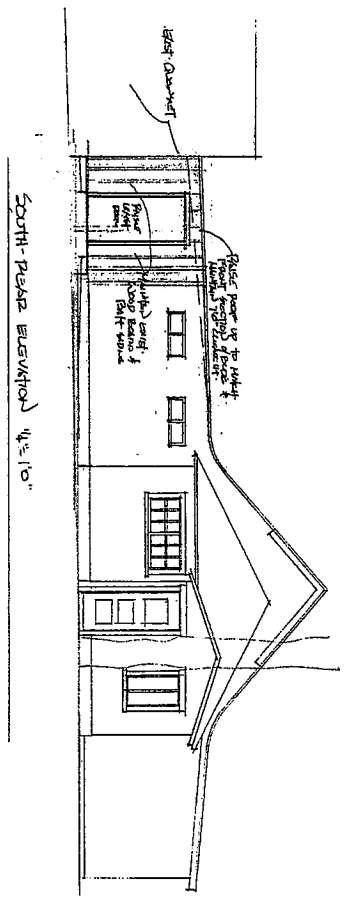
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Drawing Date: 7/8/88
Date Plotted:
Plot Number:

Revision: 5/14/88 A

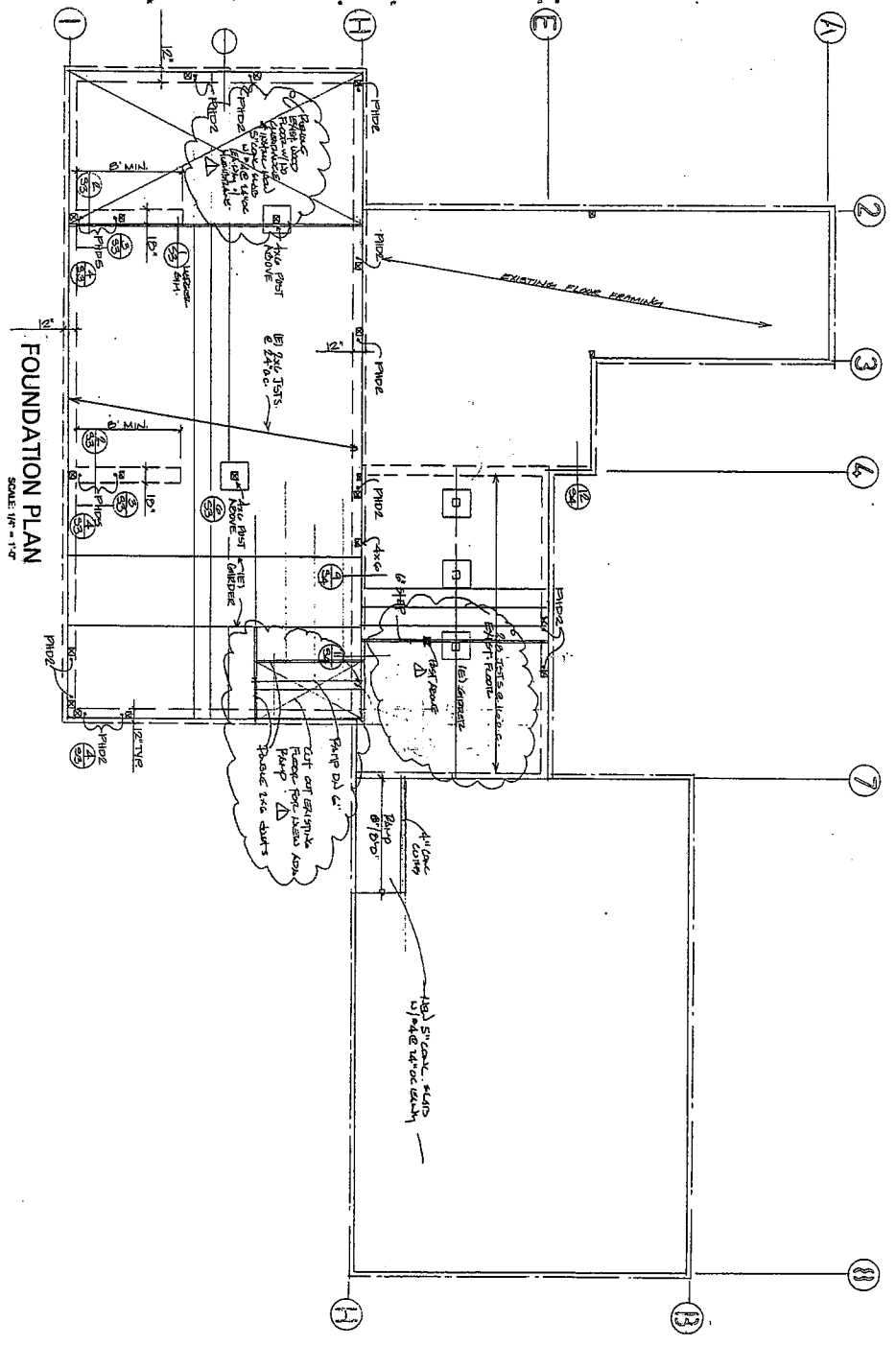
The use of these plans and specifications is limited to the project and site conditions shown on these drawings. Any use of these plans and specifications for any other project or site conditions is at the user's risk. The user shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities. The user shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities. The user shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.

SmartTime equipment used in this project.

Sheet Number:
A3.P



- NOTES**
1. **FIELD CONDITIONS:** contractor shall verify all existing conditions and findings. Notify the Architect of any conditions that may affect the proposed work and schedule to which existing work is specified.
 2. **EXISTING FOUNDATION:** contractor shall inspect all existing foundation and verify that all existing foundation is in good condition and meets the requirements of the contract documents. All existing foundation shall be repaired or replaced with an equal or better material.
 3. **CONCRETE:** All concrete shall be equal weight (145 pcf) and develop a minimum compressive strength of 3000 psi at 28 days.
 4. **REINFORCEMENT:** All reinforcing shall conform to A.S.T.M. Grade 60.
 5. **INSTALLATION:** All required detailing shall be the sole responsibility of the contractor. All necessary bracing as required shall be provided.
 6. **FORMWORK:** All new formwork shall bear on firm, stable ground. All formwork shall be braced and shored in accordance with the contract documents. All formwork shall be erected and braced prior to pouring any concrete.
 7. **JOISTS:** All joists shall conform to A.S.T.M. A197.
 8. **INSTALLATION:** All joists shall be common size joists and all joists shall conform to Table 21-11-21 of the C. C. B. C.
 9. **INSTALLATION:** All framing members shall be by Simpson Company or equal.
 10. **CONCRETE REINFORCEMENT:** All rebar shall be placed and tied in accordance with the contract documents. All rebar shall be placed and tied in accordance with the contract documents. All rebar shall be placed and tied in accordance with the contract documents.
 11. **FIELD WORK:** See framing plans for location and type of rebar. All rebar shall be the largest specified and extending about 12" into the concrete. All rebar shall be placed and tied in accordance with the contract documents. All rebar shall be placed and tied in accordance with the contract documents.
 12. **INSTALLATION:** All rebar shall be placed and tied in accordance with the contract documents. All rebar shall be placed and tied in accordance with the contract documents. All rebar shall be placed and tied in accordance with the contract documents.
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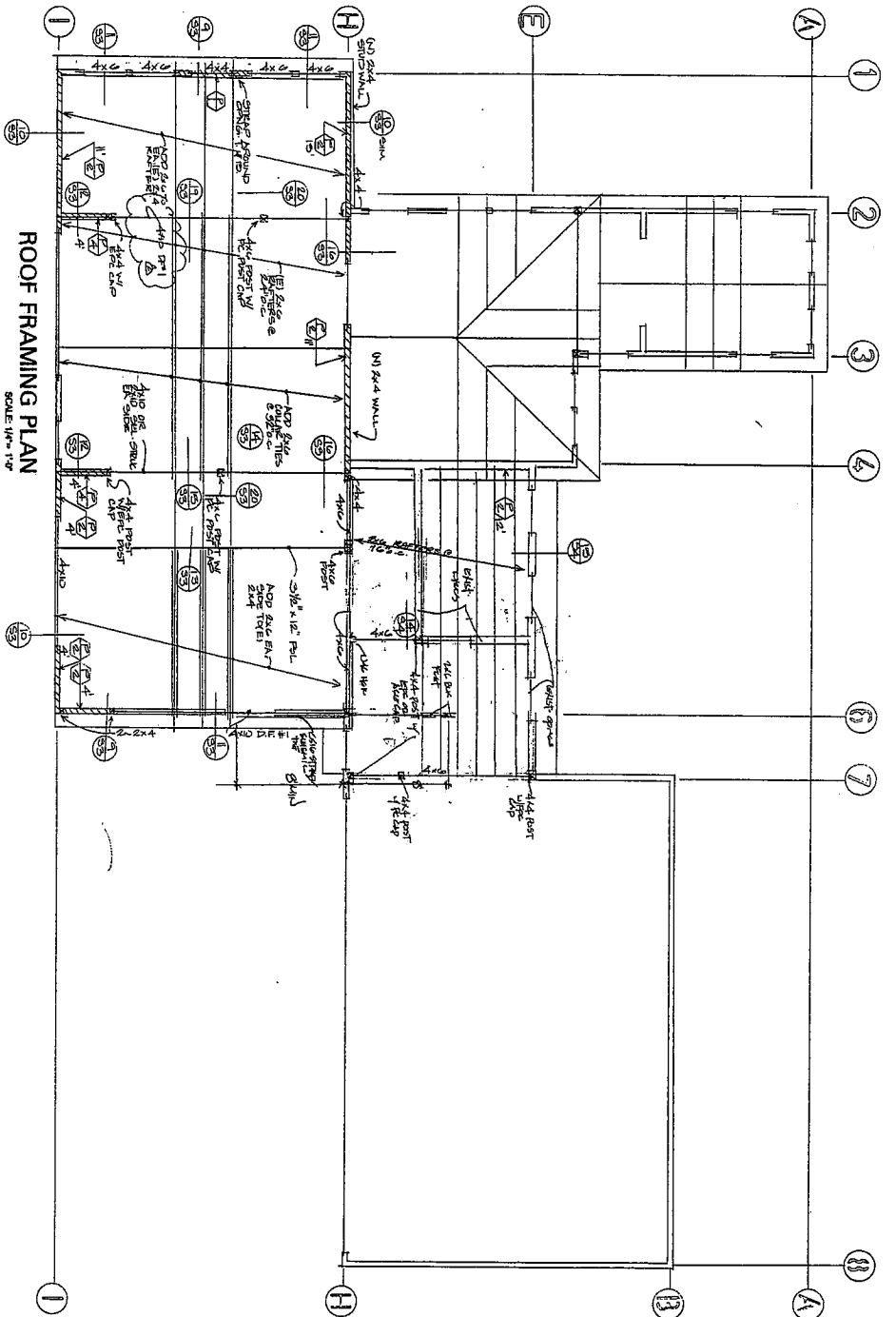
FOUNDATION PLAN
SCALE: 1/8" = 1'-0"

THE
PAUL DAVY PARTNERSHIP
ARCHITECTS & PLANNERS
731 Piedmont Parkway, LLC
Atlanta, Georgia 30328
404.525.2100
paul.davy@pauldavy.com

ROSIE'S FAMILY GROCERY
13800 ROAD
CARME VALLEY, CA
481.185.0101
688-9705
CARBELL VALLEY HOSPITALITY, INC

Drawn By: J.L. Frankel
Checked By: J.L. Frankel
Project Number: 0400
Author: J.L. Frankel

Sheet Number: **SI**



SHEAR WALL SCHEDULE

MARK	DESCRIPTION	SECTION	FOOTING	FOUNDATION	WALL TYPE
1	10' HIGH SHEAR WALL	10' HIGH SHEAR WALL	10' HIGH SHEAR WALL	10' HIGH SHEAR WALL	10' HIGH SHEAR WALL
2	8' HIGH SHEAR WALL	8' HIGH SHEAR WALL	8' HIGH SHEAR WALL	8' HIGH SHEAR WALL	8' HIGH SHEAR WALL
3	6' HIGH SHEAR WALL	6' HIGH SHEAR WALL	6' HIGH SHEAR WALL	6' HIGH SHEAR WALL	6' HIGH SHEAR WALL
4	4' HIGH SHEAR WALL	4' HIGH SHEAR WALL	4' HIGH SHEAR WALL	4' HIGH SHEAR WALL	4' HIGH SHEAR WALL
5	2' HIGH SHEAR WALL	2' HIGH SHEAR WALL	2' HIGH SHEAR WALL	2' HIGH SHEAR WALL	2' HIGH SHEAR WALL
6	1' HIGH SHEAR WALL	1' HIGH SHEAR WALL	1' HIGH SHEAR WALL	1' HIGH SHEAR WALL	1' HIGH SHEAR WALL
7	0' HIGH SHEAR WALL	0' HIGH SHEAR WALL	0' HIGH SHEAR WALL	0' HIGH SHEAR WALL	0' HIGH SHEAR WALL

- 1. See Foundation Schedule for footing and foundation details.
- 2. See Foundation Schedule for shear wall and foundation details.
- 3. All walls are to be constructed with concrete.
- 4. All walls are to be constructed with concrete.
- 5. All walls are to be constructed with concrete.
- 6. All walls are to be constructed with concrete.
- 7. All walls are to be constructed with concrete.
- 8. All walls are to be constructed with concrete.
- 9. All walls are to be constructed with concrete.
- 10. All walls are to be constructed with concrete.

ROSIE'S FAMILY
 GROCERY
 1 RESERVE ROAD
 CORNEL VALLEY, NY
 CORNEL VALLEY HOSPITALITY, INC.
 866-9706

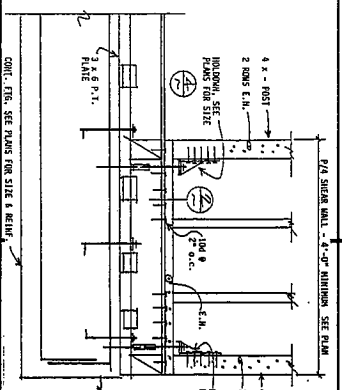
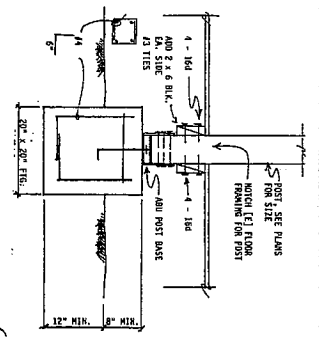
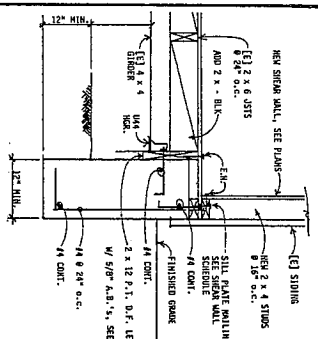
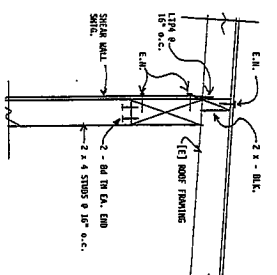
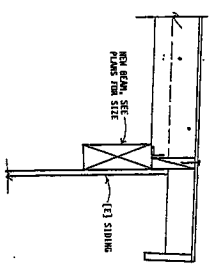
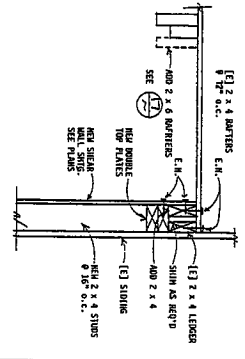
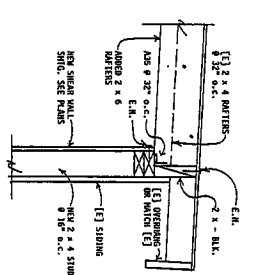
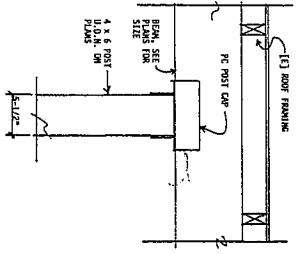
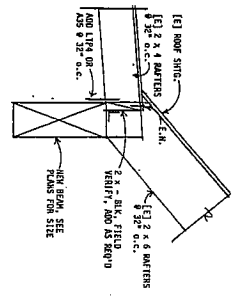
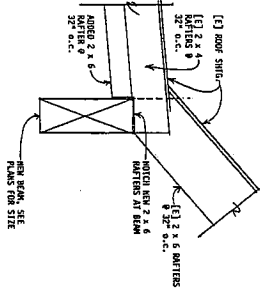
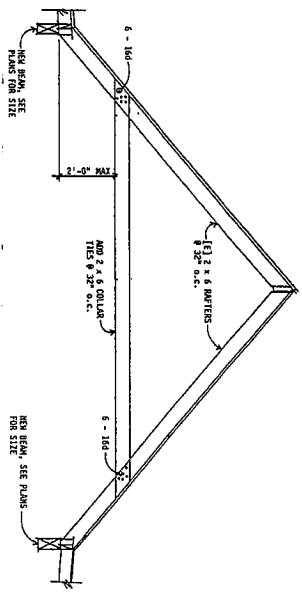
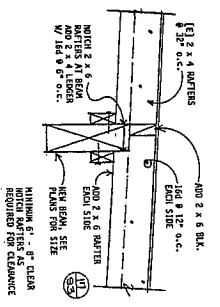
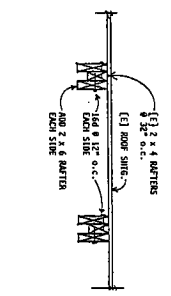
THE
 PAUL DAVI
 PARTNERSHI
 ARCHITECTS & PLANNERS

Design By: JLD
 Design Date: 11/15/07
 Project Number: 0480

Revision: 9/14/06

Scale: 1/8" = 1'-0"

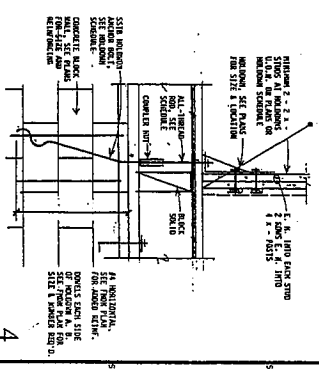
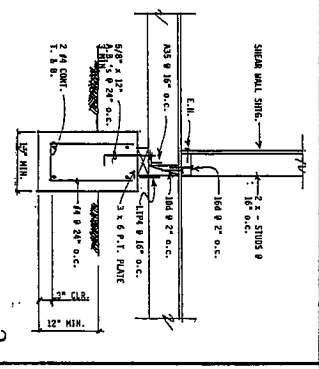
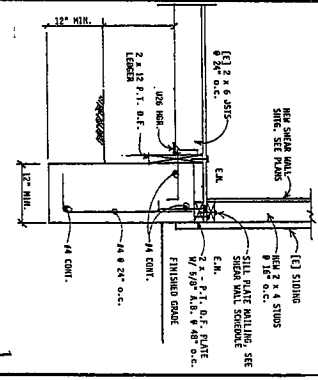
Sheet Number: S2



NOTES:

1. All hold-down rods shall be D, 1/2" dia. or larger.
2. Provide one rod per E.N. post and one rod per E.N. post and one rod per E.N. post.
3. Add hold-down rods to all hold-down rods.
4. Add hold-down rods to all hold-down rods.
5. Add hold-down rods to all hold-down rods.
6. Add hold-down rods to all hold-down rods.

HOLD-DOWN ROD SIZE	POST SIZE	A, B, C, D	E
1/2" DIA. OR LARGER	2-2 1/2" x 4"	3/4"	1/2"
1/2" DIA. OR LARGER	2-2 1/2" x 4"	3/4"	1/2"
1/2" DIA. OR LARGER	2-2 1/2" x 4"	3/4"	1/2"
1/2" DIA. OR LARGER	2-2 1/2" x 4"	3/4"	1/2"
1/2" DIA. OR LARGER	2-2 1/2" x 4"	3/4"	1/2"
1/2" DIA. OR LARGER	2-2 1/2" x 4"	3/4"	1/2"



ROSIE'S CRACKER BARREL
 1 ESQUINE ROAD
 CARMEL VALLEY, CA
 APN# 188-331-011
 CARMEL VALLEY
 HOSPITALITY, INC.
 698-3705

THE PAUL DAVIS PARTNERSHIP ARCHITECTS & PLANNERS
 1000 Main Street - Suite 100
 Carmel, CA 93906
 Telephone: (408) 425-2100 - FAX: (408) 425-2101

Drawn By: **7/24/07**
 Checked By: **7/24/07**
 Date: **7/24/07**

S3

ROBIE'S CRACKER BARREL
1 ESQUILINE ROAD
CARMEL VALLEY, CA

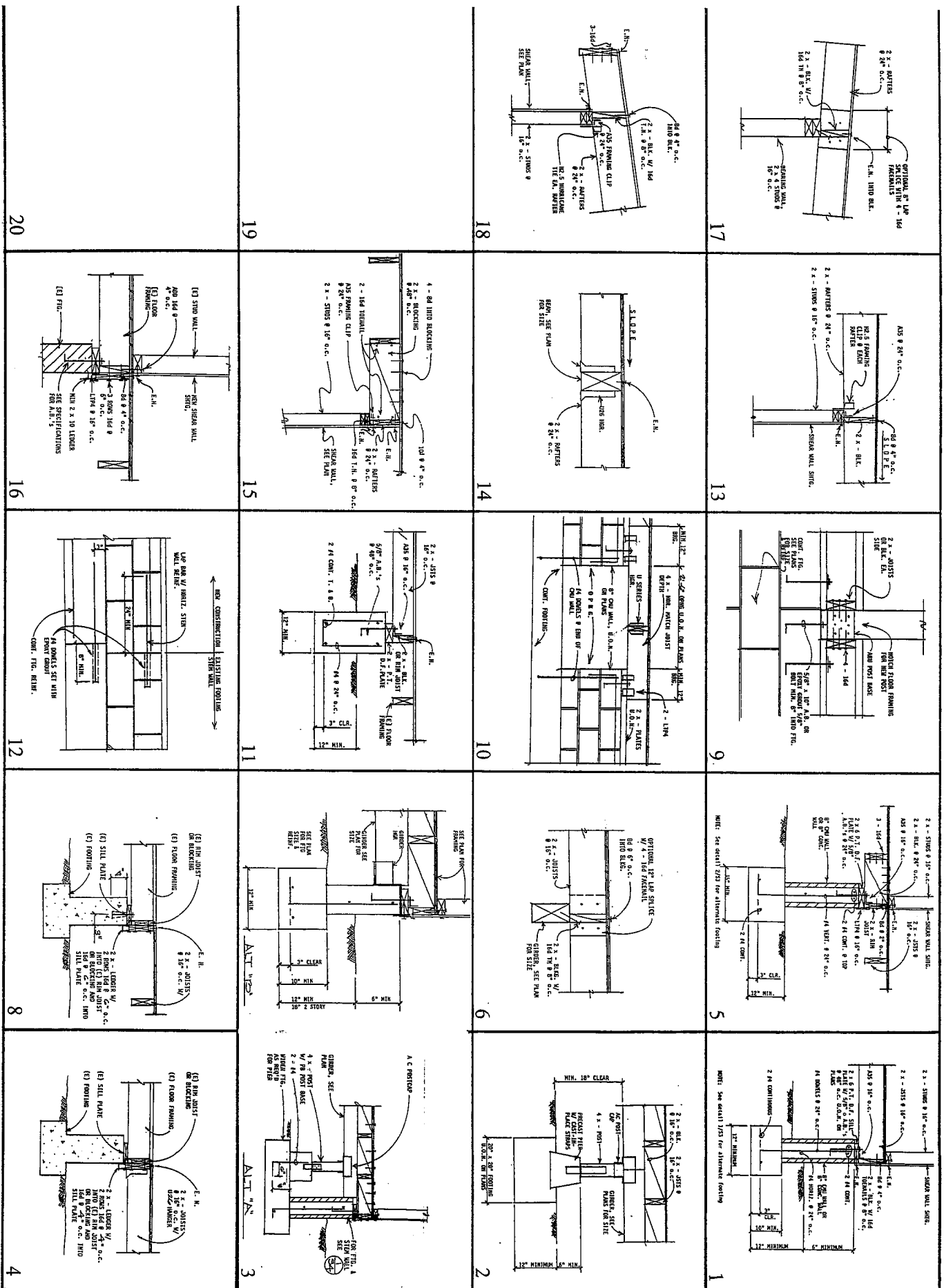
APR#N: 180-331-011
CASMEL VALLEY
HOSPITALITY, INC.
659-3705

THE PAUL DAVIS PARTNERSHIP
ARCHITECTS & PLANNERS

200 California Street, #1000, San Francisco, CA 94102
Tel: (415) 774-1100 Fax: (415) 774-1101

Drawn By: **7/25/07**
Drawing Date:
Checked By:
Date:
Project No:

The use of these floor plans and specifications is restricted to the project and site shown. Any other use without the written consent of the architect is prohibited. The firm and its representatives shall not be held responsible for any errors or omissions in these drawings.



S4

CERTIFICATE OF COMPLIANCE (Part 1 of 4) 170-A-C

Project: Rosier Cracker Barrel
Location: Rosier Cracker Barrel
Inspector: [Name]
Date: 11/11/2014
Time: 08:00 AM

System: Fire Alarm System
Model: [Model]
Manufacturer: [Manufacturer]
Serial Number: [Serial Number]
Installation Date: [Date]

Inspector: [Name]
Signature: [Signature]
Date: [Date]

CERTIFICATE OF COMPLIANCE (Part 2 of 4) 170-A-C

Project: Rosier Cracker Barrel
Location: Rosier Cracker Barrel
Inspector: [Name]
Date: 11/11/2014
Time: 08:00 AM

System: Fire Alarm System
Model: [Model]
Manufacturer: [Manufacturer]
Serial Number: [Serial Number]
Installation Date: [Date]

Inspector: [Name]
Signature: [Signature]
Date: [Date]

CERTIFICATE OF COMPLIANCE (Part 3 of 4) 170-A-C

Project: Rosier Cracker Barrel
Location: Rosier Cracker Barrel
Inspector: [Name]
Date: 11/11/2014
Time: 08:00 AM

System: Fire Alarm System
Model: [Model]
Manufacturer: [Manufacturer]
Serial Number: [Serial Number]
Installation Date: [Date]

Inspector: [Name]
Signature: [Signature]
Date: [Date]

CERTIFICATE OF COMPLIANCE (Part 1 of 2) 170-A-C

Project: Rosier Cracker Barrel
Location: Rosier Cracker Barrel
Inspector: [Name]
Date: 11/11/2014
Time: 08:00 AM

System: Fire Alarm System
Model: [Model]
Manufacturer: [Manufacturer]
Serial Number: [Serial Number]
Installation Date: [Date]

Inspector: [Name]
Signature: [Signature]
Date: [Date]

CERTIFICATE OF COMPLIANCE (Part 2 of 2) 170-A-C

Project: Rosier Cracker Barrel
Location: Rosier Cracker Barrel
Inspector: [Name]
Date: 11/11/2014
Time: 08:00 AM

System: Fire Alarm System
Model: [Model]
Manufacturer: [Manufacturer]
Serial Number: [Serial Number]
Installation Date: [Date]

Inspector: [Name]
Signature: [Signature]
Date: [Date]

CERTIFICATE OF COMPLIANCE (Part 2 of 2) 170-A-C

Project: Rosier Cracker Barrel
Location: Rosier Cracker Barrel
Inspector: [Name]
Date: 11/11/2014
Time: 08:00 AM

System: Fire Alarm System
Model: [Model]
Manufacturer: [Manufacturer]
Serial Number: [Serial Number]
Installation Date: [Date]

Inspector: [Name]
Signature: [Signature]
Date: [Date]

- 1310(F)** For every fire alarm system, the fire alarm control panel shall be equipped with a separate audible and visible alarm. The audible alarm shall have the characteristics of Section 115.
- 1310(G)** For every fire alarm system, the fire alarm control panel shall be equipped with a separate visible alarm. The visible alarm shall be a minimum of 125 mm x 125 mm and shall be illuminated in red.
- 1310(H)** For every fire alarm system, the fire alarm control panel shall be equipped with a separate visible alarm. The visible alarm shall be a minimum of 125 mm x 125 mm and shall be illuminated in red.
- 1310(I)** For every fire alarm system, the fire alarm control panel shall be equipped with a separate visible alarm. The visible alarm shall be a minimum of 125 mm x 125 mm and shall be illuminated in red.
- 1310(J)** For every fire alarm system, the fire alarm control panel shall be equipped with a separate visible alarm. The visible alarm shall be a minimum of 125 mm x 125 mm and shall be illuminated in red.
- 1310(K)** For every fire alarm system, the fire alarm control panel shall be equipped with a separate visible alarm. The visible alarm shall be a minimum of 125 mm x 125 mm and shall be illuminated in red.
- 1310(L)** For every fire alarm system, the fire alarm control panel shall be equipped with a separate visible alarm. The visible alarm shall be a minimum of 125 mm x 125 mm and shall be illuminated in red.
- 1310(M)** For every fire alarm system, the fire alarm control panel shall be equipped with a separate visible alarm. The visible alarm shall be a minimum of 125 mm x 125 mm and shall be illuminated in red.
- 1310(N)** For every fire alarm system, the fire alarm control panel shall be equipped with a separate visible alarm. The visible alarm shall be a minimum of 125 mm x 125 mm and shall be illuminated in red.
- 1310(O)** For every fire alarm system, the fire alarm control panel shall be equipped with a separate visible alarm. The visible alarm shall be a minimum of 125 mm x 125 mm and shall be illuminated in red.
- 1310(P)** For every fire alarm system, the fire alarm control panel shall be equipped with a separate visible alarm. The visible alarm shall be a minimum of 125 mm x 125 mm and shall be illuminated in red.
- 1310(Q)** For every fire alarm system, the fire alarm control panel shall be equipped with a separate visible alarm. The visible alarm shall be a minimum of 125 mm x 125 mm and shall be illuminated in red.
- 1310(R)** For every fire alarm system, the fire alarm control panel shall be equipped with a separate visible alarm. The visible alarm shall be a minimum of 125 mm x 125 mm and shall be illuminated in red.
- 1310(S)** For every fire alarm system, the fire alarm control panel shall be equipped with a separate visible alarm. The visible alarm shall be a minimum of 125 mm x 125 mm and shall be illuminated in red.
- 1310(T)** For every fire alarm system, the fire alarm control panel shall be equipped with a separate visible alarm. The visible alarm shall be a minimum of 125 mm x 125 mm and shall be illuminated in red.
- 1310(U)** For every fire alarm system, the fire alarm control panel shall be equipped with a separate visible alarm. The visible alarm shall be a minimum of 125 mm x 125 mm and shall be illuminated in red.
- 1310(V)** For every fire alarm system, the fire alarm control panel shall be equipped with a separate visible alarm. The visible alarm shall be a minimum of 125 mm x 125 mm and shall be illuminated in red.
- 1310(W)** For every fire alarm system, the fire alarm control panel shall be equipped with a separate visible alarm. The visible alarm shall be a minimum of 125 mm x 125 mm and shall be illuminated in red.
- 1310(X)** For every fire alarm system, the fire alarm control panel shall be equipped with a separate visible alarm. The visible alarm shall be a minimum of 125 mm x 125 mm and shall be illuminated in red.
- 1310(Y)** For every fire alarm system, the fire alarm control panel shall be equipped with a separate visible alarm. The visible alarm shall be a minimum of 125 mm x 125 mm and shall be illuminated in red.
- 1310(Z)** For every fire alarm system, the fire alarm control panel shall be equipped with a separate visible alarm. The visible alarm shall be a minimum of 125 mm x 125 mm and shall be illuminated in red.

MONTEREY ENERGY GROUP
 Consulting Mechanical Engineering
 227 Forest Avenue, Suite 5, Pacific Grove, CA 93950
 408-444-4444 FAX 408-444-4444
 www.montereyenergygroup.com

ROSIE'S CRACKER BARREL
 1 EQUILINE ROAD
 CARMEL VALLEY, CA 93924

ENERGY COMPLIANCE

DATE: 7/1/2017
PROJECT: AS NOTED
DRAWN: MIB
CHECKED: MIB
TITLE: MIB

1-24
 SHEET OF 10

Exhibit J
Planning Commission
Resolution No. 99032

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

REVISED

RESOLUTION NO. 99032

A. P. # 189-331-011-000

FINDINGS AND DECISION

In the matter of the application of
GLEN GURRIES (PLN980603)

WHEREAS: The Planning Commission, pursuant to regulations established by local ordinance and state law, has considered, at public hearing, a Combined Development Permit, located on and westerly of Esquiline Road, at De Los Helechos, Carmel Valley, came on regularly for hearing before the Planning Commission on May 12, 1999.

WHEREAS: Said proposal includes:

- 1) Administrative Permit for a convenience market, and
- 2) Use Permit for the on-site sale of alcoholic beverages, and
- 3) Design Approval for development in the "HR" District.

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

FINDINGS OF FACT

1. **FINDING:** The convenience market use and the on-site sale of alcoholic beverages is consistent with the Carmel Valley Master Plan which designates the property as "Commercial," and with the policies of the Monterey County General Plan.
EVIDENCE: The Land Use Plan and the text and policies of the Carmel Valley Master Plan and the Monterey County General Plan were evaluated during the review of the application. No conflict or inconsistencies with the Plan, or with the text or policies, were found. No substantial evidence, either written or oral, was received during the administrative proceedings to indicate that there is any inconsistency with said plans.

2. **FINDING:** The convenience market use and on-site sale of alcoholic beverages is consistent and with the "LC-HR-D-S" (Light Commercial) zoning of the property.
EVIDENCE: Chapter 21.18 of Title 21 (Zoning) of the Monterey County Code permits convenience markets in the "LC" District with an Administrative Permit, and the serving of alcoholic beverages within 200 feet of a residential district with a Use Permit. The proposed use would operate within an existing commercial building. No exterior changes would be made to the building, and the application was considered and approved by the Historic Resources Commission.

3. **FINDING:** The site is physically suitable for the proposed use.
EVIDENCE: There are no physical or environmental constraints, such as geologic or seismic hazard areas, environmentally sensitive habitats, or similar conditions, that would indicate that the site is not suitable for the proposed use, nor is there substantial evidence in the record to indicate that the site is not suitable for the project. The proposed use would occupy an existing commercial building.
4. **FINDING:** This project is categorically exempt under the Class 3 of the Monterey County CEQA Guidelines and the California CEQA Guidelines relating to new construction or conversion of small structures (Section 15303 in both cases), and Class 31 of California CEQA Guidelines relating to historical resource restoration and/or rehabilitation (Section 15331).
EVIDENCE: Application, materials, and the record of the February 25, 1999, Zoning Administrator hearing. The project constitutes remodeling and conversion of existing facilities with no significant modifications to the exterior of structures. The total square footage of the project is less than 5,000 square feet. Because of the small size of the building and the proposed convenience grocery, specialty foods, gift market, and wine and beer tasting use, the occupant load for the facility should be less than 30 persons. No substantial evidence has been presented to suggest that the project may have a significant environmental impact. The project is not located in a particularly sensitive environment. The facility has been located on the site and operated as a general store for several decades. The project will not result in significant cumulative impacts arising from successive projects of the same type in the same place, over time. The project is not directly related to the Robles del Rio Lodge. There is no substantial evidence in the record of a reasonable possibility that the project will have a significant effect on the environment due to unusual circumstances. Traffic, parking, and circulation on the site have been adequately addressed by project design (reference the January 27, 1999, memorandum from Michael Groves regarding parking and access for Rosie's Cracker Barrel). Conditions of project approval require review and approval of the final circulation design by the Department of Public Works. The project is located in an "HR" (Historic Resources) District under the Monterey County Zoning Ordinance. The project is consistent with County and State guidelines for treatment of historic resources, and was considered and approved by the Monterey County Historic Resources Review Board. The project, as designed, is determined not to have any significant environmental effects, and therefore is exempt from the provisions of the California Environmental Quality Act, and conditions of project approval ensure that implementation of the project will have no significant effects on the environment in the future.
5. **FINDING:** The subject property is in compliance with all rules and regulations pertaining to the use of the property, no violations exist on the property, and all zoning abatement costs, if any, have been paid.

- EVIDENCE:** Staff review of the Monterey County Planning and Building Inspection records, and application and materials in File 980603(ZA). In connection with a pending application before the California Department of Alcoholic Beverage Control, the Monterey County Board of Supervisors, on January 5, 1999, found the issuance of a license for the sale of alcoholic beverages at the proposed convenience market to be a public convenience (Resolution 99-012).
6. **FINDING:** Necessary public facilities are available for the proposed use, and the conditions of approval are appropriate.
- EVIDENCE:** The project has been reviewed by the Monterey County Planning and Building Inspection, Public Works, and Health Departments, Water Resources Agency, and Carmel Valley Fire Protection District. The conditions incorporate the concerns and recommendations of these departments and agencies.
7. **FINDING:** The subject parcel is in a Design Control or "D" District requiring action pursuant to Chapter 21.44 of the Monterey County Code. To this end, the applicant has provided the Zoning Administrator with a Design Approval Request, drawings, and a statement of materials and colors to be used.
- EVIDENCE:** Design Approval Request form, with plans recommended for approval by the Carmel Valley Land Use Advisory Committee, contained in Project File No. 980603(ZA).
8. **FINDING:** The establishment, maintenance, or operation of the use or structure applied for will not, under the circumstances of the 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:** Findings and Evidence set forth above. An application for the on-site sale of alcoholic beverages is being reviewed by the California Department of Alcoholic Beverage Control.

DECISION

THEREFORE, it is the decision of said Planning Commission that said application be granted as shown on the attached sketch, subject to the following conditions:

1. This permit is a Combined Development Permit consisting of an Administrative Permit for a convenience market and associated uses within an existing commercial building and a Use Permit for the on-site sale of alcoholic beverages. This permit is in accordance with County ordinances and land use regulations subject to the following terms and conditions. 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 Planning and Building Inspection. 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. (Planning and Building Inspection)

2. Applicant shall comply with the Parking and Circulation Plan accompanied by the Memorandum from Michael Groves dated January 27, 1999, contained in project File No. 980603; the Parking and Circulation Plan, including the placement of spaces for the handicapped, shall be subject to approval by the Director of Public Works and Director of Planning and Building Inspection. (Planning and Building Inspection, Public Works)
3. No tour buses shall be permitted on the site. (Planning and Building Inspection)
4. The occupant load of the facility shall not exceed 30 persons. (Planning and Building Inspection)
5. The on-site sale and consumption of alcoholic beverages shall be limited to wine and beer tasting as an adjunct to the convenience market. (Planning and Building Inspection)
6. The daily hours of operation shall be from 7:00 a.m. to 9:00 p.m.. (Planning and Building Inspection)
7. No special events unrelated to the normal business operations of the permitted uses shall be allowed without separate approval by the Director of Planning and Building Inspection or other appropriate authority as designated by Title 21, Monterey County Code. (Planning and Building Inspection)
8. All improvements shall comply with the California Uniform Food Facilities Law as approved by the Director of Environmental Health. As necessary, submit plans and necessary review fees for review and approval prior to obtaining any building or related permits. (Contact Stewart Volwiler of the Division of Environmental Health for clearance of this condition) (Environmental Health)
9. The existing septic system shall be adequately protected (to the satisfaction of the Director of Environmental Health) from potential damage by vehicular traffic. (Environmental Health)
10. Due to septic effluent restrictions at the site, the maximum allowable wastewater discharge from all sources shall not exceed three hundred gallons (300) per day average flow nor five hundred gallons (500) peak flow in any one day. Submit proof of water usage as reported in the water purveyors billing statements (irrigation adjustment will be applied) on an as-requested basis to the Director of Environmental Health. (Environmental Health)
11. Owner shall record a notice stating that the property is located within or partially within a floodplain and may be subject to building and/or land use restrictions. A copy of the recorded notice shall be provided to the County Water Resources Agency. (Water Resources)
12. All buildings shall have a permanently posted address, which shall be placed at each driveway entrance and visible from both directions of travel along the road. In all cases, the addresses shall be posted at the beginning of any construction and shall be maintained thereafter, and the address shall be visible and legible from the road on which the address is located. (Carmel Valley Fire Protection District)

13. All landscaped areas and/or fences shall be continuously maintained by the applicant, and all plant material shall be continuously maintained in a litter-free, weed-free, healthy, growing condition. (Planning and Building Inspection)
14. All exterior lighting shall be unobtrusive, harmonious with the local area, and constructed or located so that only the intended area is illuminated and off-site glare is fully controlled. (Planning and Building Inspection)
15. All exterior signs shall be in accordance with the provisions of Chapter 21.60 of Title 21 (Zoning) of the Monterey County Code. (Planning and Building Inspection)
16. The property owner agrees as a condition and in consideration of the approval of this Combined Development Permit, which includes an Administrative Permit and a Use 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. 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 the 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. (Planning and Building Inspection Department)
17. Applicant shall record a notice which states: "A Combined Development Permit (Permit No. 980603) was approved by the Monterey County Planning Commission for Assessor's Parcel Number 189-331-011 on May 26, 1999. The permit was granted subject to 17 conditions of approval which run with the land. A copy of the permit is on file with the Monterey County Planning and Building Inspection Department." Proof of recordation of this notice shall be furnished to the Director of Planning and Building Inspection prior to issuance of building permits or commencement of the use. (Planning and Building Inspection Department)

PASSED AND ADOPTED this 26th day of May, 1999 by the following vote:

AYES: Crane-Franks, Errea, Hawkins, Hennessy, Parsons, Pitt-Derdivanis, Sanchez, Wilmot
 NOES: None
 ABSENT: Hernandez, Lacy

GLEN GURRIES (PLN980603)

Page 6



William L. Phillips, SECRETARY

Copy of this decision mailed to applicant on JUN 28 1999

Exhibit I
Board of Supervisors
Resolution No. 99-012

**Before the Board of Supervisors in and for the
County of Monterey, State of California**

Resolution No. 99-012

Resolution by the Monterey County Board)
of Supervisors finding that a public)
convenience would be served by the issuance)
of a License for the sale of alcoholic)
beverages to Glen Gurries and the Robles Del)
Rio Lodge. Assessor Parcel Number)
189-331-011, Carmel Valley.)

WHEREAS, under Section 23958.4 of the California Business and Professions Code, a finding of "public convenience or necessity" must be made by the appropriate local jurisdiction before the California Department of Alcoholic Beverage Control may issue a license for the on-site or off-site sale of alcoholic beverages; and

WHEREAS, Glen Gurries and the Robles Del Rio Lodge propose to sell alcoholic beverages as part of a convenience market in Carmel Valley; and

WHEREAS, said establishment is located at Esquiline Road and De Los Helechos in Carmel Valley (Assessor Parcel Number 189-331-011) on property which is designated, zoned and permitted for the sale of alcoholic beverages, retail sales and similar commercial uses; and

WHEREAS, said establishment would utilize an historic building previously used as a general store and convenience market; and

WHEREAS, the sale of alcoholic beverages from said location would not tend to create a law enforcement problem nor result in nor add to an undue concentration of licenses:

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of the County of Monterey hereby finds the issuance of a license for the sale of alcoholic beverages to Glen Gurries and the Robles Del Rio Lodge within an existing commercial building in Carmel Valley to be a public convenience.

PASSED AND ADOPTED on this 5th day of January, 1999, upon motion of Supervisor
Salinas, seconded by Supervisor Johnsen by

the following vote, to-wit:

AYES: Supervisors Salinas, Pennycook, Calcagno, Johnsen, Potter

NOES: None

ABSENT: None

I, SALLY R. REED, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board Supervisors duly made and entered in the minutes thereof at page ___ of Minute Book 69, on 1/5/99.

Dated: 1/5/99

SALLY R. REED, Clerk of the Board of Supervisors,
County of Monterey, State of California

By *Rose Arii*
Deputy