

**CITY OF PACIFIC GROVE
PLANNING COMMISSION**

MINUTES

March 8, 2007
Tape 07-05
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 (Vice Chair), Craig Riddell (Chair), Gary Sprader

Absent: None

Staff: Jon Biggs

3. APPROVAL OF MINUTES

On a motion by Bob Davis-Linda Bailey, the Commission voted 7-0 to
approve the following minutes:

**Minutes
Approved**

- Minutes of the site review meeting of February 20, 2007;
- Minutes of the regular meeting of February 22, 2007.

4. ORAL COMMUNICATIONS

None.

**Public
Comment**

5. ITEMS TO BE CONTINUED OR WITHDRAWN

None.

**Continue or
Withdraw**

6. REGULAR AGENDA

6.A A public hearing to consider Variance Application No. 06-1706
PROJECT ADDRESS: 541 Evergreen Road
APPLICANTS: Geoff and Joy Welch, Property Owners
PROJECT DESCRIPTION: A request to reduce the parking space
requirement from two covered parking spaces to one covered
parking space for a new single-family residence. (Staff: Hilton
Kwong) [Continued from 2/22/07]

**Variance
No. 06-1706
approved**

Jon Biggs, Community Development Director, presented the staff
report.

The Chairman opened the public hearing.

Correspondence Received:

- Letter dated 2/14/07 from Emerson Borgman, expressing concerns about parking.
- Letter dated 2/9/07 from Raymond R. Grijalva, in support.
- Letter dated 2/10/07 from Violette Saoulis, in support.
- Letter dated 2/13/07 from Larry and Melissa Walker, in support.
- Letter dated 2/15/07 from Donna Wobber, expressing concerns.
- Letter dated 2/15/07 from Duff Caldewey in opposition.
- Letter dated 2/16/07 from property owner Geoff Welch requesting continuance of the hearing to the meeting of 3/8/07.
- Letter received 3/1/07 from Raymond R. Grijalva and Georgia Grijalva expressing opinion that there would be no negative impact to on-street parking on Evergreen.
- Letter dated 2/28/07 from Andrew and Anne Marie Miller, in support.
- Letter dated 2/27/07 from Monique and Michael Ryan, in support.
- Letter dated 2/27/07 from Ruth and Bob Welch, in support.
- Letter dated 2/28/07 from Curtis and Jennifer Jansen, in support.
- Letter dated 2/26/07 from Violette Saoulis, in support.
- Letter dated 2/26/07 from Rick and Bonnie Pieper, in support.
- Letter dated 2/27/07 from neighbor at 511 Evergreen (signature illegible), in support.
- Letter dated 2/26/07 from Dick Iverson, in support.
- Letter dated 2/16/07 from Ashok Patel, Manager of Howard Johnson's Hotel, in support.
- Letter dated 2/27/07 from Ingeborg U. Harris, in support.
- Letter dated 3/8/07 from Stevens P. Tucker, in opposition.
- Letter dated 3/8/07 from Don Wobber, expressing opinion that a two-car garage should be required.
- Letter dated 3/8/07 from Donna Wobber, in opposition.

Speakers:

- Geoff Welch, property owner, spoke in support.
- Steve Honegger spoke in support.
- Hunter Elderidge spoke in support.
- Larry Walker spoke in support.
- Joy Welch, property owner, spoke in support.
- Andy Miller spoke in support.
- Georgia Grijalva spoke in support.
- Donna Wobber spoke in opposition.
- Don Wobber spoke in opposition.
- Steven P. Tucker spoke in opposition.

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

On a motion by Linda Bailey-Eric Miller, the Commission voted 6-1 (Gary Sprader voted no) to grant Variance Application No. 06-1706 based on the following findings and subject to the terms and conditions contained in the staff report prepared for the meeting of March 8, 2007, and the addition of a special condition, cited below, which was read into the record as an administrative change by Director Biggs at the regular meeting of April 5, 2007.

←
Read into
record at
PC
Meeting
of 4/5/07

Findings for Variance Application No. 06-1706:

There are exceptional circumstances applying to the land or buildings referred to in the application, which circumstances do not apply generally to land or buildings in the same district, because the parcel is 59% smaller than the standard parcel in the R-1-B-3 zone district, and 22% narrower, yet is still subject to the setbacks of the zone, leaving a tight building envelope and reduced allowable floor area.

The granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner, because a two-car garage would take up a larger percentage of the petitioner's allowable floor area (18%) than other allowed houses in the zone (11%) and limit the design possibilities along the street frontage.

←
Corrected
at PC
Meeting of
3/22/07

The granting of the application will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the neighborhood of the property of the applicant, and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood, because there will still be off-street parking for two vehicles, and the proposed one-car garage design will preserve an on-street parking site that might otherwise be lost.

Special Condition of Approval (in addition to those listed in staff report):

1. The maximum allowable floor area for the structure shall be reduced by the square footage, 180 square feet (9' x 20'), of the one covered parking space that is not provided.

←
Read into
record at
PC
Meeting
of 4/5/07

6.B A public hearing to consider Use Permit Application No. 2908-06 and Variance Application No. 07-1708
PROJECT ADDRESS: 525 / 527 Lighthouse Avenue
APPLICANT: Terry Latasa, designer
PROJECT DESCRIPTION: Proposed conversion of a mixed use commercial building containing office spaces and a movie theater to a mixed use building containing office and retail spaces in addition to three residential units. The site has less than the required number of on-site parking spaces for the residential units. (Staff: Jon Biggs)
Jon Biggs, Community Development Director, presented the staff report.

Variance No. 07-1708 approved ; Use Permit No. 2908-06 continued to 3/22/07

The Chairman opened the public hearing.

Speakers:

- Terry Latasa, architect, presented the project.
- Gretchen Flesher expressed concerns and made some suggestions for improving the project.

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

On a motion by Linda Bailey-Eric Miller, the Commission voted 6-1 (Dan Miller voted no) to **approve Variance Application No. 07-1708 based on the following findings and subject to the special condition of approval in addition to the standard conditions of approval listed below:**

Findings for Variance No. 07-1708:

1. There are exceptional circumstances applying to the land or buildings referred to in the application, which circumstances do not apply generally to land or buildings in the same district, because the existing building, topography, adjoining public parking areas, and existing bus stop limit possibilities for off street parking.
2. The granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner, because requiring the full complement of off-street parking would require unreasonable and impractical modifications to the existing building.
3. The granting of the application will not, under the circumstances of the particular case, materially affect adversely the health or safety of persons residing or working in the

neighborhood of the property of the applicant, and will not, under the circumstances of the particular case, be materially detrimental to the public welfare or injurious to property or improvements in the neighborhood, because the overall project will decrease demand for parking in the immediate area, and ample public parking exists nearby. In addition, limiting the off street parking to three spaces rather than six preserves three on-street parking spaces adjacent to the building.

Special Condition of Approval:

1. The three garages are for the exclusive use of the apartment tenants and may not be used for other purposes, or by the business tenants in the building.

←
*Corrected
at PC
Meeting of
3/22/07*

Standard Conditions of Approval:

1. This permit shall be revoked if not used within one year from the date of approval. Application for extension of this permit must be made prior to the expiration date.
2. Construction shall not commence until a copy of the resolution signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Community Development Department.
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 of approval. Any deviation from the approved plans must be reviewed and approved by the staff and may require Planning Commission approval.
4. 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.

On a motion by Eric Miller-Linda Bailey, the Commission voted 7-0 to **continue the hearing on Use Permit Application No. 2906-06 to the regular meeting of March 22, 2007, in order to allow staff time to develop conditions of approval for the project and arrange publication of a display ad in the Monterey County Herald.**

7. CITY COUNCIL ACTIONS

Staff reported.

City Council

8. ARCHITECTURAL REVIEW BOARD ACTIONS

- Received the Minutes of the February 27, 2007 site review meeting of the Architectural Review Board;
- Received the Minutes of the February 27, 2007 regular meeting of the Architectural Review Board.

**ARB
Received
Minutes**

9. HISTORIC RESOURCES COMMITTEE ACTIONS

Staff reported.

HRC

10. CORRESPONDENCE

None.

**Corres-
pondence**

11. COMMITTEE REPORTS

Commissioner Dan Miller reported on the status of the subcommittee reviewing the tree ordinance.

**Committee
Reports**

Staff reported on subcommittee approval of a project at 227 Willow Street. ~~A subcommittee was formed to review the west elevation.~~ (Subcommittee: Linda Bailey and Steven MacDonald.)

←
*Corrected
at PC
Meetings
of 3/22/07
and 4/5/07*

12. REPORTS OF COMMISSIONERS

Linda Bailey reminded the Commissioners to turn in their mandatory Form 700 (conflict of interest declaration) to the City Manager’s office.

**Commissioner
Reports**

Dan Miller expressed concerns with the historic preservation review process and would like to see this matter agendized for future review by the Planning Commission.

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.

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.