



DRAFT MINUTES

**CITY OF PACIFIC GROVE
PLANNING COMMISSION
REGULAR MEETING**

6:00 p.m., Thursday, November 3, 2016

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

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

2. Roll Call

Commissioners Present: Robin Aeschliman, Bill Bluhm (Vice-Chair), Jeanne Byrne, Mark Chakwin (Secretary), Bill Fredrickson (Chair), Don Murphy, Nicholas Smith (arrived at 6:20pm)

3. Approval of Agenda

On a motion by Chair Chakwin, seconded by Commissioner Bluhm, the Commission voted 6-0-1 (Commissioner Smith absent) to amend the agenda by moving Item 7b to Item 7a. Motion passed.

4. Approval of Minutes

a. None.

5. Public Comments

a. Written Communications
None.

b. Oral Communications
None.

6. Consent Agenda

None.

7. Regular Agenda

a. Planning Commission Call-Ups:

i. Architectural Permit (AP) 16-753 for 102 2nd St

This item was re-agenized from Item 7.a.ii. to Item 7.a.i.

Commissioner Aeschliman stated her reasons in support of a call-up. Her reasons included raising the height of the legal non-conforming structure, several letters of support of the project that were not from adjacent neighbors, and non-conformance with the Architecture Review Guidelines including the impact of the structure on a neighbor's views and the impact of windows on a neighbor's privacy.

The Chair opened the floor to public comments. *Please refer to audio recording for more details.*

1. Mr. Peter Davis, project architect, spoke in support of the project, and discussed the legal non-conforming garage not increasing square footage, and the redesign which reduced the building height.
2. Ms. Gail Armstrong, property owner, spoke in support of the project, and discussed the original design and the redesign, the Architecture Review Board's careful deliberation, and inquired about the call-up process within the 10 day appeal period.
3. Ms. Inge Lorentzen Daumer, resident, spoke in support of a call-up, and expressed concerns about home enlargements and height increases impacting a neighbor's views.
4. Mr. Anthony Ciani, resident, discussed how it would be intrusive to review the two projects, yet the importance of reviewing the impacts of enlarging the house. He stated that public input prior to voting is important.
5. Mr. Rick Steres, Chair of Architecture Review Board (ARB), provided information on their consideration and deliberation over the project, and requested the City and Planning Commission to provide some general rules to help the Board effectively guide similar projects in the future.
6. Mr. Mike Gunby, Member of the ARB, discussed the site visit, the redesign for the garage, the visual impacts, and stated he did not consider this project to be "mansionization."

The Chair closed the floor to public comments. *Please refer to audio recording for more details.*

Commissioner Murphy stated his reasons in support of a call-up. His reasons included concerns that increasing the height of a legal non-conforming structure is considered increasing the degree of non-conformity.

Commissioner Chakwin stated his reasons in opposition of a call-up. His reasons included noting how the ARB had completed its due diligence, the intricacies of interpreting whether the proposal is considered increasing the degree of non-conformity, and did not feel that this structure was a "mansionization".

Commissioner Bluhm stated his reasons in support of a call-up. Commissioner Bluhm disclosed that he was the listing agent for this property sale, and his reasons in support of a call-up included concerns that increasing the height of a legal non-conforming structure is considered increasing the degree of non-conformity.

Commissioner Byrne stated that she would support a call-up only if limited the garage. Her reasons included needed interpretation whether increasing the height of a legal non-conforming garage that is considered increasing the degree of non-conformity. Because the call-up is not limited to the garage only, Commissioner Byrne abstained from voting for a call-up.

Commissioner Smith abstained from voting for a call-up. His reasons included missing a portion of the discussion due to his late arrival.

Commissioner Fredrickson stated his reasons in support of a call-up. His reasons included concerns that increasing the height of a legal non-conforming structure is considered increasing the degree of non-conformity.

The Commission voted 4-0-2 (Commissioner Smith and Commissioner Byrne abstained) to call-up Architectural Permit (AP) 16-753 for the November 17, 2016 Planning Commission Meeting. Motion passed.

ii. Architectural Permit (AP) 15-797 for 1239 Ocean View Blvd

This item was re-agenized from Item 7.a.i. to Item 7.a.ii.

Commissioner Byrne recused herself from the call-up.

Commissioner Fredrickson stated his reasons in support of a call-up. His reasons included the size and design of the structure, in particular due to its location along Ocean View Boulevard.

The Chair opened the floor to public comments. *Please refer to audio recording for more details.*

1. Mr. Dale Ellis, on behalf of Perez family, opposed a call-up. He mentioned that the design complies with the City's regulations, and already made modifications after Architecture Review Board's comments.
2. Mr. Jeff Becom, project architect, opposed a call-up. He spoke about efforts to follow the City's Architecture Review Guidelines, and how the redesign is not maximized to the allowable setbacks. He spoke about the story poles and netting not accurately reflecting the latest redesign.
3. Mr. Dan Perez, property owner, opposed a call-up. He spoke about the visuals' colors being a misrepresentation of the proposal, and requested his project not be delayed due to potential future ordinance changes.
4. Mr. Rick Steres, Chair of ARB, provided information on the ARB's consideration and deliberation of the item, and spoke about the revised design preserving the neighbors' views.
5. Mr. Anthony Ciani, neighbor, spoke about not applying potential future ordinances to the existing project, and requested updating the story poles and netting to reflect the revised plans.

The Chair closed the floor to public comments.

Commissioner Chakwin, Murphy, Aeschliman, and Bluhm opposed a call-up.

Commissioner Smith supported a call-up.

Chair Fredrickson withdrew his support of a call-up.

The Commission did not receive the minimum requirement of three (3) votes to call-up Architectural Permit (AP) 15-797.

b. Local Coastal Program

Description: Local Coastal Program certification. The California Coastal Act of 1976 requires local governments to prepare and implement Local Coastal Programs to carry out the Act's mandate to maximize public access to the shoreline and protect coastal resources. The City's Local Coastal Program updates the existing 1989 Land Use Plan. The Local Coastal Program, comprised of a Land Use Plan and Implementation Plan, establishes protection standards for coastal resources and the kinds, locations and intensities of new development allowed in the City's coastal zone and other development standards necessary to achieve the objectives of the Coastal Act.

CEQA Status: Exempt

Staff Reference: Anastazia Aziz, AICP, Senior Planner & Mark Brodeur, Community and Economic Development Director

Recommended Action: Recommend to City Council adoption and submission of the Local Coastal Program to the California Coastal Commission for certification.

- i. Land Use Plan
 1. Public Correspondence May-October 20, 2016
- ii. Implementation Plan
 1. Public Correspondence May-October 20, 2016
- iii. Notice of Exemption

Anastazia Aziz, AICP, Senior Planner, provided a staff report.

The Chair opened the floor to public comments.

1. Ms. Lisa Ciani, resident, noted that the Local Coastal Program (LCP) recognized many of the community volunteer programs that help the community preserve and learn about the city's unique natural resources. She also recommended that the LCP should incorporate the many previously-proposed policies to protect the essential habitats and to preserve the city's biological resources and natural beauty.
2. Ms. Inge Lorentzen Daumer, resident, expressed concern that the draft LCP zoning map still illustrates professional office use under R-4. She noted that views from the sea of the land are important. She said views from the ocean of the land are important, and the floor area ratio (FAR) for the American Tin Cannery should be reduced.
3. Mr. Anthony Ciani, resident, noted that the city's beaches have asphalt debris and other rubble that is not allowed by code. He recommended that implementation policies be included that promote actions to remove the concrete and similar items from beach areas. He also added that focus on lower cost accommodations are essential for coastal areas, and suggested considering this for Project Bella at the American Tin Cannery. He noted that the draft LCP has policies that do not have correlating ordinances in the Implementation Plan.
4. Ms. Kathryn Polling, resident, stated that the draft LCP has a revised definition of redevelopment to include interior work. However, she noted that the LCP has several ambiguities that should be clarified with changes that she recommended. Ms. Polling also noted that low, minimal fencing does not address the needs children, pets, and privacy.
5. Mr. Michael Krall, Domaine Hospitality Partners' Chief Development Officer of Project Bella, noted that the project is engaging with the California Coastal Commission and city staff regarding low-cost accommodation requirements for any new projects in the coastal area. The low cost accommodations do not necessarily have to be on-site and can be within a reasonable distance instead.
6. Mr. Frank Donangelo, representative of Foursome Development Company,

commended the Planning Commission's time and effort into the resulting LCP document, as it is detailed and will help protect the city. He advised not considering low-cost accommodations prior to a project being fully developed.

7. Mr. Anthony Tersol, representative from Surf Rider Foundation and resident, requested that the LCP include surfers in the LCP's recreation element. He also noted the issue of sea-level rise, and stated that the LCP workshop on the issue had received consensus to consider managed retreat and not use armoring due to costs, erosion increase, and effect on neighboring properties. He inquired when the areas of the city outside of the Coastal Zone could use armoring if the shoreline moves.
8. Dr. John Pearse, professor at University of California, Santa Cruz, commended the revised plan and staff work to input public comments. He noted that protecting views of the land from the sea is already addressed in the plans.
9. Mr. Luke Coletti, resident, commended the staff for its work on the LCP and incorporating public input, and that a previously-included contour map was omitted from the last draft. He stated that this map had reflected the inundation condition of sea level rise (20 feet threshold) , requested the contour map to reflect the mean high tide, and requested this map to be included in the plans.
10. Mr. William Murray, resident, stated that there is an anomaly in the draft LCP. He noted that Figure 2-7 in the general plan defines the Environmentally Sensitive Habitat Area (ESHA) in an incorrect manner. He stated that a portion of the properties in the Asilomar Dunes neighborhood are within the Coastal Zone, but not necessarily in the ESHA. He requested that this anomaly be corrected.

The Chair closed the floor to public comments.

The Commission discussed the Local Coastal Program in detail.

On a motion by Commissioner Aeschliman, seconded by Commissioner Chakwin, the Commission voted 7-0 to continue the item to the November 17, 2016 Planning Commission meeting. Motion passed.

8. Presentations

None.

9. Reports of PC Subcommittees

None.

10. Reports of PC Members

None.

11. Reports of Council Liaison

None.

12. Reports of Staff

Director Brodeur presented a staff report.

The December Planning Commission meeting will be held on December 8, 2016.

13. Adjournment at 10:00pm.