

JON M. BIGGS
COMMUNITY DEVELOPMENT DIRECTOR



BUILDING INSPECTION
(831) 648-3183
HOUSING PROGRAMS
(831) 648-3190
PLANNING / ZONING
(831) 648-3190

CITY OF PACIFIC GROVE COMMUNITY DEVELOPMENT DEPARTMENT

300 FOREST AVENUE
PACIFIC GROVE, CALIFORNIA 93950
TELEPHONE (831) 648-3190
FAX (831) 648-3184

Distribution-Planning Commission Packet/Agenda:

- CDD Director re PC meeting of 4/6/06
 PC Members Planners
 Library CDD Public Info Binder
 Owner Applicant Appellant

Name: _____

CITY OF PACIFIC GROVE PLANNING COMMISSION

AGENDA

April 6, 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, April 4, 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 March 14, 2006;
- Minutes of the regular meeting of March 16, 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 ITEMS TO BE CONTINUED OR WITHDRAWN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

6. REGULAR AGENDA

6.A 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 retain the detached bedroom and bathroom. (Staff: Barbara Nelson)

(Continued from 3/2/06)

6.B A public hearing to consider **DRAFT ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE AMENDING MUNICIPAL CODE SECTION 23.64.290, LIQUOR SALE PROVISIONS, TO ALLOW THE SAMPLING OF WINE IN CONJUNCTION WITH THE RETAIL SALE OF WINE AND ALLOW FOR THE ON-SITE CONSUMPTION OF ALCOHOLIC BEVERAGES WITHOUT THE SERVICE OF FOOD IN THE V-C (VISITOR-COMMERCIAL) ZONE DISTRICT** (Staff: Jon Biggs)

6.C A public hearing to consider Use Permit Application No. 2909-06

PROJECT ADDRESS: 2100 Sunset Drive

APPLICANT: City of Pacific Grove Public Works Department

PROJECT DESCRIPTION: Set an accessory building stored at the corporation yard on a proposed foundation in a new location on the site. (Staff: Barbara Nelson)

6.D A public hearing to consider Use Permit Application No. 2911-06

PROJECT ADDRESS: 1202 Patterson Lane

APPLICANT: Thomas and Louise Christian

PROJECT DESCRIPTION: Construct an addition to a single-family residence to enlarge an existing one-car attached garage to create a two-car attached garage. The proposed addition follows existing nonconforming building lines and encroaches into the required rear yard setback and has less than the minimum required distance between the garage door opening and the front property line. The project also includes a fence that exceeds the maximum permitted height in a portion of the front yard. (Staff: Barbara Nelson)

- 6.E** A public hearing to consider Amendment to Use Permit No. 2904-06
PROJECT ADDRESS: **125 Ocean View Boulevard, Space 304 (American Tin Cannery)**
APPLICANT: David Stamm
PROJECT DESCRIPTION: Increase the number of arcade games in an approved miniature golf facility in an existing commercial building. (Staff: Barbara Nelson)
- 6.F** A public hearing to consider Amendment to Permit No. 2859-05
PROJECT ADDRESS: **801 Spruce Avenue**
APPLICANT: Terry Wilson, Architect
PROJECT DESCRIPTION: Allow the demolition and reconstruction of a one-car garage that has nonconforming setbacks on a site having fewer off-street parking spaces than required. (Staff: Sheree Garcia)
- 6.G** A public hearing to consider Variance Application No. 06-1698
PROJECT ADDRESS: **585 Ocean View Avenue**
APPLICANT: Anthony Zavitsanos, Designer
PROJECT DESCRIPTION: Proposed construction within required side and rear yard setbacks for a new covered trash enclosure for an existing apartment complex. (Staff: Sally Rideout)

7. CITY COUNCIL ACTIONS

8. ARCHITECTURAL REVIEW BOARD ACTIONS

- Receive the Minutes of the March 14, 2006 site review meeting of the Architectural Review Board.
- Receive the Minutes of the March 14, 2006 regular meeting of the Architectural Review Board.
- Receive the Minutes of the March 28, 2006 site review meeting of the Architectural Review Board.
- Receive the Minutes of the March 28, 2006 regular meeting of the Architectural Review Board.

9. HISTORIC RESOURCES COMMITTEE ACTIONS

- Receive the Minutes of the March 8, 2006 site review meeting of the Historic Resources Committee.
- Receive the Minutes of the March 8, 2006 regular meeting of the Historic Resources Committee.

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 agendize a matter of business on a future agenda (G.C. 54954.2).

13. REPORTS OF COMMUNITY DEVELOPMENT DIRECTOR

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.

VI. EFFECTIVE DATE OF ENTITLEMENT

PLEASE NOTE THAT YOUR USE PERMIT/VARIANCE DOES NOT BECOME EFFECTIVE AND ***THEREFORE*** NEITHER A BUILDING PERMIT NOR OCCUPANCY CERTIFICATE MAY BE ISSUED UNTIL THE RESOLUTION GRANTING THE USE PERMIT/VARIANCE HAS BEEN SIGNED BY THE APPLICANT AND PROPERTY OWNER. THIS RESOLUTION WILL BE MAILED TO THE APPLICANT FOLLOWING THE PLANNING COMMISSION ACTION.

CITY OF PACIFIC GROVE
PLANNING COMMISSION

SITE REVIEW MINUTES

March 14, 2006

4:00 p.m.

Community Development Department Conference Room

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

Commissioners Absent: Eric Miller

Vacancies: One

Staff: Jon Biggs, Barbara Nelson

Staff presented the following projects:

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)

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)

The following sites were visited by the named Commissioners (staff in attendance are noted in parentheses).

1120 Miles Avenue: Linda Bailey, Bob Davis, Dan Miller, Gary Sprader (Biggs, Nelson)

There being no further business, the Commissioners adjourned at 4:45 p.m. at the site.

Jon Biggs, Secretary

CITY OF PACIFIC GROVE
PLANNING COMMISSION

MINUTES

March 16, 2006
Tape 06-06
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

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

**Minutes
Approved**

- Minutes of the site review meeting of February 28, 2006;
- Minutes of the regular meeting of March 2, 2006.

3. COMMENTS FROM THE PUBLIC

None.

**Public
Comment**

4. REQUESTS FOR CONTINUANCE OR WITHDRAWAL

None.

**Continuances/
Withdrawals**

**COMMISSIONER SPRADER PULLED ITEM 5.A. AND IT WAS MOVED
TO THE REGULAR AGENDA.**

5. CONSENT AGENDA

5.A. (See regular agenda below)

**Consent
Agenda**

**COMMISSIONER RIDDELL STEPPED DOWN ON ITEM 5.A AND LEFT
THE ROOM DUE TO A FINANCIAL CONFLICT OF INTEREST.**

6. **REGULAR AGENDA**

- 5.A A public hearing to consider Use Permit Application No. 2906-06 **UP 2906-06**
PROJECT ADDRESS: **1120 Miles Avenue** *approved*
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)

Barbara Nelson, Senior Planner, presented the staff report.

The Chairman opened the public hearing.

Correspondence Received:

- Letter dated 1/11/06 from Will and Debbie Crandell, in support.
- Letter dated 1/13/06 from Charlie and Edye Marvin, in support.

Speakers:

- George Ash, architect, presented the project.

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

On a motion by Linda Bailey-Dan Miller, the Commission voted 4-1 (Gary Sprader voted no) to **approve Use Permit No. 2906-06** based on the findings contained in the staff report prepared for the meeting of March 16, 2006, and contingent upon a subcommittee approval of the conditions of approval contained in the staff report. (Subcommittee: Linda Bailey and Dan Miller)

COMMISSIONER RIDDELL RETURNED TO HIS SEAT.

COMMISSIONER DAN MILLER STEPPED DOWN ON ITEM 6.A AND LEFT THE ROOM DUE TO A FINANCIAL CONFLICT OF INTEREST.

- 6.A A public hearing to consider Use Permit Application No. 2912-06 **Up 2912-06**
PROJECT ADDRESS: **Lighthouse Avenue in the Downtown** *approved*
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: Jon Biggs)

Director Biggs presented the staff report.

The Chairman opened the public hearing.

Speakers:

- Moe Ammar, on behalf of applicant, the Pacific Grove Chamber of Commerce, gave an overview of the proposed use.
- John Miller, the City's Director of Recreation, answered questions posed by the Commissioners.

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

On a motion by Linda Bailey-Craig Riddell, the Commission voted 5-0 to **approve Use Permit No. 2912-06** based on the findings and subject to the terms and conditions contained in the staff report prepared for the meeting of March 16, 2006, including the following new condition of approval:

"If there are complaints about the carnival rides, then the use permit will be scheduled for review by the Planning Commission."

COMMISSIONER DAN MILLER RETURNED TO HIS SEAT.

7. CITY COUNCIL ACTIONS

Director Biggs reported.

City
Council

8. ARCHITECTURAL REVIEW BOARD ACTIONS

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

ARB

9. HISTORIC RESOURCES COMMITTEE ACTIONS

None.

HRC

10. CORRESPONDENCE

None.

Corres-
pondence

11. COMMITTEE REPORTS

**Committee
Reports**

- Craig Riddell reported on the progress of the committee reviewing Council's assignment to the Planning Commission regarding expiration of permits and appeal, and call-up procedures.
- Eric Miller reported on the progress of the subcommittee on posting, noticing, staking and netting procedures.

12. REPORTS OF COMMISSIONERS

**Commissioner
Reports**

- Dan Miller spoke concerning a lot line adjustment on Monterey Avenue.
- Linda Bailey spoke regarding nominations for the upcoming Design Awards sponsored by the Pacific Grove Heritage Society. (Deadline is April 7, 2006 for this year's awards)
- Craig Riddell spoke regarding another Heritage Society Event -- "Heritage House for the Birds," as well as the Economics of Preservation form to be held in Monterey on April 19th.

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 7:10 p.m.

Jon M. Biggs, Secretary