



CITY OF PACIFIC GROVE
300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: Community Development Director Jon Biggs
MEETING DATE: July 19, 2006
SUBJECT: Meeting Minutes of July 6, 2006 Planning Commission Regular Meeting

RECOMMENDATION:

Receive.

DISCUSSION:

Attached are the minutes of the July 6, 2006 regular meeting of the Planning Commission.

Decisions rendered by the Planning Commission may be called up by the City Council at this time.

FISCAL IMPACT:

None.

ATTACHMENTS:

Minutes of the July 6, 2006 regular meeting of the Planning Commission.

RESPECTFULLY SUBMITTED:

Jon Biggs
COMMUNITY DEVELOPMENT DIRECTOR

REVIEWED BY:

Digitally signed: I have reviewed this document

James J. Colangelo
CITY MANAGER

Consent Agenda Item No. 3H

**CITY OF PACIFIC GROVE
PLANNING COMMISSION**

MINUTES

July 6, 2006
Tape 06-13
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: 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 site review meeting of June 20, 2006;
- Minutes of the regular meeting of June 22, 2006 with the following corrections:

Regular Agenda Item 6.A - 50 Quarterdeck Way:

The modified terms and conditions are corrected as follows:

1. Condition number 2, that required removal of the toilet and capping of the plumbing in the garage, is omitted, thereby allowing retention of the toilet in the garage.
2. Condition number 10 (which will become condition number 9 in the Planning Commission resolution after the omission of condition 2) is modified to read as follows:

“The applicants shall plant four trees on the site to replace the two trees approved for removal. Two of the four replacement trees shall be a 5-gallon (minimum size) Monterey cypress trees, and the remaining two ~~to be planted in the front of the residence~~ shall be a smaller variety of tree. Trees required for replacement planting shall be planted on the site prior to final approval of the building permit

upon completion of construction.”

Regular Agenda Item 6.C - Posting and Noticing Procedures:

Second to last paragraph corrected at the request of Commissioner Bailey as follows:

A proposal was made to exempt smaller projects from the netting requirement. The Subcommittee explained their reasoning behind their decision that smaller projects not be exempt. ~~but was open to considering language that would define a limited group of exempt additions if the Commission so desired.~~

Regular Agenda Item 6.D - Discussion of Tree Ordinance:

David Dilworth’s comments corrected at the request of Commissioner Bailey as follows:

- David Dilworth suggested that tree removal permits be reviewed by the Natural Resources Committee. Dilworth also suggested conducting an annual aerial survey of the trees, stating that it was not an expensive process. He also requested follow-up on requirements for replacement planting, and suggested someone contact the City of Monterey concerning their tree regulations. He stated concerns with two things in the existing ordinance; netting flagging and the spraying requirements which he feels encourages unnecessary use of pesticides. He went on to suggest use of an ecologist rather than a biologist, forester, or arborist, ~~ecologist.~~ Concerned City may have an attitude of “fee instead of tree.”

3. COMMENTS FROM THE PUBLIC

Maryanne Spradling spoke concerning the project under construction at 450 Asilomar Avenue.

**Public
Comment**

4. REQUESTS FOR CONTINUANCE OR WITHDRAWAL

On a motion by Linda Bailey-Bob Davis, the Commission voted 7-0 to **continue item 4.A to the regular meeting of July 20, 2006** for the reason stated below.

**Requests for
Continuance
Or Withdrawal**

4.A 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, Designer

**UP 2920-06
Continued
to 7/20/06**

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 project also includes removal of one tree. (Staff: Barbara Nelson)

REASON FOR CONTINUANCE: **Staff has requested continuance to the regular meeting of July 20, 2006** to allow publication of a revised public hearing notice that includes reference to an insufficient number of off-street parking spaces.

5. CONSENT AGENDA

None.

**Consent
Agenda**

6. REGULAR AGENDA

COMMISSIONER ERIC MILLER STEPPED DOWN PRIOR TO ITEM 6.A. DUE TO A FINANCIAL CONFLICT OF INTEREST. COMMISSIONER LINDA BAILEY STEPPED DOWN BECAUSE SHE WAS NOT PRESENT AT THE PREVIOUS HEARING

6.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

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]

**UP 2830-04;
Tree Removal
Permit
CDD 5351
Continued
To 7/20/06**

The Chairman re-opened the public hearing.

Correspondence Received Since Last Hearing on June 8, 2006:

- E-mail from Valerie Loeb dated 7/2/06 in opposition.
- Memorandum from Associate Planner Sally Rideout as cover letter to a supplemental report from the project biologist, Thomas Moss

Speakers:

- Mark Ellis, on behalf of Eric Miller Architects, spoke concerning (1) the possibility of retaining two Monterey pines (tree #s 1 and 2) and grade beam foundation on the detached room; (2) setting footprint 2 feet deeper to reduce grade changes near the two living pines; and (3) some trimming of tree #2 may be necessary if it is retained on the site. Mr. Ellis also responded to questions posed by commissioners Dan Miller, Steven MacDonald, and Bob Davis.
- Dan Schickele, 1492 Pico Avenue, expressed concerns with impact on wildlife corridors, tree removal, massing, effect on public views from Sunset Drive, and design aesthetics.
- Don Redgwick, 1398 Pico Avenue, spoke in support, citing beautiful design, stating that removed trees could be replaced. Expressed concern with length of review process.
- John Evans, 398 Calle de Los Amigos, expressed concern regarding the potential for conversion of the detached studio to a living unit. He was also concerned that the mass and height of the residence is not subordinate to the dunes environment.
- Maryanne Spradling, 404 Asilomar Avenue, expressed concerns about the trees and use permit.
- Bertha McKinley, 1492 Pico Avenue, expressed concerns with height and mass, but appreciated the design changes. Also expressed concerns with number of cypress trees proposed for replanting on the site.

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

On a motion by Gary Sprader-Steven MacDonald, the commission voted 5-0 to **continue item 6.A. to the regular meeting of July 20, 2006.**

- 6.B** A public hearing to consider Use Permit Application No. 2924-06
PROJECT ADDRESS: **975 Ransford Avenue**
APPLICANT: Christopher Clements and Susan Schlobohm
PROJECT DESCRIPTION: A one-car carport that was attached to a single-family residence was converted to living area by a former property owner without obtaining required City permits and approvals. The applicants are applying for permits and approvals to retain the converted living area. (Staff: Barbara Nelson)

UP 2924-06
Approved

Senior Planner Barbara Nelson presented the application.

The Chairman opened the public hearing.

Speakers:

- Christopher “Kit” Clements, owner, outlined his request.

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

On a motion by Linda Bailey-Bob Davis, the Commission voted 5-2 (Dan Miller and Craig Riddell voted no) to **allow retention of the converted living area**, based on the findings and subject to the terms and conditions contained in the staff report prepared for the meeting of July 6, 2006.

6.C A DISCUSSION OF PLANNING COMMISSION CALL-UPS OF ARCHITECTURAL REVIEW BOARD ITEMS

**Discuss
PC call-ups
of ARB
actions**

Gary Sprader was concerned that the Planning Commission calls up Architectural Review Board items because it appears the Guidelines are not followed, but then the Planning Commission does not use the Guidelines.

Linda Bailey spoke concerning difficulty of hearing a project *de novo* when it has already gone through one process. She made the observation that the Commission ends up making small improvements but doesn't address the big issues behind a call-up. She suggested changing the procedure to require Commissioners who call-up an item to attend the Architectural Review Board meeting or listen to the Architectural Review Board meeting tape prior to calling up the item, as well as reviewing the specific architectural guidelines and project plans in advance. Massing can be an issue. Wants the process to represent the city's position, as opposed to "us versus them" as individual board members.

Steven MacDonald agreed that massing seems to be a common issue.

Bob Davis noted dilemma concerning dramatically changing character of many neighborhoods, including landscapes. Neighborhoods change, and the first new house signifies change. There is a need to discuss the change and its impact on the neighborhood, and whether the old neighborhood or the changing neighborhood is the baseline. Which standard should be used? The Architectural Review Board has guidelines and can make suggestions, but the Planning Commission has hard and fast rules.

Eric Miller stated the new buildings need to be a good design and went on to say that the Commission hasn't called up many projects from the Architectural Review Board. He stated that the Planning Commission's role is to apply land use rules in a black and white manner. The Architectural Review Board should be given a free hand to make design choices.

Craig Riddell stated that the various guidelines compete with each other. He added that projects, when called up, were improved as a result of the call-up.

7. CITY COUNCIL ACTIONS

- Staff reported.

City Council

8. ARCHITECTURAL REVIEW BOARD ACTIONS

- Received the Minutes of the June 27, 2006 site review meeting of the Architectural Review Board.
- Received the Minutes of the June 27, 2006 regular meeting of the Architectural Review Board.

ARB

9. HISTORIC RESOURCES COMMITTEE ACTIONS

- Received the Minutes of the June 14, 2006 site review meeting of the Historic Resources Committee.
- Received the Minutes of the June 14, 2006 regular meeting of the Historic Resources Committee.

HRC

10. CORRESPONDENCE

- Letter dated July 6, 2006, from Maryanne Spradling, expressing concerns with the hearing process for the project at 1601 Sunset Drive, and requesting full disclosure of all projects, past and present, that have had deed restrictions amended without disclosure.

Correspondence

11. COMMITTEE REPORTS

None.

Committee Reports

12. REPORTS OF COMMISSIONERS

None.

**Commissioner
Reports**

13. REPORT OF COMMUNITY DEVELOPMENT DIRECTOR

Director Biggs is on vacation. No report at this time. Rideout reminded the Commission of the joint meeting with the Architectural Review Board scheduled for July 18, 2006 at 6:00 p.m. in Council Chambers.

**Director's
Report**

14. ADJOURNMENT:

There being no further business, the Chair adjourned the meeting at 8:55 p.m.

Sally Rideout, Acting 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.