



CITY OF PACIFIC GROVE

300 FOREST AVENUE
PACIFIC GROVE, CALIFORNIA 93950
TELEPHONE (831) 648-3190 • FAX (831) 648-3184

NOTICE OF REGULAR MEETING

ARCHITECTURAL REVIEW BOARD

DATE & TIME: TUESDAY, MAY 12, 2009 – 6:00 P.M.

LOCATION: CITY HALL, COUNCIL CHAMBERS – 300 FOREST AVENUE

NOTE: The Architectural Review Board (ARB) may move and reorder the items on the consent and regular agendas. The public is encouraged to be present at the start of the meeting to hear and comment on items of interest.

The Architectural Review Board will not begin consideration of any item on the agenda later than 9 p.m. unless, by majority vote, the ARB decides to consider an item or items after 9 p.m. Any items on this agenda not considered this evening will be continued to a future meeting.

The general findings and conditions of approval for architectural approval applications are noted on the last page of this agenda. These apply to all final approvals of architectural applications. Special and additional findings and conditions may be added to an architectural approval as deemed necessary by the ARB.

All projects are subject to the California Environmental Quality Act (CEQA) and disclosure. CEQA status is noted on the agenda for each project.

Structures listed on the City's Historic Resources Inventory (HRI) are denoted on the agenda with an "(HRI)" next to their project address.

Architectural Review Board (ARB) Members:

Robin Aeschliman
Jeff Becom
Jeff Edmonds, Vice-Chair
Ken Hinshaw
Doug Howe, Chair
Wilda Northrop

Members of the audience may come forward to review and observe exhibits being presented for any agenda item. Public comment on a specific agenda item may be made after the applicant has presented his/her project to the Board.

1. CALL TO ORDER

2. ROLL CALL

3. APPROVAL OF MINUTES

Review and take action on the minutes from the April 28, 2009, Regular ARB Site Review and Regular Meeting.

4. COMMENTS FROM THE PUBLIC

(Comments from the audience may concern matters not on the agenda, but must deal with matters subject to the jurisdiction of the Board. Comments will not receive Board action.)

5. COMMUNICATIONS

6. WRITTEN CORRESPONDENCE

7. CITY COUNCIL ACTIONS

8. PLANNING COMMISSION ACTIONS

9. SUBCOMMITTEE REPORTS

10. ADMINISTRATIVE ARCHITECTURAL APPROVALS

11. ITEMS WITHDRAWN OR TABLED

12. REQUESTS FOR CONTINUANCE

13. CONSENT AGENDA

a. Project Address: 105 5th Street (HRI)

Architectural Approval Application No. 3868-09 for proposed removal and rebuilding of existing stairs and landing area and removal of a second floor exterior door.

Applicant: James Smith, on behalf of Donald Shirkey

CEQA status: Class 1 Categorical Exemption

Recommended Architectural Review Guidelines: 7 and 34

Staff reference: Associate Planner Valerie Tallerico

Recommended action: Discuss and take appropriate action.

14. REGULAR AGENDA

a. Project Address: 305 12th Street (HRI)

Architectural Approval Application No. 3860-09 for proposed new windows, new French door and enclosure of an existing rear exterior door and new wood deck and stairs.

Applicant: Gretchen Flescher, on behalf of Nicky Sciolto

CEQA status: Class 31 Categorical Exemption

Recommended Architectural Review Guidelines: Historic Buildings, Appendix I, Guidelines 1, 4, and 5

Staff reference: Associate Planner Valerie Tallerico

Recommended action: Discuss and take appropriate action.

b. Project Address: 211 9th Street

Historic Preservation Permit No. 09-0245 and Architectural Approval Application No. 3865-09, to allow repair and rehabilitation of an existing single family dwelling with nonconforming setbacks listed on the City of Pacific Grove Historic Resources Inventory, as well as an exception to allow addition to the rear of the existing residence in accordance with Municipal Code Section 23.76.060.

Applicant: Jeanne Byrne, FAIA, on behalf of Carolyn Selbecky, property owner

CEQA Status: Categorically Exempt, Class 31 (CEQA)

Recommended Architectural Review Guidelines: Historic Buildings, Appendix I, Guidelines 3 and 4

Staff reference: Senior Planner, Sarah Hardgrave

Recommended action: Discuss and take appropriate action.

c. Project Address: Chestnut Street (street address not currently assigned)

Architectural Approval Application No. 3861-09 and Tree Permit No. 090053 for a proposed 2-story single-family dwelling on a vacant lot of record

Applicant: Michael Chandler, on behalf of Larry Scholink

CEQA status: Class 3 Categorical Exemption

Recommended Architectural Review Guidelines: 1, 2, 4, 6, 13, 21, 22, 23, 24, 25, 27, 29, 30, 31, 32, 33, 34, 35, 36, 37 and 38.

Staff reference: Senior Planner, Karen Vaughn

Recommended action: Discuss and take appropriate action.

d. Project Address: 889 Jewell Avenue

Architectural Approval Application No. 3837-08 (Final) for a new 2-story single-family dwelling on a vacant lot of record.

Applicant: Chris Boqua, on behalf of Manuel Oliveira

CEQA status: Class 3 Categorical Exemption

Recommended Architectural Review Guidelines: 1, 2, 4, 5, 6, 9, 24, 25, 27, 29, 32, 34, 35, 36, 37 and 38.

Staff reference: Senior Planner, Karen Vaughn

Recommended action: Discuss and take appropriate action.

15. REPORTS OF BOARDMEMBERS

Boardmembers may ask a question for clarification, make a brief announcement or make a brief report on his or her activities. In addition, the Board members may provide

a referral to staff or other resources for factual information, request staff to report back to the body at a subsequent meeting concerning a City matter or direct staff to place a request to agendize a matter of business on a future agenda (G.C. 54954.2).

16. **REPORTS OF THE COMMUNITY DEVELOPMENT DEPARTMENT**

Reference: Chief Planner, Lynn Burgess

17. **ADJOURNMENT**

Note: Materials for this agenda, and copies of previous meeting agendas and minutes for the Architectural Review Board, are available for review at the Community Development Department, 300 Forest Avenue, Pacific Grove. Materials related to an item on this Agenda submitted to the Architectural Review Board after distribution of the agenda packet are available for public inspection at the Community Development Department, 2nd Floor of City Hall, during normal business hours (8 a.m. – 2 p.m.) and can be requested for review at the Business Desk, 1st Floor of City Hall, from 2 p.m. – 5 p.m. Materials can also be requested of staff during the Architectural Review Board hearing.

THE CITY OF PACIFIC GROVE DOES NOT DISCRIMINATE AGAINST PERSONS WITH DISABILITIES. **THE CITY MANAGER'S CONFERENCE ROOM AND CITY COUNCIL CHAMBERS IN PACIFIC GROVE CITY HALL ARE ACCESSIBLE MEETING PLACES.** A LIMITED NUMBER OF DEVICES ARE AVAILABLE TO ASSIST THOSE WHO ARE HEARING IMPAIRED. IF YOU WOULD LIKE TO USE ONE OF THESE DEVICES, PLEASE CONTACT THE COMMUNITY DEVELOPMENT DEPARTMENT SECRETARY AT (831) 648-3190.

NOTICE TO APPLICANTS

Applicants or their representatives must be present at the meeting for which their item, **including those items on the Consent Agenda**, is scheduled. **If unable to attend, the applicant must submit a written request for continuance prior to the meeting. The item may be denied if continuance is not requested.**

Decisions rendered by the Architectural Review Board may be appealed to the Planning Commission using a form available at the Community Development Department. The appeal form, plus an appeal fee, must be filed with the Community Development Department within 10 days (5 days in the case of a single-family dwelling in an R-1 zone as considered under the terms of subsection F. of Section 23.73.040 of the Municipal Code) of the action or decision being appealed. Notwithstanding the time limit for appeal set out in the above section, the Planning Commission and the City Council shall always have until their next regularly scheduled meeting following Architectural Review Board action to decide to review such action. No building permit pertaining to an Architectural Review Board action may be issued until the appeal period has passed.

Applicants are requested to contact the Building Department for building permit requirements. No sign approved by the Architectural Review Board shall be painted, erected, or otherwise installed until the appeal period has passed. **Any proposed exterior changes from approved plans require Architectural Review Board review and approval.** There is a fee for design changes submitted after the architectural approval application has been granted final approval.

Applicants with approved projects that have been deemed statutorily or categorically exempt under the California Environmental Quality Act (CEQA) may file a Notice of Exemption (NOE)

directly with the Monterey County Clerk in order to reduce the CEQA challenge period from 180 days to 35 days (CEQA Guidelines Section 15062). Applicants wishing to file the NOE should contact their planner for instructions on how to file the notice with Monterey County. Please note the Monterey County Clerk has a \$50 filing fee for a NOE.

Filing of a NOE by the City of Pacific Grove is not required. CEQA determinations are included in the public hearing notices for all projects.

STANDARD FINDING FOR APPROVAL OF AN ARCHITECTURAL APPROVAL APPLICATION

The architecture and general appearance of the building(s) will be in keeping with the neighborhood and the completed project will not be detrimental to the orderly and harmonious development of the City nor impair the desirability of investment or occupation in the neighborhood.

STANDARD CONDITIONS OF ARCHITECTURAL APPLICATION APPROVALS

1. This approval shall be null and void if a building permit has not been applied for within one year from the date of approval. Application for extension of this approval must be made prior to the expiration date.
2. All construction must occur in strict compliance with the proposal as set forth in the application(s) for permits, subject to any special conditions. Any deviation from the approved plans must be reviewed and approved by the staff and may require Architectural Review Board approval.
3. The terms and conditions shall be perpetual, and it is the intention of the Architectural Review Board and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.
4. Review by the Public Works Department is required prior to issuance of the building permit. The applicant shall obtain an encroachment permit from the Public Works Department before undertaking any work in the Public way and prior to issuance of the building permit.

STANDARD FINDING FOR APPROVAL OF A SIGN PERMIT APPLICATION

The proposed sign effectively conveys the business type and identity to the public and possesses pleasing elements of design that protects and enhances the architectural character and harmony of the community, buildings, and neighborhood in which it is located.

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.