

CITY OF PACIFIC GROVE
PLANNING COMMISSION

SPECIAL MEETING MINUTES

May 17, 2005

Tape (N/A)

3:00 p.m.

Community Development Department Conference Room, Pacific Grove City Hall

1. CALL TO ORDER

Roll Call

Present: Bailey, Bennett (Chair), Davis (Vice Chair), D. Miller, E. Miller,
and Riddell

Absent: Obbink

Staff: Biggs, Nelson

2. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) TRAINING

a. Introduction.

Community Development Department Director Biggs gave introduction.

b. Presentation by Senior Planner Barbara Nelson.

Barbara Nelson presented an overview of the California Environmental Quality Act (CEQA).

c. Question and Answer Period.

Commissioners had a number of questions regarding CEQA.

3. COMMENTS FROM THE PUBLIC

None.

**Public
Comment**

4. ADJOURNMENT

There being no further business, the Chair adjourned the meeting at 3:55 p.m.

Jon M. Biggs, Secretary

CITY OF PACIFIC GROVE
PLANNING COMMISSION

SITE REVIEW MINUTES

May 17, 2005

4:00 p.m.

Community Development Department Conference Room

Commissioners Present: Bailey, Bennett, Davis, D. Miller, E. Miller, Riddell

Commissioners Absent: Obbink

Staff: Biggs, Rideout

Staff presented the following projects:

1080 Lighthouse Avenue

Proposed remodel and construction of a one-story addition to a single-family dwelling and attached garage that have nonconforming setbacks, on a site having fewer than the required two covered parking spaces. The proposed addition encroaches into the required side yard setbacks. (Staff: Garcia -- Rideout presented project)

1203 David Avenue

(1) Municipal Code exceptions to allow construction within required setbacks for a change in roof pitch to an existing accessory building, and (2) to allow detached living space that is greater than 100 square feet and is remote from the single-family dwelling on the site. (Staff: Rideout) [Continued from May 5, 2005]

(Commissioners Riddell and Dan Miller stepped down and left the room prior to discussion of 1273 Buena Vista Avenue due to financial conflicts of interest)

1273 Buena Vista Avenue

Proposed additions to a single-family dwelling, including detached living space with plumbing having no interior access to the main residence, on a site that also has fewer parking spaces than required. The proposed project includes the removal of one 8" Coast live oak. (Staff: Garcia - Rideout presented project) [Continued from 4/21/05]

No sites were visited.

There being no further business, the Commissioners adjourned at 4:30 p.m. at the Community Development Department.

Jon M. Biggs, Secretary

CITY OF PACIFIC GROVE
PLANNING COMMISSION

SPECIAL MEETING MINUTES

May 19, 2005
Tape 05-10
5:30 p.m.
Council Chambers, Pacific Grove City Hall

1. CALL TO ORDER

Roll Call

Present: Bailey, Bennett (Chair), Davis (Vice Chair), D. Miller,
and Riddell

Absent: E. Miller and Obbink

Staff: Biggs and Rideout

**2. DISCUSSION CONCERNING PUBLIC NOTICING FOR THE
PROPOSED LIBRARY EXPANSION PROJECT SCHEDULED
FOR HEARING ON JUNE 2, 2005, AT 6:00 P.M.**

The Commissioners discussed public notification of their upcoming hearing on the proposed Pacific Grove Library expansion. There was agreement among the Commissioners that this project was of City wide importance and that the Community should be notified and invited to attend the June 2, 2005 meeting of the Planning Commission and provide their input.

On a Motion by Riddell, seconded by D. Miller, the commission voted 5-0 to suggest that staff do the following in addition to the standard legal notice procedures:

- Notify all postal patrons in the City of Pacific Grove, by means of a post card with relevant project information, of the June 2, 2005 Planning Commission meeting.
- Provide netting and story poles, as practical, of the proposed expansion.
- Post the primary elevations of the proposed project at a visible location on the Library site. This posting shall be at least 11" x 17".

3. COMMENTS FROM THE PUBLIC

- None

**Public
Comment**

4. ADJOURNMENT

There being no further business, the Chair adjourned the meeting at 5:55 p.m.

Jon M. Biggs, Secretary

CITY OF PACIFIC GROVE
PLANNING COMMISSION

MINUTES

May 19, 2005
Tape 05-10
6:00 p.m.
Council Chambers, Pacific Grove City Hall

1. **ROLL CALL**

Roll Call

Present: Bailey, Bennett (Chair), Davis (Vice Chair), D. Miller, Obbink,
and Riddell

Absent: E. Miller, B. Obbink (arrived later, after item 6.A)

Staff: Biggs, Rideout

2. **MINUTES**

On a motion by Riddell-Davis, the Commission voted 5-0 to **approve the following minutes:**

Minutes
approved

- Minutes of the site review meeting of May 3, 2005;
- Minutes of the regular meeting of May 5, 2005.

3. **COMMENTS FROM THE PUBLIC**

- Dan Davis expressed his concern with the environmental review conducted on the proposed library project.

Public
Comment

4. **REQUESTS FOR CONTINUANCE OR WITHDRAWAL**

Staff noted the continuation of the following project.

Requests for
continuances/
withdrawal

6.D A public hearing to consider (1) Site Plan Review Committee approval, (2) Vacation of a portion of Grand Avenue, (3) General Plan Land Use Designation, (4) Local Coastal Program Land Use Plan & Map Amendment, (5) Local Coastal Program Land Use Designation Change, (6) Local Coastal Program Land Use Designation, (7) Zoning Designation, (8) Use Permit Application, (9) Architectural Approval Application, (10) Tree Removal Permit Application, (11) Lot Line Adjustment Application, and (12) Water Allocation Request.

Library
Expansion
Project

PROJECT ADDRESS: 550 Central Avenue (Pacific Grove Library),
560 Central Avenue (Jewell Park), and Grand Avenue between
Central Avenue and Park Place

APPLICANT: City of Pacific Grove

PROJECT DESCRIPTION: Proposed expansion to the Pacific Grove Public Library which includes the vacation of the portion of Grand Avenue between Central Avenue and Park Place and converting vehicle traffic on Park Place to one-way eastbound and converting vehicle traffic on Fountain Avenue between Park Place and Central Avenue to one-way southbound. The Planning Commission will develop a recommendation to the City Council regarding the following applications/requests:

- A Mitigated Negative Declaration and Mitigation Monitoring Program
- Vacation of a portion of Grand Avenue
- Amend the Local Coastal Program Land Use Plan and Map to include a new Public Library land use designation.
- Change the current Local Coastal Program Land Use designation of the library site from Medium-High density residential to the new Public Library Local Coastal Program Land Use designation.
- Assign the new Public Library Local Coastal Program Land Use Plan designation to the vacated portion of Grand Avenue.
- Assign a Public (P) General Plan Land Use Designation to the vacated portion of Grand Avenue.
- Assign a U zoning designation to the vacated portion of Grand Avenue
- Water Allocation for the proposed project.

The City Council will consider the applications and recommendations of the Planning Commission at a future Council meeting, date to be determined. (Staff: Nelson)

REASON FOR CONTINUANCE: This item was continued to allow publication of legal notice.

5. CONSENT AGENDA

None.

**Consent
Agenda**

6. REGULAR AGENDA

- 6.A** A public hearing to consider Variance Application No. 05-1682 and Use Permit Application No. 2868-05

PROJECT ADDRESS: **1080 Lighthouse Avenue**

APPLICANT: Paul W. Davis, Architect

PROJECT DESCRIPTION: Proposed remodel and construction of a one-story addition to a single-family dwelling and attached garage that have nonconforming setbacks, on a site having fewer than the required two covered parking spaces. The proposed addition encroaches into the required side yard setbacks. (Staff: Garcia)

**Variance
05-1682;
UP 2868-05
*approved***

Associate Planner Rideout presented the staff report.

The Chair opened the public hearing.

Speakers:

- Paul W. Davis presented the project.

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

On a motion by Bennett-Riddell, the Commission voted 5-0 to **approve Variance Application No. 05-1682 and Use Permit Application No. 2868-05** based on the findings and subject to the terms and conditions contained in the staff report prepared for the meeting of May 19, 2005.

(DUE TO A LACK OF QUORUM ON ITEM 6.B, THE COMMISSION POSTPONED THIS ITEM TO LATER IN THE AGENDA TO ALLOW TIME FOR COMMISSIONER OBBINK TO ARRIVE, WHICH HE DID SHORTLY THEREAFTER, IN TIME TO HEAR ITEM 6.C)

- 6.C Continued deliberation concerning (1) Variance Application No. 05-1681 and (2) Use Permit Application No. 2870-05
PROJECT ADDRESS: **1203 David Avenue**
APPLICANT: Jeanne C. Byrne, Architect
PROJECT DESCRIPTION: (1) Municipal Code exceptions to allow construction within required setbacks for a change in roof pitch to an existing accessory building, and (2) to allow detached living space that is greater than 100 square feet and is remote from the single-family dwelling on the site. (Staff: Rideout) [Continued from May 5, 2005]

**Variance
05-1681;
UP 2870-05
approved**

Associate Planner Rideout presented the staff report.

The Chair reopened the public hearing.

Correspondence Received:

- Letter dated 4/27/05 from Lynne Sexton in support.
- Letter dated 4/19/05 from Genevra A. Harris in support.
- Letter dated 5/3/05 from Leigh Malone in support.
- Letter dated 5/5/05 from Thomas Schellenberg in opposition.
- Letter dated 5/10/05 from owner Janet Gray clarifying their reasons for applying for the variance.
- Letter dated 5/13/05 memorializing tentative understandings of Tom Schellenberg and owners of record, Mario Salazar and Janet Gray concerning unresolved issues on the project.

- Letter dated 5/18/05 from owner Janet J. Gray in response to Mr. Schellenberg's letter of 5/5/05.

Speakers:

- Jeanne Byrne, project architect, spoke in support.
- Lynne Sexton spoke in support.
- Owner Janet Gray spoke in support.

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

On a motion by Davis-Obbink, the Commission voted 6-0 to **approve Variance Application No. 05-1681 and Use Permit Application No. 2870-05** based on the findings and subject to the terms and conditions contained in the staff report prepared for the meeting of May 19, 2005.

(COMMISSIONERS RIDDELL AND DAN MILLER STEPPED DOWN AND LEFT THE ROOM PRIOR TO ITEM 6.C. DUE TO FINANCIAL CONFLICTS OF INTEREST)

- 6.B** Continued deliberation concerning Use Permit Application No. 2855-05 and Tree Permit Application No. CDD 57782
PROJECT ADDRESS: **1273 Buena Vista Avenue**
APPLICANT: Craig Riddell, property owner
PROJECT DESCRIPTION: Proposed additions to a single-family dwelling, including detached living space with plumbing having no interior access to the main residence, on a site that also has fewer parking spaces than required. The proposed project includes the removal of one 8" Coast live oak. (Staff: Garcia) [Continued from 4/21/05]

**UP 2855-05
and Tree
Permit No.
CDD 57782
continued to
6/2/05**

Associate Planner Rideout reported.

Correspondence Received:

- Undated letter received 5/19/05 from co-owners Jim and Laura Hodge, in support.

On a motion by Obbink-Davis, the Commission voted 4-0 to **continue item 6.B to the regular meeting of June 2, 2005 to allow staff time to seek the advice of the City Attorney with respect to a Planning Commissioner presenting his own project to the Commission, and allow a representative of the applicant to be present if needed.**

- 6.D (See Section 4, above -- this item was continued to allow publication of legal notice)**

(COMMISSIONERS RIDDELL AND DAN MILLER RETURNED TO THEIR SEATS)

- 6.E DISCUSSION CONCERNING PLANNING COMMISSION 2004-2005 WORK PROGRAM**

Commissioners received update

7. CITY COUNCIL ACTIONS

Staff reported.

**City
Council**

8. ARCHITECTURAL REVIEW BOARD ACTIONS

- Received the Minutes of the May 10, 2005 site review meeting of the Architectural Review Board.
- Received the Minutes of the May 10, 2005 regular meeting of the Architectural Review Board.

ARB

9. HISTORIC RESOURCES COMMITTEE ACTIONS

None.

HRC

10. CORRESPONDENCE

- Letter dated May 5, 2005 from Jim Willoughby.

**Corres-
pondence**

11. COMMITTEE REPORTS

None.

**Committee
Reports**

12. REPORTS OF COMMISSIONERS

Commissioners reported.

**Commissioner
Reports**

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 7:20 p.m.

Jon M. Biggs, Secretary

CITY OF PACIFIC GROVE NOTICE OF PUBLIC HEARING

PROJECT ADDRESS: 1273 Buena Vista Avenue

APPLICANT: Craig Riddell, Owner

APPLICATION: Use Permit Application No. 2855-05, Variance Application No. 05-1683 and Tree Permit Application No. CDD 57782

PROJECT DESCRIPTION: Proposed additions to a single-family dwelling, including detached living space with plumbing having no interior access to the main residence, on a site that also has fewer parking spaces than required. Applicant is proposing parking in a side yard setback. The proposed project includes the removal of one 8" Coast live oak.

LEGAL DESCRIPTION: Lot 7, Block 11, Del Monte Park

ZONE DISTRICT: R-1

GENERAL PLAN DESIGNATION: Medium Density Residential

ENVIRONMENTAL STATUS: Categorically Exempt, Class 1

WHERE AND WHEN: A public hearing by the Planning Commission to be held on **Thursday, May 19, 2005, at 6:00 P.M.** at the Pacific Grove Civic Center, City Council Chambers, 300 Forest Avenue, Pacific Grove, California.

Dated: May 5, 2005



JOHN M. BIGGS

Community Development Director

NOTE: The Planning Commission will also meet in a plan and site review session on Tuesday, May 17, 2005, at 4:00 p.m. in the Community Development Department Conference Room, 300 Forest Avenue. The limited purposes of this session are (1) to visit the site of the projects listed on this meeting's agenda and (2) to allow staff to respond to Commissioner inquiries regarding factual aspects of the applications. **THE PLAN AND SITE REVIEW IS AN OPEN MEETING. MEMBERS OF THE PUBLIC MAY ATTEND.**

Should this item be continued at the Planning Commission meeting the Chairman will announce a specific date and time to which the item is being continued. If you are not at the meeting you can find out if an item has been continued by calling the Community Development Department Secretary at (831) 648-3190.

If you have any questions about this item, please call Planning Technician Sheree Garcia at the Community Development Department (831) 648-3190.

Any decision by the Planning Commission may be appealed to the City Council within ten days of final action. Please note that Section 65009 (b) (2) of the California Government Code provides that legal challenges to the City's action on this project may be limited to only those issues raised in testimony during the public hearing process.

The City of Pacific Grove does not discriminate against persons with disabilities. The Pacific Grove Civic Center City Council Chambers is an accessible facility. 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.

This notice may be removed after: May 19, 2005.



**CITY OF PACIFIC GROVE
REVISED
PLANNING COMMISSION AGENDA REPORT**

TO: PLANNING COMMISSION
FROM: COMMUNITY DEVELOPMENT DEPARTMENT
MEETING DATE: May 19, 2005
ADDRESS: 1273 BUENA VISTA AVENUE
APPLICANT: CRAIG RIDDELL, PROPERTY OWNER

I. RECOMMENDATION

Hold public hearing and take appropriate action

II. PROJECT DESCRIPTION

Proposed addition to a single-family dwelling including construction of a 216 square foot detached art studio/bedroom with plumbing on a site that does not have the required one covered and one uncovered off-street parking spaces. The proposed project includes removal of one 8" Coast live oak tree from the site to accommodate the addition to the dwelling.

The proposed project also includes the installation of an interlocking paver driveway within the required north side yard setback. The proposed 42' driveway length is intended to provide two off-street parking spaces in tandem on the driveway, one of which occupies a portion of the required north side yard setback.

III. BACKGROUND

Zone District	R-1
General Plan Designation	Medium Density Residential
Lot Size	4,400 Square feet
Historic Inventory	No
Coastal Zone	No
Archaeology Zone	No
Biological Zone	No
Nonconforming	Yes

IV. APPLICATION REQUESTS

Variance Permit Application No. 05-1683

Planning Commission approval of the variance application is required for an exception to Municipal Code Section 23.08.250: Allow a required uncovered off-street parking space to occupy a portion of a required side yard setback.

Use Permit Application No. 2855-05

Planning Commission approval of the use permit application is required per the following Municipal Code Sections:

1. 23.16.021(a)(c) to allow the installation of a sink and trap in a detached room that is more than 100 square feet in area, is remote from the main cooking facilities on the site and has no interior access to the residence on the site.
2. 23.68.050(d)(1) to allow an addition of more than 120 square feet to a single-family dwelling that has two uncovered off-street parking spaces instead of the required one-covered and one uncovered spaces.

Tree Removal Permit Application No. CDD 57782

Planning Commission approval of the tree permit application is required per Municipal Code Section 12.16.210 (c)(1)(A) to allow the removal of one tree that is greater than 4" in diameter:

V. DISCUSSION

The subject property is a 40' x 112.5' interior building site that is located in a medium-density single-family residential zone district. The rear of the site abuts a wooded open-space area that is within Pebble Beach. The site is developed with a single-family dwelling and detached shed that has a nonconforming rear yard setback. File information indicates that the residence was constructed prior to the annexation of the Del Monte Park, and hence, prior to the application of the current zone district regulations pertaining to required setbacks and off-street parking.

There are 14 trees of varying species and maturity on the site, including 3 Coast live oak trees that are located in the front yard, and several Coast live oaks and Monterey pine trees in the rear of the site. One 8" in diameter Coast live oak is located within the proposed footprint of the additions. The off-street parking pattern in the immediate vicinity of the subject site is characterized by a wide variety of driveways, one and two-car garages and carpools.

Variance Application No. 05-1683

At a duly noticed public hearing on April 22, 2005, the Planning Commission considered the proposed improvements, which included only a single-car parking pad in the front yard. Several Commissioners' comments reflected concerns regarding an increase in vehicle congestion and limited supply of public parking availability in the Del Monte Park area. Ultimately the Commission referred the application back to the applicant to allow an opportunity to apply for a variance to pursue placing a second off-street parking space between the existing residence and the north property line. In response to Commissioners' comments made during that meeting, the applicant has submitted a variance application and revised site plan that allows for two uncovered off-street parking spaces in tandem on the site, one of which is placed between the existing residence and the north side property line.

The distance between the existing residence and the north property line is 10.5'. The off-street parking requirement for the site is one covered and one uncovered parking space with minimum dimensions of 9' x 20' per space. The required side yard setback for the 40' wide site is 4'. Municipal Code Section 23.08.250 defines a setback as an open space, which "is unoccupied and unobstructed from the ground upward...".

The proposed 42' driveway length is sufficient to accommodate two vehicles parked in tandem, and appears to address Commissioner concerns related to a congestion of parked vehicles on the public street. Conversely, the proposed placement of a required parking space within a required setback lends itself to a development pattern that is more appropriate for a higher density zone district. Further, design opportunities are available to accommodate alternative parking locations elsewhere on the large site.

Staff is unable to identify any unusual, extraordinary or unique circumstances applicable to the land and buildings in this instance that support the placement of an off-street parking space within a required setback on this site.

Use Permit Application No. 2855-05

The proposed project includes demolition of the nonconforming shed and construction of a new 216 square foot detached room (including a lavatory sink and toilet) that conforms to required setbacks. Plumbing in detached buildings is permitted in the R-1 zone district subject to first obtaining use permit approval. Typical conditions of approval for the use permit include the recording of a deed restriction that identifies the subject area and states the permitted use of the building. The deed restriction must be recorded prior to the issuance of a building permit. The applicants are aware of and have agreed to the recommended conditions of approval listed in Section IV of this report.

With respect to off-street parking, findings can be made to support approval of allowing either one or two uncovered parking spaces on the site instead of the required one covered and one uncovered space. No off-street parking is currently present on the site and the installation of a driveway as originally proposed, reduces the extent of the existing nonconformity without requiring additional exception from zoning regulations. Additionally, the existing single-family residential use of the site remains unchanged and either option (one or two spaces) is consistent with the off-street parking pattern in the neighborhood.

Staff suggests that the Commission resolve the off-street parking issues related to the variance application before taking action on the use permit application requests. Staff recommends approval of the use permit application, subject to the conditions listed in Section VI, once the variance requests are resolved and suggests the following findings:

As conditioned, the establishment, maintenance or operation of the building applied for will not be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city because:

1. The art studio/bedroom cannot not be used as a second unit;
2. The existing single-family residential use of the site remains unchanged;
3. The proposal brings the property closer into conformance with off-street parking requirements.

Tree Removal Permit Application No. CDD 57782

Municipal Code Chapter 12.16, Tree Preservation and Protection ordinance requires replacement plantings at a 2:1 ration for every tree that is removed. Staff recommends approval of the tree removal permit application subject to the special conditions of approval listed in Section VI, and suggests the following finding.

The tree, due to its location with respect to topography and required setbacks, prevents reasonable development of permitted uses on the site.

Architectural approval is required prior to the issuance of a building permit.

VI. CONDITIONS

Should the Planning Commission agree with the recommendation of staff, the following are recommended as conditions of approval:

Special Conditions of Approval

1. The approved use of the property is a single-family residence and detached 216 square foot art studio/bedroom with a water closet and wash basin. The subject area is the art studio/bedroom. The subject area is not permitted to be rented and/or used as a separate dwelling unit.

2. The installation of kitchen fixtures is not permitted at any location in the detached art studio/bedroom.
3. No additional plumbing fixtures shall be installed in the art studio/bedroom without obtaining required permits and approvals from the Community Development Department prior to installation.
4. In obtaining this permit the property owner understands and acknowledges that the City of Pacific Grove has the right to enter and inspect for compliance with the conditions of this permit and the rules and regulations enforced by the city. The property owner acknowledges that right and agrees to pay all costs incurred by the city in securing any judicial writ or inspection warrant to fulfill that right wherein the property owner fails to give consent for inspection. Said costs shall include all personnel time, attorney's fees and court costs incurred by the city to procure any judicial writ or inspection warrant.
5. Any plumbing fixtures installed in violation of this use permit will be required to be removed and capped at the source if a violation of any of the conditions of approval of this use permit are determined to exist by the Community Development Department.
6. The property owner(s) shall record a deed restriction to be prepared by the Community Development Department containing the conditions of this use permit with the Monterey County Office of the Recorder prior to issuance of the building permit. The conditions of this use permit are applicable to all subsequent property owners, heirs, assigns and successors in interest.
7. Should a violation of the conditions of the deed restriction occur, the property owner is required to pay all of the costs expended by the City of Pacific Grove in enforcing its ordinances, regulations and terms of the deed restriction.

Tree Protection Measures

1. Two replacement 15 gallon Coast live oak trees shall be planted on the site in a location determined by the project arborist under the direction of the Public Works Director.
2. Erect chain link, snowdrift or field fence around the remaining 6 trees indicated on the approved site plan. Fencing shall not be located closer than 5' from the outside edge of the trunk unless a lesser distance is approved by the Public Works Director. Fencing shall be rigidly supported and shall stand a minimum height of 4' above grade. Fencing shall be installed prior to the commencement of any construction activity and shall remain in place until final approval of the building permit.
3. Submit a trenching pathway plan including tree and root zone location to the Public Works Director for review and approval prior to issuance of a building permit.
4. Excavation/trenching within 3x's the diameter of a tree shall be staked for review and approved by the Public Works Director prior to issuance of a building permit.
5. Water is required to drain away from the base of any tree.
6. Roots larger than 2" in diameter encountered during excavation/trenching are required to be bridged or tunneled. The Public Works Director or a certified arborist is required to be present during excavation/trenching. The applicant/property owner, or their representative, shall schedule the excavation/trenching work with the Public Works Director a minimum of five working days prior to the commencement of work.
7. Roots approved to be cut are required to be clean cut and sealed.
8. Fill dirt shall not be placed within 10 feet of the base of any tree.
9. Decks within the root zone of trees to be retained shall be of post and beam construction.

10. Root crown grade is required to remain at the same level and shall not be raised or lowered.
11. Signs, wires, pulleys, etc. are not to be fastened to trees.
12. Spray the lower 6' of trees scheduled for preservation with an appropriate insecticide as recommended by a licensed pest control advisor.
13. Chemical wastes (paint thinner, etc.) shall be disposed of properly and shall not be drained on the site. Consult Monterey Regional Waste Management District for information concerning disposal of chemical wastes.

Standard Conditions

1. This permit shall be revoked if not used within one year from date of approval. Application for extension of the 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 permits and acceptance of the terms and conditions is returned to the Community Development Department.
3. Review and approval by the Public Works Department is required prior to building permit issuance. The applicant shall obtain an encroachment permit from the Public Works Department prior to undertaking any work in the public way.
4. All construction must occur in strict compliance with the proposal as set forth in the applications for permits, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Planning Commission approval.
5. 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.

RESPECTFULLY SUBMITTED BY:



SHEREE GARCIA
PLANNING TECHNICIAN

REVIEWED BY:



JON M. BIGGS,
COMMUNITY DEVELOPMENT DIRECTOR

May 6, 2005

CITY OF PACIFIC GROVE
APPLICATION FOR VARIANCE
(Municipal Code Chapter 23.72.090)

Accepted for submittal by: [Signature]
[CDD Staff person]
CHECK NUMBER #1026
RECEIPT NUMBER #0200022475
05/05/2005 2:00:44 PM

CDD Use only
VARIANCE APPLICATION NO.
051683

FEE 1050.00
ACCOUNT NO. 01-4401

Project Location 1272 Buena Vista APN 007-566-005

Lot(s) 7 Block 11 Tract Del Monte Park Lot Size 4500

Applicant CRAIG RIDDELL

Applicant's Address 611 19th St., PG, CA 93950

Applicant's Daytime Phone No(s). 646-0351

Property Owner RIDDELL, HONKE, AMBROSIA

Property Owner's Address 611 19th St. PG, CA 93950

Property Owner's Phone No. 646-0351

Proposed Variance Request and Reasons for Request: (See reverse side) →→→→→

This section to be completed by Planning Staff:
Variance Section(s) _____

CERTIFICATION:

I, the undersigned, under penalty of perjury, depose and say that I am the applicant for this request, that the owner of the property approves this application and that all statements are true and correct.

5/5/05
Date

[Signature]
Signature of Applicant

NOTE TO APPLICANT: The filing fee and materials related to the project must accompany this application. Please consult with a planner regarding submittal requirements for your project.

(Continued on reverse)

I. PROPOSED VARIANCE REQUEST (state in detail):

ENCROACHMENT INTO THE SIDE YARD SETBACK
(PLAN EAST). ENCROACH APPROX 3'6" INTO SETBACK
FOR A DISTANCE OF 31' FOR THE PURPOSE OF PROVIDING
ANOTHER PARKING SPACE.

II. REASONS FOR REQUEST (pursuant to Section 23.72.090 of the Municipal Code, a statement showing the following is required:

- a. That there are exceptional or extraordinary circumstances or conditions applying to the land, buildings or use referred to in the application, which circumstances or conditions do not apply generally to land, buildings, and/or uses in the same district; (explain)

Placement of the existing house does not
provide room for additional parking spaces
other than in existing setbacks. The existing
trees it also provide limits to placement of parking.

- b. That the granting of the application is necessary for the preservation and enjoyment of substantial property rights of the petitioner; (explain)

This is an ~~a~~ small home on a standard
4500 sqft lot. Without a variance for the
additional parking or a use permit to allow only
a single parking space the home would have to
be substantially demolished to meet the parking requirement.

- c. That the granting of such 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 said neighborhood; (explain)

This solution was suggested by the PC
and while that applicant would prefer a use permit
to allow for the existing parking situation. I see ~~no~~
no reason why this variance if granted would interfere

NOTE: Use Additional sheets if necessary.

with the neighborhood's health & safety.

VARIANCE APPLICATION NO:

APPLICANT: Craig Reed

CITY OF PACIFIC GROVE
APPLICATION FOR USE PERMIT
(Municipal Code Chapter 23.72.030)

Accepted for submittal by: S. Nelson
[CDD Staff person]

CDD Use only
USE PERMIT NO. 2855-05

RECEIVED

FEB 08 2005

FEE 600.00 630.00
01-4401

Project Location 1273 Buena Vista COMMUNITY DEV. DEPT. APN 007-566-005

Lot(s) _____ Block _____ Tract _____ Lot Size _____

Applicant Craig Riddell

Applicant's Address 611-19th St, Pacific Grove, CA 93950

Applicant's Daytime Phone No(s). (831) 646-0351

Property Owner Jessica Ambrosia, Laura Hodge, Craig & Rebecca Riddell

Property Owner's Address 1273 Buena Vista

Property Owner's Phone No. (831) 646-0351

PROPOSED USE OR PROJECT (State in detail) – Attach additional sheets if necessary:
Remodel and addition of a bedroom and detached art room w/ WATER CLOSET & WALK

Indicate, if applicable: Days/hours of operation, number of employees:

I, the undersigned, under penalty of perjury, depose and say that I am the applicant for this request, that the owner of the property approves this application and that all statements are true and correct.

2/8/05
Date

Craig Riddell
Signature of Applicant

CHECK NUMBER #1024
RECEIPT NUMBER #02000020862

NOTE TO APPLICANT: The filing fee and materials related to the project must accompany this application. Please consult with a planner regarding submittal requirements for your project.

PROJECT DATA SHEET

PROJECT ADDRESS: 1273 Buena Vista

APPLICANT(S): Craig Riddell

DATE PLANS SUBMITTED TO CITY OF PACIFIC GROVE: _____

PROJECT DESCRIPTION: Remodel and addition of a bedroom and detached art studio

	Required/ Permitted	Existing Condition	Proposed Condition	Notes
Zone District	R-1			
Site Area	4480			
Density (multi-family projects only)	N/A			
Building Coverage	40%	695sqft	1075sqft	
Paving Coverage		0	180sqft	
Total Site Coverage	1792sqft	695sqft	1255sqft	
Floor Area	2338	695	1075	
Total Exterior Lateral Wall Length to be demolished.	118'6" 25ft			
Total Exterior Lateral Wall Length to be demolished and rebuilt.	118'6" 0			
Building Height	25'	15'4"	15'4"	
Number of stories	1			
Front Setback	15'	20'6"	20'6"	
West Side Setback (specify side)	4'	10'	10'	
East Side Setback (specify side)	4'	5'	5'	
Rear Setback	10'	0	10'	
Garage Door Setback	NA	NA	NA	
Covered Parking Spaces	1	0	0	
Uncovered Parking Spaces	1	1	1	
Parking Space Size (Interior measurement)	9' x 20'			
Number of Driveways	1	1	1	
Driveway Width(s)	10'	10'	10'	
Back-up Distance	NA	NA	NA	
Eave Projection (Into Setback)	3' maximum	0	0	
Distances Between Eaves And Property Lines	3' minimum			
Open Porch/Deck Projections				
Architectural Feature Projections				
Number of Accessory Buildings	1	1	1	
Accessory Building Setbacks	10'4'	0/0	10'4'	Demolish existing/rebuild
Accessory Building Height	15'	8'	15'	Demolish existing/rebuild
Fence Heights	6'	6'	6'	

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Affordable Arborist Tree Care and Removals



CA License #718682

Bonded, \$2 Million Liability Ins. & Workers Comp.



WC-5324

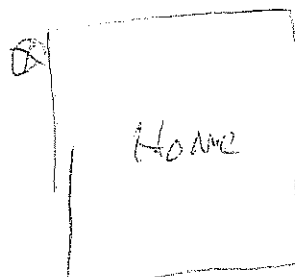


Post Office Box 2035
Monterey, CA 93942

(831) 375-7900

Fax (831) 649-6174

1273 Buena Vista

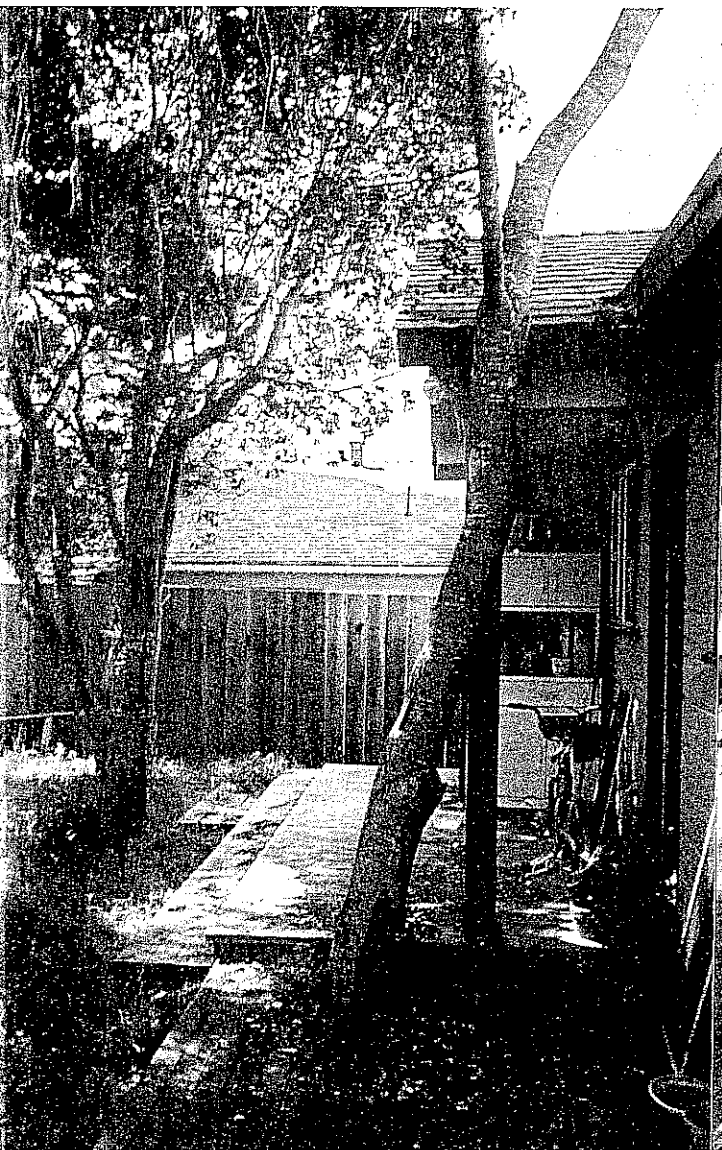


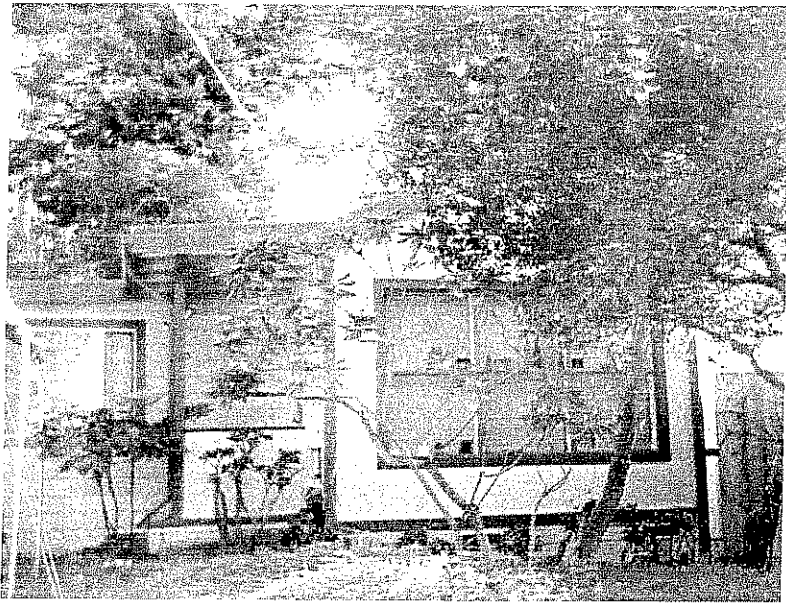
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ENTRANCE COMMUNITY DEV. DEPT.

COMMUNITY DEV. DEPT.





Front of Residence
Project North

Agenda Item No. 6B
Planning Commission

Back of Residence
Project South



Existing Shed
To Be demolished

Back of lot



East Side of house



CITY OF PACIFIC GROVE

TREE PERMIT APPLICATION PROCESS FOR THE TRIMMING OR
REMOVAL OF TREE(S) RELATED TO DEVELOPMENT

Development projects involving the trimming or removal of trees are required to submit an arborist's report prepared by an arborist on the City's approved list in addition to the tree trim/removal permit application. Those considering an application to trim or remove a tree(s) will use this report.

The arborist's report must contain a keyed site plan, drawn to scale, that includes the location, type, drip line, and trunk diameter at a point 4'6" above the ground for all trees. An 8 1/2" X 11" reduction of this site plan is also required.

In addition to including information regarding the condition of the tree, the report must also contain information and recommendations regarding the trimming or removal, replacement planting, and tree protection measures based on criteria found at Municipal Code Section 12.16.21D - Removal or alteration - Development. A copy of this section of the Municipal Code is included with this form.

The information requested below is necessary in order to complete the application process:

Please Print

Arborist: Garry Tarnowski, Certified Arborist

Arborist Mailing Address: P.O. Box 2035, Monterey, CA 93942

Arborist Daytime Telephone No.: 831-375-7900 & 831-277-7900

License No. CA Contractor Licence #718682, Certified Arborist #WE_5324A

Date of Assessment: March 21, 2005

Plans Dated: _____

Property owner/Applicant: Craig Ridell

Project Address: 1273 Buena Vista, Pacific Grove, CA

Project Description: Removal of oak tree

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Agenda Item No. 6B
Planning Commission

A tree permit is required to trim or remove any of the following trees: (1) 4" or greater in trunk diameter at a height of 4'6" from the ground, (2) 10' or greater in height, (3) 5 or more trees regardless of size within a 12 month period, (4) live replacement trees of any size (Municipal Code 12.16.190).

List the trees that are to be removed or trimmed and include the type and diameter of each tree.

Removal of oak tree

Attach a numbered tag to each tree(s) on the property and include the corresponding tag number(s) on the site plan. Comments in the evaluation are required to correspond to the tree tag number. Trees that are to be trimmed or removed should also be identified by a bright ribbon tied to each tree in addition to the numbered tag.

Please comment on the current condition of each of the tree on the property.

TREE NUMBER	TYPE	SIZE	TREE CONDITION
1	oak	8"DBH	Good

If the tree shows signs of disease please comment regarding treatment options.

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Agenda Item No. 6B
Planning Commission

Please describe how the proposed project will affect the trees on the property including whether trees are part of an integrated wind break or contribute to preventing soil erosion. Attach additional pages if needed.

Property is basically flat. Property is heavily wooded with clusters of live oak. Suggest nurturing trees on property.

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Agenda Item No. **6B**
Planning Commission

RECOMMENDATIONS

1. A chain link, snow drift, or field fence is required to be placed around trees marked on the site plan to protect remaining trees from project damage. The fence is to be at least 4' above grade and rigidly supported. The fencing should be installed before any project activities including site preparation, demolition, and/or construction begins. The fence is to remain in place until removal is authorized by the City.
2. A utility trenching plan including tree and root zone locations should be submitted to the arborist for review.
3. Excavation or trenching within 3 x's the diameter of a tree should be staked for review by the arborist.
4. Roots larger than 2" in diameter that are encountered during excavation or trenching should be bridged or tunneled. The arborist should be present during excavation or trenching.
5. Roots that are approved to be cut should be clean cut and sealed.
6. Decks within the root zone of trees to be retained should be of post and beam construction.
7. On-grade patios or paving that covers more than 1/3 of the root feeding zone of pine trees or more than 1/2 of the root feeding zone of oak trees should be constructed of permeable materials that allow aeration and water penetration.
8. Root crown grade should remain at the same level and should not be raised or lowered.
9. The lower 6' of Monterey pine trees that will remain on the property should be sprayed with an appropriate insecticide as recommended by a licensed pest control adviser.
10. Fill dirt should not be placed within ten feet (10') of the base of any tree.
11. Tree walls should be used for this project.
12. Water should drain away from the base of any tree.
13. Grade changes should not adversely impact trees (suffocate, compact or expose roots).

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Agenda Item No. 6B
Planning Commission

14. To evaluate canopy trimming impacts, stake and string building the footprint and erect a height pole showing the ridge line at the highest point.
15. Storage of building materials and/or debris within the dripline should not be allowed. Heavy equipment and/or vehicles should not be parked within the dripline of trees identified on the site plan.
16. Signs, wires, pulleys, etc. should not be fastened to trees.
17. Paintbrushes and tools should not be cleaned over tree roots.
18. Chemical wastes (paint thinner, etc.) should be disposed of properly and not be drained on the property. Contact the Monterey Regional Waste Management District for information about disposing chemical wastes.
19. Replacement tree replanting is required (include number, type and size recommended). Every tree removed is required to be replaced by a minimum of two trees of comparable use and size. Planting locations are required to be approved by the arborist prior to planting. Required replacement plantings are required to be maintained in healthy condition.
20. Other:

To be completed by the Community Development Department

- Tree Permit Application No. _____
- The property is located within an environmentally sensitive area as shown on the Local Coastal Program habitat sensitivity map.
- A botanical report has been prepared for this project (attached).
- The property is located in the vicinity of a known Monarch butterfly overwintering site.

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CITY OF PACIFIC GROVE
APPLICATION FOR PERMIT TO TRIM/REMOVE TREES (P.G.M.C. 12.16)

Agenda Item No. **6B**
Planning Commission No. **57782**

APPLICANT INFORMATION:

Name of Property Owner: Laura Ambrosia-Hodge, Jessica Ambrosia Craig & Rebecca Kydler
Property Street Address: 1273 Buena Vista, PG CA 93930
Owner Mailing Address: P.O. Box 51201, Pacific Grove, CA 93910
Applicant (if other than property owner) Mailing Address: _____
Owner Phone Number: /Applicant Phone Number: 831-646-0351

TREE INFORMATION:

Number of Tree(s): 1 Species: OMC
Tree(s) Located: Private Property: 1 Public Property: _____
Number of Tree(s) for trimming: _____ Number of Tree(s) for removal: _____
Reasons: Remodel

THE FOLLOWING CONDITIONS MUST BE MET:

- 1. All permits required by the City of Pacific Grove must be obtained before any tree is trimmed or removed.
- 2. The City Forester must be contacted several days before the tree work commences.
- 3. All trees to be removed will be appropriately marked by the City Forester. Trees that are not marked must not be removed.
- 4. Tree replacement, if required, will be specified as to location and species by the City Forester. The owners agree to do the planting under the direction of the City Forester within one (1) year of removal of the tree(s).
- 5. All tree trimming and removal activity shall comply with the provisions of Pacific Grove Municipal Code Chapter 12.16, including, but not limited to, the posting and notice requirements contained therein.
- 6. Pruning must be in accordance with standards set forth by the International Society of Arboriculture. Do not use heading cuts unless written permission is granted by City Forester.
- 7. Any other conditions imposed by the City Forester as set forth below.
- 8. Permits are valid for 60 calendar days.

Craig Kydler
Owner's Signature

2/8/05
Date

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Agent for Owner Signature

Date

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Do Not Write Below This Line

Action: Approved Denied Trimming Removal Root Pruning Crown Reduction Thinning Weight Reduction
 Dead/Dying Property Damage Public Hearing I.D. #: _____
Replant: Yes No Number: _____ Size: _____ Species: _____

Findings/Comments: _____

02 02/08/2005 2 COD-USE

170.00

CHECK NUMBER #1024

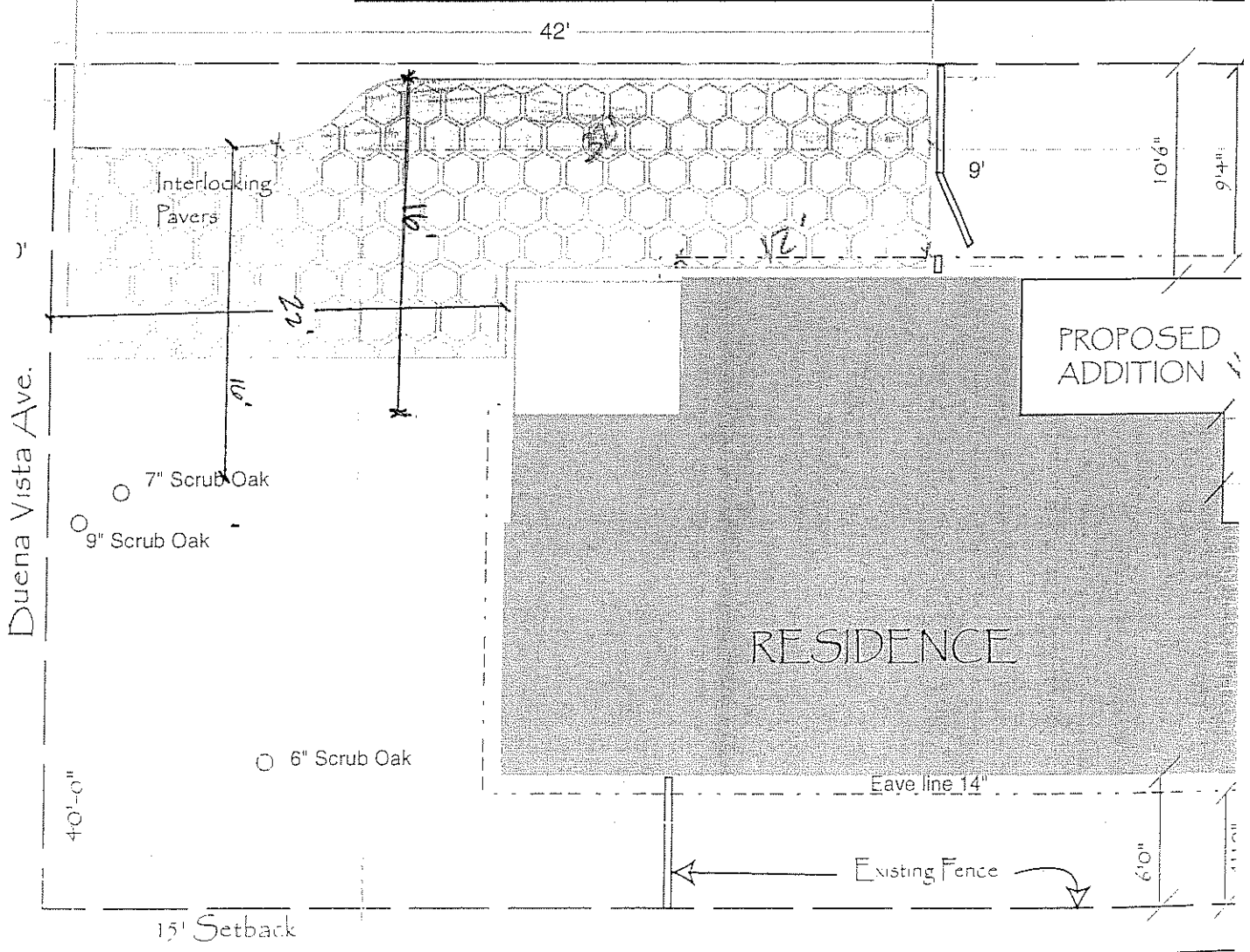
RECEIPT NUMBER #02000020862

Other Department Information: _____

Date: _____ AUTHORIZED CITY PERSONNEL: _____

Application Fee: _____ Received by: _____

Date: _____



OWNER(S): Laura & Jessica Ambrosia
 Craig & Rebecca Riddell
 P.O. Box 51201, Pacific Grove, CA 93950
 A.P.N.: 007-566-005 DESIGNER: Craig Riddell

PROJECT DESC. : Addition to Single family Residence
 LOT SIZE: 4500 SQFT. ZONED: R-1
 EXISTING BUILDING: 695 SQFT. ADDITION: 380 SQFT.
 DECK: 200 SQFT TOTAL: 1267 SQFT. ALLOW'ABLE: 2373 SQFT
 HEIGHT LIMIT: 25'-0"

SITE PLAN

Jim & Laura Hodge
284 Ventana Way
Aptos, CA 95003

Distribution-Planning Commission Packet/Agenda:

- CDD Director re PC meeting of 5/19/05
 PC Members Planners
 Library CDD Public Info Binder
 Owner Applicant Appellant

Agenda Item No. 6B
Planning Commission

Dear Commissioners:

Name: _____

This letter is in reference to our project, located at 1273 Buena Vista Ave., which is currently being reviewed by the Planning Commission. At the direction of the Commissioners, we filed a variance request to provide a second uncovered spot within the side yard set back. The proposal before you was completed after consultation with staff to be certain it would meet both the letter and the spirit of the Commission's request.

We are disappointed that, after submission, staff has determined they are unable to support the application. Especially since the objection seems to be categorically against any parking inside a side yard set back. If we had been informed that staff would not support the variance it is likely we would not have filed it in the first place. Especially considering the expense (\$1050 fee).

In any case, we believe any of the following options would be agreeable, in order to proceed:

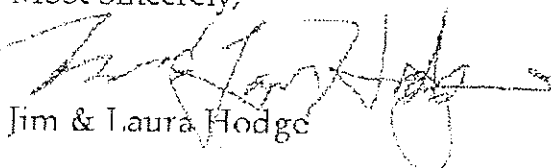
1. Move forward with the variance request at your discretion.
2. Move forward with our initial use permit request to allow us to proceed with a single uncovered parking spot.
3. Build a a carport in the general area of the proposed driveway so that we will be providing one covered parking spot. See attached plan.

In support of our original use permit request we submit the following information. This home was sited prior to the current zoning ordinances. In fact, it was built prior to being annexed into Pacific Grove. The current siting of the building does not leave room for a garage in front the property that would meet any appropriate aesthetic sense.

In regard to placing parking behind the existing home, we cannot believe that the commission would consider it beneficial to build a driveway from the property line, extending a minimum of 80' into the same setback, potentially taking out four oak trees, and creating a surfaced area of at least 1100 square feet. This, in our opinion, would desecrate this beautiful property that is now largely kept in a very natural state.

As you review this project we hope you realize that we have chosen this modest addition so that the scale of this home will remain the same while allowing for much needed additional living space.

Most Sincerely,


Jim & Laura Hodge

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CITY OF PACIFIC GROVE NOTICE OF PUBLIC HEARING

PROJECT ADDRESS: 230 17 Mile Drive (City of Pacific Grove Municipal Ball Park)

APPLICANT(S): City of Pacific Grove

LEGAL DESCRIPTION: Lot 6, Block 313A, Pacific Grove Acres

ZONE DISTRICT: O

GENERAL PLAN DESIGNATION: Open Space

ENVIRONMENTAL STATUS: CEQA General Rule Exemption 15061(b)(3).

SUBJECT OF HEARING: Recommendation to the City Council on a proposed amendment to the City of Pacific Grove Ball Park Master Plan to prohibit advertising on the scoreboard.

WHERE AND WHEN: A public hearing by the Planning Commission to be held on **Thursday, June 2, 2005, at 6:00 P.M.** at the City Council Chambers, Pacific Grove Civic Center, 300 Forest Avenue, Pacific Grove, California.

Dated: May 18, 2005



JON M. BIGGS

COMMUNITY DEVELOPMENT DIRECTOR

NOTE: The Planning Commission will also meet in a plan and site review session on Tuesday, May 31, 2005, at 4:00 p.m. in the Community Development Department Conference Room, 300 Forest Avenue. The limited purposes of this session are (1) to visit the site of the projects listed on this meeting's agenda and (2) to allow staff to respond to Commissioner inquiries regarding factual aspects of the applications. **THE PLAN AND SITE REVIEW IS AN OPEN MEETING. MEMBERS OF THE PUBLIC MAY ATTEND.**

Should this item be continued at the Planning Commission meeting the Chairman will announce a specific date and time to which the item is being continued. If you are not at the meeting you can find out if an item has been continued by calling the Community Development Department Secretary at (831) 648-3190.

If you have any questions about this item, please call Associate Planner Sally Rideout at the Community Development Department (831) 648-3190.

Any decision by the Planning Commission may be appealed to the City Council within ten days of final action. Please note that Section 65009 (b) (2) of the California Government Code provides that legal challenges to the City's action on this project may be limited to only those issues raised in testimony during the public hearing process.

The City of Pacific Grove does not discriminate against persons with disabilities. The Pacific Grove Civic Center is an accessible facility. 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.

This notice may be removed after: June 2, 2005.



PLANNING COMMISSION AGENDA REPORT

TO: PLANNING COMMISSION

FROM: COMMUNITY DEVELOPMENT DEPARTMENT

MEETING DATE: JUNE 2, 2005

ADDRESS: PACIFIC GROVE MUNICIPAL BALL PARK AT PICO AVENUE
AND SEVENTEEN MILE DRIVE

APPLICANT: CITY OF PACIFIC GROVE RECREATION DEPARTMENT

I. RECOMMENDATION

That the Planning Commission recommend the proposed amendment to the Pacific Grove Ball Park Master Plan to the City Council.

II. PROJECT DESCRIPTION

This is a proposed amendment to the City of Pacific Grove Ball Park Master Plan that deletes the language allowing consideration of advertising on the freestanding scoreboard and inserts language that prohibits advertising on the scoreboard.

III. BACKGROUND

In 1990 work was initiated on a master plan for the Pacific Grove Ball Park located at the intersection of Seventeen Mile Drive and Pico Avenue. After review and recommendations by the Planning Commission and Recreation Board the master plan was adopted in April of 1992 by the City Council. Among other things, the plan includes schedules for use of the ball field and a listing of major and minor improvements to the park. Amendments to the Plan can be approved by the City Council subject to appropriate review and recommendation by concerned citizens, the Recreation Board, and the Planning Commission.

The City Council amended the Pacific Grove Ball Park Master Plan in 2004. The amendment allowed consideration of a freestanding scoreboard through the normal permit process. The language in the amendment also allowed consideration of advertising. The Planning Commission approved a use permit for a freestanding scoreboard in 2005. One condition of that approval prohibited advertising on the scoreboard.

In April of 2005, the Council discussed the language that allows consideration of advertising on the scoreboard in response to concerns raised by neighbors of the Ball Park. After public comment, Council deliberated and referred this to the Planning Commission for recommendation.

Staff drafted changes to the Master Plan language that eliminated the potential for consideration of advertising on the scoreboard. This was scheduled for recommendation first by the Recreation Board, which is in line with the process for amending the Master Plan. The Recreation Board held a hearing on the proposed amendment to the Ball Park Master Plan at its May 10, 2005 meeting.

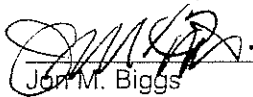
The Recreation Board voted to recommend the following language changes, which prohibits advertising on the scoreboard:

*I. Install a free standing illuminated scoreboard with signage behind the outfield fence of the ball field. This will replace the existing scoreboard and provide better visibility of game statistics to all who observe or participate in the ball games, ~~and allow opportunities for sponsor identification.~~ **Advertising on the scoreboard is prohibited.***

IV. DISCUSSION

The proposed amendment to the Ball Park Master Plan will prohibit advertising on the freestanding scoreboard. The Planning Commission is asked to develop a recommendation on this language, which will be forwarded to the City Council for consideration.

RESPECTFULLY SUBMITTED BY:



Jon M. Biggs
Community Development Director

Review Draft - 2005



**PROPOSED AMENDMENT
to the
CITY OF PACIFIC GROVE
BALL PARK MASTER PLAN**

The City of Pacific Grove Ball Park Master Plan is amended as follows:

**III. Recommendations for Physical Improvements to the Ball Park
Major Improvements.**

EDITED VERSION (AS RECOMMENDED BY RECREATION BOARD) -

I. Install a free standing illuminated scoreboard with signage behind the outfield fence of the ball field. This will replace the existing scoreboard and provide better visibility of game statistics to all who observe or participate in the ball games, ~~and allow opportunities for sponsor identification.~~
Advertising on the scoreboard is prohibited.

CLEAN VERSION (AS RECOMMENDED BY RECREATION BOARD) -

I. Install a free standing illuminated scoreboard with signage behind the outfield fence of the ball field. This will replace the existing scoreboard and provide better visibility of game statistics to all who observe or participate in the ball games. Advertising on the scoreboard is prohibited.

Regular Agenda Item No. 9A
City Council - 4/6/05



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

AGENDA REPORT

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: Councilmember Goldbeck
MEETING DATE: April 6, 2005
SUBJECT: An Amendment of the amended ballpark master plan to eliminate the phrase under section III, "and allow opportunities for sponsor identification."

RECOMMENDATION:

Remove offending language and insert new language prohibiting all advertising in the park.

DISCUSSION:

As you all have probably heard, there is great concern from the neighbors about changes in the master plan for the ballpark. Many claim they did not get notice of the masterplan-change hearing including the Chair of our Planning Commission, Lisa Bennett who, as you know, is very keyed in to the notice issue.

The council approved this amendment last year but many neighbors are concerned that this language appears to refer to commercial advertising, which all agreed would not go on this ballpark sign or anyplace else in this park. It sounds like it to me too.

This issue came up at the last Planning Commission meeting which I attended at the request of some of the neighbors. One citizen asked me to put it on the agenda.

I think it is pretty clear that the language in question certainly refers to advertising. The concern is that while there is no present intent to advertise, our plan should not be providing for it in the future. This is something that apparently slipped through the cracks.

I would recommend that we go one step further and simply include the phrase: Advertising in the ballpark is prohibited.

FISCAL IMPACT:

None, probably save money on staffing hearings in the future.

ATTACHMENTS:

None.

RESPECTFULLY SUBMITTED:

Susan Goldbeck
COUNCILMEMBER

