



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

AGENDA REPORT

TO: Mark Brodeur, Zoning Administrator

FROM: Wendy Lao, Assistant Planner

MEETING DATE: April 6, 2016

SUBJECT: Consideration of Administrative Architectural Permit 16-112 to allow a generator facing Montecito Avenue.

ADDRESS: 1229 David Ave.

**ZONING/
LAND USE:** R-1/Group Quarters

APPLICANT: Roger and Jane Consani

CEQA: Categorical Exemption under CEQA Guidelines Class 1, Section 15301

RECOMMENDATION

Uphold issuance of Administrative Architectural Permit 16-112 (See Attachment A, Draft Permit).

BACKGROUND

On February 9, 2016, Jane Consani of Del Monte Assisted Residential Care applied for an Administrative Architectural Permit to allow a generator facing Montecito Avenue. The generator is approximately 4 feet width by 2 feet 6 inches height by 2 feet length, and located along the western side of the building facing Montecito Avenue. The project received final approval by the Director of Community and Economic Development Department Director Mark Brodeur on March 14, 2016.

On March 22, 2016, the City of Pacific Grove received a request for a hearing from a neighbor.

DISCUSSION

A neighbor has expressed concerns regarding the noise impacts of the project. The proposed development meets the development regulations set forth in the R-1 zoning district, including but not limited to height and setbacks, per Pacific Grove Municipal Code 23.16.180 and 23.70.030(b)(2)(E). Nonetheless, to reduce visual and noise impacts, a noise reduction barrier, trellis, planting vegetation, or similar structure may be installed.

FINDINGS

1. The proposed development will meet the development regulations set forth in the R-1 zoning district, including but not limited to heights, parking and setbacks, and;
2. The architecture and general appearance of the completed project are compatible with the neighborhood because the proposed exterior will be compatible with the size, scale and proportions of the existing residence and other residences in the neighborhood, and;
3. The completed project will neither be detrimental to the orderly and harmonious development of the city nor impair the desirability of investment or occupation in the neighborhood because the project will be improving the subject property, and;
4. The proposed addition will be located mainly behind the parking lot;

CONDITIONS

Staff recommends upholding issuance of Administrative Architectural Permit 16-112, subject to the approved conditions (See Attachment A, Draft Permit).

CEQA

This project is exempt from CEQA under Categorical Exemptions, Section 15301, Class 1.

OPTIONS

1. Uphold issuance of Administrative Architectural Permit (AAP) 16-112
2. Approve a modified AAP 16-112, with conditions of approvals
3. Deny AAP 16-112

ATTACHMENTS

- A. AAP 16-112 – Draft Permit
- B. AAP 16-112 – Plans
- C. CEQA Exemption Form

RESPECTFULLY SUBMITTED:



Wendy Lao
Assistant Planner

REVIEWED BY:



Mark Brodeur
CEDD Director



CITY OF PACIFIC GROVE

Community and Economic Development Department – Planning Division

300 Forest Avenue, Pacific Grove, CA 93950

T: 831.648.3183 • F: 831.648.3184 •

Item 3b

ADMINISTRATIVE ARCHITECTURAL PERMIT (AAP) 16-112 FOR A PROPERTY LOCATED AT 1229 DAVID AVE.

Roger & Jane Consani applied on February 9, 2016, for an Administrative Architectural Permit to legalize a generator fronting Montecito Avenue.

FACTS

1. The subject site is located at 1229 David Avenue, Pacific Grove, CA 93950 (APN: 007-572-025)
2. The subject site has a designation of Group Quarters (GQ) on the adopted City of Pacific Grove General Plan Land Use Map.
3. The project site is located in the R-1 zoning district.
4. The project site is a corner lot of approximately 12,448 square feet.
5. The project site is developed with a two-story Del Monte Assisted Residential Care facility of approximately 4,930 gross square feet.
6. This project is exempt from CEQA under Categorical Exemptions, Section 15301(e)(1), Class 1, Existing Facilities.

FINDINGS

1. The proposed development will meet the development regulations set forth in the R-1 zoning district, including but not limited to heights, parking and setbacks, and;
2. The architecture and general appearance of the completed project are compatible with the neighborhood because the proposed exterior will be compatible with the size, scale and proportions of the existing residence and other residences in the neighborhood, and;
3. The completed project will neither be detrimental to the orderly and harmonious development of the city nor impair the desirability of investment or occupation in the neighborhood because the project will be improving the subject property, and;
4. The proposed addition will be located mainly behind the parking lot;

PERMIT

Administrative Architectural Permit to allow:

The legalization of a generator fronting Montecito Avenue located at 1229 David Avenue.

Per P.G.M.C 23.70.030(b)(2)(E) with the following conditions:

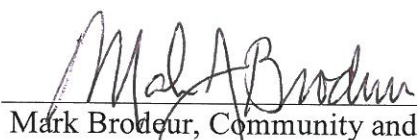
CONDITIONS OF APPROVAL

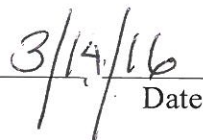
1. **Permit Expiration.** This permit shall expire and be null and void if a building permit has not been applied for within one (1) year from and after the date of approval. Application for extension of this approval must be made prior to the expiration date.
2. **Construction Compliance.** All construction must occur in strict compliance with the proposal as set forth in the application, subject to any special conditions of approval herein. Any deviation from approvals must be reviewed and approved by staff, and may require Architectural Review Board approval.
3. **Terms and Conditions.** These terms and conditions shall run with the land, and it is the intention of the CEDD Director and the Permittee to bind all future owners and possessors of the subject property to the terms and conditions, unless amended. Amendments to this permit may be achieved only if an application is made and approved, pursuant to the Zoning Code.
4. **Public Works, Fire and Building.** Review and approval by the Public Works, Fire and Building Departments are required prior to issuance of a building permit. Work taking place in the public right-of-way shall require an encroachment permit prior to issuance of the building permit.
5. **Conformance to Plans.** Development of the site shall conform to approved plans on file with the Community and Economic Development Department and to the Building Code, with the exception of any subsequently approved changes.
6. **Tree Protection Standards During Construction:** Pursuant to Municipal Code Chapters 12.20 and 12.30, and the *Urban Forestry Standards*, all trees that are otherwise protected and will be impacted as a result of Development, both proposed for pruning or removal and where the development will impact the critical root zone of the tree are protected. Prior to issuance of the building permit, the Project Arborist shall review grading, drainage, utility, building and landscape plans to determine impacts to individual Trees, to determine required minimum Tree protection standards during construction.
7. **Building Plans:** All conditions of approval for the Planning permit(s) shall be printed on a full size sheet and included with the construction plan set submitted to the Building Department.

APPROVED this day of March 14, 2016

Anyone wishing to request a public hearing on this matter may do so through submittal of a written request by 5:00 p.m. on March 24, 2016 to Wendy Lao at 300 Forest Avenue, Pacific Grove, CA 93940 or at wlao@cityofpacificgrove.org.

If a written request for hearing is received by the above noted deadline, a public hearing will be held by the Zoning Administrator, and a separate notice will be mailed indicating when and where said hearing will take place. If a written request for hearing is not received by the above noted deadline, the CEDD Director's decision described above is final, and may not be appealed.

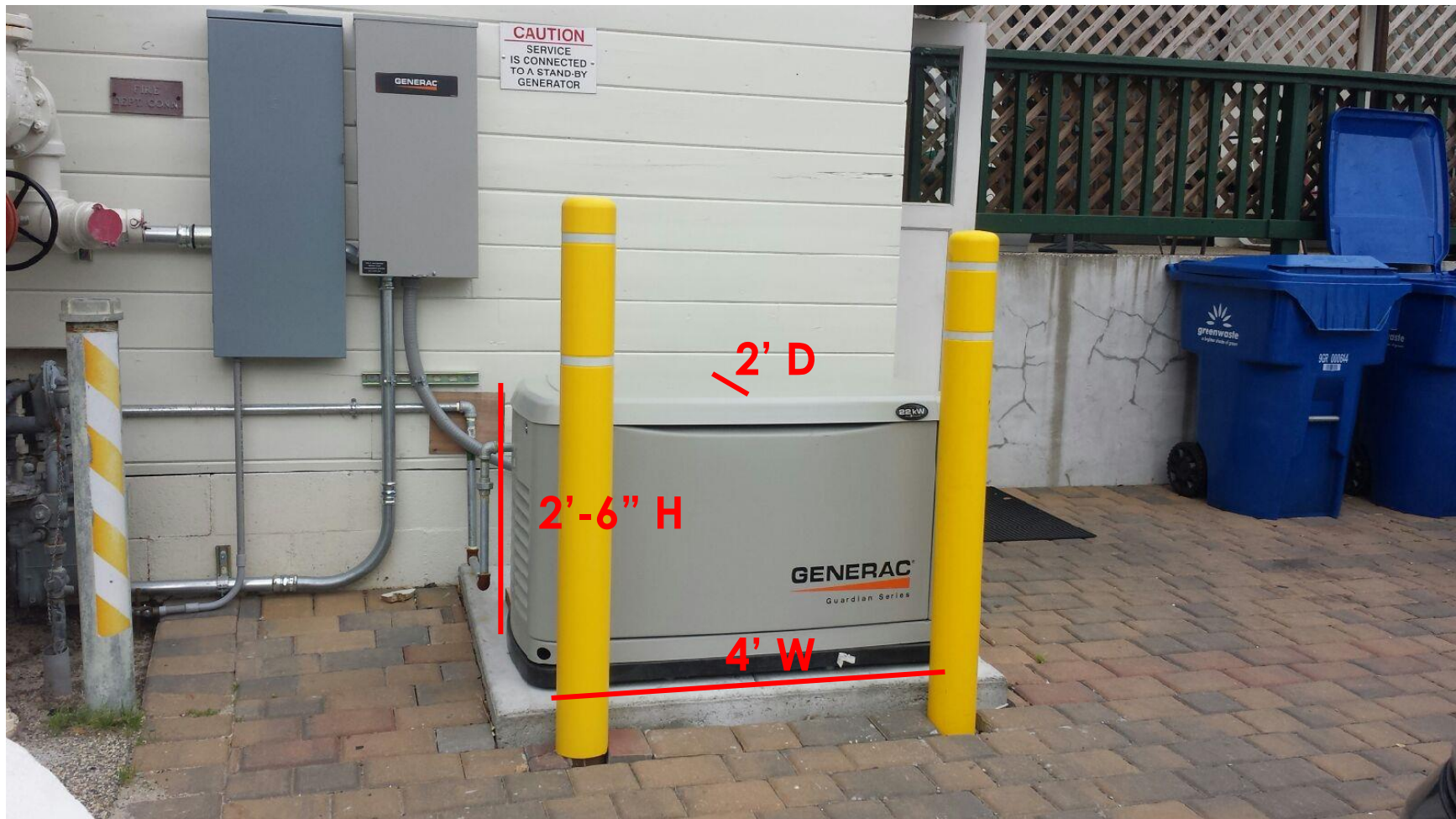

Mark Brodeur, Community and Economic Development Department Director


Date

Item 3b

1229 David Ave.

Administrative Architectural Permit (AAP) 16-112 – Generator of 2'6" H x 2' D x 4' W





CITY OF PACIFIC GROVE

Community Development Department – Planning Division

300 Forest Avenue, Pacific Grove, CA 93950

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NOTICE OF EXEMPTION FROM CEQA

Item 3b

Property Address/Location: 1229 David Ave, Pacific Grove, CA 93950

Project Description: AAP 16-112

Description: To allow a generator facing Montecito Ave.

APN: 007-572-025

ZC: R-1 GP: Group Quarters Lot Size: 12,448 square feet

Applicant Name: Roger & Jane Consani Phone #: (831) 236-0740

Mailing Address: 1229 David Ave. Pacific Grove, CA 93950

Email Address: JC1TDM@aol.com

Public Agency Approving Project: City of Pacific Grove, Monterey County, California

Exempt Status (Check One):

- ☐ Ministerial (Sec. 21080(b)(1):15268))
- ☐ Declared Emergency (Sec. 21080(b)(3): 15269(a))
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
- ☐ Categorical Exemption

Type and Section Number: Section 15301 Class 1 Categorical Exemption

Exemption Findings:

The project includes the installation of a generator, and therefore qualifies for a Class 1 Exemption from CEQA requirements, pursuant to Section 15301 – Existing Facilities.

The proposed alterations do not present any unusual circumstances that would result in a potentially significant environmental impact.

Contact: Wendy Lao, Assistant Planner **Contact Phone:** (831) 648-3185

Signature:

Date: March 31, 2016