



DRAFT MINUTES

CITY OF PACIFIC GROVE
PLANNING COMMISSION
SITE REVIEW MEETING MINUTES

4:00 p.m., Thursday, April 17, 2014

CDD Conference Room – City Hall – 300 Forest Avenue, Pacific Grove, CA

The limited purposes of this session are (1) to visit the site of project(s) listed on the regular meeting agenda and (2) to allow staff to respond to Commissioner inquiries regarding factual aspects of the applications. The site review meeting is an open meeting. Members of the public may attend. Transportation for members of the public will not be provided to the location(s) of the site visit(s).

1. Meeting was called to order at approx. 4:15 pm.

2. Roll Call

Planning Commission Members Present: Bill Fredrickson (Chair), Robin Aeschliman, Jeanne Byrne, Bill Bluhm, Donald Murphy and 1 vacant seat.

Absent: Rachel Davis

3. New Business

- a. 547 Asilomar Avenue – UPA 14-209

4. Site visit was conducted at 547 Asilomar Avenue

5. The meeting was adjourned at approx. 4:50 pm.

APPROVED BY PLANNING COMMISSION:

Donald Murphy, Secretary

Date



DRAFT MINUTES

CITY OF PACIFIC GROVE

PLANNING COMMISSION

REGULAR MEETING

7:00 p.m. Thursday, April 17, 2014

Council Chambers – City Hall – 300 Forest Avenue, Pacific Grove, CA

1. Call to Order at 7:03 pm

2. Roll Call

Commissioners Present: Robin Aeschliman, Bill Bluhm (Vice-Chair), Jeanne Byrne, Rachel Davis, Bill Fredrickson (Chair), Donald Murphy, 1 vacant seat

Commissioners Absent: None

3. Approval of Minutes

a. March 4, 2014 Site Review and March 6, 2014 Regular Meetings

With changes requested by Commissioner Murphy and Commissioner Aeschliman incorporated and On a motion by Commissioner Bluhm, seconded by Commissioner Aeschliman, the Commission voted 6-0 to approve the March 4, 2013 Site Review and March 6, 2014 Regular Meeting Minutes.

4. Public Comments

a. Written Communications

None.

b. Oral Communications

Resident Lisa Milligan commented on information regarding the Monterey County Assessor's office.

Commissioner Byrne thanked City Manager Frutchev for reserving Planning Commissioners the head of the food line at the Volunteer Banquet this evening.

5. Items to be Continued or Withdrawn

None.

6. Consent Agenda

None.

7. Regular Agenda

a. Motion to Nominate and elect Chair, Vice Chair, and Secretary

Commissioner Byrne nominated Commissioner Fredrickson as Chair and Commissioner Bluhm as Vice Chair, seconded by Commissioner Aeschliman and motion passed 6-0, Commissioner Byrne nominated Commissioner Murphy as Secretary, seconded by Commissioner Bluhm, motion passed 6-0.

b. Second Unit and Housing Monitoring Report

CEQA Status: Not a project

Staff Reference: Terri C. Schaeffer

Recommended Action: Receive report.

No public comment.

Commissioners questioned language used in the report and how the undocumented unit permit is processed. Staff agreed to edit the report to reflect Planning Commission concerns and to provide clarifications. Commissioners requested publicity for the Permit for Undocumented Units process. Owner occupancy requirements apply across all monitored units. The City relies on owner self-certification. Commissioners questioned continued vacancy in Forest Hill Manor units. Staff will reach out to Forest Hill Manor to build a strategy to get tenants for the units. Commissioner Byrne suggested maybe the use of Section 8 subsidies can help. This report goes on to Council.

With suggested revisions to the report by Commissioners, Commissioner Byrne made a motion to receive and refer the report as revised to Council, seconded by Commissioner Bluhm and passed 6-0.

- c. **Public Hearing: Use Permit Amendment UPA 14-209 for the property located at 547 Asilomar Avenue** to amend Use Permit No. 1973-86 which permitted the conversion of an existing single family dwelling to an auxiliary housing unit in conjunction with the construction of a new single family dwelling. Property owners wish to use the main house as the second home for multiple families in exception to PGMC §23.80.060 Development standards (m)(1) occupancy standards.

Applicant/Owner: Robert Huey

Zoning/Land Use: R-1-B-3; Low Dens to 5.4 DU/ac

APN: 006-412-010-000

CEQA Status: Exempt S. 15303(c)

Staff Reference: Terri C. Schaeffer

Recommended Action: Hold public hearing and conditionally approval of UPA 14-209 pending revision of PGMC §23.80.060 (m) (1) to allow waiver of the owner occupancy standard.

Commissioner Byrne sought clarification regarding what was changing with the original Use Permit 1973-86. The primary change that the owner requested was to the owner occupancy requirement (ie. that either the main housing unit or second unit be owner occupied). They did not have to apply for a Second Unit permit.

Property owners of 547 Asilomar, Robert Huey and Ivan Cornelius, spoke for the project and indicated that they take pride in the property much like any primary property owner and their use is no different than the property owner who calls the property their principal place of residence. They are never in Pacific Grove for long periods of time because they travel and have homes elsewhere. There is little difference between second home owners and owners using the property as principal place of residence.

No other public comment.

Commissioner Murphy said that if the owners were willing to abide by the affordability condition why not let them.

Interim CDD Director Steve Matarazzo indicated that approval of the amended use permit would be pending an amendment to the PGMC §23.80.060 (m) (1) which would have to be approved by Council, if the City Attorney found that this second unit, built before 1992, was not “grandfathered” regarding the on-site owner-occupancy requirement.

Commissioners considered a timeline for making the zoning code change. Commissioner Bluhm pointed out that all units with the owner occupancy requirements bind the owners to using the property as their principal place of residence. The question was posed as to whether the Planning Commission had the authority to change one Use Permit or did the change in the Use Permit depend on the amendment to the Zoning Code. Staff recommended that it may only be legal with the change in the code and that could be done simply and can go to Council quickly. Staff offered further language that would allow the City Attorney to review and sanction the Planning Commission's authority to amend the Use Permit in this one case.

Commissioner Byrne made a motion to approve the Use Permit Amendment with a Deed Restriction that required the owner to use the property as either a primary place of residence or second home and eliminated any low income requirement on the rented unit. Subject to the approval of the City Attorney that it may be grandfathered as a Group 1 exception with Deed Restriction; as written eliminating item #6 on the Draft Deed Restriction. Seconded by Commissioner Murphy. Motion passed 5-1 Commissioner Davis opposed. Commissioner Byrne requested that the confusing statement –“The designer/architect is responsible for ensuring that all plans are internally consistent.” be deleted from the City Second Unit Application form.

d. Discussion Item : Review permitting process of undocumented dwelling units enacted by Ord. 13-005 establishing PGMC §23.64.360

The Planning Commission requested update on the implementation of the new permitting of undocumented unit process. Commissioners questions were answered by staff including John Kuehl the City Building Official. Commissioners asked that the units processed be included in Monitoring report and specify what is approved and not approved. Chair Fredrickson recommended publicizing the program available to property owners and asked that an edited report be brought back to the Planning Commission before going to Council.

8. Reports of Commissioners

Commissioner Davis is leaving the Planning Commission, this is her last meeting, because she is getting married and moving away. Commissioners and staff wished her well.

9. Reports of Council Liaison

Coming from the Volunteer Reception Councilman Rudy Fischer acknowledged the Planning Commission was recognized in their absence due to the meeting and thanked the Planning Commission for their service. Chair Fredrickson asked about the issue of large vehicles and why was this not on Council Agenda and Council Fischer said it will be placed on a later Council Agenda.

Commissioner Murphy asked about the Sea Breeze Appeal and the City Manager said it will be on the May7, 2014 City Council Meeting Agenda.

10. Reports of Staff

Housing Program Coordinator Terri Schaeffer announced that April is Fair Housing Month.

11. Adjournment

9:00 p.m.

APPROVED BY PLANNING COMMISSION:

Donald Murphy, Secretary

Date