



MINUTES

CITY OF PACIFIC GROVE PLANNING COMMISSION REGULAR MEETING AGENDA

6:00 p.m., Thursday, September 18, 2014

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

Copies of the agenda packet, and materials related to an item on the agenda submitted after distribution of the agenda packet, are available for review at the Pacific Grove Library located at 550 Central Avenue; the CDD counter in City Hall at 300 Forest Avenue, Pacific Grove from 8 a.m. – 12 p.m. and 1 p.m. – 5 p.m., Monday through Thursday; and on the internet at www.ci.pg.ca.us/pc. Recordings of the meetings are available upon request. Materials can also be requested of staff during the PC hearing. Structures listed on the City's Historic Resources Inventory are denoted on the agenda with an "(HRI)" next to their project address.

1. Called to Order - 6:00 p.m.

2. Roll Call

Commissioners Present: Robin Aeschliman, Bill Bluhm (Vice-Chair), Jeanne Byrne, Bill Fredrickson (Chair), Donald Murphy (Secretary), 1 vacancy

Commissioners Absent: Mark Chakwin

3. Approval of Minutes

a. August 20, 2014 Regular Meeting

Commissioner Bluhm made a motion to approve the minutes as presented.

Commissioner Aeschliman seconded. Motion passed 5-0-1.

4. Public Comments

a. Oral Communications

A member of the public spoke in support of creating a lighting ordinance.

5. Items to be Continued or Withdrawn

None.

6. Consent Agenda

None

7. Regular Agenda

a. 1152 Forest Ave

Permit Application: Use Permit (UP) 14-221

Description: UP No. 14-221 to allow a remodel of Forest Hill Gas to a Chevron gas station including the addition of a canopy with signage over the existing gas pumps, to convert the existing service bays to a Food Mart (retail) and to allow the off-site sale of beer and wine.

Applicant/Owner: Mahesh Konduru/Sturdy Oil Company

Zoning/Land Use: C-FH/Commercial

Legal Description: POR OF MCLT #1 DESC AS PARCELS 1 & 2 IN R 797 PG 146

APN: 006-172-001-000

CEQA: Class 1 Categorical Exemption

Staff Reference: Laurel O'Halloran, Assistant Planner

Staff gave a brief presentation outlining how the proposal complies with the General Plan, Zoning Code, and the Forest Hill Specific plan.

Paul Davis, Architect for the project spoke and explained the merits of the project.

Carmelita Garcia spoke against the selling of alcohol.

Sally Moore spoke against the selling of alcohol.

Applicant spoke stating that Chevron has stringent requirements for design of their gas stations.

The PC Commissioners requested that approval be based on removal of picnic tables from the plans. Staff removed the condition.

Commissioner Byrne made a motion to approve the project as submitted including the findings. Commissioner Murphy seconded. Motion passed 4-1-1.

b. 620 Ocean View Blvd., APN: 006-155-099

Description: Appeal of the approved Administrative Use Permit and Architectural Permit #14-251 for the expansion of food services within the existing Beach House Restaurant located within Lovers Point Park. The permit will allow a deli style restaurant to open on the first floor of the structure and includes a minor exterior change consisting of only a gas hood on the roof of the building.

CEQA Status: Class 3 Categorical Exemption

Staff Reference: Mark Brodeur, Director

Recommended Action: Final Approval

Staff gave a brief presentation.

Appellant Luke Coletti spoke supporting the appeal and submitted written comments which are attached.

Public comments supporting the appeal were made by Joe Cavallaro, Wendy Giles, Carmelita Garcia, Inge Lorentzen.

Thom Akeman spoke in favor of the deli but expressed concern about trash and seagulls.

Kevin Phillips, Manager of the Beach House, and Robert Enea spoke in favor of the proposed deli.

Sally Aberg and Bill Peake commented on parking.

Planning Commissioner Chair Frederickson closed the public comment.

Commissioner Byrne spoke in favor of the project stating that the Deli enhances the beach experience.

Commissioner Murphy commented that the Deli would add to Lovers Point.

Commissioner Bluhm commented that the project still must be approved by Coastal Commission.

Commissioner Aeschliman commented that the appeal should be denied given it must be sent to Coastal Commission.

Chair Frederickson suggested denying the appeal. He also suggested the project owners be advised to:

- a. Install signage that states that it is illegal to feed birds; and,
- b. Trash enclosures shall be installed

Commissioner Byrne made a motion to deny the appeal. Commissioner Aeschliman seconded. Motion passed 5-0-1.

8. Acceptance of Minutes from Other Bodies

- a. ARB – July 22, 2014 and August 12, 2014

9. Reports of PC Subcommittees

None.

10. Reports of PC Members

11. Reports of Council Liaison

12. Directors report

13. Adjourned at 8:45pm

First off I want to say I'm glad this issue is before the Planning Commission. Having had this permit approved administratively shows how dangerous the "streamlined" approval process truly is and how rapidly it can degrade the character of our town. So, based on my appeal and the documents I've supplied I'm asking for the following:

1) The Planning Commission needs to decide if this use permit creates a new non-conforming use, I believe it does.

The staff's notion that this is somehow a "conforming use" is a non-starter. (in fact, it's an absurd claim)

2) The Planning Commission needs to be clear that the two existing commercial uses are non-conforming; the general plan and associated LUP were clear about this when they were both adopted. You also need to be clear that just because a commercial use exists it doesn't mean the parcel is or should be zoned that way.

The staff's suggestion of redrawing the zoning map for this coastal parcel is therefore equally absurd.

3) The Planning Commission needs to acknowledge that by approving this use permit the existing conditions of approval for the Beach House (such as the hours of operation) would be nullified.

Staff has omitted any mention of this.

4) The Planning Commission needs to acknowledge that by approving this use permit the terms of the current Coastal Development Waivers would be violated. The only reason the city was able to get a CDP waiver in the first place was by agreeing to the evening service limitation and dedicating the lower floor for services supporting the recreational use of Lover's Point Park. Selling caffeinated beverage is not supporting the recreational use of the park.

Staff has omitted any mention of the CDP Waivers being violated.

Preserving Pacific Grove's coastline was a long hard fought battle and if Julia Platt were here with us, I'm sure she would agree. This is an opportunity for the Planning Commission to affirm that tradition and commitment. Therefore, I request the application be denied. Thank you.