



NOTICE OF APPROVAL

The Department of Community Planning & Building of the City of Carmel-by-the-Sea has approved a Project pursuant to the City's Municipal Code. Persons interested in the project may review additional materials available at the Department of Community Planning & Building located at City Hall on Monte Verde Street between Ocean and 7th Avenues, phone number 831-620-2010.

The decision to approve this project may be appealed within 5 days from the date of this by filing a written appeal with the Department of Community Planning & Building.

Planning Case #: Fixed Location BL 23-051 (Mad Dogs & Englishmen)

Owner Name: PORTER ALAN R

Case Planner: Evan Kort, Associated Planner

Date Posted: 09/25/2023

Date Approved: 09/22/2023

Project Location: SW Corner of Ocean & Mission Street

APN #: 010141001000 **BLOCK/LOT:** 77/ALL LOTS 1 AND 2

Applicant: Jennifer Blevins

Project Description: This approval (BL 23-051) authorizes the subject business to be engaged in Retail Sales (CMC 17.70) and as an ancillary Specialty Restaurant (CMC 17.70) located in the Central Commercial (CC) Zone District

Can this project be appealed to the Coastal Commission? Yes ☐ No ☒

Upon completion of the 5 calendar-day appeal period, please return this form, along with the Affidavit of Posting, to the case planner noted above.

BUSINESS LICENSE CONDITIONS OF APPROVAL

City of Carmel-by-the-Sea

Community Planning and Building Department

Post Office Box CC

Carmel-by-the-Sea, CA 93921

Office: (831) 620-2010



BUSINESS NAME: Mad Dogs & Englishmen

BUSINESS OWNER: Velo Carmel

PROPERTY OWNER: PORTER ALAN R

BLOCK: 77 LOTS: 1 & 2

APN: 010-141-001

LOCATION: SWC Mission & Ocean

DATE OF ACTION: September 22, 2023

APPROVAL AND CONDITIONS:

1. This approval (BL 23-051) authorizes the subject business to be engaged in **Retail Sales** (CMC 17.70) and as an ancillary **Specialty Restaurant** (CMC 17.70) located in the Central Commercial (CC) Zone District use of a 1,100 square foot ground floor commercial space offering the following goods and services.

a. Primary Use: This use is classified as a Sporting Good Store (NAICS451110):

- I. This industry comprises establishments primarily engaged in retailing new sporting goods, such as bicycles and bicycle parts; camping equipment; exercise and fitness equipment; athletic uniforms; specialty sports footwear; and other sporting goods, equipment, and accessories.
- II. These uses may be combined with apparel stores.
- III. No sales of ebikes are permitted on the upper floor, however, ebikes may be displayed.
- IV. No rentals of any bikes (motorized or non-motorized) are authorized on the new upper floor without a use permit. All rental operations (booking, payment, orientation, repair, etc) will need to occur in the existing business downstairs business location ("Mad Dogs and Englishmen Bikeshop" – operated under separate Business License; BL 18-024).

b. Ancillary Use: This use is classified a Snack and Nonalcoholic Beverage Bar (NAICS 722515):

- i. This U.S. industry comprises establishments primarily engaged in (1) preparing and/or serving a specialty snack, such as ice cream, frozen yogurt, cookies, or popcorn, or (2) serving nonalcoholic beverages, such as coffee, juices, or sodas for consumption on or near the premises. These establishments may carry and sell a combination of snack, nonalcoholic beverage, and other related products (e.g., coffee beans, mugs, coffee makers) but generally promote and sell a unique snack or nonalcoholic beverage.

ii. The following special conditions are applicable to the ancillary use:

- The ancillary use and anything related to the ancillary use shall not be more than 10% of the total retail floor area of the primary use. Minimal seats may be allowed provided total seating area is included in the 10% of the floor area dedicated to the ancillary use and the use complies with Special Condition #3, below.
 - The ancillary use shall not be called out on the business' sign, advertised in any fashion, or advertised as a stand-alone business.
 - The ancillary use shall function as an amenity for patrons/customers of the primary use only. The use shall not take on the appearance of or function as a coffee shop, bakery, or café.
 - The ancillary use shall not be in direct, unobstructed line of sight from the street as viewed through any doorway or window.
 - The ancillary use shall be limited to serving nonalcoholic beverages, such as coffee, juices, or sodas for consumption on or near the premises –amends condition 1.b.i, above.
 - No food sales shall be allowed. Food sales shall require approval of a Conditional Use Permit.
 - Adequate facilities shall be provided on the site for the closed storage of trash and garbage generated by the use.
 - The business shall comply with [CMC 8.68, Environmentally Acceptable Materials](#).
 - The property owner/business owner shall obtain all appropriate approvals from the Monterey County Health Department and provide evidence to the Community Planning and Building Department prior to commencement of operation of the ancillary use.
2. Other goods or services not directly related to the authorizations listed in condition #1 are prohibited.
 3. Except as modified by the conditions of this approval, or by requirements of the Municipal Code, the business use shall be operated consistent with the representations made on the business license application. Any violation of these conditions of approval, or of any ordinance in the Carmel Municipal Code, shall be cause for the City to revoke the license.
 4. All business activities shall occur within the business space. No member of the public shall have access to any basement, attic or other space. Outdoor displays are not permitted.
 5. Once issued, the business license shall be posted for exhibition in some conspicuous part of the place of business. The business, or person having a license, shall produce, exhibit or point out the display of same whenever requested to do so by any police officer or by any officer authorized to issue or inspect licenses or collect license fees.
 6. This business is required to install one exterior business sign. You are required to submit an application for a commercial business sign within one month of receiving this approval. The required sign may not be installed until approval of the sign from the City has been issued.

7. All modifications made to the interior and/or exterior of the building, including but not limited to paint, window treatments, awnings, paving and landscaping, shall first require written approval by the Department of Community Planning and Building. No notice-attracting features, such as banners, balloons, streamers, lights, additional signs, or flags shall be installed without written approval from the City.
8. The license approval shall become effective after the return of these signed conditions of approval, completion of any corrections identified on the approval letter, completion of any required business inspections, and once the business license has been issued. It shall be unlawful to commence or carry on any kind of business without having procured a license from the City (CMC 5.04.020).
9. The applicant agrees, at its sole expense, to defend, indemnify, and hold harmless the City, its public officials, officers, employees, and assigns, from any liability; and shall reimburse the City for any expense incurred, resulting from, or in connection with any project approvals. This includes any appeal, claim, suit, or other legal proceeding, to attack, set aside, void, or annul any project approval. The City shall promptly notify the applicant of any legal proceeding, and shall cooperate fully in the defense. The City may, at its sole discretion, participate in any such legal action, but participation shall not relieve the applicant of any obligation under this condition. Should any party bring any legal action in connection with this project, the Superior Court of the County of Monterey, California, shall be the situs and have jurisdiction for the resolution of all such actions by the parties hereto.

Business Owner Signature

Date

Once signed, please return to the Community Planning and Building Department