

**CITY OF PACIFIC GROVE
PLANNING COMMISSION**

SITE REVIEW MINUTES

May 15, 2007

4:00 p.m.

Community Development Department Conference Room

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

Commissioners Absent: None

Staff: Jon Biggs, Sheree Garcia

Staff presented the following projects:

139 18th Street APPLICANT: Julie Guarnotta, Property Owner
PROJECT DESCRIPTION: The Planning Commission has called up the Architectural Review Board's concept approval of proposed exterior alterations to a two-story single-family dwelling that is included on the City's Historic Resources Inventory. (Staff: Sheree Garcia)

837 Ocean View Boulevard APPELLANTS: Guido Scarato and Linda Moeller
APPLICANT: Eddie Hurt, Architect
PROJECT DESCRIPTION: An appeal of the Architectural Review Board's approval of an Historic Relocation Permit allowing the on-site relocation of a two-story single-family dwelling listed on the Pacific Grove Historic Resources Inventory and conceptual approval of exterior alterations and additions to the dwelling. (Staff: Director, Jon Biggs)

1109 Lincoln Avenue APPLICANT: Roman Kristl, Property Owner
PROJECT DESCRIPTION: A request to allow a reduction in the required number of off-street parking spaces from one covered and one uncovered parking space to one covered parking space and allow a 3' side yard setback at the south and 5'2" side yard setback at the north for a new two-story single-family dwelling in the R-1 zoning district. A use permit is required because the total side yard setbacks will be 20 percent of the site width. (Staff: Contract Planner, Hilton Kwong)

157 15th Street A public hearing to consider Use Permit Application No. 2938-07
PROJECT ADDRESS: 157 15th Street
APPLICANT: Jeanne Byrne, Architect, and Debbie Young, Property Owner
PROJECT DESCRIPTION: A request to allow (1) The continuation of on-site events such as receptions, assemblies and gatherings involving the service of food with occasional live music on an ongoing basis, and (2) The service of beer and/or wine to people attending such events. The current mix of uses in the building includes a single-family residence and commercial kitchen. (Staff: Director, Jon Biggs)

381 Laurel Avenue A public hearing to consider Use Permit Application No. 2942-07 and Tree Trimming Application No. CDD 59257
PROJECT ADDRESS: 381 Laurel Avenue
APPLICANT: Domenica F. Gianino, property owner
PROJECT DESCRIPTION: To allow the addition of more than 120 square feet to a single-family dwelling on a site that has fewer off-street parking spaces than required and allow trimming of one oak tree. (Staff: Planning Technician, Sheree Garcia)

149 Evans Ave APPLICANT: Rick Steres, Architect
PROJECT DESCRIPTION: Proposed second-story addition to one unit of an existing duplex. The site has less than the required number of on-site parking spaces for the residential units. (Staff: Director, Jon Biggs)

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

139 18th Street: Linda Bailey, Bob Davis, Dan Miller, Eric Miller, Steven MacDonald, Craig Riddell, Gary Sprader (Jon Biggs, Sheree Garcia)

837 Ocean View : Linda Bailey, Bob Davis, Dan Miller, Eric Miller, Steven MacDonald, Craig Riddell, Gary Sprader (Jon Biggs, Sheree Garcia)

149 Evans Ave.: Linda Bailey, Bob Davis, Dan Miller, Eric Miller, Steven MacDonald, Craig Riddell, Gary Sprader (Jon Biggs, Sheree Garcia)

381 Laurel Street: Linda Bailey, Bob Davis, Dan Miller, Eric Miller, Steven MacDonald, Craig Riddell, Gary Sprader (Jon Biggs, Sheree Garcia)

1109 Lincoln Ave.: Linda Bailey, Bob Davis, Dan Miller, Eric Miller, Steven MacDonald, Craig Riddell, Gary Sprader (Jon Biggs)

There being no further business, the Commissioners adjourned at 6:05 p.m. at the last site visited.

CITY OF PACIFIC GROVE
PLANNING COMMISSION

MINUTES

May 17, 2007
Tape 07-10
6:00 p.m.
Council Chambers, Pacific Grove City Hall

1. **CALL TO ORDER**

2. **ROLL CALL**

Roll Call

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

Absent: None

Staff: Jon Biggs, Sheree Garcia

3. **APPROVAL OF 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 regular meeting of May 3, 2007, with the following corrections:

The motion at the end of item 7.A is corrected to read as follows:

By majority consensus, the Commission recognized the need for the Historic Resources Committee to complete its review and development of changes to the Historic Preservation Ordinance. The Commission noted it wanted an opportunity to review the proposed ordinance changes before the Historic Resources Committee requested authorization from the City Council to proceed with the public hearing process.

The last bulleted section in item 9 (Architectural Review Board Actions) is corrected to read as follows:

- Commissioners Gary Sprader, Linda Bailey, and Dan Miller, **called up the April 24, 2007 action of the Architectural Review Board concerning a project at 139 18th Street, noting that the item was being called up because of concern of the appropriateness of the design for the Pacific Grove Retreat and a conflict with Architectural Review Board Guideline No. 7.**

4. ORAL COMMUNICATIONS

Betty Aickelin spoke concerning alleged discrepancies between the City's General Plan, land use plan, and ordinances, and expressed specific concern about building height limits.

**Public
Comment**

5. ITEMS TO BE CONTINUED OR WITHDRAWN

None.

**Continued/
Withdrawn**

6. CONSENT AGENDA

None.

**Consent
Agenda**

7. REGULAR AGENDA

7.A A public hearing to consider Architectural Approval Application No. 3651-07

**AA 3651-07
denied**

PROJECT ADDRESS: 139 18th Street

APPLICANT: Julie Guarnotta, Property Owner

PROJECT DESCRIPTION: The Planning Commission has called up the Architectural Review Board's concept approval of proposed exterior alterations to a two-story single-family dwelling that is included on the City's Historic Resources Inventory. (Staff: Sheree Garcia)

Planning Technician, Sheree Garcia, presented the staff report.

The Chairman opened the public hearing.

Speakers:

- Julie Guarnotta, property owner, presented an overview of her project.
- Jim Stavoy, architect, presented additional details.
- Margaret Healey spoke in support of the deck and stair design.

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

On a motion by Gary Sprader-Steven MacDonald, the Commission voted 6-1 (Bob Davis voted no) to overturn the decision of the Architectural Review Board and **deny Architectural Approval Application No. 3651-07.**

- 7.B** A public hearing to consider Historic Relocation Permit Application No. 07-60 and Architectural Approval Application No. 3518-05
PROJECT ADDRESS: 837 Ocean View Boulevard
APPELLANTS: Guido Scarato and Linda Moeller
APPLICANT: Eddie Hurt, Architect
PROJECT DESCRIPTION: An appeal of the Architectural Review Board's approval of an Historic Relocation Permit allowing the on-site relocation of a two-story single-family dwelling listed on the Pacific Grove Historic Resources Inventory and conceptual approval of exterior alterations and additions to the dwelling. (Staff: Director, Jon Biggs)

**HR 07-60 and
AA 3518-05
(Appeal)
Continued to
6/21/07**

Jon Biggs presented the staff report.

The Chairman opened the public hearing.

Speakers:

- Mark Pedroli, representing the appellants, spoke in support of protecting the neighbors views, water issues, and the appellant's position that the structure should be left where it is.
- Eddie Hurt, project architect, explained the reasons for relocation.
- Pam Silkwood, attorney for the owners, spoke concerning water credits.
- Rosie Edwards expressed some concern.
- Linda Moeller spoke concerning the number of bathrooms and water rights.
- Betty Aickelin expressed concerns about relocating the structure.
- Dwight Edwards spoke concerning the public easement.
- Mark Pedroli addressed some of the neighbors concerns and admitted there was no imperative that the structure be moved.
- Pam Silkwood stated that there was no admission that demolition was required.
- Mark Blum, representing the applicant, stated that the existing house is unlivable in it's current configuration, and that the proposed changes are absolutely necessary.
- Betty Aickelin had some questions regarding the project.
- Eddie Hurt stated that he has spoken to two house moving companies.

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

The commissioners deliberated and expressed their individual opinions concerning the project.

Commissioner Bob Davis suggested that staff consult with the Building Official, Doug Rick, and that the public hearing be re-opened on the Architectural Approval application, not currently the subject of the appeal.

The commission invited members of the public to make additional comments based on their deliberation, and more specifically addressing the design issues.

- Project Architect, Eddie Hurt, gave an overview of the design concept.
- Mark Pedroli objected, stating the proposed design does not preserve the historic structure to the greatest extent possible.
- Pam Silkwood responded to Pedroli's objection.

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

On a motion by Linda Bailey-Bob Davis, the Commission voted 7-0 **to continue the public hearing on the appeal of Historic Relocation Permit No. 07-60 to the regular meeting of June 21, 2007**, in order to:

- a) Allow staff an opportunity to develop conditions that protect the historic structure, including a report by the Building Official showing recommended procedures for maximizing protection of the structure during the move.
- b) Allow the applicant time to prepare a photo survey showing all exterior features as they currently exist;
- c) Preparation of a restoration plan showing what will be done to protect the building during its move; and
- d) Preparation of accurate as-built drawings of the building for consideration by the Commission.

On a motion by Linda Bailey-Steven MacDonald, **the Commission voted 7-0 to continue the public hearing on the appeal of Architectural Approval Application No. 3518-05 to the regular meeting of June 21, 2007.**

- 7.C A public hearing to consider Variance Application No. 07-1709 and Use Permit Application No. 2929-07
PROJECT ADDRESS: **1109 Lincoln Avenue**
APPLICANT: Roman Kristl, Property Owner
PROJECT DESCRIPTION: A request to allow a reduction in the required number of off-street parking spaces from one covered and one uncovered parking space to one covered parking space and allow a 3' side yard setback at the south and 5'2" side yard setback

**Variance
07-1709 and
UP 2929-07
Continued to
6/7/07**

at the north for a new two-story single-family dwelling in the R-1 zoning district. A use permit is required because the total side yard setbacks will be 20 percent of the site width. (Staff: Contract Planner, Hilton Kwong)

Director Jon Biggs presented the staff report.

The Chairman opened the public hearing

Speakers:

- Roman Kristl, property owner, gave an overview of his request.

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

On a motion by Gary Sprader-Steven MacDonald, the Commission voted 6-1 (Linda Bailey voted no) **to refer the application back to the applicant to respond to various questions raised during deliberation, and to continue the hearing to the regular meeting of June 7, 2007.**

THE COMMISSIONERS BRIEFLY CONFERRED ABOUT THE LATENESS OF THE HOUR AND BY CONSENSUS AGREED TO PROCEED PAST THE 9:00 P.M. CUTOFF FOR CONSIDERING NEW ITEMS AND TO CONTINUE HEARING THE REMAINING ITEMS ON THE AGENDA.

COMMISSIONER CRAIG RIDDELL LEFT THE ROOM PRIOR TO ITEM 7.D DUE TO A POSSIBLE FINANCIAL CONFLICT OF INTEREST

- 7.D** A public hearing to consider Use Permit Application No. 2938-07
PROJECT ADDRESS: **157 15th Street**
APPLICANT: Jeanne Byrne, Architect, and Debbie Young,
Property Owner
PROJECT DESCRIPTION: A request to allow (1) The continuation of on-site events such as receptions, assemblies and gatherings involving the service of food with occasional live music on an ongoing basis, and (2) The service of beer and/or wine to people attending such events. The current mix of uses in the building includes a single-family residence and commercial kitchen. (Staff: Director, Jon Biggs)

UP 2938-07
Continued to
6/7/07

Director Jon Biggs presented the staff report.

The Chairman opened the public hearing

Correspondence:

- Letter dated 5/14/07 from former Planning Commissioner, Bruce Obbink, in support.
- Letter dated 5/15/07 from Cassandra Ohlsen, in opposition.
- Letter dated 12/20/05 from Cassandra Ohlsen, indicating her original opposition to the application (distributed at the site review meeting on 5/15/07)
- Transmittal dated 5/16/07 from architect, Jeanne Byrne, with attachment dated 5/14/07 from Marsha G. Ferguson, investigator with the Salinas office of the State of California Department of Alcoholic Beverage Control, citing conditions that would need to be present for there to be no requirement for an ABC license to serve alcohol.

Jeanne Byrne distributed additional correspondence concerning the project:

- Letter dated 5/16/07 from Kristen King, in support.
- Letter dated 5/16/07 from Steve and Diane Randesi, in support.
- Letter dated 5/16/07 from Matthew Torma, in support.
- Letter dated 5/16/07 from William Canelario, in support.
- Letter dated 5/16/07 from Laura McMahon, in support.

Speakers:

- Jeff Becom spoke in support.
- Debbie and Dean Young, property owners, stated that they had only had 5 events in 5 months, and two of the parties had strict time and noise guidelines. With the exception of one party that went until 9:00 p.m., the rest ended by 8:00 p.m. They expressed their willingness to be good neighbors and confirmed that they are not involved in the purchase or sale of alcoholic beverages for their events.

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

Various issues were deliberated by the Commission, including service of beer and wine brought to the events by the customer, and whether or not the use constitutes a bona fide public eating place.

Commissioner Bailey felt there were some issues that need to be addressed by the city attorney before the Commission can render a decision.

On a motion by Linda Bailey-Bob Davis, the Commission voted 6-0-1 (Riddell abstained) to **continue deliberation to the regular meeting of June 7, 2007**, in order to allow staff time to confer with the city attorney and address some of the issues the Commissioners raised during their deliberation, as well as allow the owners time to confer with their attorney.

COMMISSIONER RIDDELL RESUMED HIS SEAT.

COMMISSIONER DAN MILLER LEFT THE MEETING PRIOR TO DISCUSSION OF THE NEXT ITEM.

- 7.E A public hearing to consider Use Permit Application No. 2942-07 and Tree Trimming Application No. CDD 59257
PROJECT ADDRESS: **381 Laurel Avenue**
APPLICANT: Domenica F. Gianino, property owner
PROJECT DESCRIPTION: To allow the addition of more than 120 square feet to a single-family dwelling on a site that has fewer off-street parking spaces than required and allow trimming of one oak tree. (Staff: Planning Technician, Sheree Garcia)

**UP 2942-07 &
Tree Permit
CDD 59257
Continued to
6/7/07**

Associate Planner Sheree Garcia presented the staff report.

The Chairman opened the public hearing

Speakers:

- Mark Thompson, representing the property owner, presented the project.
- Keith Brown spoke in opposition.
- Dorothy Rick expressed concerns about parking and proximity to bus stop, as well as guardrail issue near sliding door.
- Cecil Allen read letter into the record from a neighbor opposing the project due to parking concerns.
- Phil Allen spoke in opposition.
- David Howarth expressed concern about the proposed tree trimming.
- Vince Balesteri spoke in support.

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

On a motion by Linda Bailey-Gary Sprader, the Commission voted 6-0 to **refer the project back to the applicant, and to continue deliberation to the regular meeting of June 7, 2007.**

- 7.F** A public hearing to consider Variance Application No. 07-1707
PROJECT ADDRESS: **149 Evans Avenue**
APPLICANT: Rick Steres, Architect
PROJECT DESCRIPTION: Proposed second-story addition to one unit of an existing duplex. The site has less than the required number of on-site parking spaces for the residential units. (Staff: Director, Jon Biggs)
Director Jon Biggs presented the staff report.
- Variance
07-1707
approved**

The Chairman opened the public hearing

Speakers:

- Towin Peregrina noted use of garage space.
- Joe Sanchez spoke in support.

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

On a motion by Eric Miller-Linda Bailey, the Commission voted 6-0 to **approve Variance Application No. 07-1707** based on the findings and subject to the terms and conditions contained in the staff report prepared for the meeting of May 17, 2007.

- 7.G** Discussion concerning whether or not to schedule a special meeting to replace the regular meeting of July 5th due to conflict with the City Council meeting rescheduled for July 5th.
- 7/5/07 Regular
Meeting
canceled**

On a motion by Bob Davis-Gary Sprader, the Commission voted 6-0 to **cancel the July 5, 2007 regular meeting (and the July 3, 2007 site review meeting)** due to the scheduling conflict with the City Council meeting that has been rescheduled to July 5th.

8. CITY COUNCIL ACTIONS

Director Biggs reported.

**City
Council**

9. ARCHITECTURAL REVIEW BOARD ACTIONS

- Received the Minutes of the May 8, 2007 site review meeting of the Architectural Review Board;
- Received the Minutes of the May 8, 2007 regular meeting of the Architectural Review Board.

**ARB
Received
Minutes**

10. HISTORIC RESOURCES COMMITTEE ACTIONS

Staff reported.

HRC

11. CORRESPONDENCE

None.

**Corres-
pondence**

12. COMMITTEE REPORTS

None.

**Committee
Reports**

13. REPORTS OF COMMISSIONERS

- Upcoming AMAP Conference in Monterey was announced. Topic - The Mills Act.

**Commissioner
Reports**

14. REPORT OF COMMUNITY DEVELOPMENT DIRECTOR

Director Biggs reported.

**Director's
Report**

15. ADJOURNMENT:

There being no further business, the Chair adjourned the meeting at 11:05 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.