

**CITY OF PACIFIC GROVE
PLANNING COMMISSION**

SITE REVIEW MINUTES

April 15, 2008

4:00 p.m.

Community Development Department Conference Room

Commissioners Present: Linda Bailey (Vice-Chair), Steven MacDonald, Craig Riddell (Chair), Sally Smith, Gary Sprader

Commissioners Absent: Bob Davis, Eric Miller

Staff: Lynn Burgess, Sheila Stains-Ramp, Tricia Wotan, Sarah Hardgrave

Staff noted that they had received a request for continuance of Item 7.C, an appeal of the ARB decision for 245 Willow, to the May 22, 2008 Planning Commission meeting.

Staff presented the following projects:

7.A A public hearing to consider Use Permit Application 2862-08

PROJECT ADDRESS: **1326 Miles Avenue**

APPLICANT: Arthur and Jeanne Krener

PROJECT DESCRIPTION: Addition of non-garage detached structure greater than 100 sf

CEQA STATUS: Categorical Exemption, Class 1

7.B A public hearing to consider Variance Application 08-1722

PROJECT ADDRESS: **419 Congress**

APPLICANT: Juan Rosas, Builder, for McMahon Family

PROJECT DESCRIPTION: Variance for reconstruction of single family dwelling with front wall and porch encroachment into required front-yard setback

CEQA STATUS: Categorical Exemption, Class 2

7.D A public hearing to consider an Amendment to Municipal Code Section 23.12.020, and a Negative Declaration of Substantial Environmental Impact

DESCRIPTION: Amendment of Municipal Code to extend zoning to the centerline of public street rights-of-way

CEQA STATUS: Initial Study; Intent to Adopt a Negative Declaration filed

7.E Consideration of Zoning Code Review Process

The following site was visited by the Commissioners:

- **419 Congress**

There being no further business, the Commissioners adjourned at 5:00 p.m.

**CITY OF PACIFIC GROVE
PLANNING COMMISSION**

DRAFT MINUTES

April 22, 2008
Tape 08-29
6:00 p.m.
Council Chambers, Pacific Grove City Hall

1. CALL TO ORDER

2. ROLL CALL

Roll Call

Present: Linda Bailey (Vice-Chair), Steven MacDonald, Craig Riddell (Chair),
Sally Smith, Gary Sprader, Eric Miller
Absent: Bob Davis
Staff: Lynn Burgess, Sarah Hardgrave, Sheila Stains-Ramp, Tricia Wotan

3. APPROVAL OF MINUTES

On a motion by Bailey-MacDonald, the Commission voted 6-0 to **approve** **Minutes**
the following minutes as presented: ***Approved***

- Minutes of the April 1, 2008 Site Review Meeting
- Minutes of the April 3, 2008 Regular Meeting.

4. ORAL COMMUNICATIONS

None

Public Comment
None

5. ITEMS TO BE CONTINUED OR WITHDRAWN

A public hearing to consider **Architectural Approval Application AA 3753-08**
on appeal

PROJECT ADDRESS: **245 Willow**
APPLICANT: Steve and Jean Romberg
PROJECT DESCRIPTION: Exterior alteration and addition to an existing non-
conforming garage, accessed from Granite Street
CEQA STATUS: Class 1 Categorical Exemption
STAFF: Senior Planner Sarah Hardgrave

**Continuances/
Withdrawals**
***Appeal of ARB
decision on AA
3753-08
continued to
5/22/08***

Continued until May 22, 2008, on a motion by Smith-Bailey

6. CONSENT AGENDA

None

Consent Agenda
None

7. REGULAR AGENDA

On a motion made by Davis-Sprader, the Commission voted to move Regular Agenda Item 9 to front of the agenda.

REGULAR AGENDA continued.

- 7.A** A public hearing to consider **Use Permit Application 2862-08** **UP 2862-08,**
PROJECT ADDRESS: 1326 Miles Avenue **1326 Miles**
APPLICANT: Arthur and Jeanne Krener
PROJECT DESCRIPTION: Addition of non-garage detached structure **Approved, 6-0**
greater than 100 sf
CEQA STATUS: Class 1 Categorical Exemption

Senior Planner Sheila Stains-Ramp presented the staff report on the Use Permit request.

The Chair opened the public hearing. Arthur Krener, applicant, spoke on behalf of his application. No other speakers were present, the Planning Commission had no questions, and the Chair closed the public hearing.

On a motion by Bailey-Smith, the Commission approved Use Permit 2862-08 on a 6-0 vote.

- 7.B** A public hearing to consider **Variance Application 08-1722** **Variance 08-**
PROJECT ADDRESS: 419 Congress **1722, 419**
APPLICANT: Juan Rosas, Builder, for McMahon Family **Congress**
PROJECT DESCRIPTION: Single-family dwelling with front wall and **Approved, 4-2**
porch encroachment into required front-yard
setback
CEQA STATUS: Class 2 Categorical Exemption

Associate Planner Tricia Wotan presented the staff report, including revised findings. A handout from the Pacific Grove Heritage Society was also distributed.

Speakers: Tom McMahon, Owner
Dave Prew, Designer
Juan Rosas, General Contractor
Sharon Fegin, Neighbor
Steve Honegger, Public
Darlene Billstrom, Public

A motion was made by Bailey/Miller to approve Variance Application No. 08-1722 as presented based on the amended findings and recommended conditions of the staff report. The one amended finding is as follows:

The granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner because the

foundation and basement improvements have already been constructed with the intent that the structure would be retained at its pre-existing location and it would be a substantial burden to demolish and move these improvements outside of the setback area, which would necessitate a major redesign of the project.

Discussion:

Riddell offered as a disclosure that he is a member of the Heritage Society, and that he had a conversation with Mr. McMahon regarding the project. Riddell requested that the motion be amended to add a requirement that the case go to HRC for consideration of removal of property from Historic Resources Inventory (HRI).

Bailey, as maker of the motion, stated she would withdraw her motion if HRC review were to be added as a requirement. In discussion, it appeared that a majority did not want to tie action on the variance to requirement that property be taken before HRC for consideration of its removal from HRI. The amendment to the motion was not accepted by the maker.

McMahaon, owner, stated he would like some recognition of the previous historic residence, and would like to know what the options are before committing to removal from the HRI. He stated a willingness to discuss these options with the HRC.

On a motion by Bailey/Miller, the Commission voted 4-2 (with Sprader and Riddell voting no) to approve Variance Application No. 08-1722 as presented based on the amended findings and recommended conditions of the staff report.

7.C Appeal of ARB decision re AA 3753-08, 245 Willow, continued until 5/22/08

7.D A public hearing to consider an Amendment to Municipal Code Section 23.12.020, and a Negative Declaration of Substantial Environmental Impact per CEQA Guidelines 15072

DESCRIPTION: Amendment of Section 23.12.020 to extend zoning to the centerline of public street rights-of-way.

CEQA Status: Notice of Intent to adopt Negative Declaration Filed

*Amendment to
23.12.020 &
Negative
Declaration*

*Referred back to
staff for re-study*

Senior Planners Sheila Stains-Ramp and Sarah Hardgrave presented staff report on the proposed code amendment, Initial Study, and Negative Declaration.

Speakers:

Robert Huitt

Iris Peppard

Steve Honegger

Discussion: In response to public comment, staff concurred with the concern that the proposed zoning map amendment may be inconsistent with the General Plan Land Use Map. A suggestion was made to consider revising the proposed code amendment to specifically allow the Farmer's Market in the downtown portion of Lighthouse Avenue. The item was referred back to staff for further study, and no action was taken.

7.E Consideration of Zoning Code Revisions Review Process

Senior Planner Sarah Hardgrave presented a proposed timeline for review of recommendations to re-organize and re-format the zoning code based on a previous effort to develop the Coastal Zone implementing regulations. The review process would occur in two steps, first to adopt non-substantive organizational changes, and second to adopt substantive changes recommended by the Planning Commission during the review process. Substantive changes would be subject to a single environmental review process under CEQA.

Commissioner Bailey noted that due to summer vacations, the Commissioners may not be in attendance for all of the planned review meetings, and requested that staff consider these vacation schedules.

The Planning Commission received the report.

8. CITY COUNCIL ACTIONS

Chief Planner Lynn Burgess reported on the City Council discussion regarding possible changes to various Boards and Commissions serving the City, including the recommendation that ARB and HRC be reduced to 5 members, with a change in qualification requirements so that ARB has a licenced contractor and a licensed architect on the body, rather than HRC. Since these changes require an amendment to the Zoning Code, staff intends to bring them before the Planning Commission for hearing prior to City Council action.

City Council:
Recommended Board and Commission changes;

Administrative Architectural Approvals

Ms. Burgess reported that the City Council approved the 2nd reading of the Administrative Architectural Approvals code amendments, as well as the Building and Fire Code updates, and that the new ordinances would go into effect on May 2, 2008.

9. ARCHITECTURAL REVIEW BOARD ACTIONS

- A. Received the Minutes of the March 11 and 25, 2008, site review meetings of the Architectural Review Board.
- B. Received the Minutes of the March 11 and 25, 2008, regular meetings of the Architectural Review Board.

ARB
No call-ups

10. HISTORIC RESOURCES COMMITTEE ACTIONS

None.

HRC
None

11. CORRESPONDENCE

None.

Correspondence
*None***12. COMMITTEE REPORTS**

None.

Committee Reports
*None***13. REPORTS OF COMMISSIONERS**

Commissioner Bailey thanked her fellow commissioners for their participation in and contribution to the Read-A-Thon event to raise money for the City Library. The money raised will be donated to the Friends of the Library.

Commissioner Reports
Library, HRC/PC joint meeting

Chair Riddell reminded the Commission of the April 30, 2008 joint meeting with the Historic Resources Committee to review the revisions to the Municipal Code Chapter 23.76 - Historic Preservation.

14. REPORT OF COMMUNITY DEVELOPMENT DIRECTOR

Lynn Burgess, Chief Planner, distributed a handout on new Brown Act requirements relating to the distribution of supplemental materials at meetings and making such materials available to the public.

Director's Report
*Brown Act Requirements***15. ADJOURNMENT:**

There being no further business, the Chair adjourned the meeting at 7:45 p.m.

Lynn Burgess, AICP, 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.