

CITY OF PACIFIC GROVE
PLANNING COMMISSION

SITE REVIEW MINUTES

July 18, 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: None.

Staff: Sheree Garcia, Barbara Nelson

Staff presented the following projects:

**494/496 Grove Acre
Avenue**

APPLICANT: Liza and Robert Vaughan

PROJECT DESCRIPTION: Proposed amendment to an approved use permit to eliminate a required condition of approval for a secondary housing unit. The condition requires the property owners of the site to occupy as their "principal place of residence," either the secondary housing unit or the primary unit on the subject site. (Staff: Sally Rideout)

1247 Surf Avenue
*(Bob Davis left the
room for this item only
because he owns property
within 500 feet of the
project)*

APPLICANT: Richard and Sandra Grimmer

PROJECT DESCRIPTION: Remodel and construct additions totaling more than 120 square feet on a site that does not have the required number of off-street parking spaces. The property is located in an archaeologically sensitive area. (Staff: Barbara Nelson)

420 Evergreen Road

APPLICANT: Anthony Giammanco

PROJECT DESCRIPTION: A request to demolish and reconstruct more than 25% of a nonconforming single-family residence and construct a first floor addition that follows the existing nonconforming building line that encroaches into the required north side yard setback and has an eave that project closer than 3' to the north side property line. The property has less than the required number of off-street covered parking spaces. The project also includes removal of one tree. (Staff: Barbara Nelson)

1109 Lincoln Avenue

APPLICANT: Roman Kristl, Contractor

PROJECT DESCRIPTION: Allow additions of more than 120 square feet to a single-family residence that has fewer than the required two off-street parking spaces. The proposed project increases the roof pitch on the first floor, which encroaches into the required side yard setback. (Staff: Sheree Garcia) [Continued from June 22, 2006]

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

420 Evergreen Road: MacDonald, Dan Miller, Eric Miller, Riddell, Sprader (Garcia, Nelson)
1247 Surf Ave: MacDonald, Dan Miller, Eric Miller, Riddell, Sprader (Garcia, Nelson)

There being no further business, the Commissioners adjourned at 4:50 p.m. at the site visited.

Jon Biggs, Secretary

CITY OF PACIFIC GROVE
PLANNING COMMISSION

MINUTES

July 20, 2006
Tape 06-14
6:00 p.m.
Council Chambers, Pacific Grove City Hall

1. **ROLL CALL**

Roll Call

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

Absent: None

Staff: Jon Biggs, Barbara Nelson, Sally Rideout

2. **MINUTES**

On a motion by Linda Bailey-Gary Sprader, the Commission voted 7-0 to **approve the following minutes:**

Minutes
Approved
with
corrections

- Minutes of the special site review meeting of July 6, 2006;
- Minutes of the regular meeting of July 6, 2006.

3. **COMMENTS FROM THE PUBLIC**

Maryanne Spradling requested full disclosure of all deed restrictions to the public and hearing bodies prior to any public hearing on a project. Requested this matter be agendaized for future discussion.

Public
Comment

4. **REQUESTS FOR CONTINUANCE OR WITHDRAWAL**

On a motion by Gary Sprader-Dan Miller (Eric Miller abstained because his architectural firm is the applicant), the Commission voted 6-0 to **continue item 4.A to the regular meeting of August 3, 2006** for the reason stated below.

Requests for
continuance
or Withdrawal

4.A A continued public hearing to consider Proposed Mitigated Negative Declaration and Mitigation Monitoring Program, Use Permit Application No. 2830-04 and Tree Removal Permit Application No. CDD 5351

Proposed
Mit. Neg. Dec.;
UP 2830-04;
Tree Removal
Permit
CDD 5351
Continued
To 8/3/06

PROJECT ADDRESS: **1400 Pico Avenue**

APPLICANT: Eric Miller Architects; Ines Barcan, Project Principal

PROJECT DESCRIPTION: Construction of a new single-family dwelling, including detached living space remote from the main residence, on a site that is located in an environmentally sensitive area of the coastal zone. The proposed project includes the removal

of 9 dead or dying Monterey pine trees, 1 willow tree, and 4 Monterey cypress trees from the site. (Staff: Sally Rideout)
[Continued from June 8, 2006 and July 6, 2006]

REASON FOR CONTINUANCE: **Applicant has requested continuance to the regular meeting of August 3, 2006** to allow additional time to address issues raised at the hearing of July 6, 2006.

5. CONSENT AGENDA

COMMISSIONER DAVIS STEPPED DOWN PRIOR TO THE VOTE ON THE CONSENT AGENDA DUE TO A FINANCIAL CONFLICT OF INTEREST AS HE OWNS PROPERTY WITHIN 500 FEET OF THE PROJECT.

On a motion by Linda Bailey-Steven MacDonald, the Commission voted 6-0 (Bob Davis abstained) to **approve the consent agenda** based on the findings and subject to the terms and conditions contained in the staff report prepared for presentation at the meeting of June 22, 2006.

**Consent
Agenda
approved**

5.A A public hearing to consider Use Permit Application No. 2925-06
PROJECT ADDRESS: **1247 Surf Avenue**
APPLICANT: Richard and Sandra Grimmer
PROJECT DESCRIPTION: Remodel and construct additions totaling more than 120 square feet on a site that does not have the required number of off-street parking spaces. The property is located in an archaeologically sensitive area. (Staff: Barbara Nelson)

**UP 2925-06
approved
on consent**

COMMISSIONER DAVIS RETURNED TO HIS SEAT.

6. REGULAR AGENDA

6.A A continued public hearing to consider Use Permit Application No. 2917-06
PROJECT ADDRESS: **1109 Lincoln Avenue**
APPLICANT: Roman Kristl, Contractor
PROJECT DESCRIPTION: Allow additions of more than 120 square feet to a single-family residence that has fewer than the required two off-street parking spaces. The proposed project increases the roof pitch on the first floor, which encroaches into the required side yard setback. (Staff: Sheree Garcia) [Continued from June 22, 2006]

**UP 2917-06
approved**

Associate Planner Sally Rideout presented new information about the project since the last hearing.

The Chairman re-opened the public hearing.

Correspondence Received Since Last Hearing on June 22, 2006:

- Memo dated 7/14/06 from Sally Rideout concerning Supplemental Arborist's Assessment.
- Letter dated 7/13/06 from Frank Ono (Supplemental Arborists Assessment), including site plans C and D

Speakers:

- Roman Kristl, contractor, presented the design alternatives being considered.

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

On a motion by Linda Bailey-Eric Miller, the commission voted 4-3 (Craig Riddell, Gary Sprader, Dan Miller voted no) to **approve Use Permit No. 2917-06** based on the suggested findings and subject to the terms and conditions contained in the staff report for the meeting of July 20, 2006, as amended by Memorandum dated July 14, 2006.

- 6.B** A public hearing to consider Use Permit Application No. 2920-06 and Tree Permit Application No. CDD 58597
PROJECT ADDRESS: 420 Evergreen Road
APPLICANT: Anthony Giammanco
PROJECT DESCRIPTION: A request to demolish and reconstruct more than 25% of a nonconforming single-family residence and construct a first floor addition that follows the existing nonconforming building line that encroaches into the required north side yard setback and has an eave that project closer than 3' to the north side property line. The property has less than the required number of off-street covered parking spaces. The project also includes removal of one tree. (Staff: Barbara Nelson)

**UP 2920-06
and Tree
Permit No.
CDD 58597:
*Continued
to 8/17/06***

Senior Planner Barbara Nelson presented the staff report.

The Chairman opened the public hearing.

Speakers:

- Darren Davis, on behalf of the property owners, presented the application.
- Anthony Giammanco, on behalf of the property owners, provided additional information in support of the applications.

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

On a motion by Gary Sprader-Dan Miller, the Commission voted 7-0 to **refer the project back to the applicant to address the commissioners concerns, and to continue deliberation to the regularly scheduled meeting of August 17, 2006.**

- 6.C** A public hearing to consider Amendment to Use Permit No. 2677-01 **Amend**
UP 2677-01
denied
PROJECT ADDRESS: **494 and 496 Grove Acre Avenue**
(previously 430 Grove Acre Avenue)
APPLICANTS: Liza and Robert Vaughan
PROJECT DESCRIPTION: Proposed amendment to an approved use permit to eliminate a required condition of approval for a secondary housing unit. The condition requires the property owners of the site to occupy as their "principal place of residence," either the secondary housing unit or the primary unit on the subject site. (Staff: Sally Rideout)

Associate Planner Rideout presented the staff report.

The Chairman opened the public hearing.

Correspondence Received:

- Letter dated 7/19/06 from owners, Liza Tapia Vaughan and Robert Vaughan, in support of their application.
- Letter dated 7/20/06 from Stephen M. Rice and Carla M. Rice, buyers-in-escrow, in support.

Speakers:

- Liza Vaughan, current owner, spoke in support of the application.
- Michael Mull stated his concerns that a dangerous and inappropriate precedent would be set if the application was approved.
- Carla Rice, buyer-in-escrow, addressed occupancy issues.
- Lisa Campos, realtor, spoke in support of application.
- Stevens Tucker, 508 Grove Acre Avenue, spoke in opposition.

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

On a motion by Steven MacDonald-Linda Bailey, the Commission voted 7-0 to **deny the requested amendment to the condition of approval for Use Permit No. 2677-01 that is the subject of this application.**

**6.D PLANNING COMMISSION SUBCOMMITTEE
PRESENTATION ON POSTING AND NOTICING
RECOMMENDATIONS [Continued from 6/22/06]**

**PC Subcomm.
On Posting,
Noticing, etc.
Continued
To 8/17/06**

The Chairman re-opened the public hearing.

Correspondence Received Since 6/22/06:

- Letter dated 7/19/06 from Dan Fletcher, AIA on behalf of AIA Monterey Bay, opposing requirement to stake every addition, and proposing a change to the language in the Staking and Netting Guidelines, Part III.
- Letter dated 7/19/06 from Jeanne C. Byrne, FAIA, opposing requirement to stake every addition, and suggesting that requirement be on a case-by-case basis on the authority of the Architectural Review Board, Planning Commission or City Council, after appropriate review of the project.

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

The “Proposed Enhancements to Public Noticing Procedures” (Preliminary Subcommittee Proposal dated 6/15/06) was discussed and the following changes were made and the Commission’s direction.

Section I. “PROPOSED FORMAT AND MAILING PROCEDURES FOR LEGAL NOTICES,” a new subsection 3 to be added as follows:

3. Additional noticing will be considered by the Planning Commission for projects with more than 7,000 square feet of floor area.

Section II. “PROPOSED PROCEDURES FOR PUBLISHING AND POSTING LEGAL NOTICES,” subsections 6.B (related to paper color) and 6.C (adding e-mail contact) shall be changed to read as follows:

- B. The posting shall consist of the two following elements, each on a separate sheet of 11x17-inch bright yellow paper: (1) A copy of the Notice of Public Hearing (Attachment B version), and (2) The most affected elevation of the project.
- C. The following wording shall be included across the bottom of the project elevation: “This is a Preliminary drawing and therefore subject to change. Contact the

Pacific Grove Community Development Department at
300 Forest Avenue (831) 648-3190, or e-mail {contact
name goes here}@ci.pg.ca.us, if you would like to
review the plans and latest information on this project.”

Additional suggestions included:

- An annual review of these procedures; and
- Imposition of appropriate penalties for departing from the procedures, including re-doing all posting/noticing/flagging if necessary.

By consensus, the Commission agreed that these recommendations should be presented to the public for feedback, and comment, before the final recommendation to Council on a policy. The Commission was also in agreement that these recommendations should be presented at a regular meeting of the Planning Commission at a future date and that it was important for all members of the subcommittee be present at this meeting.

7. CITY COUNCIL ACTIONS

- Staff reported.

**City
Council**

8. ARCHITECTURAL REVIEW BOARD ACTIONS

- Received the Minutes of the July 11, 2006 site review meeting of the Architectural Review Board.
- Received the Minutes of the July 11, 2006 regular meeting of the Architectural Review Board.

ARB

9. HISTORIC RESOURCES COMMITTEE ACTIONS

None.

HRC

10. CORRESPONDENCE

None.

**Corres-
pondence**

11. COMMITTEE REPORTS

None.

**Committee
Reports**

12. REPORTS OF COMMISSIONERS

None.

**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 9:45 p.m.

Jon 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.