

JON M. BIGGS
COMMUNITY DEVELOPMENT DIRECTOR



BUILDING INSPECTION
(831) 648-3183
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CITY OF PACIFIC GROVE
COMMUNITY DEVELOPMENT DEPARTMENT
300 FOREST AVENUE
PACIFIC GROVE, CALIFORNIA 93950
TELEPHONE (831) 648-3190
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CITY OF PACIFIC GROVE
PLANNING COMMISSION

AGENDA

March 16, 2006
6:00 p.m.
Council Chambers, Pacific Grove City Hall
300 Forest Avenue, Pacific Grove, California

NOTE: The Planning Commission will also meet in a plan and site review session on Tuesday, March 14, 2006 at 4:00 p.m. in the Community Development Department Conference Room, 300 Forest Avenue, Pacific Grove, California. The limited purposes of this session are (1) to visit the site of project(s) listed on this agenda and (2) to allow staff to respond to Commissioner inquiries regarding factual aspects of the applications. **THE PLAN AND SITE REVIEW IS AN OPEN MEETING. MEMBERS OF THE PUBLIC MAY ATTEND.** Transportation for members of the public will not be provided to the location(s) of the site visit(s).

Copies of the Planning Commission Agenda Packet are available for review at the Pacific Grove Public Library and the Community Development Department.

Planning Commission Members: Linda Smith Bailey, Bob Davis (Chair), Dan Miller, Eric Miller, Craig Riddell (Vice Chair), Gary Sprader (One Vacancy)

1. **ROLL CALL**
2. **MINUTES**
 - Minutes of the site review meeting of February 28, 2006;
 - Minutes of the regular meeting of March 2, 2006.
3. **COMMENTS FROM THE PUBLIC**

(Comments from the audience will not receive Commission action. Comments may concern matters either on or not on the agenda, but must deal with matters subject to the jurisdiction of the Planning Commission. Comments will be limited to three minutes. Comments concerning

matters set for public hearing on this evening's agenda will not be heard until the public hearing is called.)

4. ITEMS TO BE CONTINUED OR WITHDRAWN

5. CONSENT AGENDA

5.A A public hearing to consider Use Permit Application No. 2906-06

PROJECT ADDRESS: 1120 Miles Avenue

APPLICANT: George Ash, Architect

PROJECT DESCRIPTION: Construct additions totaling more than 120 square feet, including a second-story addition, to a single-family residence on a site that does not have off-street parking. (Staff: Barbara Nelson)

6. REGULAR AGENDA

6.A A public hearing to consider Use Permit Application No. 2912-06

PROJECT ADDRESS: Lighthouse Avenue in the Downtown Commercial District near the United States Postal Office

APPLICANT: Moe Ammar, Pacific Grove Chamber of Commerce

PROJECT DESCRIPTION: Proposed carnival rides operated in conjunction with the Good Old Days event and placed near the United States Post Office on Lighthouse Avenue. Lighthouse Avenue is closed for the Good Old Days Event. (Staff: Sally Rideout)

7. CITY COUNCIL ACTIONS

8. ARCHITECTURAL REVIEW BOARD ACTIONS

- Receive the Minutes of the February 28, 2006 site review meeting of the Architectural Review Board.
- Receive the Minutes of the February 28, 2006 regular meeting of the Architectural Review Board.

9. HISTORIC RESOURCES COMMITTEE ACTIONS

10. CORRESPONDENCE

11. COMMITTEE REPORTS

12. REPORTS OF COMMISSIONERS

Commissioners may ask a question for clarification, make a brief announcement or make a brief report on his or her activities. In addition, the Commission may provide a referral to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning a City matter or direct staff to place a request to agendaize a matter of business on a future agenda (G.C. 54954.2).

13. REPORTS OF COMMUNITY DEVELOPMENT DIRECTOR

- Receive the 2005 Affordable Housing Monitoring Program Report

14. ADJOURNMENT

NOTE: PLEASE NOTE THAT SECTION 65009(B)(2) OF THE CALIFORNIA GOVERNMENT CODE PROVIDES THAT LEGAL CHALLENGES TO THE CITY'S ACTION ON A PROJECT MAY BE LIMITED TO ONLY THOSE ISSUES RAISED IN TESTIMONY DURING THE PUBLIC HEARING PROCESS.

THE PLANNING COMMISSION WILL NOT CONSIDER ANY NEW ITEMS AFTER 9:00 P.M. ANY ITEMS REMAINING ON THE AGENDA WILL BE CONTINUED EITHER TO THE NEXT REGULAR MEETING OR A SPECIAL MEETING AT THE DISCRETION OF THE PLANNING COMMISSION.

THE CITY OF PACIFIC GROVE DOES NOT DISCRIMINATE AGAINST PERSONS WITH DISABILITIES. THE COUNCIL CHAMBERS AT THE PACIFIC GROVE CITY HALL IS AN ACCESSIBLE FACILITY. A LIMITED NUMBER OF DEVICES ARE AVAILABLE TO ASSIST THOSE WHO ARE HEARING IMPAIRED. IF YOU WOULD LIKE TO USE ONE OF THESE DEVICES, PLEASE CONTACT THE COMMUNITY DEVELOPMENT DEPARTMENT SECRETARY AT (831) 648-3190.

NOTICE TO APPLICANTS

I. SITE REVIEW

If the project, at the time of the site review, is not visible without entering a structure or yard area, the applicant must be present or make arrangements to show the project area.

II. APPEARANCE BY APPLICANT OR REPRESENTATIVE

The applicant or his/her representative must be present at the public hearing meeting for which the item is scheduled. If unable to attend, the applicant must submit a written request for continuance prior to the meeting. **The Commission may deny an item if the applicant or representative is not present and if a continuance is not requested.**

III. SUBMITTAL OF WRITTEN COMMUNICATIONS

In order to receive due consideration by the Planning Commission, written communications pertaining to agenda items should be submitted to the Community Development Department by 12:00 noon on the Tuesday prior to the meeting. Materials submitted subsequent to that time, or directly to the Commission at the meeting, may, at the Commission's discretion, result in a continuance of the item.

IV. APPEALS AND APPEAL PERIOD

Decisions rendered by the Planning Commission may be appealed to the City Council using a form available at the Community Development Department. An appeal using this appeal form plus an appeal fee must be filed with the Community Development Department within 10 days of the action being appealed.

NOTE: The aforementioned appeal period notwithstanding, the City Council reserves the right to call up for review Planning Commission decisions until its next regularly scheduled meeting. Please check with the staff if you have any questions about this.

V. BUILDING PERMIT

Planning Commission approval of an application does not constitute an approval to do any construction without a building permit. Please contact the Building Division at 648-3183 for information about building permits.

No building permit pertaining to a Planning Commission action may be issued until the 10-day appeal period and the City Council's call up period has passed.

**CITY OF PACIFIC GROVE
PLANNING COMMISSION**

SITE REVIEW MINUTES

February 28, 2006

4:00 p.m.

Community Development Department Conference Room

Commissioners Present: Linda Bailey, Bob Davis, Dan Miller, Eric Miller, Craig Riddell,
Gary Sprader

Commissioners Absent: None

Vacancies: One

Staff: Biggs, Nelson, Rideout

Staff presented the following projects:

840 Spruce Avenue APPLICANT: Rick Steres, Architect
PROJECT DESCRIPTION: Construct a first-floor addition to a single-family dwelling having a nonconforming rear yard setback and connect an existing detached one-car garage having nonconforming setbacks to the residence. (Staff: Sally Rideout)

134 Pacific Street APPLICANT: Clay Lee Hong
PROJECT DESCRIPTION: Addition of more than 120 square feet to a single-family dwelling having fewer than the required two covered off-street parking spaces. (Staff: Sally Rideout)

874 Marino Pines Road APPLICANT: Henry R hef
PROJECT DESCRIPTION: Enclose an existing nonconforming carport to create a garage. The proposed garage follows the existing building line and encroaches into the required west side yard setback and has less than the minimum required distance between the garage opening and the front property line. (Staff: Barbara Nelson)

**125 Ocean View Blvd.
Space 304** APPLICANT: David Stamm
PROJECT DESCRIPTION: Establish a miniature golf course within a portion of an existing commercial building. (Staff: Barbara Nelson)

The following sites were visited by the listed Commissioners (staff present noted in parentheses).

874 Marino Pines Road: Linda Bailey, Bob Davis, Dan Miller, Eric Miller, Craig Riddell, Gary Sprader (Biggs, Nelson)

There being no further business, the Commissioners adjourned at 4:35 p.m. at the site.

Jon Biggs, Secretary

CITY OF PACIFIC GROVE
PLANNING COMMISSION

MINUTES

March 2, 2006
Tape 06-05
6:00 p.m.
Council Chambers, Pacific Grove City Hall

1. **ROLL CALL**

Roll Call

Present: Linda Bailey, Bob Davis (Chair), Dan Miller, Eric Miller,
Craig Riddell, Gary Sprader

Absent: None

Vacancies: One

Staff: Jon Biggs, Barbara Nelson

2. **MINUTES**

Director Biggs noted an **administrative correction to the minutes of February 2, 2006, item 6.A. concerning public comment at the hearing on 829 Ocean View Boulevard**, and noted that homeowner Steve Rosen had spoke in support of the project and that the minutes would be amended accordingly to reflect this correction.

Minutes
Approved

On a motion by Linda Bailey-Craig Riddell, the Commission voted 6-0 to **approve the following minutes:**

- Minutes of the regular meeting of February 16, 2006.

3. **COMMENTS FROM THE PUBLIC**

None.

Public
Comment

4. **REQUESTS FOR CONTINUANCE OR WITHDRAWAL**

On a motion by Linda Bailey-Gary Sprader, the Commission voted 6-0 to **continue item 5.C to the regular meeting of April 6, 2006.**

Consent
Agenda

5.C A public hearing to consider Use Permit Application No. 2899-06
PROJECT ADDRESS: **1015 Del Monte Boulevard**
APPLICANT: Brian Spector
PROJECT DESCRIPTION: Demolish an existing one-story single-family residence and construct a new two-story single-family residence. The property includes an existing bedroom and bathroom in a detached accessory building; use permit approval is required to

Continuances/
Withdrawals

retain the detached bedroom and bathroom. (Staff: Barbara Nelson)
REASON FOR CONTINUANCE: Applicant requested continuance to the regular meeting of April 6, 2006.

5. CONSENT AGENDA

On a motion by Linda Bailey-Gary Sprader, the Commission voted 6-0 to **approve the Consent Agenda** based on the findings and subject to the terms and conditions contained in the staff reports prepared for the meeting of March 2, 2006. **Consent Agenda**

5.A A public hearing to consider Use Permit Application No. 2900-06
PROJECT ADDRESS: **840 Spruce Avenue**
APPLICANT: Rick Steres, Architect **UP 2900-06**
PROJECT DESCRIPTION: Construct a first-floor addition to a *Approved*
single-family dwelling having a nonconforming rear yard setback *On Consent*
and connect an existing detached one-car garage having
nonconforming setbacks to the residence. (Staff: Sally Rideout)

5.B A public hearing to consider Use Permit Application No. 2902-06 **UP 2902-06**
PROJECT ADDRESS: **874 Marino Pines Road** *Approved*
APPLICANT: Henry R hef *On Consent*
PROJECT DESCRIPTION: Enclose an existing nonconforming
carport to create a garage. The proposed garage follows the existing
building line and encroaches into the required west side yard setback
and has less than the minimum required distance between the garage
opening and the front property line. (Staff: Barbara Nelson)

5.C (See continued items in Section 4, above)

5.D A public hearing to consider Use Permit Application No. 2901-06 **UP 2901-06**
PROJECT ADDRESS: **134 Pacific Avenue** *Approved*
APPLICANT: Clay Lee Hong *On Consent*
PROJECT DESCRIPTION: Addition of more than 120 square feet
to a single-family dwelling having fewer than the required two
covered off-street parking spaces. (Staff: Sally Rideout)

6. REGULAR AGENDA

COMMISSIONER RIDDELL STEPPED DOWN ON ITEM 6.A. DUE TO A FINANCIAL CONFLICT OF INTEREST.

6.A A public hearing to consider Use Permit Application No. 2904-06 **UP 2904-06**
PROJECT ADDRESS: **125 Ocean View Boulevard, Space 304** *approved*
APPLICANT: David Stamm

PROJECT DESCRIPTION: Establish a miniature golf course within a portion of an existing commercial building. (Staff: Barbara Nelson)

Barbara Nelson, Senior Planner, presented the staff report.

The Chairman opened the public hearing.

Speakers:

- David Stamm, applicant, presented the project.

Dan Miller posed a question to the applicant concerning Title 24 and handicap accessibility. Applicant stated that holes 1-9 are accessible to the physically challenged (50% of the available holes).

Linda Bailey posed questions concerning the arcade/video games, as well as hours of operation and security.

- Mike Becker, on behalf of the landlord and owners, Cannery Row Company and Foursome Development Company, stated that they will have someone available for security purposes during the hours of operation.

There being no further speakers, the Chairman closed the public hearing.

On a motion by Eric Miller-Dan Miller, the Commission voted 5-0 to **approve Use Permit No. 2904-06** based on the findings and subject to the conditions contained in the staff report prepared for the meeting of March 2, 2006.

COMMISSIONER RIDDELL RETURNED TO HIS SEAT.

6.B DISCUSSION OF A LETTER OF RECOGNITION BY THE PLANNING COMMISSION FOR FORMER COMMISSIONER BRUCE OBBINK.

**Bruce
Obbink
Recognition**

On a motion by Linda Bailey-Eric Miller, the Commission voted 6-0 to send a letter of thanks to former Planning Commissioner Bruce Obbink in recognition of his service to the city.

7. CITY COUNCIL ACTIONS

Director Biggs reported.

**City
Council**

8. ARCHITECTURAL REVIEW BOARD ACTIONS

- Received the Minutes of the February 14, 2006 site review meeting of the Architectural Review Board. **ARB**
- Received the Minutes of the February 14, 2006 regular meeting of the Architectural Review Board.

9. HISTORIC RESOURCES COMMITTEE ACTIONS

- Received the Minutes of the February 8, 2006 site review meeting of the Historic Resources Committee. **HRC**
- Received the Minutes of the February 8, 2006 regular meeting of the Historic Resources Committee.

10. CORRESPONDENCE

None.

**Corres-
pondence**

11. COMMITTEE REPORTS

- Craig Riddell reported on the work of the committee reviewing Community Development Department policies.
- Eric Miller reported on the progress of the subcommittee on posting, noticing, staking and netting procedures.

**Committee
Reports**

12. REPORTS OF COMMISSIONERS

- Craig Riddell announced that he was appointed to a council committee on campaign finance.
- Linda Bailey reported that the Pacific Grove Heritage Society is trying to get architect Sarah Susanka to speak at the next Heritage Society Home Awards event.
- Chairman Bob Davis reported that there have been four applications received for the vacant planning commissioner seat and that they were scheduled for consideration by City Council at the next regularly scheduled meeting of March 15, 2006.

**Commissioner
Reports**

13. REPORT OF COMMUNITY DEVELOPMENT DIRECTOR

Director Biggs reported.

**Director's
Report**

14. ADJOURNMENT:


There being no further business, the Chair adjourned the meeting at 6:55 p.m.

Jon M. Biggs, Secretary

CITY OF PACIFIC GROVE

NOTICE OF PUBLIC HEARING

PROJECT ADDRESS: 1120 Miles Avenue
APPLICANT: George Ash, Architect
APPLICATION: Use Permit Application No. 2906-06
PROJECT DESCRIPTION: Construct additions totaling more than 120 square feet, including a second-story addition, to a single-family residence on a site that does not have off-street parking.
LEGAL DESCRIPTION: Lot 25, Block 8, Del Monte Park
ZONE DISTRICT: R-1
GENERAL PLAN DESIGNATION: Medium Density Residential
ENVIRONMENTAL STATUS: Categorically Exempt, Class 1
HEARING DATE AND LOCATION: A public hearing by the Planning Commission to be held on **Thursday, March 16, 2006, at 6:00 P.M.** in the Council Chamber at the Pacific Grove Civic Center, 300 Forest Avenue, Pacific Grove, California.



JON M. BIGGS
Community Development Director

Dated: February 28, 2006

NOTE: The Planning Commission will also meet in a plan and site review session on Tuesday, March 14, 2006 at 4:00 p.m. in the Community Development Department Conference Room, at the Pacific Grove Civic Center, 300 Forest Avenue. The limited purposes of this session are (1) to visit the site of the projects listed on this meeting's agenda and (2) to allow staff to respond to Commissioner inquiries regarding factual aspects of the applications. **THE PLAN AND SITE REVIEW IS AN OPEN MEETING. MEMBERS OF THE PUBLIC MAY ATTEND.**

Should this item be continued at the Planning Commission meeting the Chairman will announce a specific date and time to which the item is being continued. If you are not at the meeting you can find out if an item has been continued by calling the Community Development Department Secretary at (831) 648-3190. If you have any questions about this item, please call Senior Planner Barbara Nelson at the Community Development Department (831) 648-3190.

Any decision by the Planning Commission may be appealed to the City Council within ten days of final action. Please note that Section 65009 (b) (2) of the California Government Code provides that legal challenges to the City's action on this project may be limited to only those issues raised in testimony during the public hearing process.

The City of Pacific Grove does not discriminate against persons with disabilities. The Pacific Grove City Hall Civic Center is an accessible facility. A limited number of devices are available to assist those who are hearing impaired. If you would like to use one of these devices, please contact the Community Development Department Secretary at (831) 648-3190.

This notice may be removed after: March 16, 2006



CITY OF PACIFIC GROVE PLANNING COMMISSION AGENDA REPORT

TO: PLANNING COMMISSION
FROM: COMMUNITY DEVELOPMENT DEPARTMENT
MEETING DATE: MARCH 16, 2006
ADDRESS: 1120 MILES AVENUE
APPLICANT: GEORGE ASH, ARCHITECT

I. RECOMMENDATION

Staff recommends approval of the use permit application.

II. PROJECT DESCRIPTION

Construct additions totaling more than 120 square feet, including a second-story addition, to a single-family residence on a site that does not have off-street parking.

III. BACKGROUND

Zone District	R-1
General Plan Designation	Medium Density Residential
Lot Size	4,500 square feet
Historic Inventory	No
Coastal Zone	No
Archaeology Zone	No
Biological Zone	No
Nonconforming use	No

IV. APPLICATION REQUEST

Use Permit Application No. 2906-06 is a request to construct additions totaling more than 120 square feet, including a second-story addition, to a single-family residence on a site that does not have off-street parking (Municipal Code Section 23.68.050(d)(1)).

V. DISCUSSION

The property is an interior building site developed with a 761 square foot, one-story, single-family residence and a detached shed in the rear yard. The residence is 11'6" from the front property line and encroaches into the required 15' front yard setback. The site slopes down from the front towards the rear and there are a number of mature oak trees on and adjacent to the site. There is no off-street parking on the site and portion of an adjacent driveway encroaches onto the property. This driveway provides access to

the three adjacent properties shown on the Assessor's Parcel Map; a copy of the map and photograph of the site and driveway is attached to the agenda report. On-street parking is permitted along both sides of Miles Avenue with the exception of a portion of the north side of Miles Avenue near the intersection of Presidio Boulevard. The placement of the existing residence combined with the oak trees limit opportunities to provide off-street parking on this site. Deficient off-street parking spaces and increased parking demand have resulted in parking congestion in certain areas of Del Monte Park. The proposed project reflects the competing interests associated with City tree retention and parking regulations.

The project adds an additional 1,132 square feet of living area to the existing 761 square foot residence for a total floor area of 1,893. The maximum permitted floor area on a 4,500 square foot site in the R-1 district is 2,193 square feet; however, if required covered parking is not provided, the allowable square footage is reduced by the square footage required for a covered parking space, i.e., 180 square feet (Municipal Code Section 23.16.050(a)). Therefore, the maximum permitted floor area on this site without the required covered parking space is 2,013 square feet. The proposed floor area of 1,893 square feet is below the maximum permitted floor area.

The project does not include tree removal or tree trimming that will require an approved tree permit; however, the trees on the site were examined by a licensed arborist to evaluate potential project-related impacts to the trees. The arborist's report concluded that the trees on the site are in good health and that the proposed project will not adversely impact the trees subject to compliance with recommended tree protection measures.

Since tree conditions change over time it is reasonable to require installation of an uncovered parking pad on the site if the 22" and 19" diameter oaks trees on the forward portion of the site are removed at a later time.

VI. SUGGESTED FINDING

Staff suggests the following finding in support of the application:

The establishment, maintenance and operation of the subject additions to the single-family residence applied for will not 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 city because the placement of the existing residence combined with the oak trees limit opportunities to provide off-street parking. The approved use of the property as a single-family residence remains unchanged.

VII. RECOMMENDED CONDITIONS

Should the Planning Commission agree with the recommendation of staff and seek to approve the application, the following are recommended as conditions of approval:

1. An approved tree permit is required to remove or trim any tree on the site in accordance with the requirements of Municipal Code Section 12.16.210. If at such time a tree permit is approved to remove the 22" and 19" diameter oak trees on the forward portion of the site the property owner shall be required to

install an uncovered parking pad on the site within 180 days of tree removal subject to obtaining all required permits and approvals.

2. Trees located adjacent to the construction area shall be protected from damage by construction equipment by the use of temporary fencing and thorough wrapping of trunks with protective materials. A chain link, snow drift, or field fence is required to be placed around trees marked on the site plan to protect remaining trees from project damage. The fence is to be at least 4' above grade and rigidly supported. The fencing should be installed before any project activities including site preparation, demolition, and/or construction begins. The fence is to remain in place until removal is authorized by the City.
3. Soil compaction, vehicle parking and heavy equipment, stockpiling of construction materials, and/or dumping of materials is prohibited within the root zone of any tree.
4. Excavation or trenching within 3 x's the diameter of a tree shall be monitored by the project arborist.
5. Roots larger than 2" in diameter that are encountered during excavation or trenching should be bridged or tunneled subject to approval by the project arborist. The project arborist shall approve any roots 2" in diameter or larger to be cut. Pruning tools approved by the project arborist shall be used to cut the approved roots.
6. Should potentially significant roots be discovered the project arborist shall immediately inform the City Public Works Department. Work involving excavation shall be halted in the area of the potentially significant root until appropriate protection measures are developed and implemented.
7. Trenching for the retaining wall and any portion of the driveway adjacent to any tree shall be done by hand.
8. Water is required to drain away from the base of any tree.
9. Grade changes may not adversely impact trees (suffocate, compact or expose roots).
10. Signs, wires, pulleys, etc., may not be fastened to trees.
11. Paintbrushes and tools may not be cleaned over tree roots.
12. Chemical wastes (paint thinner, etc.) shall be disposed of properly and may not be drained on the property. Contact the Monterey Regional Waste Management District for information about proper disposal of chemical wastes.
13. The applicant shall comply with the provisions of Section 11.18.011 establishing criteria for sewer cleanouts and housetraps.
14. Review and approval by the Public Works Department is required prior to issuance of a building permit. If required, the applicant shall obtain an encroachment permit from the Public Works Department prior to issuance of the building permit.

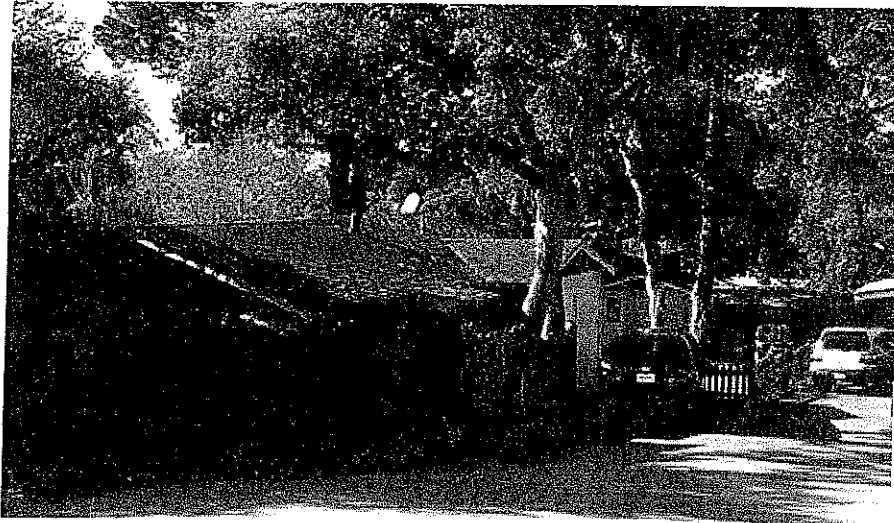
15. The permit shall be revoked if not used within one year from date of approval. Application for extension of these permits must be made prior to the expiration date.
16. Construction shall not commence until a copy of the resolution signed by the permittee or authorized agent, acknowledging receipt of the permits and acceptance of the terms and conditions, is returned to the Community Development Department.
17. All construction must occur in strict compliance with the proposal as set forth in the applications for permits, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Planning Commission approval.
18. These terms and conditions shall be perpetual, and it is the intention of the Planning Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.
19. The property owners shall record a deed restriction to be prepared by the Community Development Department containing the conditions of this use permit with the Monterey County Office of the Recorder prior to issuance of the building permit. The conditions of this use permit are applicable to all subsequent property owners, heirs, assigns and successors in interest.

RESPECTFULLY SUBMITTED BY:

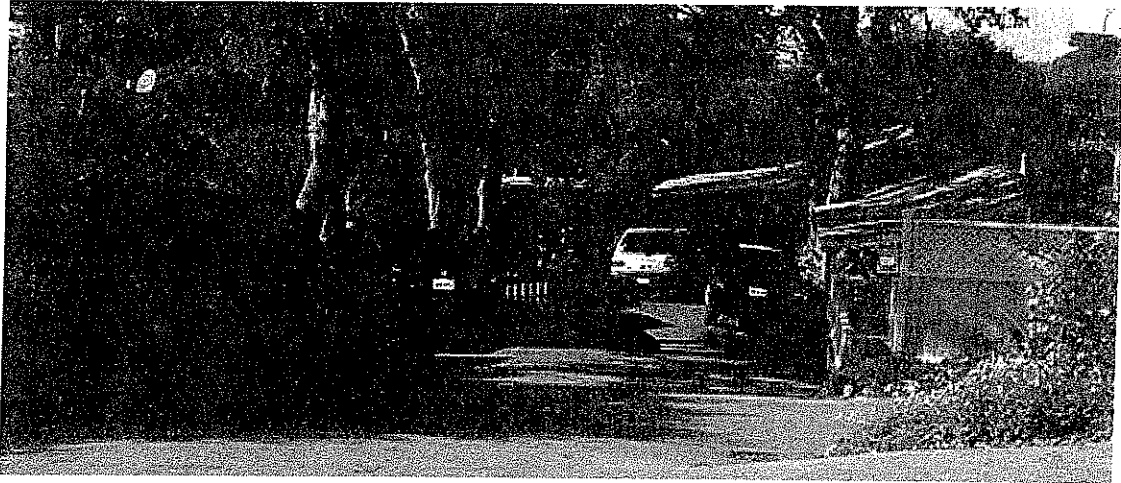
REVIEWED BY:


BARBARA NELSON
SENIOR PLANNER

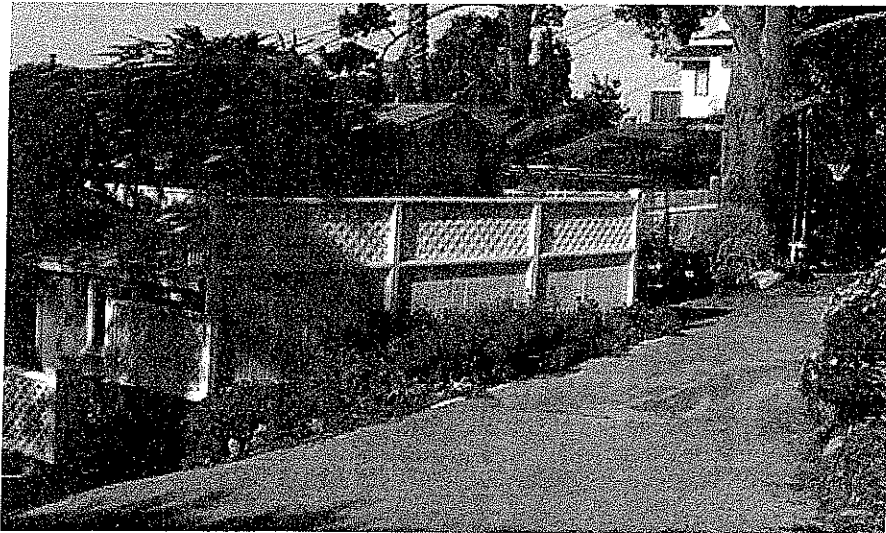

JON M. BIGGS,
COMMUNITY DEVELOPMENT DIRECTOR



1120 MILES AVENUE



1120 MILES AVENUE-NEIGHBORING DRIVEWAY



ADJACENT PROPERTIES ACCESSED BY SHARED DRIVEWAY

CITY OF PACIFIC GROVE
APPLICATION FOR USE PERMIT
(Municipal Code Chapter 23.72.030)

Agenda Item No. **5A**
Planning Commission

Accepted for submittal by: Bridget Luce
(CDD Staff person)

CDD Use only USE PERMIT NO. 2906-04

FEE \$630.00 01-4401

Project Location 1120 MILES AVE. APN 007-583-031

Lot(s) _____ Block _____ Tract _____ Lot Size _____

Applicant GEORGE ASH - ARCHITECT

Applicant's Address 541 FOAM ST. MONTEREY, CA 93940

Applicant's Daytime Phone No(s) 831-646-1095

Property Owner CHRIS + CARRIE BROPHY

Property Owner's Address 1120 MILES AVE, PACIFIC GROVE, CA

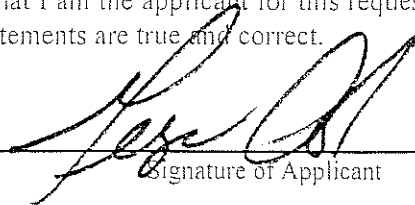
Property Owner's Phone No. 655-9531

PROPOSED USE OR PROJECT (State in detail) – Attach additional sheets if necessary: <u>SEE ATTACHED SHEET</u> _____ _____ _____ _____
Indicate, if applicable: Days/hours of operation, number of employees:

I, the undersigned, under penalty of perjury, depose and say that I am the applicant for this request, that the owner of the property approves this application and that all statements are true and correct.

2/14/06

Date


Signature of Applicant

NOTE TO APPLICANT: The filing fee and materials related to the project must accompany this application. Please consult with a planner regarding submittal requirements for your project.

Receipt # 020 000 28654
2/14/06
Rev. 5/12/04 [SS-Blue]

NOTES:

1. BOUNDARY LOCATIONS SHOWN HEREON WERE DETERMINED WITH THE BENEFIT OF A FIELD SURVEY SUPPLEMENTED BY RECORDED DATA. ALL BOUNDARY DATA SHOWN ARE FROM THE RECORDS.
2. ALL BEARINGS AND DISTANCES ARE FROM RECORD INFORMATION.
3. DIMENSIONS SHOWN ARE IN FEET AND DECIMALS THEREOF.
4. TREE TYPES ARE INDICATED WHEN KNOWN. DIAMETERS OF TREES ARE SHOWN IN INCHES.
5. ELEVATIONS SHOWN ARE BASED ON 8600-29 (UPON SEA LEVEL BATHYMETRIC SURVEY) ON THE SW CORNER OF MANTICHO AVENUE AND WELLS AVENUE. ELEVATION = 2371.4'
6. THE LOCATION OF FENCES AND WALLS ALONG THE FRONT AND REAR PROPERTY LINES SUGGEST THAT THERE MAY HAVE BEEN UPON PROPERTY MENTIONED TO THE SURVEYOR. THIS INFORMATION IS FOUND TO BE 2.5 FEET OUT OF POSITION RELATIVE TO THIS BLOCK. SEE VOLUME 23 OF SURVEYS, PAGE 108, RECORDS OF MONTEREY COUNTY.

LEGEND:

- FE - FENCE LINE
- HO - HOSEBIB
- SW - SEWER CLEAN OUT
- GA - GATE
- WM - WATER METER



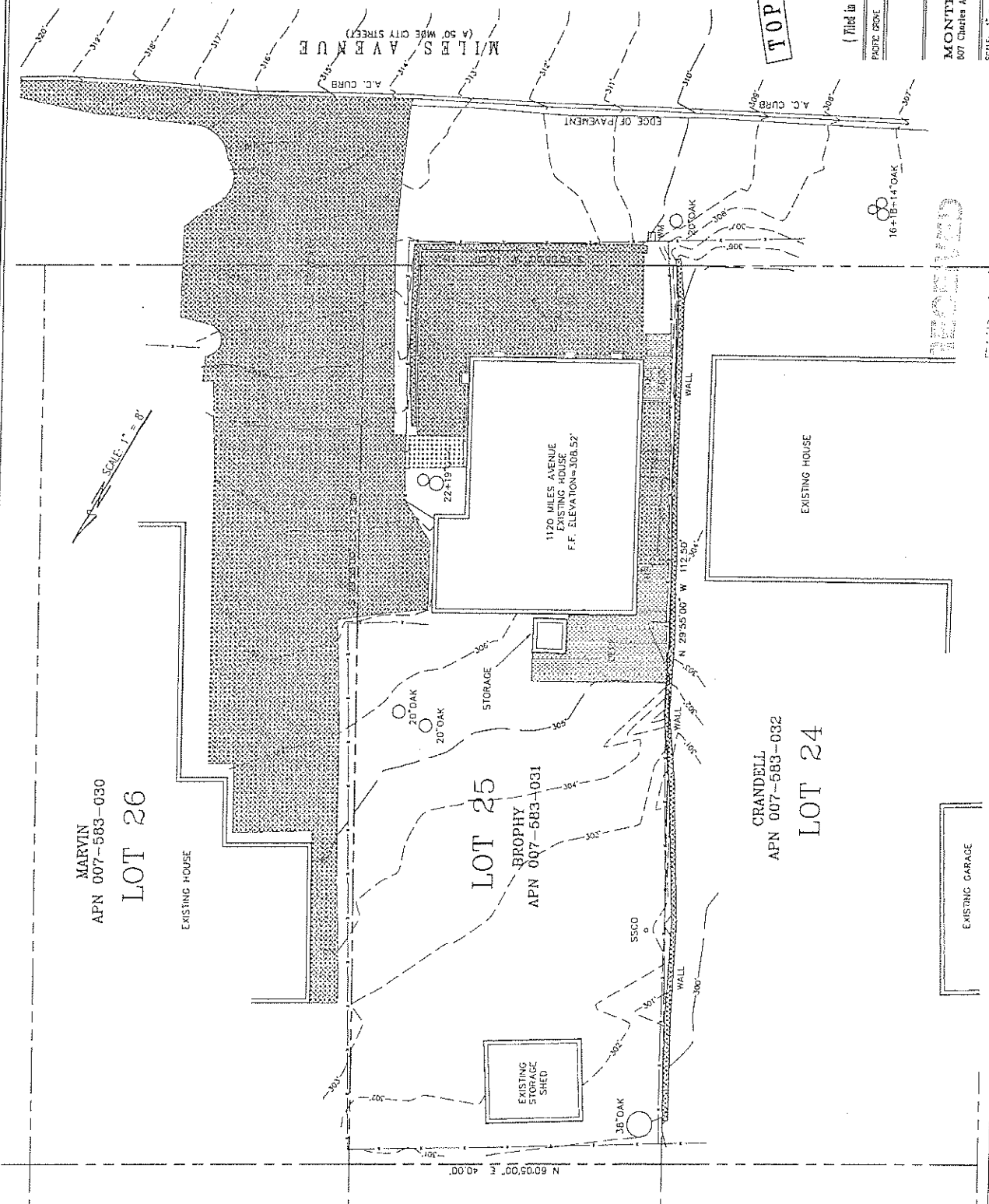
SP. 6/20/07

TOPOGRAPHIC SURVEY

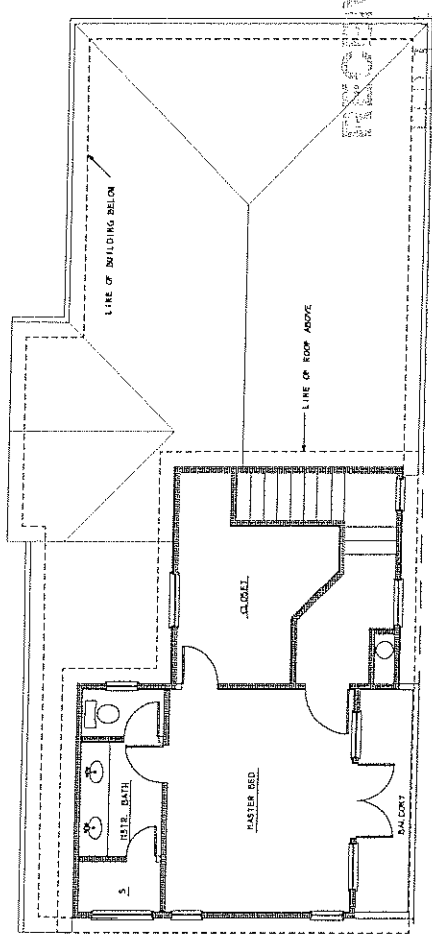
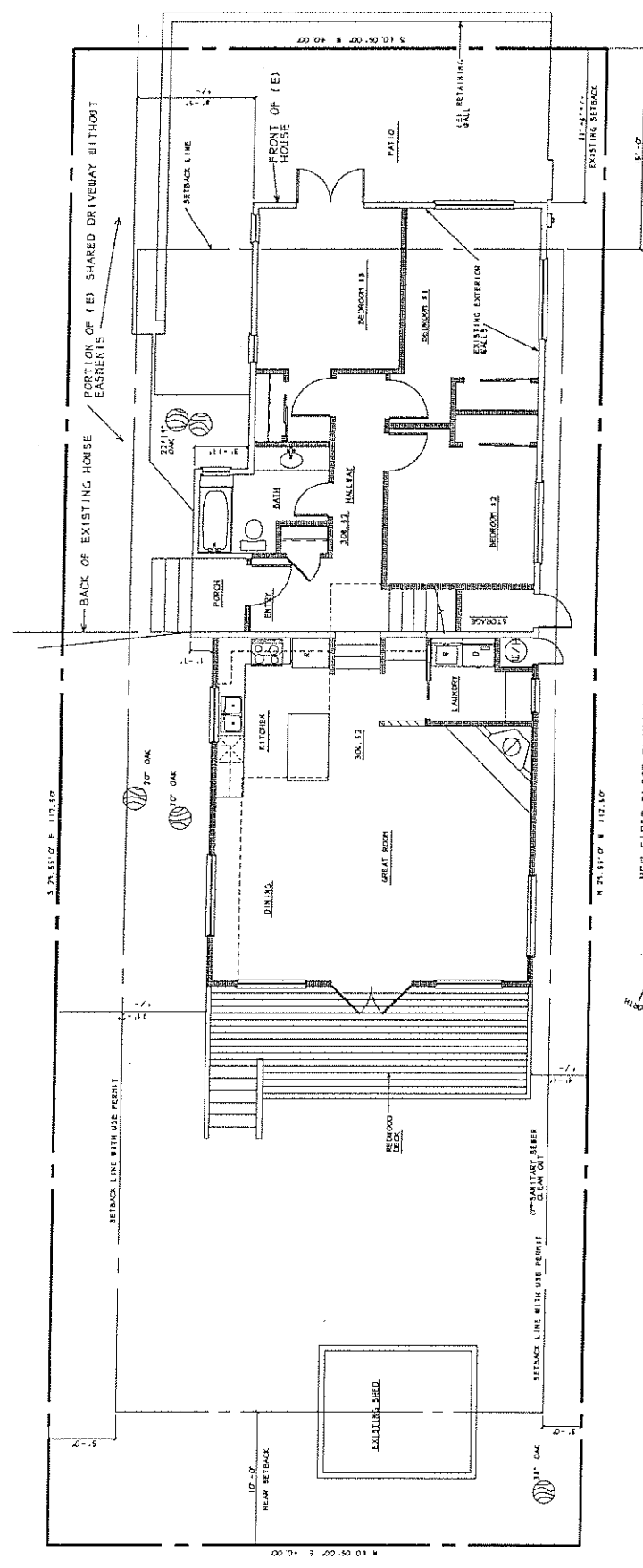
LOTS 25, BLOCK B
DEL MONTE PARK

(Filed in Vol. 2 of Cities & Towns at Page 1, Records of Monterey County)

PACIFIC COAST COUNTY OF MONTEREY STATE OF CALIFORNIA
PREPARED FOR
CHRIS BROPHY
BY
MONTEREY BAY ENGINEERS, INC.
807 Charles Ave Suite B
Seaside, California 94062
Phone: (831) 899-7899
FEB 14 2008
SCALE: 1" = 8'
APRIL 2008



COMMUNITY DEV. DEPT.

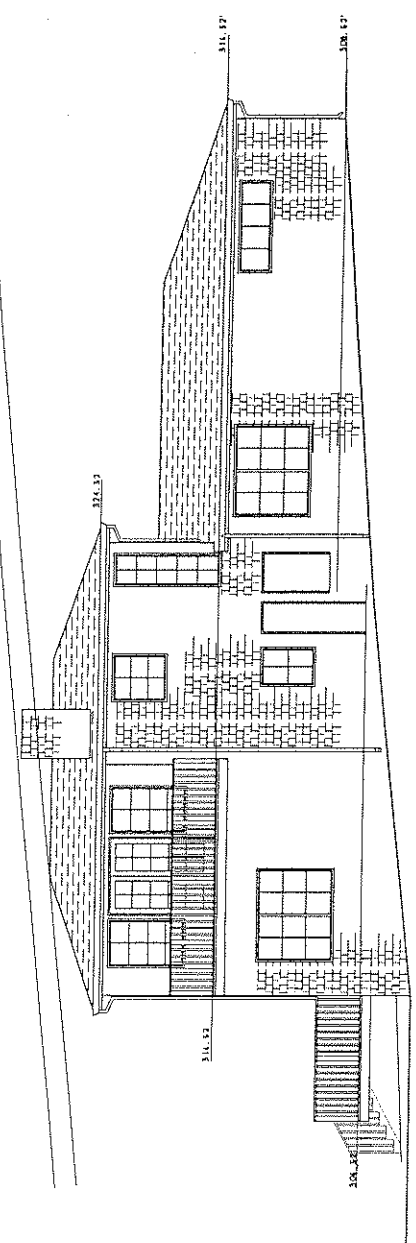


RECEIVED

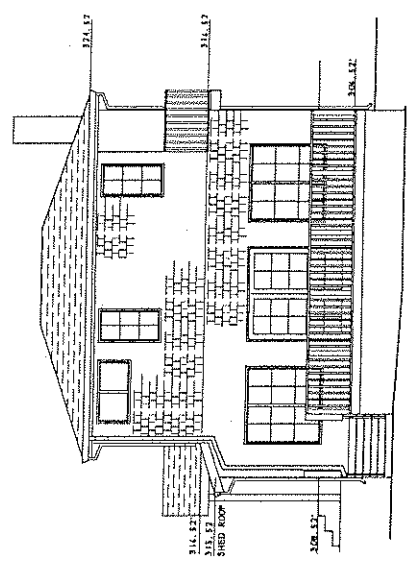
COMMUNITY DEV. DEPT.

NEW SECOND FLOOR PLAN
 1/4" = 1'-0"

31'-0" MAX. HEIGHT
 23'-0" HEIGHT 1/4"

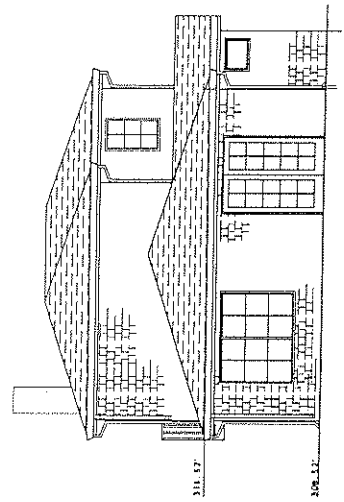


WEST ELEVATION 1/4" = 1'-0"

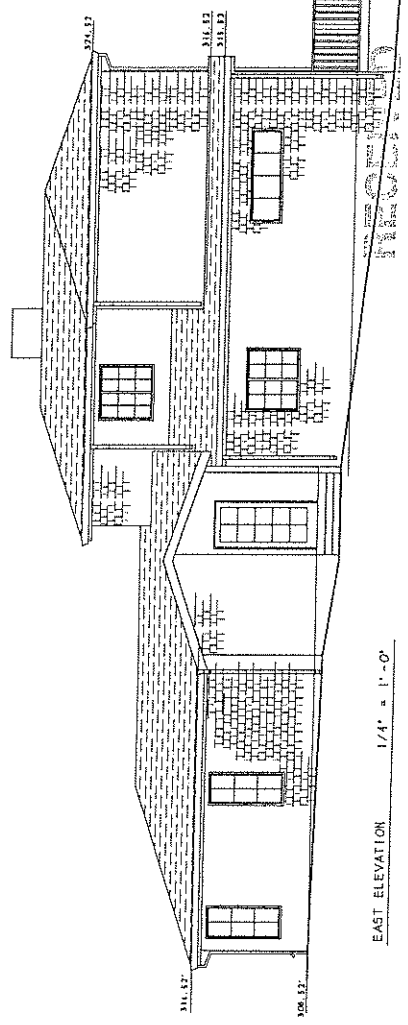


NORTH ELEVATION 1/4" = 1'-0"

- FINISH MATERIALS:
 EXTERIOR WALLS AND CHIMNEY, STAINED CEDAR SHAKE SIDING
 ROOF, ASPHALT SHINGLES
 WINDOWS, WOOD WINDOWS
 DOORS, WOOD DOORS
 BACK DECK, REDWOOD
 FRONT STEPS, REDWOOD
 GUTTERS, PREFINISHED WHITE GAGE GUTTER AND WHITE DOWNSPOUTS.



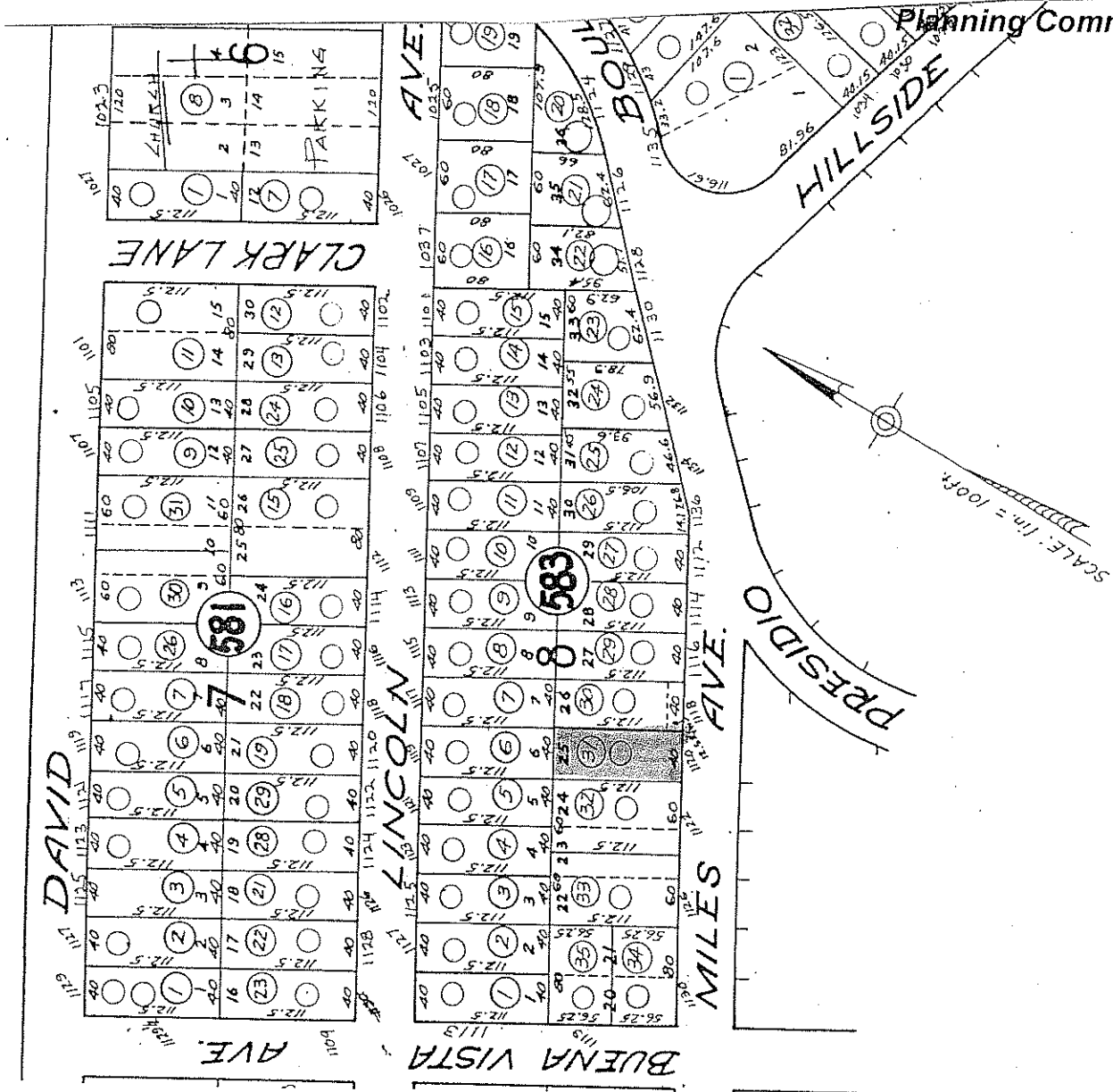
SOUTH ELEVATION 1/4" = 1'-0"



EAST ELEVATION 1/4" = 1'-0"

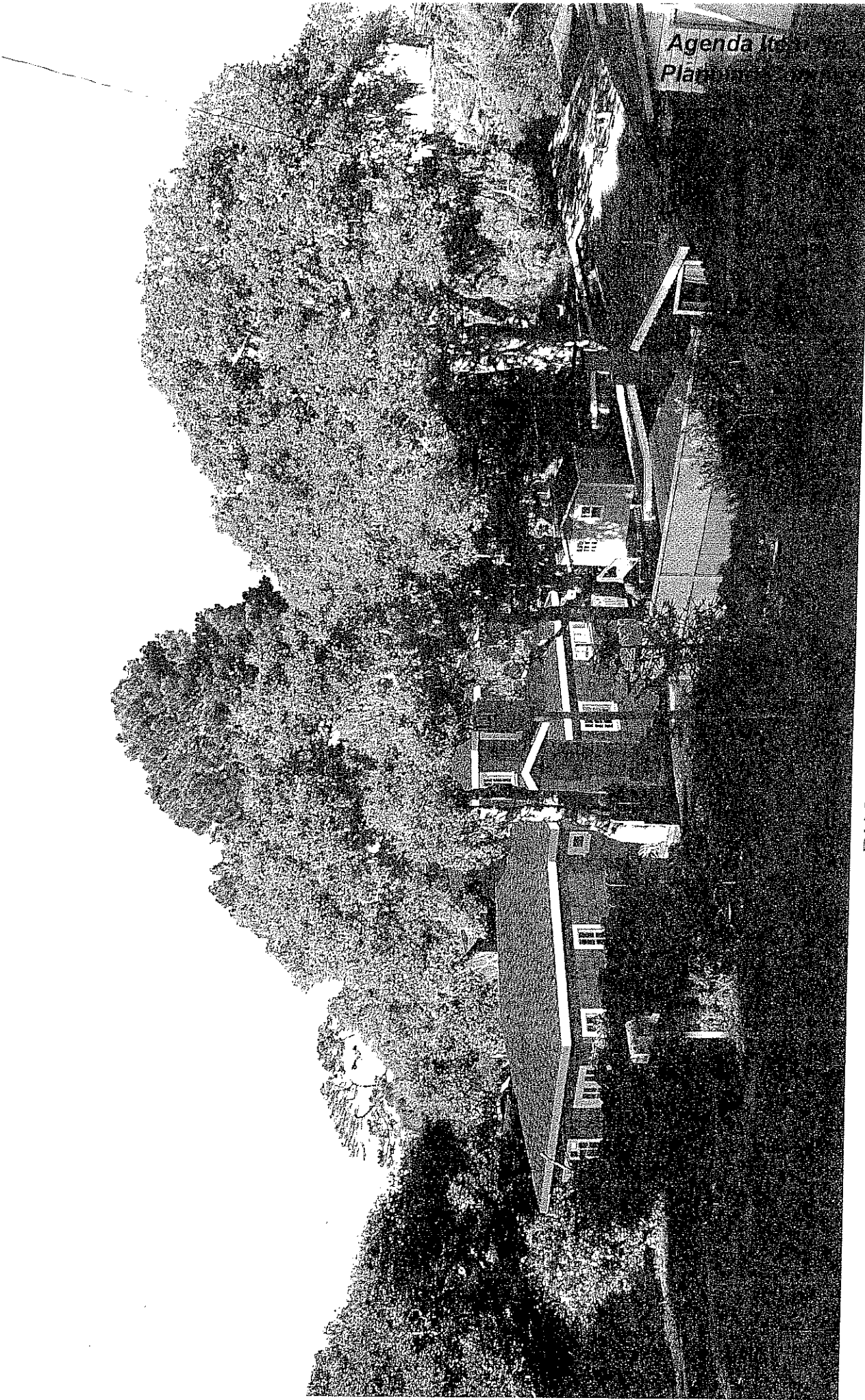
FEB 14 2005
 COMMUNITY DEV. DEPT.

Project: ROPHY RESIDENCE
 1/4" = 1'-0"



1978

DROPHY RES. - 1120 MILES AVE.



PHOTOMONTAGE
PROPOSED PROJECT

January 11, 2006

Agenda Item No. 5A
Planning Commission

FEB 14 2006

COMMUNITY DEV. DEPT.

To Whom It May Concern:

Our neighbors, Chris and Carrie Brophy, at 1120 Miles Avenue in Pacific Grove have spoken with us about their intention to remodel their existing house in order to increase their square footage of living space. We have seen their architectural plans, which include a second floor with a balcony and do not have any objections to the proposed design.

If you have any questions or concerns, please feel free to contact us at 655-3480.

Thank you.



Will and Debbie Crandell
1122 Miles Avenue
Pacific Grove, CA 93950

January 13, 2006

RECEIVED

FEB 14 2006



COMMUNITY DEV. DEPT.

To Whom It May Concern:

We are neighbors of Chris and Carrie Brophy who live at 1120 Miles Avenue. They have shared with us their intention to remodel their existing house in order to increase the living space which will include a second floor. We have seen the project plans drawn by architect George Ash and are in favor of the proposed design. Due to the existing oak trees on their lot and the design layout, they will need to continue sharing a portion of our driveway in order to access their off-street parking location. The current parking situation has been in place for many years and we would not be opposed to having a formal agreement in place for them to share the upper portion of the driveway area in order to access their off-street location as long as their final parking location is on their lot. In fact, the neighbors at 1116 and 1114 Miles also currently use the upper-most portion of the lot to access their driveways. The existing easement in place by the city apparently only covers a portion of this area and if an additional variance/easement is needed for their plans to proceed, then we would be willing to support the required process.

Their proposed design is very appropriate for a family of four and we are happy to see their intention to remain in the neighborhood and improve the current structure. If you have any questions, please feel free to contact us at 647-1512.

Thank you.

 & 
Charlie and Edye Marwin
1118 Miles Avenue
Pacific Grove, CA 93950

PROJECT DATA SHEET

PROJECT ADDRESS: 1120 MILPS AVE

APPLICANT(S): GEORGE ASH

DATE PLANS SUBMITTED TO CITY OF PACIFIC GROVE: 2-14-06

PROJECT DESCRIPTION: ADDITION

	Required/ Permitted	Existing Condition	Proposed Condition	Notes
Zone District	R-1	SFD	—	
Site Area	4,000 ^{sq}	4,520 ^{sq}	—	
Density (multi-family projects only)	—	—	—	
Building Coverage	40%	16%	31%	
Paving Coverage	20%	16%	16%	
Total Site Coverage	60%	32%	47%	
Floor Area	*2,193 ^{sq ft}	761 ^{sq ft}	2,013 ^{sq ft}	* REDUCED FOR COVERED PARKING NOT PROVIDED 23.16.050 (C), INCL. STORAGE SHED
Total Exterior Lateral Wall Length to be demolished.	—	—	—	
Total Exterior Lateral Wall Length to be demolished and rebuilt.	—	—	—	
Building Height	25'	—	23'6"	
Number of stories	—	—	—	
Front Setback	15'	11'6"	—	
<u>NORTH</u> Side Setback (specify side)	4'	9'6"	11'2"	
<u>SOUTH</u> Side Setback (specify side)	4'	4'4"	4'4"	
Rear Setback	10'	—	—	
Garage Door Setback	20'	N/A	—	
Covered Parking Spaces	1	0	0	
Uncovered Parking Spaces	1	0	0	
Parking Space Size (Interior measurement)	9' x 20'	—	—	
Number of Driveways	1	—	—	
Driveway Width(s)	12'	—	—	
Back-up Distance	—	—	—	
Eave Projection (Into Setback)	3' maximum	1'	1'	
Distances Between Eaves And Property Lines	3' minimum	3'4"	—	
Open Porch/Deck Projections	—	—	—	
Architectural Feature Projections	—	—	—	
Number of Accessory Buildings	1	1	—	
Accessory Building Setbacks	—	—	—	
Accessory Building Height	—	—	—	
Fence Heights	—	—	—	

CITY OF PACIFIC GROVE

NOTICE OF PUBLIC HEARING

PROJECT LOCATION: Lighthouse Avenue in the Downtown Commercial District near the United States Postal Office

APPLICANT(S): Moe Ammar, Pacific Grove Chamber of Commerce

APPLICATION(S): Use Permit Application No. 2912-06 - Proposed carnival rides operated in conjunction with the Good Old Days event and placed near the United States Post Office on Lighthouse Avenue. Lighthouse Avenue is closed for the Good Old Days Event.

ZONE DISTRICT: None

LEGAL DESCRIPTION: None

GENERAL PLAN DESIGNATION: None

ENVIRONMENTAL STATUS: Categorically Exempt, Class 4 (e)

WHERE AND WHEN: A public hearing by the Planning Commission to be held on **Thursday, March 16, 2006, at 6:00 P.M.** at the City Council Chambers, Pacific Grove Civic Center, 300 Forest Avenue, Pacific Grove, California.

Dated: March 1, 2006



JON M. BIGGS
COMMUNITY DEVELOPMENT DIRECTOR

NOTE: The Planning Commission will also meet in a plan and site review session on Tuesday, March 14, 2006, at 4:00 p.m. in the Community Development Department Conference Room, 300 Forest Avenue. The limited purposes of this session are (1) to visit the site of the projects listed on this meeting's agenda and (2) to allow staff to respond to Commissioner inquiries regarding factual aspects of the applications. **THE PLAN AND SITE REVIEW IS AN OPEN MEETING. MEMBERS OF THE PUBLIC MAY ATTEND.**

Should this item be continued at the Planning Commission meeting the Chairman will announce a specific date and time to which the item is being continued. If you are not at the meeting you can find out if an item has been continued by calling the Community Development Department Secretary at (831) 648-3190.

If you have any questions about this item, please call Jon Biggs at the Community Development Department (831) 648-3190.

Any decision by the Planning Commission may be appealed to the City Council within ten days of final action. Please note that Section 65009 (b) (2) of the California Government Code provides that legal challenges to the City's action on this project may be limited to only those issues raised in testimony during the public hearing process.

The City of Pacific Grove does not discriminate against persons with disabilities. The Pacific Grove Civic Center an accessible facility. A limited number of devices are available to assist those who are hearing impaired. If you would like to use one of these devices, please contact the Community Development Department Secretary at (831) 648-3190.

This notice may be removed after: March 16, 2006.



**CITY OF PACIFIC GROVE
PLANNING COMMISSION AGENDA REPORT**

TO: PLANNING COMMISSION
FROM: COMMUNITY DEVELOPMENT DEPARTMENT
MEETING DATE: MARCH 16, 2006
ADDRESS: LIGHTHOUSE AVENUE IN THE DOWNTOWN COMMERCIAL DISTRICT NEAR
THE UNITED STATES POSTAL OFFICE
APPLICANT: PACIFIC GROVE CHAMBER OF COMMERCE

I. RECOMMENDATION

Approve the use permit application.

II. PROJECT DESCRIPTION

The Pacific Grove Chamber of Commerce proposes the operation of carnival rides in conjunction with the Good Old Days event, taking place this year on April 8th and 9th. Between four and six carnival rides are proposed and they will be set up on Lighthouse Avenue at the intersections of Park, 19th, and 18th Streets, in the vicinity of the United States Post Office. The exact location of the rides will be determined at the time of set-up to address site conditions. This use permit, if approved, is intended to run with the event so that applications in future years are not needed.

III. BACKGROUND

Amusement rides have been an element of the Pacific Grove Good Old Days event since 2003. Between 2003 and present, the rides were set-up in the parking lot at the rear of the Holman Building at 542 Lighthouse Avenue. In 2003 the Planning Commission approved a use permit for the carnival rides in this location. Circumstances prevent the rides from being set-up in this location again and the site being proposed with this application is the alternative.

IV. APPLICATION REQUEST

Use Permit Application No. 2912-06 a request to allow the operation of carnival rides in conjunction with the Good Old Days event.

VI. SUGGESTED FINDING

Staff suggests the following finding for the use permit application.

The establishment, maintenance or operation of the proposed use 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 city.

VII. RECOMMENDED CONDITIONS

Staff recommends that the following be made conditions of this use permit approval.

1. The use permit authorizing the carnival rides is valid only in conjunction with the Good Old Days event. Rides and related equipment including generators shall only be operated between the hours of 9:00 a.m. and 5:00 p.m on the days of the Good Old Days Event.
2. This project must occur and be conducted in strict compliance with the proposal as set forth in the application for use permit. Any deviation from the approved use permit must be reviewed and approved by the staff and may require additional Planning Commission approval.
3. This permit is not valid until a copy of the resolution signed by the permittee or authorized agent, acknowledging receipt of the permits and acceptance of the terms and conditions, is returned to the Community Development Department.
4. These terms and conditions shall be perpetual, and it is the intention of the Community Development Department Director and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

REVIEWED BY:



JON M. BIGGS,
COMMUNITY DEVELOPMENT DIRECTOR

March 9, 2006

CITY OF PACIFIC GROVE
APPLICATION FOR USE PERMIT
(Municipal Code Chapter 23.72.030)

Accepted for submittal by: MARILYN SCHULTZ
[CDD Staff person]

CDD Use only
USE PERMIT NO. 2912-06

FEE 525 - 125 -
01-4401

Project Location LIGHTHOUSE AVE NEAR POST OFFICE APN N/A

Lot(s) N/A Block N/A Tract N/A Lot Size N/A

Applicant Pacific Grove Chamber of Commerce

Applicant's Address 584 Central Ave (PO Box 167) Pacific Grove CA 93950

Applicant's Daytime Phone No(s). 831-323-3304

Property Owner CITY OF PACIFIC GROVE

Property Owner's Address 300 FOREST AVE, PG 93950

Property Owner's Phone No. (831) 648-3190

PROPOSED USE OR PROJECT (State in detail) – Attach additional sheets if necessary:
Carnival rides operated in conjunction with Good Old Days event (April 8-9, 2006) and placed near to U.S. Post Office between ~~Post Office~~ cafe & post office
Indicate, if applicable: Days/hours of operation, number of employees:

I, the undersigned, under penalty of perjury, depose and say that I am the applicant for this request, that the owner of the property approves this application and that all statements are true and correct.

3/2/06
Date

M. Amador
Signature of Applicant

NOTE TO APPLICANT: The filing fee and materials related to the project must accompany application. Please consult with a planner regarding submittal requirements for your project.

FOR DEPOSIT ONLY
CITY OF PACIFIC GROVE
08559-90200
CK AMT 126.00 02000028225
TRM SACT10E DATE 03/03/2006

MINUTES OF THE PACIFIC GROVE ARCHITECTURAL REVIEW BOARD

SITE REVIEW

February 28, 2006
City Manager Conference Room
Pacific Grove City Hall
300 Forest Avenue, Pacific Grove
12:00 PM

Boardmembers Present: Darlene Billstrom
Scott Hall
Ken Hinshaw
Doug Howe, Chair
Maryanne L. Spradling
Dennis Tarmina, Vice Chair

Vacancies: 1

Staff: Garcia, Nelson and Rideout

1. Public Comments

None

2. Agenda Item Presentations

Staff presented the projects on the Architectural Review Board Agenda and answered questions from Boardmembers.

3. Site Review

Boardmembers Billstrom, Hall, Hinshaw, Spradling and Tarmina visited all of the following sites. Boardmember Howe visited all sites except 421 Sinex Avenue.

- a. 837 Ocean View Boulevard
- b. 130 Ocean View Boulevard
- c. 421 Sinex Avenue

4. Adjournment

There being no further business, the meeting was adjourned out in the field at 1:20 p.m.

ARCHITECTURAL REVIEW BOARD MEETING

February 28, 2006
City Council Chambers
300 Forest Avenue, Pacific Grove
4:00 p.m.

Tape: 06-04

Boardmembers Present: Darlene Billstrom
Scott Hall
Ken Hinshaw
Doug Howe, Chair
Maryanne L. Spradling
Dennis Tarmina, Vice Chair

Vacancies: 1

Staff: Garcia and Rideout

1. APPROVAL OF MINUTES

On a motion by Howe-Tarmina, the Board voted 6-0, to approve the minutes of the February 14, 2006 Architectural Review Board meeting subject to the following corrections.

Item 11 b.

Subcommittee: Billstrom and Howe-Hinshaw

2. COMMENTS FROM THE PUBLIC

None.

3. COMMUNICATIONS

A. Distribution of Memorandum From Community Development Director Biggs re:
Activity at 1450 Sunset Drive.

B. Introduction of newly appointed Board member, Scott Hall.

1. WRITTEN CORRESPONDENCE

None.

2. CITY COUNCIL ACTIONS

Staff reported.

6. PLANNING COMMISSION ACTIONS

Staff reported

7. SUBCOMMITTEE REPORTS

a. Project Address: 1116 A Forest Avenue

Architectural Approval Application No. 3534-05 for a proposed exterior alteration (new window) in an existing commercial building. (Applicant: JR Designs Services)

Staff reported subcommittee approval of the new windows.

Subcommittee: Billstrom and Hinshaw

8. ITEMS WITHDRAWN

None

9. REQUESTS FOR CONTINUANCE

None

10. CONSENT AGENDA

None.

11. REGULAR AGENDA

a. ELECTION OF CHAIR AND VICE CHAIR

On a motion by Hinshaw-Billstrom, the Board voted 6-0 to elect Tarmina as Chair and Howe as Vice Chair, respectively.

b. Project Address: 837 Ocean View Boulevard

Architectural Approval Application No. 3518-05 to demolish and existing two-story, single-family residence with an attached garage, and construct a new two-story single-family residence with an attached garage. The property is located in an archaeologically sensitive area. (Applicant: Eddie Hurt, Architect)

Eddie Hurt, architect, presented the project.

A letter received: Gerald D. Butler, 837 Ocean View Boulevard, property owner.

Robert Drier, 833 Ocean View Boulevard, spoke of view concerns.

Peggy Jones, 853 Balboa Avenue, requested that the Board consider the proposed project in conjunction with a second project on an adjoining lot.

Billstrom and Hinshaw (with Spradling and Tarmina concurring) raised concerns that the Historic Resources Committee should be given an opportunity to consider whether or not the existing building should be included on the historic resources inventory.

Howe was concerned with fairness to the applicant. With respect to the proposed project, he stated concerns with the "blank" rear wall and hip roof placement.

Hall stated that the proposed massing is complementary to the existing house, which has many features that appear patched together. He also noted some concern with the rear wall.

Spradling was concerned with the lack of windows on the rear wall and that the window scheme on the front elevation creates a perception of imbalance.

The Chair stated that the concerns regarding potential eligibility (for the historic resources inventory) should be resolved before continuing with the review process.

On a motion by Howe-Billstrom, the Board voted 4-2, with Hall and Howe voting no, to continue the item to the March 14, 2006 Architectural Review Board meeting to allow the applicant and staff an opportunity to respond to Boardmembers concerns.

c. Project Address: 421 Sinex Avenue

Architectural Approval Application No. 3538-06 for a proposed first and second story addition to a one-story single-family dwelling. (Applicant: Paul F. McEnroe)

Paul F. McEnroe, contractor, presented the project.

All of the Boardmembers requested that the applicant provide additional details on the elevations.

On a motion by Billstrom-Hinshaw, the Board voted 6-0 to continue the item to the March 14, 2006 Architectural Review Board meeting.

d. Project Address: *130 Ocean View Boulevard (Hopkins Marine Station-Agassiz Building)

Amend Tree Permit No. CDD 57774 to amend an approved tree permit to allow removal of 3 additional trees including 1 Metrosideros (New Zealand Christmas tree), and 2 Pittosporum trees; 5 Pittosporum trees were previously approved for removal. The trees are proposed for removal as part of a project to remodel and existing education building. The property is listed on the City's Historic Resources Inventory. (Applicant: Flesher + Foster Architects)

Judy Thompson, representing Hopkins Marine Station, presented the application.

All the Boardmembers agreed that Monterey cypress trees are more appropriate than the non-native trees proposed for removal.

On a motion by Hall-Billstrom, the Board voted 6-0 to approve the amended tree permit based on the standard findings for approval of a tree permit application and subject to the minimum required replacement planting ration of 2:1, and subject to placing an additional replacement tree in front of the building.

12. REPORTS OF BOARDMEMBERS

Staff provided brief clarification of pre-application review process.

13. ADJOURNMENT

There being no further business, the meeting was adjourned at 5:10 p.m.

**SALLY RIDEOUT
ACTING SECRETARY**

*Building identified on the Pacific Grove Historic Resources Inventory.

STANDARD FINDING FOR APPROVAL OF AN ARCHITECTURAL APPROVAL APPLICATION

The architecture and general appearance of the building(s) will be in keeping with the neighborhood and the completed project will not be detrimental to the orderly and harmonious development of the City nor impair the desirability of investment or occupation in the neighborhood.

FINDING FOR THE APPROVAL OF TREE REMOVAL PERMIT APPLICATION

The tree(s) are in poor health which cannot be remedied by reasonable forestry practices and also, due to their location respect to with respect to topography and required setbacks, prevent reasonable development of permitted uses.



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: PLANNING COMMISSION
FROM: Community Development Director Jon Biggs
MEETING DATE: March 16, 2006
SUBJECT: 2005 AFFORDABLE HOUSING MONITORING PROGRAM REPORT

RECOMMENDATION:

Receive report.

DISCUSSION:

Each year the Housing Division of the Community Development Department conducts monitoring of properties that have received discretionary approvals for projects involving the creation of a secondary housing unit or affordable housing unit. The purpose of the monitoring is to verify the terms and conditions related to the housing units created. Attached is the final report. The Housing Committee discussed this report at its February 9, 2006 regular meeting.

ATTACHMENTS:

- 2005 Affordable Housing Monitoring Program Report

RESPECTFULLY SUBMITTED:

A handwritten signature in black ink, appearing to read "Jon M. Biggs".

Jon M. Biggs
COMMUNITY DEVELOPMENT DIRECTOR

2005 AFFORDABLE HOUSING MONITORING PROGRAM REPORT

Each year the Housing Division of the Pacific Grove Community Development Department monitors approximately 70 housing units to obtain verification of discretionary permit occupancy requirements. These units are categorized in the following three groups:

- 1 - properties with approved Second Housing Units,
- 2 - properties with approved Affordable Units, and
- 3 - properties registered with the Illegal Housing Unit Registration Program

The following information provides a description of the monitoring procedures and the results of each.

1 - PROPERTIES WITH APPROVED SECOND HOUSING UNITS

Background/Purpose. The purpose of monitoring properties with Second Units (often referred to as granny units) is to determine:

- (A) Compliance with the requirement that the property owner reside in either the main residence or the second unit, and
- (B) Compliance with any additional occupancy requirements that were conditions of approval.

While the requirement that a property owner reside on the property has always been and remains a condition of approval, the additional occupancy requirements vary significantly depending on when approval was granted. For purposes of this report the additional occupancy requirements have been categorized in three groups.

Group 1 - Units approved between May 1983 and August 4, 1992. These units have no additional occupancy requirements. In other words, a property owner must live on the property, but the unit not being occupied by an owner has no occupancy restrictions.

Group 2 - Units approved between August 5, 1992 and June 30 2003. Similar to Group 1, an owner must live on the property. However, occupancy of the unit not occupied by an owner shall meet at least one of the following criteria:

- a. One occupant shall be at least 60 years of age; or
- b. Occupant(s) shall qualify as lower or very low-income persons. Rent charges shall not exceed 30% of low or very low income levels as determined annually by HUD; or
- c. One occupant shall fall into one of the following disability categories: visual impairment, hearing impairment, mobility impairment, developmentally disabled; or
- d. No rent or other consideration is asked, required or paid as a condition of occupancy.

Group 3 - Units approved from July 1, 2003 to present. Again, similar to the other two groups, an owner must live on the property. The occupancy of the unit not occupied by an owner shall meet at least one of the following criteria:

- a. Occupant(s) shall qualify as no greater than a median income household

- according to HUD income level guidelines. Rent charges shall not exceed 30% of median or below median income levels as determined annually by HUD.
- b. No rent or other consideration is asked, required or paid as a condition of occupancy.

Procedure. The monitoring program was carried out by sending a cover letter and verification form to each property owner (as verified by the County Assessor's office). Property owners are required to certify (by signature) that they reside on the property. Groups 2 and 3 are required to provide information applicable to the additional occupancy requirements.

Fees. No monitoring fees are collected from the property owners.

Results. As shown in Table 1, there are a total of 57 approved Second Units. Group 1 includes 39 approved units; Group 2 includes 11 units; and Group 3 includes 7 units.

Of the 57 approved units, 52 property owners certified that a property owner resides on the property. There are 5 properties that do not meet the on-site residency requirement. One obtained a temporary exception to the residency requirement, which has expired, and the matter has been turned over to the City Attorney. Four of the projects are still under construction and are not yet required to meet the on-site residency requirement.

As mentioned earlier for Groups 2 and 3, a total of 18 property owners, were required to provide information about the occupants that rent the unit not occupied by an owner. Of the 18 properties, 14 provided information regarding the additional occupancy requirements, and 4 indicated that they had not completed construction of their projects. Of the 14 completed projects, 7 provide housing to moderate-income, low-income, senior and or disabled tenants. Two (2) properties were overcharging their tenants and quickly remedied the situation. The remaining 7 indicated that they either occupied both units or that they charge no rent to the occupant(s) of the unit.

Table 1 - Second Units 2005

Type of Occupancy Requirements	Group 1	Group 2	Group 3	Total
Number of Approved Second Units	39	11	7	57
Still Under Construction-Occupancy Requirements N/A at this time	0	0	4	4
Owner Meets On Site Residency Occupancy Requirements	38	11	3	52
Not in Compliance with On Site Residency Occupancy Requirements	1	0	0	1
Non-owner Occupied Unit in Compliance with Additional Occupancy Requirements.	N/A	9	3	12
Non-owner Occupied Unit Compliance Issues Corrected.	N/A	2	0	2

2 - PROPERTIES WITH AFFORDABLE UNITS

Background/Purpose. There are 6 properties throughout the City that have obtained various approvals that resulted in the creation of 13 affordable housing units. The 13 units consist of 6 studio units, 5 one-bedroom units, and 2 two-bedroom units. The purpose of monitoring these properties is to determine compliance with:

- (A) Annual rent increase limits, and
- (B) Income eligibility requirements of the tenants.

Procedure. Each property received a verification form(s), 2005 HUD income limits, and a copy of their use permit (or equivalent documentation describing terms and conditions of approval). The verification forms are slightly different for each property but basically request that the owner certify (by signature) that the tenant income level is appropriate for the unit and that rent increases have been limited to once annually and do not exceed the limits as specified in their respective use permits. Property owners/managers must also submit proof of tenant income (income tax returns, paycheck stubs, etc.). They are also required to list the name of the tenant, the tenant's mailing address, the number of people occupying the unit, the size of the unit and the current rent being charged. Note: One of the two-bedroom units is owned and managed by the City, thus a slightly different monitoring procedure is followed.

Fees. A condition of several of the use permit approvals requires that the City collect monitoring fees. The fees help defray the cost of the staff time required to conduct the annual monitoring as well as the certification of each new tenant as a unit becomes available. The 2005 monitoring fees totaled \$950 and have been credited to the Housing Program Fund.

Results. As shown in Table 2, these six properties provide the 13 units which house 15 citizens all of whom meet the required income eligibility limits. Additionally, all rents were reported to be within the appropriate ranges and have been increased only one time in a twelve-month period. The average rents for these units are \$727 per month for a studio unit, and \$811 for a one-bedroom unit. One additional observation was that while the majority of the units were originally set aside to serve households at the Lower Income level (80% of the County median income), of the monitoring indicates that the majority of the units are being rented to Very Low (50% of median income) and Extremely Low (30% of median income) income households.

Table 2 - Affordable Units 2005

	Type of Unit	Income Level Served/Actual Gross Monthly Household Income	Current Rent/Month	Household size
1	Studio	Lower Income/\$786	715	1
2	Studio	Lower Income/\$923	700	1
3	Studio	Lower Income/\$1361	700	1
4	Studio	Lower Income/\$1154	724	1
5	Studio	Lower Income/\$1004	795*	1
6	2 BR	Lower Income/\$2279	1195*	3
7	Studio	Lower Income or Senior Owner	N/A	1
8	1 BR	Very Low Income/\$708	531	1
9	1 BR	Moderate Income/\$1943	875	1
10	1 BR	Moderate Income/\$3123	875	1
11	1 BR	Lower Income/\$2150	875	1
12	1 BR	Lower Income/\$1152	903**	1
13	2 BR	Lower Income/\$620	550	1

15

*Section 8 tenants pays approx. 46% of the rent.

**Includes Utilities.

3 - ILLEGAL HOUSING UNIT REGISTRATION PROGRAM

Background/Purpose. The City Council established a two-year period beginning May 1, 2004 and ending April 30, 2006 for property owners to register illegal units as affordable housing units, based on the density bonus concept, which allows extra units in exchange for guaranteed affordability. Five (5)

property owners have applied to register their units. Two (2) have successfully completed the process and are providing affordable housing for very low-income tenants, (50% of the County median, i.e. a 1 person household's gross annual income cannot exceed \$21,300). Since both units were approved in the later part of 2005, monitoring for this program will officially begin in 2006. The purpose of monitoring these properties will be to determine compliance with:

- (A) Annual rent increase limits, and
- (B) Continued income eligibility requirements of the tenants.

Procedure. It is anticipated that the procedure used to monitor these units will be identical to the procedure used to monitor Properties with Affordable Units (above).

Fees. A \$100 monitoring fee will be collected for each registered unit.

This concludes the 2005 Monitoring Programs Report.

Date: January 31, 2006