

**CITY OF PACIFIC GROVE  
PLANNING COMMISSION**

**SITE REVIEW MINUTES**

May 16, 2006

4:00 p.m.

Community Development Department Conference Room

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

Commissioners Absent: Eric Miller

Vacancies: None

Staff: Jon Biggs, Sheree Garcia, Sally Rideout

Staff presented the following projects:

**927 Syida Drive**                    APPLICANTS: James and Victoria Courtney, owners  
PROJECT DESCRIPTION: The Planning Commission has called up the Architectural Review Board's final approval of proposed first and second-story additions to a one-story single-family dwelling. (Staff: Garcia)

**1258 Shell Avenue**                APPLICANT: Adrian Lopez, Designer  
PROJECT DESCRIPTION: The Planning Commission has called up the Architectural Review Board's final approval of proposed first and second-story additions to a two-story single-family dwelling. (Staff: Rideout)

**802 Mermaid Avenue**            APPLICANT: Joseph Rock, Architect  
PROJECT DESCRIPTION: Proposed demolition of an existing nonconforming duplex and reconstruction of a single-family dwelling on a substandard-sized building site that is located in an archaeologically sensitive area. (Staff: Sally Rideout)

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

**927 Syida Drive:**                MacDonald, Dan Miller, Riddell, Sprader (Biggs, Garcia)  
**802 Mermaid Ave.:**            MacDonald, Dan Miller, Riddell, Sprader (Biggs, Rideout)  
**1258 Shell Avenue:**            MacDonald, Dan Miller, Riddell, Sprader (Biggs, Rideout)

There being no further business, the Commissioners adjourned at 5:10 p.m. at the last site visited.

Jon Biggs, Secretary

CITY OF PACIFIC GROVE  
PLANNING COMMISSION

MINUTES

May 18, 2006  
Tape 06-10  
6:00 p.m.  
Council Chambers, Pacific Grove City Hall

1. **ROLL CALL** **Roll Call**  
  
Present: Linda Bailey, Bob Davis (Chair), Steven MacDonald,  
Dan Miller, Eric Miller, Craig Riddell, Gary Sprader  
  
Absent: None  
  
Staff: Jon Biggs, Sally Rideout
  
2. **MINUTES** **Minutes**  
  
On a motion by Linda Bailey-Craig Riddell, the Commission voted 6-0  
(Dan Miller abstained) to **approve the following minutes:** **Approved**
  - Minutes of the site review meeting of May 2, 2006;
  - Minutes of the regular meeting of May 4, 2006.
  
3. **COMMENTS FROM THE PUBLIC** **Public**  
  
None **Comment**
  
4. **ELECTION OF OFFICERS** **Election**  
  
A motion by Linda Bailey to nominate and elect Craig Riddell as chair **of Officers**  
passed on a vote of 7-0.  
  
A motion by Linda Bailey to nominate and elect Eric Miller as vice-chair  
passed on a vote of 7-0.  
  
Dan Miller and Eric Miller both thanked Bob Davis for his service as chair.
  
5. **REQUESTS FOR CONTINUANCE OR WITHDRAWAL** **Continuances/**  
  
None. **Withdrawals**
  
6. **CONSENT AGENDA** **Consent**  
  
None. **Agenda**

**7. REGULAR AGENDA**

- 7.A** A public hearing to consider the Planning Commission's call-up of Architectural Approval No. 3550-06 (Final Approval) **AA 3550-06 (Final) approved**  
**PROJECT ADDRESS: 927 Syida Drive**  
APPLICANT: James and Victoria Courtney, owners  
PROJECT DESCRIPTION: The Planning Commission has called up the Architectural Review Board's final approval of proposed first and second-story additions to a one-story single-family dwelling. (Staff: Garcia)

Associate Planner Rideout presented the staff report.

The Chairman opened the public hearing.

Speakers:

- Dennis Tarmina, chair of the Architectural Review Board, provided some information on the action of the Board and made himself available to answer questions.

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

On a motion by Eric Miller-Linda Bailey, the Commission voted 7-0 to **approve Architectural Approval Application No. 3550-06 (Final Approval)** based on the standard finding for architectural approval:

The architecture and general appearance of the building 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.

and subject to the following terms and conditions:

Conditions of Approval:

1. The plate height shall be lowered on the second story element above the garage, subject to subcommittee approval of the change. (Subcommittee: Linda Bailey and Eric Miller)
2. This approval shall be null and void if a building permit has not been applied for within one year from the date of approval. Application for extension of this approval must be made prior to the expiration date.

3. All construction must occur in strict compliance with the proposal as set forth in the application(s) for permits, subject to any special conditions. Any deviation from the approved plans must be reviewed and approved by the staff and may require Architectural Review Board approval.
4. The terms and conditions shall be perpetual, and it is the intention of the Architectural Review Board and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.
5. Review by the Public Works Department is required prior to issuance of the building permit. The applicant shall obtain an encroachment permit from the Public Works Department before undertaking any work in the Public way, and prior to issuance of the building permit.

**COMMISSIONER DAVIS STEPPED DOWN AND LEFT THE ROOM PRIOR TO ITEM 7B BECAUSE HE OWNS PROPERTY WITHIN 500 FEET OF THE PROJECT.**

**COMMISSIONER BAILEY STEPPED DOWN AND LEFT THE ROOM PRIOR TO ITEM 7B BECAUSE SHE VOTED ON THE PROJECT WHEN SHE WAS A MEMBER OF THE ARCHITECTURAL REVIEW BOARD AND STATED THAT SHE COULD NOT GIVE AN UNBIASED REVIEW OF THE PROJECT.**

- 7.B** A public hearing to consider the Planning Commission's call-up of Architectural Approval No. 3559-06 (Final Approval) **AA 3559-06**  
PROJECT ADDRESS: **1258 Shell Avenue** **(Final)**  
APPLICANT: Adrian Lopez, Designer **approved**  
PROJECT DESCRIPTION: The Planning Commission has called up the Architectural Review Board's final approval of proposed first and second-story additions to a two-story single-family dwelling.  
(Staff: Rideout)

Associate Planner Rideout presented the staff report.

The Chairman opened the public hearing.

Correspondence Received:

- Letter from Ronny Haraldsvik, property owner, in support, with petition of support dated 5/9/06 through 5/17/06 from the following neighbors:
  - Laura Banks, 1270 Shell Avenue
  - Earl Viau, 25 Asilomar Avenue
  - Bill & Shu-Tin Sterlin, 1273 Surf Avenue

- Shelly and Joe Glennon, 1269 Surf Avenue
- M.A. Morgan, 1265 Surf Avenue
- Gaudette, 1265 Shell Avenue
- Darryl Zimmerman, 1264 Shell Avenue
- Charles Williams, 1251 Shell Avenue
- Ray E. Cotham, Jr., 1252 Shell Avenue
- Lance Wright, 1257 Surf Avenue
- Janet M. Parks, 1269 Shell Avenue
- Susan Pierszalowski, 1257 Shell Avenue
- Shailyn R. Payne, 1247 Shell Avenue
- Herbert W. Allen, 1255 Shell Avenue
- Teri A. Cotham, 1252 Shell Avenue

Speakers:

- Ronny Haraldsvik, property owner, presented information concerning the project.
- Adrian Lopez, designer, presented additional information.
- Dennis Tarmina, chair of the Architectural Review Board, provided some information on the action of the Board and made himself available to answer questions.

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

On a motion by Eric Miller-Steven MacDonald, the Commission voted 4-1 (Gary Sprader voted no) to **approve Architectural Approval Application No. 3559-06 (Final Approval)** based on the standard finding for architectural approval:

The architecture and general appearance of the building 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.

and subject to the following terms and conditions:

Conditions of Approval:

1. The following changes shall be made and subject to subcommittee approval of the changes. (Subcommittee: Eric Miller and Steven MacDonald):
  - (a) Front porch and entry transition/gable;
  - (b) Make gable of second story of front elevation more symmetrical.

2. This approval shall be null and void if a building permit has not been applied for within one year from the date of approval. Application for extension of this approval must be made prior to the expiration date.
3. All construction must occur in strict compliance with the proposal as set forth in the application(s) for permits, subject to any special conditions. Any deviation from the approved plans must be reviewed and approved by the staff and may require Architectural Review Board approval.
4. The terms and conditions shall be perpetual, and it is the intention of the Architectural Review Board and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.
5. Review by the Public Works Department is required prior to issuance of the building permit. The applicant shall obtain an encroachment permit from the Public Works Department before undertaking any work in the Public way, and prior to issuance of the building permit.

**COMMISSIONERS BAILEY AND DAVIS RETURNED TO THEIR SEATS.**

- 7.C A continued public hearing to consider (1) Proposed Mitigated Negative Declaration and Mitigation Monitoring Program; (2) Use Permit Application No. 2884-05  
PROJECT ADDRESS: **802 Mermaid Avenue**  
APPLICANT: Joseph Rock, Architect  
PROJECT DESCRIPTION: Proposed demolition of an existing nonconforming duplex and reconstruction of a single-family dwelling on a substandard-sized building site that is located in an archaeologically sensitive area. (Staff: Sally Rideout) [Continued from May 4, 2006]

**Adopt  
Proposed  
Mitigated  
Neg. Dec.  
w/Mitigation  
Monitoring  
Program;  
UP 2884-05  
approved**

Associate Planner Sally Rideout presented the staff report.

The Chairman opened the public hearing.

Correspondence Received:

- Letter dated May 2, 2006 from architect Joseph Rock requesting continuance of the project from May 4, 2006 to May 18, 2006.
- Memo dated May 10, 2006 from Associate Planner Sally Rideout citing revisions to the project since May 4, 2006.

Speakers:

- Joseph Rock, Architect, presented the project.

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

On a motion by Linda Bailey-Eric Miller, the Commission voted 7-0 to **adopt the proposed Mitigated Negative Declaration and Mitigation Monitoring Program** subject to compliance with the required Mitigation Measures listed in the Initial Study and Mitigation Monitoring Program, as stated in the staff report for the Planning Commission meeting of May 18, 2006.

On a motion by Bob Davis-Linda Bailey, the Commission voted 7-0 to **approve Use Permit Application No. 2884-05** based on the findings and subject to the terms and conditions contained in the staff report prepared for the meeting of May 18, 2006.

**8. CITY COUNCIL ACTIONS**

- Director Biggs reported .

City  
Council

**9. ARCHITECTURAL REVIEW BOARD ACTIONS**

- Received the Minutes of the May 9, 2006 site review meeting of the Architectural Review Board.
- Received the Minutes of the May 9, 2006 regular meeting of the Architectural Review Board.

ARB

**9. HISTORIC RESOURCES COMMITTEE ACTIONS**

None.

HRC

**10. CORRESPONDENCE**

None.

Corres-  
pondence

**11. COMMITTEE REPORTS**

Subcommittee members gave a brief update on the status of their committee work.

Committee  
Reports

**12. REPORTS OF COMMISSIONERS**

Commissioners reported.

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 8:45 p.m.

Jon M. Biggs, Secretary

**JUDICIAL TIME LIMITS:** This serves as written notice that Pacific Grove Municipal Code Section 1.20.010 incorporates Section 1094.6 of the Code of Civil Procedure of the State of California and provides a **ninety-day limitation for judicial review** of any final administrative decision by the council, or any board, commissioner, or officer of the city.