



## CITY OF PACIFIC GROVE

300 FOREST AVENUE  
PACIFIC GROVE, CALIFORNIA 93950  
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### MINUTES OF REGULAR MEETING

#### PLANNING COMMISSION

DATE & TIME: THURSDAY, November 20, 2008 – 6:00 P.M.

LOCATION: CITY HALL, COUNCIL CHAMBERS – 300 FOREST AVENUE, PACIFIC GROVE

*Copies of the agenda packet are available for review at the Pacific Grove Library located at 550 Central Avenue; the Community Development Department, upstairs in City Hall at 300 Forest Avenue, Pacific Grove; and on the internet at: <http://www.ci.pg.ca.us/boards/pla.htm>.*

#### MEETING AGENDA:

1. The meeting was called to order at 6:00 p.m.
2. Roll Call –  
  
Planning Commission Members present:
  - Linda Bailey (Vice-Chair),
  - Bob Davis
  - Steven MacDonald
  - Eric Miller
  - Craig Riddell (Chair)
  - Sally SmithPlanning Commission Members absent:
  - Gary Sprader
3. Approval of Minutes
  - A. Minutes of the November 4, 2008 Site Review Meeting
  - B. Minutes of the November 6, 2008 Regular Meeting

**On a motion by Davis, seconded by Bailey, the Planning Commission voted 6-0 to approve the minutes as presented.**

4. Oral Communications

None

5. Items to be Continued or Withdrawn:

None

**CONSENT AGENDA:**

6. None

**REGULAR AGENDA:**

7A. A public hearing to consider:

**Use Permit Application No. 2983-08**

**PROJECT ADDRESS:**

**201 CENTRAL AVENUE**

**APPLICANT:**

MacKenzie Patterson, on behalf of William and Joele Swift

**APPLICATION:**

Use Permit Application No. 2983-08

**PROJECT DESCRIPTION:**

Use Permit Application No. 2983-08 08 to allow a single unit bed and breakfast use in the R-3-PGR zoning district pursuant to Municipal Code Section 23.26.020.

**LEGAL DESCRIPTION:**

Assessors' Parcel Number 006-225-002

**ZONE DISTRICT:**

R-3-PGR District

**GENERAL PLAN/LCP**

**DESIGNATION:**

High Density Residential, 29 DU

**ENVIRONMENTAL STATUS:**

CEQA Class 32 Categorical Exemption

Staff introduced the item, described the bed and breakfast use being requested by the applicant, and explained that bed and breakfast uses are permitted in the R-3-PGR zone district.

The Chair opened the public hearing. Joele and William Swift made a brief statement about their use permit request and desire to have a bed and breakfast use on their property.

There being no further public comment, the Chair closed the public hearing.

Commissioner Bailey asked for clarification on the history of the R-3-PGR ordinance and Resolution No. 5554 language. Staff outlined the original language from 1979 and the amended language from 1998, and also the Planning Commission meeting minutes from 1997 leading up to the amended ordinance. The meeting minutes discussed development standards only; no historical evidence of bed and breakfast discussions was found.

Commissioner Davis asked questions regarding ADA accessibility. Staff relayed that John Kuehl (building official) felt that the primary use of the structure would remain as a privately owned single family dwelling with an accessory bed and breakfast use. As such, privately owned residences are exempt from ADA accessibility requirements. Commissioner Smith asked about ADA requirements with regards to historic resources. Staff responded that the discussion with Mr. Kuehl centered on the single family residential use, and did not explore accessibility requirements for historical structures. Commissioners discussed ADA requirements and lawsuit possibilities at length.

Chairman Riddell proposed an additional condition of approval, as follows: "The Applicant is responsible for meeting all applicable state and federal ADA/accessibility requirements." Commissioners agreed on this additional condition.

Commissioners discussed the discrepancies between the language in Resolution No. 5554 and the current zoning ordinance. Felt that the language should be cleaned up and made clearer. Chief

Planner Lynn Burgess agreed and noted that updating the ordinance language is an ongoing goal of the Community Development Department.

Commissioners complimented the applicants on their property and stated that it would make a beautiful bed and breakfast inn.

**On a motion by Smith, seconded by MacDonald, the Planning Commission voted 5-1 (Riddell dissenting) to grant approval of the Use Permit allowing a single unit bed and breakfast use, with the following changes to the conditions of approval:**

- 1. Add a new condition to read: The Applicant is responsible for meeting all applicable state and federal ADA/accessibility requirements.**
- 2. Change Condition # 10 to read: No more than two adults and two minor children shall be permitted to stay overnight in the bed and breakfast unit at any given time.**
- 3. Add a new condition to read: The structure shall serve as the primary residence of the owner or manager, and the bed and breakfast use shall be operated as an accessory use to the owner or manager's residence.**

8. City Council Actions --

Chief Planner Lynn Burgess reported that the City Council had adopted a resolution approving the final application for a California State Parks grant for Lover's Point park improvements (Old Bath House).

9. Architectural Review Board Actions --

None.

10. Historic Resource Committee Actions --

Staff noted that 888 Maple Street had been added to the HRI, and 119 Monterey Avenue had been removed from the HRI at the November 12, 2008 HRC meeting.

11. Correspondence --

None.

12. Committee Reports --

560 Grove Acre call-up has been continued to the January 21, 2009 City Council hearing.

13. Reports of Commissioners -

None.

14. Reports of the Community Development Department's Chief Planner

Chief Planner Lynn Burgess noted that the City has begun the recruitment process for the vacant Associate Planner position.

15. Adjournment

Meeting was adjourned at 6:52 p.m.