NOTICE OF MEETING

CITY OF PACIFIC GROVE

CITY COUNCIL

REGULAR MEETING AGENDA

Wednesday, February 4, 2026, 6:00 P.M.

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

The Council will not begin consideration of any item on this agenda later than 10:00 p.m. unless such consideration is approved. Any items on this agenda not considered this evening will be continued to a future meeting.

Copies of the agenda packet are available for review at the Pacific Grove Library, in the Finance Department, and electronically at www.cityofpacificgrove.org/agendas. The most effective method of communication with the City Council is by sending an email to citycouncil@cityofpacificgrove.org. In order to allow the City Council adequate time to review communication related to an agenda item, it is recommended that the communication be sent no later than 9:00 AM on the day prior to the City Council meeting. Public comments received through this email address by noon on the day of the meeting will be posted with the corresponding agenda item.

Under the Brown Act, public comment for matters on the agenda must relate to that agenda item and public comments for matters not on the agenda must relate to the subject matter jurisdiction of this legislative body. This is a warning that if a member of the public attending this meeting remotely or in-person violates the Brown Act by failing to comply with these requirements of the Brown Act, then the Mayor or Chair may request that speaker be muted. If a member of the public attending this meeting in-person engages in disruptive behavior that disturbs the orderly conduct of the meeting, they may be removed from the meeting after a warning, pursuant to Council Policy 000-17.

PACIFIC GROVE COUNCIL MEETINGS ARE CONDUCTED IN PERSON AT CITY HALL COUNCIL CHAMBER AND VIRTUALLY.

PLEASE NOTE THE MEETING WILL PROCEED AS NORMAL EVEN IF THERE ARE TECHNICAL DIFFICULTIES ACCESSING ZOOM.
THE CITY WILL DO ITS BEST TO RESOLVE ANY TECHNICAL ISSUES AS QUICKLY AS POSSIBLE.

THE PUBLIC MAY ALSO VIEW THE MEETING ON PENINSULA CHANNEL 25.

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AGENDA

CALL TO ORDER

PLEDGE OF ALLEGIANCE: Councilmember Poduri

1. **APPROVAL OF AGENDA**

2. **PRESENTATIONS**

3. **COUNCIL AND STAFF ANNOUNCEMENTS (City-Related Items Only)**

   A. Other

4. **GENERAL PUBLIC COMMENT**

General Public Comment must deal with matters subject to the jurisdiction of the City and the Council that are not on the Regular Agenda. This is the appropriate place to comment as to items on the Consent Agenda, only if you do not wish to have the item pulled for individual consideration by the Council. Comments from the public will be limited to three minutes and will not receive Council action. Comments regarding items on the Regular Agenda shall be heard prior to Council's consideration of such items at the time such items are called. Whenever possible, written correspondence should be submitted to the Council in advance of the meeting, to provide adequate time for its consideration.

   A. Written General Public Comment

CONSENT AGENDA

The Consent Agenda deals with routine and non-controversial matters, and may include action on resolutions, ordinances, or other public hearings for which testimony is not anticipated. The vote on the Consent Agenda shall apply to each item that has not been removed. Any member of Council, staff, or the public may remove an item from the Consent Agenda for individual consideration. When items are pulled for discussion, they will be automatically placed at the end of their respective section within the Regular Agenda. One motion shall be made to adopt all non-removed items on the Consent Agenda.

5. **APPROVAL OF CITY COUNCIL MEETING MINUTES**

Items pulled from this section will be placed under 11. Unfinished and Ongoing Business

   A. Minutes of the January 21, 2026 City Council Regular Meeting

   Reference: Sandra Kandell, City Clerk

   Recommended Action: Approve the minutes.

   CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

6. **RESOLUTIONS**

Items pulled from this section will be placed under 11. Unfinished and Ongoing Business or 12. New Business

7. **ORDINANCES**
Items pulled from this section will be placed under 10. Public Hearings

A. Second reading of an ordinance to amend the City Salary Classification Schedule Range for Code Compliance Officer

Reference: Leticia Livian, Human Resources Director

Recommended Action: Hold second reading and adopt an ordinance to amend the salary classification schedule salary range for Code Compliance Officer.

CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

8. **REPORTS – INFORMATION ONLY**
Items pulled from this section will be placed under 11. Unfinished and Ongoing Business or 12. New Business

9. **REPORTS – REQUIRING ACTION**
Items pulled from this section will be placed under 11. Unfinished and Ongoing Business or 12. New Business

A. FY24/25 Street Rehabilitation Project

Reference: Daniel Gho, Public Works Director/Deputy City Manager

Recommended Action:

1. Authorize an agreement with Kraemer Engineering for the FY24/25 Street Rehabilitation Project on 19th Street, Alder Street and the Alley between 2nd & 4th Street in an amount not to exceed $1,030,963 plus a 15% contingency.
2. Alternatively, discuss and take other action on this item.

CEQA: Categorical Exemption, CEQA Guidelines Section 15301, Class I, Existing Facilities

B. Prescott Lane Sidewalk Improvement Project– Award of Contract

Reference: Daniel Gho, Public Works Director/Deputy City Manager

Recommended Action:

1. Award an agreement with NXP Engineering in an amount not to exceed $172,915 plus a 15% contingency for the Prescott Lane Sidewalk Improvement Project
2. Alternatively, discuss and take other action related to this item.

CEQA: Categorical Exemption, CEQA Guidelines Section 15301, Class I, Existing Facilities

C. Appointment of City Manager Pro Tempore

Reference: Matthew Mogensen, City Manager

Recommended Action: Appoint Joyce Halabi, Deputy City Manager, as City Manager pro tempore, effective February 5, 2026.

CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

D. Contract Extension with Access Media Productions (AMP) for Video Production and Broadcast Services for City's Public Meetings.

Reference: Contract Extension with Access Media Productions (AMP) for Video Production and Broadcast Services for City's Public Meetings

Recommended Action: Staff recommends that the City Council approve a three-year extension to the City's contract with Access Media Productions (AMP) for video production and broadcasting services, with an optional two-year extension exercisable at the City's discretion.

CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

10. **MEETING MINUTES OF COMMISSIONS, BOARDS, AND COMMITTEES**
Items pulled from this section will be placed under 12. New Business

REGULAR AGENDA

11. **PUBLIC HEARINGS**
For public hearings involving a quasi-judicial determination by the Council, the proponent of an item may be given 10 minutes to speak and others in support of the proponent's position may be given three minutes each. A designated spokesperson for opposition to the item may be given 10 minutes to speak and all others in opposition may be given three minutes each. Very brief rebuttal and surrebuttal may be allowed in the sole discretion of the Council. In public hearings not involving a quasi-judicial determination by the Council, all persons may be given three minutes to speak on the matter.

A. Appeal of Architectural Permit (AP) and Coastal Development Permit (CDP) 24-0044 for 685 Mermaid Avenue (APN 006-085-003-000)

Reference: Garrett McCown, Associate Planner

Recommended Action: Deny the appeal and affirm the Planning Commission approval of Architectural Permit (AP) and Coastal Development Permit (CDP) 24-0044, based on findings, conditions of approval, and Class 1 and 31 Categorical Exemptions (CEQA Guidelines Sections 15301, Existing Facilities, and 15331, Historical Resource Restoration and Rehabilitation).

CEQA: Categorical Exemption, CEQA Guidelines 15331, Historical Resources Restoration/Rehabilitation

B. Proposed Urgency Ordinance Repealing and Replacing Chapter 11.72 (Aircraft Landing) Regulating Aircraft Launch and Landing, and to Prohibit Recreational UAS

Reference: Matthew Mogensen, City Manager

Recommended Action:

1. Discuss proposed Urgency Ordinance Repealing and Replacing Chapter 11.72 (Aircraft Landing) Regulating Aircraft Launch and Landing, and to Prohibit Recreational UAS.
2. Request the City Attorney to read the title of the Urgency Ordinance
3. Motion to waive further reading of the ordinances.
4. Motion Adopt Urgency Ordinance Repealing and Replacing Chapter 11.72 (Aircraft Landing) Regulating Aircraft Launch and Landing, and to Prohibit Recreational UAS.

5. Direct that publication of the ordinances will be satisfied by publication of a summary approved by the City Attorney.

CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

12. UNFINISHED AND ONGOING BUSINESS

13. NEW BUSINESS

A. Discussion and possible direction regarding regulation of electric bikes and other electric mobility devices

Reference: Matthew Mogensen, City Manager

Recommended Action:

1. Receive a presentation regarding the regulatory landscape of human powered bicycles, e-bikes, and other electric mobility devices.
2. Discuss and provide direction to staff regarding amendments, if any, to the existing ordinance.
3. Provide direction to staff whether the amended ordinance should be presented to the Traffic Safety Committee for review and recommendation to the City Council.

CEQA: Proposed Ordinance not subject to CEQA based on Guideline Sections: 15060(c)(3) and 15378; 15060(c)(2); 15061(b)(3); and 150308

B. Discussion regarding Chautauqua Hall ownership, uses and responsibilities

Reference: Cynthia Garfield

Recommended Action:

1. Direct staff to investigate and document ownership, rights, allowable activities, and responsibilities for the use of Chautauqua Hall.
2. Direct staff to return to a future City Council Meeting with updates to City Council Policy 100-1 Chautauqua Hall Building, and any necessary recorded document amendments proposed to manage the future use of Chautauqua Hall.

CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

C. Recreation Board Committee Recommendation, Metrics Request

Reference: Daniel Gho, Public Works Director/Deputy City Manager

Recommended Action:

1. Receive the recommendation report prepared by the Recreation Board and provide direction to staff.
2. Alternatively, discuss and take other action on this item.

CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

14. **FULL PRESENTATIONS**

15. **CLOSED SESSION**

ADJOURNMENT

NOTICE OF ADA COMPLIANCE: Pursuant to Title II of the Americans with Disabilities Act (Codified At 42 United States Code Section 12101 and 28 Code of Federal Regulations Part 35), and Section 504 of the Rehabilitation Act of 1973, the City of Pacific Grove does not discriminate on the basis of race, color, religion, national origin, ancestry, sex, disability, age or sexual orientation in the provision of any services, programs, or activities. The City of Pacific Grove does not discriminate against persons with disabilities. City Hall is an accessible facility. A limited number of assisted listening devices will be available at this meeting. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting or provide the requested agenda format.

Agenda No. 5 A

CITY OF PACIFIC GROVE

300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO:	Honorable Mayor and Members of the City Council
FROM:	Sandra Kandell, City Clerk/DEI Coordinator
MEETING DATE:	February 04, 2026
SUBJECT:	Minutes of the January 21, 2026 City Council Regular Meeting
CEQA:	Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

Approve the minutes.

Attachments

Draft Minutes 1-21-26

DRAFT MEETING MINUTES

CITY COUNCIL

REGULAR MEETING

Wednesday, January 21, 2026, 6:00 P.M.
Council Chamber – City Hall – 300 Forest Avenue, Pacific Grove, CA

JOIN THE ZOOM WEBINAR TO PARTICIPATE LIVE AT:
https://www.cityofpacificgrove.org/Zoom_CC

CALL TO ORDER
Mayor Smith called the meeting to order at 6:00 p.m. Present in Chamber: Mayor Smith, Councilmembers Garfield, McDonnell, Poduri, Rau and Walkingstick. Absent: Mayor Pro Tem Amelio.

PLEDGE OF ALLEGIANCE
Mayor Smith led the pledge of allegiance.

1. **APPROVAL OF AGENDA**
   Upon motion by Councilmember Rau and seconded by Councilmember Poduri, Council voted 6-0-1, Mayor Pro Tem Amelio absent, to approve the Regular Meeting Agenda.

2. **PRESENTATIONS**
   A. Pacific Grove Rotary Club Presentation by Arlene Hardenstein
   Action: Council received the presentation.

   B. The Little Car Show Presentation by John Moulton
   Action: Council received the presentation.

3. **COUNCIL AND STAFF ANNOUNCEMENTS (City-Related Items Only)**
   A. Council and staff made general announcements.

4. **GENERAL PUBLIC COMMENT**
   General public comment received from Jean Anton, Sally Moore, Jane Haines, Nina Beety, Mike Gibbs, and Carmelita Garcia.

   A. Written General Public Comment

CONSENT AGENDA
Action: Upon motion by Councilmember Poduri and seconded by Councilmember McDonnell, Council voted 6-0-1, Mayor Pro Tem Amelio absent, to approve the Consent Agenda, except Consent Agenda item 7B.

Action: Councilmembers Poduri and Rau recused themselves for the vote on Consent Agenda item 7B.

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Action: Upon motion by Councilmember McDonnell and seconded by Councilmember Garfield, Council voted 4-0-1-2, Mayor Pro Tem Amelio absent, Councilmembers Poduri and Rau recused, to approve Consent Agenda item 7B.

5. **APPROVAL OF CITY COUNCIL MEETING MINUTES**

A. Minutes of the December 17, 2025 City Council Regular Meeting
Action: Approved minutes.
CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

6. **RESOLUTIONS**

A. Comment Letter and Resolution Opposing Offshore Drilling and Seabed Mining, and participation in the Local Government Outer Continental Shelf (OCS) Coordination Program and Coalition
Action:
1. Submit a letter from the City of Pacific Grove Opposing New and Existing Offshore Oil and Gas Drilling and Seabed Mining.
2. Adopted Resolution No. 26-001 Opposing New and Existing Offshore Oil and Gas Drilling and Seabed Mining.
3. Discussed joining the Local Government OCS Coalition, a coordinated effort among California's coastal cities and counties to oppose new offshore oil and gas drilling and related threats.
4. Directed staff to return to City Council with an agenda item detailing the Local Government OCS Coalition with an MOU to join the group and collaborate with coalition representatives to ensure timely engagement in federal and state processes affecting offshore drilling and deep-sea mining.

CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

B. Resolution Authorizing Submittal of a 2025 Community Development Block Grant (CDBG) Application
Action: Adopted Resolution No. 26-002 Authorizing Submittal of a 2025 CDBG Grant Application.
CEQA: Categorical Exemption, CEQA Guidelines Section 15061(b)(3)

7. **ORDINANCES**

A. Second reading of an Ordinance to Amend the Salary Schedule (Minimum Wage)
Action: Held second reading and adopted Ordinance No. 26-001 to amend the salary classification schedule modifying salary ranges for Cashier, Intern, Lighthouse Docent Coordinator, and Recreation Assistant I.
CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

B. Second reading of ordinances adopting amendments to certain sections and chapters, except for Chapter 23.31, of Title 23, Zoning, of the Pacific Grove Municipal Code and the Zoning Map and amending Chapter 23.31, Commercial and Industrial Zoning Districts, of Title 23, Zoning, of the Pacific Grove Municipal Code.

Action: With recusals by Councilmembers Poduri and Rau, held second reading and

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adopted Ordinance No. 26-002 of the City Council adopting amendments to certain sections and chapters, except for Chapter 23.31, of Title 23, Zoning, of the Pacific Grove Municipal Code and the Zoning Map.

Action: With recusals by Councilmembers Poduri and Rau, held second reading and adopted Ordinance No. 26-003 of the City Council amending Chapter 23.31, Commercial and Industrial Zoning Districts, of Title 23, Zoning, of the Pacific Grove Municipal Code.
CEQA: Environmental Impact Report

8. **REPORTS – INFORMATION ONLY**

A. Boards Commissions and Committees Quarterly Reports
Action: Received Quarterly Reports from Boards, Commissions and Committees.
CEQA: Proposed Ordinance not subject to CEQA based on Guideline Sections: 15060(c)(3) and 15378; 15060(c)(2); 15061(b)(3); and 150308

B. Monterey Salinas Transit Meeting Minutes of November 10, 2025 and December 8, 2025
Action: Received the minutes.
CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

C. Core Fund Summary and Check Registers - November and December 2025
Action: Received the Check Registers and Core Fund Summary.
CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

D. Quarterly Update to 2025-2027 Community Goals and Workplan
Action: Received and filed the 2025-2027 Community Goals and Workplan Matrix Quarterly Update.
CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

E. Report on the December 10, 2026 City/PGUSD Joint Staff Meeting
Action: Received and Filed a Summary Meeting Update regarding a December 10, 2026 City/PGUSD Joint Staff Meeting
CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

9. **REPORTS – REQUIRING ACTION**

A. Appointments to City Boards, Committees, Commissions, and Task Force
Action: Approved appointments to City Boards, Committees, Commissions, and Task Force as follows:

Charter committees

- Planning Commission - Eugene Loh, Machell Sterbick

Ordinance committees

- Architectural Review Board - Sarah Boyle, Patrick Dennis Carr
- Beautification & Natural Resources Commission - Jennifer Gorman, Karen Gunby,

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Patrick Nevis
- Historic Resources Committee - Jean Anton, Steve Covell, Kate Disney, Glynnis Greening
- Task Force on DEI - Kim Bui, Bruce Doneux, Donna Fisher
- Traffic Safety Commission - Annie Berlin, Peter Berridge, Jason Collins, Anthony Greening

CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

B. Pacific Grove Golf Links Amendment #2, CourseCo
Action: Authorized the execution of Amendment #2, amending the lease agreement for the maintenance and operations of Pacific Grove Golf Links, between the City of Pacific Grove and CourseCo.
CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

10. **MEETING MINUTES OF COMMISSIONS, BOARDS, AND COMMITTEES**

A. Architectural Review Board Meeting Minutes: November 12, 2025
Action: Received the minutes.
CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

B. Library Board Meeting Minutes: November 4, 2025
Action: Received the minutes.
CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

C. Task Force on Diversity, Equity and Inclusion Meeting Minutes: October 13, 2025
Action: Received the minutes.
CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

REGULAR AGENDA

11. **PUBLIC HEARINGS**

A. First reading of an ordinance to amend the City Salary Classification Schedule
No public comment received.

Action: Councilmember Garfield requested the City Attorney read the title of the ordinance.

Action: Upon motion by Councilmember Rau and seconded by Councilmember Garfield, Council voted 6-0-1, Mayor Pro Tem Amelio absent, to
2. Waive further reading of the ordinance.
3. Introduce and hold first reading of an ordinance to amend the salary classification schedule salary range for Code Compliance Officer and approve the amendment.
4. Direct that a summary of a proposed ordinance be published as approved by the City Attorney.

CEQA: Does not constitute a Project per California Environmental Quality Act

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Guidelines Section 15378

B. Proposed Ordinances (Regular and Urgency) Amending Chapter 11.72 (Aircraft Landing) And Adding Chapter 9.50 (Regulation Of Uncrewed Aircraft Systems) To The Municipal Code, Regulating Uncrewed Aircraft Systems (UAS)
Public comment received from Bill Sherrod, Vicki Pearse, Inge Lorentzen Daumer, and Kim Akeman.

Action: Council discussed proposed Ordinances Amending Chapter 11.72 (Aircraft Landing) And Adding Chapter 9.50 (Regulation Of Uncrewed Aircraft Systems) To The Municipal Code, Regulating Uncrewed Aircraft Systems (UAS).

Action: Upon motion by Councilmember McDonnell and seconded by Councilmember Walkingstick, to waive further reading of the ordinances, introduce and hold first reading of an Ordinance Amending Chapter 11.72 (Aircraft Landing) And Adding Chapter 9.50 (Regulation Of Uncrewed Aircraft Systems) To The Municipal Code, Regulating Uncrewed Aircraft Systems (UAS) with modifications to D as presented on the slide, and direct that publication of the ordinances will be satisfied by publication of a summary approved by the City Attorney;

Motion failed 2-4-1 by the following roll call vote:

Ayes: Councilmembers McDonnell and Walkingstick.
Noes: Mayor Smith, Councilmembers Garfield, Poduri, and Rau.
Absent: Mayor Pro Tem Amelio.

Upon motion by Councilmember McDonnell and seconded by Councilmember Walkingstick, to adopt an Urgency Ordinance Amending Chapter 11.72 (Aircraft Landing) And Adding Chapter 9.50 (Regulation Of Uncrewed Aircraft Systems) To The Municipal Code, Regulating Uncrewed Aircraft Systems (UAS), with modifications by Councilmember McDonnell;

Motion failed 2-4-1 by the following roll call vote:

Ayes: Councilmembers McDonnell and Walkingstick.
Noes: Mayor Smith, Councilmembers Garfield, Poduri, and Rau.
Absent: Mayor Pro Tem Amelio.

Upon motion by Councilmember Rau and seconded by Councilmember Garfield, the Council voted to direct staff to return to Council at its next regular meeting with an urgency ordinance to ban recreational drones.

Motion carried 6-0-1, by the following roll call vote:

Ayes: Mayor Smith, Councilmembers Garfield, McDonnell, Poduri, Rau, and Walkingstick.
Noes: None.
Absent: Mayor Pro Tem Amelio.

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CEQA: Categorical Exemption, CEQA Guidelines Section 15301, Class I, Existing Facilities

12. **UNFINISHED AND ONGOING BUSINESS**

A. Review the City's 5-Year General Fund and Infrastructure Needs and the Professional Services Agreement with Props and Measures
Public comment received from Christie Italiano Thomas, Carmelita Garcia, Kris Lindstrom, Inge Lorentzen Daumer, Mike Gibbs, and Sally Moore.

Action: Upon motion by Mayor Smith, and seconded by Council Garfield, Council voted 6-0-1, Mayor Pro Tem Amelio absent, to

1. Review the City's 5-Year General Fund and Infrastructure Needs.
2. Review the Professional Service Agreement with Props and Measures Scope of Work.
3. Direct staff to proceed with the Professional Services Agreement with Props and Measures as described on November 19, 2025, and return after Phase 1 for further authorization.

CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

13. **NEW BUSINESS**

A. Chautauqua Hall Architectural Award and Funding Agreement
Public comment received from Inge Lorentzen Daumer and Christie Italiano Thomas.

Action: Upon motion by Councilmember Garfield and seconded by Councilmember Rau, Council voted 6-0-1, Mayor Pro Tem Amelio absent, to

1. Enter into an agreement with Hunter Porter Eldridge Architecture for Chautauqua Hall Architectural Services in an amount not to exceed $176,608 plus a 10% contingency.
2. Authorize the execution of a funding agreement between the Heritage Society of Pacific Grove and the City for the reimbursement for Architectural Services for Chautauqua Hall.
3. Alternatively, discuss and take other action related to this item.

CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

B. Annual Financial Reports and Audit
No public comment received.

Action: Council received the reports noted in this report.
CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

14. **FULL PRESENTATIONS**

15. **CLOSED SESSION**

DRAFT

ADJOURNMENT
Council adjourned the regular meeting at 9:18 p.m.

Respectfully Submitted,

Sandra Kandell
City Clerk

Approved by Mayor: _____Date_____

Attest by City Manager: _____Date_____

DRAFT

Agenda No. 7 A

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

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Leticia Livian, Human Resources Director

MEETING DATE: February 04, 2026

SUBJECT: Second reading of an ordinance to amend the City Salary Classification Schedule Range for Code Compliance Officer

CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

Hold second reading and adopt an ordinance to amend the salary classification schedule salary range for

DISCUSSION

No substantive changes were made between the first and second readings of this ordinance. The City Clerk caused a summary of this ordinance to be published on January 29, 2026.

The City's salary schedule identifies job classifications that have been approved by Council (e.g., Administrative Technician) and the hourly rates of pay for each classification at each step authorized by the Personnel Rules. Pursuant to Charter Article 25 and the Pacific Grove Municipal Code (PGMC) Section 4.20.280, approval and amendment to the salary schedule must be adopted by the Council.

Due to an administrative error, the Code Compliance Officer classification was not updated to reflect the 3% cost-of-living adjustment (COLA) approved for classifications represented by the General Employees Association (GEA). This change was effective the first full pay period of Fiscal Year 25/26. This ordinance corrects the salary schedule accordingly and retroactively for the Code Compliance Officer classification.

The requested change to the salary schedule is for Code Compliance Officer only. All other classifications in the salary schedule remain the same. To view the entire salary schedule, please refer to the City's website, https://www.cityofpacificgrove.gov/our_city/departments/human_resources/index.php.

The corrected salary range for Code Compliance Officer is listed below.

Classification	Step	Step	Step	Step	Step	Step	Step	Step
Code Compliance Officer	1A	2B	3C	4D	5E	6F	7G	8H
Hourly Rate	36.62	38.46	40.38	42.40	44.52	45.63	46.77	47.94

OPTIONS

Provide alternative direction to staff.

FINANCIAL IMPACT:

There is no fiscal impact as this COLA was budgeted for FY 25/26

FOCUSED PRIORITY AREA: Not Applicable.

Attachments

Proposed Ordinance

ORDINANCE NO. 26-_____

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE AMENDING THE CLASSIFICATION SCHEDULE FOR CODE COMPLIANCE OFFICER

Findings

1. City Council approved the General Employees Association (GEA) 3% cost of living adjustment (COLA) for FY 25/26; and

2. Due to an administrative error, the Code Compliance Officer classification was not updated to reflect the COLA; and

3. The COLA is effective July 6, 2025 for GEA classifications; and

4. This ordinance corrects the salary schedule accordingly and retroactively for the Code Compliance Officer classification; and

5. Amendment to the classification plan must be adopted by the City Council pursuant to Charter Article 25 and Pacific Grove Municipal Code (PGMC) Section 4.20.280; and

6. In the enactment of this ordinance, the City followed the guidelines adopted by the State of California and published in the California Code of Regulations, Title 14, Section 15000, et seq. Enactment of this ordinance action does not constitute a "project" as defined by California Environmental Quality Act (CEQA) because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment pursuant Section 15378.

Ordinance

NOW, THEREFORE, THE COUNCIL OF THE CITY OF PACIFIC GROVE DOES ORDAIN AS FOLLOWS:

SECTION 1. The foregoing findings of the City Council are incorporated into this Ordinance as if set forth in full.

SECTION 2. The position classification plan approved and adopted by the City Council pursuant to Charter Article 15 and PGMC § 4.20.280 is amended for the Code Compliance Officer classification with the following salary schedule:

Step	Step 1A	Step 2B	Step 3C	Step 4D	Step 5E	Step 6F	Step 7G	Step 8H
Hourly Rate	36.62	38.46	40.38	42.40	44.52	45.63	46.77	47.94

SECTION 3. The City Manager is directed to execute all documents and to perform all other necessary City acts to implement this Ordinance.

SECTION 4. In accord with Article 15 of the City Charter, this ordinance shall become effective on July 6, 2025.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE this ___ day of February 2026, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

_____
NICK SMITH, Mayor

ATTEST:

_____
SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

_____
ALEX LORCA, City Attorney

CITY OF PACIFIC GROVE

300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO:	Honorable Mayor and Members of the City Council
FROM:	Daniel Gho, Public Works Director/Deputy City Manager
MEETING DATE:	February 04, 2026
SUBJECT:	FY24/25 Street Rehabilitation Project
CEQA:	Categorical Exemption, CEQA Guidelines Section 15301, Class I, Existing Facilities

RECOMMENDATION

1. Authorize an agreement with Kraemer Engineering for the FY24/25 Street Rehabilitation Project on 19th Street, Alder Street and the Alley between 2nd & 4th Street in an amount not to exceed $1,030,963 plus a 15% contingency.
2. Alternatively, discuss and take other action on this item.

DISCUSSION

The FY24/25 Street Rehabilitation Project was approved as part of the FY24/25 Capital Improvement Plan (CIP) to address the aging road infrastructure network on:

· 19th Street, from Sunset to Sinex (PCI 3) (Base bid)
· Alder Street between Pine and Short Street (PCI 0) (bid additive)
· Alley between 2nd Street and 4Th Street (PCI 0) (bid additive)

These segments were selected for rehabilitation based on a thorough review of the City's Pavement Management Program, existing road conditions, and in-field observations.

Existing Conditions

None of these road segments have ever received a formal rehabilitation treatment for the last 30 or more years; they are all in a failed state and in dire need of replacement. All these roads have significantly deteriorated and need immediate attention.

Engineering Process

During the engineering phase, underground infrastructure was CCTV videoed to assess existing sewer main line conditions. It was anticipated, based on the age of the lines and construction records, that some of the segments of the sewer infrastructure would need to be replaced. As such, the project budget included Sewer Enterprise Funds to address this anticipated need.

While videoing, staff discovered that portions of the sewer lines on 19th Street is in a deteriorated state and needs replacement. Only 30 feet of sewer line needs to be replaced, but the City will add a manhole

at the end of the line and remove and reconstruct another manhole on 19th Street.

Competitive Bidding Process
Construction documents were completed in November of 2025 and a request for proposals was issued. On January 8, 2026 the bid period closed. Seven (7) bids were received:

Contractor	Base Bid
Kraemer Engineering	**$750,778.00**
Spektren Engineering	**$776,214.29**
Precision Grade	**$795,177.00**
Coastal Paving & Excavating	**$803,830.00**
Monterey Peninsula Engineering	**$814,695.00**
McKim Corporation	**$830,017.00**
Don Chapin	**1,031,905.00**

Kraemer Engineering has been qualified as the lowest, responsible bidder. Their base bid was competitive and is below the engineer's estimate, which is $821,500. Kraemer is well qualified to perform this work. In addition to the base bid, 19th Street drainage and sewer improvements, which is the price noted above, the City incorporated two bid additives to the project. Alder between Pine and Short and the alley between 2nd and 4th Street. In the bidding documents, the City specified that the award of the contract is based on the Base Bid proposal cost. The received base bid from Kraemer is within our budget thresholds and well within the allocated funds for the project, which allows the City to also award bid for the two additional road segments. Kraemer's total bid, including the two bid additives, is $1,030,963.

Scope of Work
The scope of work for the FY24/25 Street Rehabilitation Project bid includes:

· Reconstruction of 26,700 SF of deteriorated pavement
· 2.5-inch overlay on 19th street equating to 850 tons of asphalt
· Construction of 9 curb ramps
· Reconstruction of 950 SF of sidewalk
· Construction of 90 LF of curb and gutter
· Replacement of 30 LF of sewer main line
· Reconstruction of 2 manholes
· Reconstruct 117 LF of storm drain

Agreement
If awarded, Staff will begin collecting the necessary insurance documents and prepare the agreement, harnessing the standard construction contract approved by the City's insurer, California Joint Powers Insurance Authority (CJPIA).

Construction Schedule
Following contract execution, a pre-construction meeting will be held to determine a project schedule. It is anticipated that work will commence shortly after contract execution.

OPTIONS

· Authorize the agreement
· Do not authorize the agreement.

FINANCIAL IMPACT:

The total approved project budget is $1,716,065, derived from the Capital Improvement Fund, Measure X, Road Maintenance and Rehabilitation Account (RMRA), and the Sewer Fund as specified below.

Funding Source	Approved Budget	Funding Needed for Construction
Fund 63 – Capital Improvement Fund	$300,000	15% Contingency $154,644
Fund 17 – Measure X	$730,000	$706,703
Fund 47- RMRA (SB1)	$386,065	$280,185
Fund 76- Sewer Fund	$300,000	$44,075
TOTAL	**$1,716,065**	**Total plus 15% $1,187,607**

To date, approximately $142,116 has been spent on engineering and CCTV, derived from Fund 63, leaving $1.57 million of construction funding.

There is sufficient funding to allow for the road improvements.

FOCUSED PRIORITY AREA: Infrastructure

Agenda No. 9 B

CITY OF PACIFIC GROVE

300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council

FROM: Daniel Gho, Public Works Director/Deputy City Manager

MEETING DATE: February 04, 2026

SUBJECT: Prescott Lane Sidewalk Improvement Project– Award of Contract

CEQA: Categorical Exemption, CEQA Guidelines Section 15301, Class I, Existing Facilities

---

RECOMMENDATION

1. Authorize an agreement with Kraemer Engineering for the FY24/25 Street Rehabilitation Project on 19th Street, Alder Street and the Alley between 2nd & 4th Street in an amount not to exceed $1,030,963 plus a 15% contingency.
2. Alternatively, discuss and take other action on this item.

DISCUSSION

As part of the FY25/26 Capital Improvement Plan (CIP), the City Council approved ADA Mandated sidewalk projects on Prescott Lane and at Lovers Point Park (CIP 26-02) with an initial budget of $450,000 funded from the General Fund and Fund 17, Measure X. City staff had to separate the two projects as the Lovers Point portion requires a Coastal Development Permit (CDP), which City Staff is in the process of obtaining through the CDP process. Once Staff has the permit for the Lovers Point Sidewalk we will issue an RFP for that portion of sidewalk. City staff is only bringing forward the Prescott Lane portion of the project with this bid award.

This Prescott Lane project aims to infill sidewalks and improve pedestrian safety along Prescott Lane, between Divisadero Street and Forest Avenue, on both the South and North sides of Prescott. Prescott Lane is a heavily trafficked roadway and provides access to the local schools, residences, and commercial areas.

In November of 2025, the City issued a call for bids for the installation of sidewalks along Prescott Lane. The bidding period closed on January 8, 2026, and 13 bids were received:

Contractor	Bid Amount
NPX Engineering	$172,915.00
Spektren Engineering	$211,575.00
FBD Vanguard Construction, Inc	$214,770.00
Kraemer Engineering	$215,475.00
JMS Cement	$228,650.00

Precision Grade, Inc.	$261,650.00
Golz Construction	$264,481.05
RS Milestone General Engineering	$273,300.00
Monterey Peninsula Engineering	$275,135.00
Don Chapin Company	$322,945.00
Coastal Paving & Excavation	$355,250.00
BNO Builders	$418,054.89
Anderson Pacific	$427,750.00

NPX Engineering has qualified as the lowest responsible bidder.

SCOPE OF WORK
The scope of work includes:
· Installation of 2150 SF of sidewalk
· Installation of 95 LF of curb and gutter
· Installation and/or reconstruction of 4 driveway approaches
· Construction of 3 curb ramps

AGREEMENT
If approved, the City's standard construction agreement template will be used. This agreement has been approved by the California Joint Powers Authority (CJPIA) and the City Attorney's Office.

CONSTRUCTION TIMING & UPDATES
If the contract is awarded, the agreement will be executed, and construction will begin promptly. Regular updates will be shared in the City Manager's Report.

OPTIONS

1. Authorize the agreement
2. Do not approve the agreement

FINANCIAL IMPACT:
The Sidewalk Project on Prescott Lane and Lovers Point Park(CIP26-02) was approved in the FY25/26 CIP with a budget from the General Fund (Fund 63) of $200,000, with an additional $250,000 derived from Measure X (Fund 17). There is ample funding to complete the Prescott Lane Project, and it is anticipated that the Lovers Point project will be able to be completed within the allocated funds for CIP 26-02. City staff will release the RFP for Lovers Point Sidewalk once the CDP is issued, which should be in March of 2026.

FOCUSED PRIORITY AREA: Infrastructure

Agenda No. 9 C

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

AGENDA REPORT

TO:	Honorable Mayor and Members of the City Council
FROM:	Matthew Mogensen, City Manager
MEETING DATE:	February 04, 2026
SUBJECT:	Appointment of City Manager Pro Tempore
CEQA:	Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

Appoint Joyce Halabi, Deputy City Manager, as City Manager pro tempore, effective February 5, 2026.

DISCUSSION

If there is no Assistant City Manager, Article 20 of the Charter requires the Council to appoint a City Manager pro tempore to act in the absence from the City of the City Manager, or in the event the City Manager becomes temporarily disabled.

Ms. Halabi has worked for the City of Pacific Grove since June 2017. Prior to May of 2025, Ms. Halabi was the Deputy Public Works Director for the City. This position held a great deal of responsibility in the City's largest department. This experience allowed her to have exposure and experience working with all other departments in the City. In the Deputy City Manager role, Ms. Halabi has already become a central member of the City's leadership team and is involved in much of the everyday business of the City. She has also earned her Master of Public Affairs from UC Berkeley.

The key ability for the City Manager pro tempore is to be able to assume the duties of the City Manager, working with staff and the Council to address situations as they arise, and resolve them for the benefit of the community. Good judgment, knowledge of the City, and an ability to receive conflicting advice, weigh their relative merits, and make the best possible decision under conditions of uncertainly, are all relevant criteria. Based on these criteria, Ms. Halabi is a great candidate among the City staff.

OPTIONS

1. Do nothing. Not recommended given the Charter requirement.
2. Appoint someone else.

FINANCIAL IMPACT:

There is no financial impact as a result of this item. Should the City Manager Pro Tempore assume the duties of the City Manager for the reasons outlined in this report, there is an already established salary schedule in place that will apply.

FOCUSED PRIORITY AREA: Not Applicable.

Attachments

Written public comment

Outlook

Public Comment: Agenda Item 9C – February 4, 2026 CC Meeting

From Luke Coletti <ljcoletti@icloud.com>
Date Sat 1/31/2026 6:36 AM
To City Council Members <citycouncil@cityofpacificgrove.org>; City Clerk <cityclerk@cityofpacificgrove.org>
Cc Matthew Mogensen <mmogensen@cityofpacificgrove.org>; Alex J. Lorca <alorca@fentonkeller.com>

[**NOTICE:** This message originated outside of the City of Pacific Grove email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Greetings -

I appreciate the Council's action and note that it addresses the concern I raised in my July 23, 2025 correspondence regarding compliance with the City Charter.

Thank you.

Luke Coletti

> On Jul 23, 2025, at 6:48 PM, Luke Coletti <ljcoletti@icloud.com> wrote:
>
> Brian -
>
> The City is not in compliance with City Charter Article 20 - the City does not currently have an Assistant City Manager and no active City employee has been appointed by the City Council to serve as the City Manager pro tempore.
>
> Thank you.
>
> Luke Coletti
>
> https://www.codepublishing.com/CA/PacificGrove/#!/PacificGroveCH.html#Article20
>
> > **Article 20 City Manager Pro Tempore**
>
> In case of the absence from the City of the City Manager, or the City Manager's temporary disability to act as such, the Council shall appoint a City Manager pro tempore who shall possess the powers and discharge the duties of the City Manager during such absence or

disability only; provided, however, that a City Manager pro tempore shall have no authority to appoint or remove any City officer or employee; provided that the Assistant City Manager (if any) shall be the City Manager pro tempore. If there is no Assistant City Manager, then the Council shall appoint a City Manager pro tempore as provided above.

(Amended in the November 6, 1990 general election).

Agenda No. 9 D

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

AGENDA REPORT

TO: Honorable Mayor and Members of the City Council

FROM:

MEETING DATE: February 04, 2026

SUBJECT: Contract Extension with Access Media Productions (AMP) for Video Production and Broadcast Services for City's Public Meetings.

CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

Staff recommends that the City Council approve a three year contract extension with Access Media Productions (AMP) for continued video production and meeting broadcasting services, with an optional two year extension exercisable at the City's discretion. This action will ensure uninterrupted coverage of City Council meetings and maintain the City's commitment to transparency and public accessibility.

DISCUSSION

Access Media Productions (AMP) has provided the City with professional video production, televised meeting broadcasting, and related media services for many years. AMP plays a key role in supporting the City's transparency and public engagement efforts by ensuring that City Council meetings, commission meetings, and other public events are reliably recorded, broadcast, and archived for community access. The City's agreement with AMP expired in July 2025.

Staff recommends continuing with Tier 3 services, consistent with the level previously selected and approved by the City Council. Tier 3 provides comprehensive coverage and best supports the City's ongoing communication and transparency objectives.

Tier 3 Services – $52,000 Annually

- Production and coverage of all City Council meetings and special events (up to 35 per year)
- Broadcast of City Council meetings on the Peninsula Channel
- Live-streaming of meetings to the City's designated online platforms
- Delivery of meeting files for video on demand (VOD) use
- Frequent replays of meetings on the Peninsula Channel, along with the ability to broadcast other City's authorized programming.

OPTIONS

1. Approve the contract extension (recommended).
2. Direct staff to issue a Request for Proposals (RFP) for video production services.
3. Take no action, which would result in the expiration of the current contract and potential disruption to meeting broadcasting services.

FINANCIAL IMPACT:

The annual cost for Tier 3 services is $52,000, consistent with prior years and funded through the State Franchise PEG Fund in the adopted budget. No additional appropriations are required at this time. If the City elects to exercise the optional two-year extension, the necessary funding will be incorporated into future budget cycles.

GOAL ALIGNMENT: Not Applicable.

Attachments

Professional Services Agreement - AMP - Draft -012626 - MK

Exhibit A - Scope of Services - AMP - Draft - 012626 - MK

Exhibit B - Broadcast packages & pricing - AMP - 012626 - MK

CITY OF PACIFIC GROVE
PROFESSIONAL SERVICES AGREEMENT

This PROFESSIONAL SERVICE AGREEMENT ("PSA") FOR NON-CONSTRUCTION PROJECTS ("Agreement"), is made and effective as of **August 1, 2025**, between the City of Pacific Grove ("City"), a municipal corporation and **Access Media Production (AMP)**, ("CONSULTANT"). In consideration of the mutual covenants and conditions set forth herein, the parties agree as follows:

1. TERM

   This Agreement shall commence on **February 5, 2026**, and shall remain and continue in effect until the tasks described herein are completed, but in no event later than **June 30, 2028, with an option to renew for additional two years**, unless sooner terminated pursuant to the provisions of this Agreement.

2. SCOPE OF WORK

   CONSULTANT shall perform the tasks and services ("Services") described and set forth in Exhibit A, Scope of Services, attached hereto and incorporated herein as though set forth in full. CONSULTANT shall complete the tasks according to the schedule of performance which is also set forth in Exhibit A. To the extent that Exhibit A is a proposal from CONSULTANT, such proposal is incorporated only for the description of the Scope of Services and no other terms and conditions from any such proposal shall apply to this Agreement unless specifically agreed to in writing.

3. PERFORMANCE

   CONSULTANT shall at all times faithfully, competently and to the best of their ability, experience, and talent, perform all Services described herein. CONSULTANT shall employ, at a minimum, generally accepted standards and practices utilized by persons engaged in providing similar services as are required of CONSULTANT hereunder in meeting their obligations under this Agreement.

4. CITY MANAGEMENT

   The City Manager, or their designee, shall represent City in all matters pertaining to the administration of this Agreement, review and approval of all products submitted by CONSULTANT, but not including the authority to enlarge the Scope of Work or change the compensation due to CONSULTANT. The City Manager shall be authorized to act on City's behalf and to execute all necessary documents that enlarge the Scope of Work or change CONSULTANT's compensation, subject to Section 6 hereof.

5. PAYMENT

   a. The City agrees to pay CONSULTANT monthly, in accordance with the payment rates and terms and the Payment Schedule as set forth in Exhibit B, attached hereto and incorporated herein by this reference as though set forth in full, based upon actual time spent on the above

tasks. This amount shall not exceed **$52,000 annually** for the **Tier 3 plan** for total term of the Agreement unless additional payment is approved as provided in this Agreement.

b. The City Manager's contract authority is limited to $39,999.99, which includes all costs. Contracts, including any contract amendments that exceed the total threshold, require City Council approval. Any contracts, including contract amendments that exceed the total threshold, which do not have City Council approval, shall be void.

c. CONSULTANT shall not be compensated for any Services rendered in connection with its performance of this Agreement that are in addition to those set forth herein, unless such additional services are authorized in advance and in writing by the City Manager or the City Council. CONSULTANT shall be compensated for any additional services in the amounts and in the manner as agreed to by City Manager and CONSULTANT at the time City's written authorization is given to CONSULTANT for the performance of said services.

d. CONSULTANT shall submit invoices monthly for actual Services performed. Invoices shall be submitted on or about the first business day of each month, or as soon thereafter as practical, for Services provided in the previous month. Payment shall be made within thirty (30) days of receipt of each invoice as to all non-disputed fees. If the City disputes any of CONSULTANT's fees it shall give written notice to CONSULTANT within thirty (30) days of receipt of an invoice of any disputed fees set forth on the invoice. Any final payment under this Agreement shall be made within forty-five (45) days of receipt of an invoice therefore.

6. INSPECTION

City shall at all times have the right to inspect the work and materials. CONSULTANT shall furnish all reasonable aid and assistance required by City for the proper examination of the work and all parts thereof. Such inspection shall not relieve CONSULTANT from any obligation to perform said work strictly in accordance with the specifications or any modifications thereof and in compliance with the law.

7. SUSPENSION OR TERMINATION OF AGREEMENT WITHOUT CAUSE

a. The City may at any time, for any reason, without cause, suspend or terminate this Agreement, or any portion hereof, by serving upon CONSULTANT at least thirty (30) days prior written notice. Upon receipt of said notice, CONSULTANT shall immediately cease all Services under this Agreement, unless the notice provides otherwise. If the City suspends or terminates a portion of this Agreement such suspension or termination shall not make void or invalidate the remainder of this Agreement.

b. In the event this Agreement is terminated pursuant to this Section, the City shall pay to CONSULTANT the actual value of the Services performed up to the time of termination, provided that the Services performed are of value to the City. Upon termination of the Agreement pursuant to this Section, CONSULTANT will submit an invoice to the City pursuant to Section 6.

8. DEFAULT OF CONSULTANT

a. CONSULTANT's failure to comply with the provisions of this Agreement shall constitute a default. In the event that CONSULTANT is in default for cause under the terms of this Agreement, City shall have no obligation or duty to continue compensating CONSULTANT for any Services performed after the date of default and can terminate this Agreement immediately by written notice to the CONSULTANT. If such failure by the CONSULTANT to make progress in the performance of Services hereunder arises out of causes beyond the CONSULTANT's control, and without fault or negligence of the CONSULTANT, it shall not be considered a default.

b. If the City Manager or designee determines CONSULTANT is in default in the performance of any of the terms or conditions of this Agreement, they shall cause to be served upon CONSULTANT a written notice of the default. The CONSULTANT shall have ten (10) days after service upon it of said notice in which to cure the default by rendering a satisfactory performance. In the event CONSULTANT fails to cure its default within such period of time or fails to present City with a written plan for the cure of the default, City shall have the right, notwithstanding any other provision of this Agreement, to terminate this Agreement without further notice and without prejudice to any other remedy to which it may be entitled at law, in equity or under this Agreement.

9. OWNERSHIP OF DOCUMENTS

a. CONSULTANT shall maintain complete and accurate records with respect to sales, costs, expenses, receipts, and other such information required by City that relate to the performance of Services under this Agreement. CONSULTANT shall maintain adequate records of Services provided in sufficient detail to permit an evaluation of Services. All such records shall be maintained in accordance with generally accepted accounting principles and shall be clearly identified and readily accessible. CONSULTANT shall provide free access to the representatives of City or its designees at reasonable times to such books and records; shall give City the right to examine and audit said books and records; shall permit City to make transcripts or copies therefrom as necessary; and shall allow inspection of all work, data, documents, proceedings, and activities related to this Agreement. If there is a substantial billing deviation adverse to City, then the cost of an audit shall be borne by CONSULTANT. Such records, together with supporting documents, shall be maintained for a period of five (5) years after receipt of final payment.

b. Upon completion of, or in the event of termination or suspension of this Agreement, all original documents, designs, drawings, maps, models, computer files, surveys, notes, and other documents prepared in the course of providing the Services to be performed pursuant to this Agreement shall become the sole property of City and may be used, reused, or otherwise disposed of by City without the permission of CONSULTANT. With respect to computer files, CONSULTANT shall make available to City, at CONSULTANT's office and upon reasonable written request by City, the necessary computer software and hardware for purposes of accessing, compiling, transferring, copying and/or printing computer files. CONSULTANT hereby grants to City all right, title, and interest, including any copyright, in and to the documents, designs, drawings, maps, models, computer files, surveys, notes,

and other documents prepared by CONSULTANT in the course of providing the Services under this Agreement.

10. RECORD AUDIT

In accordance with Government Code, Section 8546.7, for expenditures of greater than $10,000, records of both City and CONSULTANT shall be subject to examination and audit by the Auditor General for a period of three (3) years after final payment.

11. INDEMNIFICATION AND DEFENSE

Indemnity

To the fullest extent permitted by law, CONSULTANT shall indemnify and hold harmless City and any and all of its officers, employees and agents ("Indemnified Parties") from and against any and all losses, liabilities, damages, costs and expenses, including legal counsel's fees and costs, caused in whole or in part by the negligent or wrongful act, error or omission of CONSULTANT, its officers, agents, employees or subconsultants (or any City or individual that CONSULTANT shall bear the legal liability thereof) in the performance of Services under this Agreement. CONSULTANT's duty to indemnify and hold harmless City shall not extend to the City's sole or active negligence.

Duty to defend

In the event City, its officers, employees, agents and/or volunteers are made a party to any action, lawsuit, or other adversarial proceeding arising from the performance of the Services encompassed by this Agreement, and upon demand by City, CONSULTANT shall defend City at CONSULTANT's cost or at City's option, to reimburse City for its costs of defense, including reasonable attorney's fees and costs incurred in the defense of such matters to the extent the matters arise from, relate to or are caused by CONSULTANT's negligent acts, errors or omissions. Payment by City is not a condition precedent to enforcement of this indemnity. In the event of any dispute between CONSULTANT and City, as to whether liability arises from the sole or active negligence of the City or its officers, employees, or agents, CONSULTANT will be obligated to pay for City's defense until such time as a final judgment has been entered adjudicating the City as solely or actively negligent. CONSULTANT will not be entitled in the absence of such a determination to any reimbursement of defense costs including but not limited to attorney's fees, expert fees and costs of litigation.

12. INSURANCE

CONSULTANT shall maintain prior to the beginning of and for the duration of this Agreement insurance coverage as specified in Exhibit C attached to and part of this Agreement.

13. INDEPENDENT CONSULTANT

a. CONSULTANT is and shall at all times remain as to City a wholly independent consultant and/or independent contractor. The personnel performing the Services under this Agreement on behalf of CONSULTANT shall at all times be under

CONSULTANT's exclusive direction and control. Neither City nor any of its officers, employees, or agents shall have control over the conduct of CONSULTANT or any of CONSULTANT's officers, employees, or agents, except as set forth in this Agreement. CONSULTANT shall not at any time or in any manner represent that it or any of its officers, employees, or agents are in any manner officers, employees, or agents of City. CONSULTANT shall not incur or have the power to incur any debt, obligation, or liability whatever against City, or bind City in any manner.

b. No employee benefits shall be available to CONSULTANT in connection with the performance of this Agreement. Except for the fees paid to CONSULTANT as provided in the Agreement, City shall not pay salaries, wages, or other compensation to CONSULTANT for performing Services hereunder for City. City shall not be liable for compensation or indemnification to CONSULTANT for injury or sickness arising out of performing Services hereunder.

14. LEGAL RESPONSIBILITIES

CONSULTANT shall keep itself informed of State and Federal laws and regulations that in any manner affect those employed by it or in any way affect the performance of its Services pursuant to this Agreement. CONSULTANT shall at all times observe and comply with all such laws and regulations. City, and its officers, employees, and agents shall not be liable at law or in equity occasioned by failure of the CONSULTANT to comply with this Section.

15. UNDUE INFLUENCE

CONSULTANT declares and warrants that no undue influence or pressure was used against or in concert with any officer, employee or agent of City in connection with the award, terms or implementation of this Agreement, including any method of coercion, confidential financial arrangement, or financial inducement. No officer, employee or agent of City has or will receive compensation, directly or indirectly, from CONSULTANT, or from any officer, employee or agent of CONSULTANT, in connection with the award of this Agreement or any Services to be performed as a result of this Agreement. Violation of this Section shall be a material breach of this Agreement entitling City to any and all remedies at law or in equity.

16. NO BENEFIT TO ARISE TO CITY OFFICERS AND EMPLOYEES

No officer, employee of City, or their designees or agents, and no public official who exercises authority over or responsibilities with respect to the Services performed under the Agreement during their tenure or for one year thereafter, shall have any interest, direct or indirect, in any agreement or sub-agreement, or the proceeds thereof, for work to be performed in connection with the Services performed under this Agreement.

17. RELEASE OF INFORMATION/CONFLICTS OF INTEREST

a. All information gained by CONSULTANT in performance of this Agreement shall be considered confidential and shall not be released by CONSULTANT without City's prior written authorization. CONSULTANT, its officers, employees, agents, or subconsultants, shall not without written authorization from the City Manager or unless

requested by the City Attorney, voluntarily provide declarations, letters of support, testimony at depositions, response to interrogatories, or other information concerning the work performed under this Agreement or relating to any project or property located within the City. Response to a subpoena or court order shall not be considered "voluntary" provided CONSULTANT gives City notice of such court order or subpoena.

b. CONSULTANT shall promptly notify CITY should CONSULTANT, its officers, employees, agents, or subconsultants be served with any summons, complaint, subpoena, notice of deposition, request for documents, interrogatories, request for admissions, or other discovery request ("Discovery"), court order, or subpoena from any person or party regarding this Agreement and the work performed there under or with respect to any project or property located within the City, unless City is a party to any lawsuit, arbitration, or administrative proceeding connected to such Discovery, or unless CONSULTANT is prohibited by law from informing City of such Discovery. City retains the right, but has no obligation, to represent CONSULTANT and/or be present at any deposition, hearing, or similar proceeding as allowed by law. Unless City is a party to the lawsuit, arbitration, or administrative proceeding and is adverse to CONSULTANT in such proceeding, CONSULTANT agrees to cooperate fully with City and to provide the opportunity to review any response to discovery requests provided by CONSULTANT. However, City's right to review any such response does not imply or mean the right by City to control, direct, or rewrite said response.

c. If City determines CONTRACTOR comes within the definition of Contractor under the Political Reform Act (Government Code §87100 et seq.), CONTRACTOR shall complete and file and shall require any other person doing Work under this Agreement to complete and file a "Statement of Economic Interest" with CITY disclosing CONTRACTOR's and/or such other person's financial interests.

18. DISCRIMINATION

CONSULTANT agrees that in the performance of this Agreement, neither CONSULTANT nor any person acting on CONSULTANT's behalf shall discriminate against any person on the basis of race, religious creed, color, national origin, ancestry, disability, medical condition, genetic information, marital status, sexual orientation, sex, gender identity, gender expression, military or veteran status or age.

19. NOTICES

Any notices which either party may desire to give to the other party under this Agreement must be in writing and may be given either by (i) personal service, (ii) delivery by a reputable document delivery service, such as but not limited to, Federal Express, which provides a receipt showing date and time of delivery, or (iii) mailing in the United States Mail, by first class mail, addressed to the address of the party as set forth below or at any other address as that party may later designate by notice:

To City:

City of Pacific Grove
300 Forest Avenue
Pacific Grove, CA 93950
Attention: Chief Information Officer

To CONSULTANT:

Access Media Productions
465 Tyler St
Monterey, CA 93940
Attention: Executive Director

Notice is effective on the date of personal service, or 5 days following deposit in a United States mailbox, or date of postmark. The parties may agree to service by email.

20. THIRD PARTY BENEFICIARIES

Nothing contained in this Agreement shall be construed to create, and the parties do not intend to create, any rights in third parties.

21. ASSIGNMENT

CONSULTANT shall not assign the performance of this Agreement, nor any part thereof, nor any monies due hereunder, without prior written consent of CITY. Because of the personal nature of the Services to be rendered pursuant to this Agreement, only CONSULTANT shall perform the Services described in this Agreement. CONSULTANT may use assistants, under their direct supervision, to perform some of the Services under this Agreement.

22. LICENSES

At all times during the term of this Agreement, CONSULTANT shall have in full force and effect, all licenses required of it by law for the performance of the Services described in this Agreement. CONSULTANT shall obtain a valid City Business License and shall maintain said Business License for the term of this Agreement and any extensions.

23. GOVERNING LAW

City and CONSULTANT understand and agree that the laws of the State of California shall govern the rights, obligations, duties, and liabilities of the parties to this Agreement and also govern the interpretation of this Agreement. Any litigation concerning this Agreement shall take place in Monterey County, or federal district court with jurisdiction over City. CONSULTANT agrees not to commence or prosecute any dispute arising out of or in connection with this Agreement other than in the aforementioned courts and irrevocably consents to the exclusive personal jurisdiction and venue of the aforementioned courts.

24. ENTIRE AGREEMENT

This Agreement contains the entire understanding between the parties relating to their obligations described in this Agreement. All prior or contemporaneous agreements, understandings, representations, and statements, oral or written and pertaining to the subject of this Agreement or with respect to the terms and conditions of this Agreement, are merged into this Agreement and shall be of no further force or effect. Each party is entering into this Agreement based solely upon the representations set forth herein and upon each party's own independent investigation of any and all facts such party deems material. No amendment shall be valid unless in writing, executed by both parties.

25. DISPUTE RESOLUTION; ATTORNEY'S FEES

CONSULTANT shall continue to perform under this Agreement during any dispute. CONSULTANT and City hereby agree to make good faith efforts to resolve disputes as quickly as possible. In the event any dispute arising from or related to this Agreement results in litigation or arbitration, the prevailing party shall be entitled to recover all reasonable costs incurred, including court costs, attorney fees, expenses for expert witnesses (whether or not called to testify), expenses for accountants or appraisers (whether or not called to testify), and other related expenses. Recovery of these expenses shall be as additional costs awarded to the prevailing party, and shall not require initiation of a separate legal proceeding.

26. WORK SCHEDULED/TIME OF COMPLETION

City and CONSULTANT agree that time is of the essence in this Agreement.

27. AUTHORITY TO EXECUTE THIS AGREEMENT

The person or persons executing this Agreement on behalf of CONSULTANT warrants and represents that they have the authority to execute this Agreement on behalf of the CONSULTANT and have the authority to bind CONSULTANT to the performance of its obligations hereunder.

28. INTERPRETATION OF CONFLICTING PROVISIONS

In the event of any conflict or inconsistency between the provisions of this Agreement and the Provisions of any exhibit or other attachment to this Agreement, the provisions of this Agreement shall prevail and control.

29. SEVERABILITY

If any term of this Agreement is held invalid by a court of competent jurisdiction or arbitrator the remainder of this Agreement shall remain in effect.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed the day and year first above written.

CITY OF PACIFIC GROVE

By:_____
Risk Manager

Date: _____

By:_____
Department Director

Date: _____

By: _____
City Manager or Mayor

Date: _____

Approved As To Form: _____
City Attorney

_____
Date

CONSULTANT

By:_____
Consultant

Date: _____

By: _____
City Administrative Services Department

Date: _____

Attachments:	Exhibit A	Scope of Services and Contractor Terms
	Exhibit B	Payment Schedule and Contractor Pricing Options
	Exhibit C	Insurance Requirements

EXHIBIT A

SCOPE OF SERVICES AND CONTRACTOR TERMS

EXHIBIT B

PAYMENT SCHEDULE AND CONTRACTOR PRICING OPTIONS

EXHIBIT C

INSURANCE REQUIREMENTS

Without limiting CONSULTANT's indemnification of City, and prior to commencement of Work, CONSULTANT shall obtain, provide and maintain at its own expense during the term of this Agreement, policies of insurance of the type and amounts described below and in a form satisfactory to City.

General liability insurance. CONSULTANT shall maintain commercial general liability insurance with coverage at least as broad as Insurance Services Office form CG 00 01, in an amount not less than $1,000,000 per occurrence, $2,000,000 general aggregate, for bodily injury, personal injury, and property damage. The policy must include contractual liability that has not been amended. Any endorsement restricting standard ISO "insured contract" language will not be accepted.

Automobile liability insurance. CONSULTANT shall maintain automobile insurance at least as broad as Insurance Services Office form CA 00 01 covering bodily injury and property damage for all activities of the Consultant arising out of or in connection with Work to be performed under this Agreement, including coverage for any owned, hired, non-owned or rented vehicles, in an amount not less than $1,000,000 combined single limit for each accident.

Professional liability (errors & omissions) insurance. CONSULTANT shall maintain professional liability insurance that covers the Services to be performed in connection with this Agreement, in the minimum amount of $1,000,000 per claim and in the aggregate. Any policy inception date, continuity date, or retroactive date must be before the effective date of this Agreement and CONSULTANT agrees to maintain continuous coverage through a period no less than three (3) years after completion of the Services required by this Agreement.

Note: May need to delete workers' compensation and employer's liability insurance requirements for certain sole proprietorships, partnerships, or corporations without employees.

Workers' compensation insurance. CONSULTANT shall maintain Workers' Compensation Insurance (Statutory Limits) and Employer's Liability Insurance (with limits of at least $1,000,000).

CONSULTANT shall submit to CITY, along with the certificate of insurance, a Waiver of Subrogation endorsement in favor of CITY, its officers, agents, employees and volunteers.

Umbrella or excess liability insurance. [Optional depending on limits required]. CONSULTANT shall obtain and maintain an umbrella or excess liability insurance policy with limits that will provide bodily injury, personal injury and property damage liability coverage at least as broad as the primary coverages set forth above, including commercial general liability, automobile liability, and employer's liability. Such policy or policies shall include the following terms and conditions:

- A drop down feature requiring the policy to respond if any primary insurance that would otherwise have applied proves to be uncollectible in whole or in part for any reason;
- Pay on behalf of wording as opposed to reimbursement;

- Concurrency of effective dates with primary policies;
- Policies shall "follow form" to the underlying primary policies; and
- Insureds under primary policies shall also be insureds under the umbrella or excess policies.

Other provisions or requirements

Proof of insurance. CONSULTANT shall provide certificates of insurance to City as evidence of the insurance coverage required herein, along with a waiver of subrogation endorsement for workers' compensation. Insurance certificates and endorsements must be approved by City's Risk Manager prior to commencement of performance. Current certification of insurance shall be kept on file with City at all times during the term of this contract. City reserves the right to require complete, certified copies of all required insurance policies, at any time.

Duration of coverage. CONSULTANT shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property, which may arise from or in connection with the performance of the Work hereunder by CONSULTANT, his agents, representatives, employees or subconsultants.

Primary/noncontributing. Coverage provided by CONSULTANT shall be primary and any insurance or self-insurance procured or maintained by City shall not be required to contribute with it. The limits of insurance required herein may be satisfied by a combination of primary and umbrella or excess insurance. Any umbrella or excess insurance shall contain or be endorsed to contain a provision that such coverage shall also apply on a primary and non-contributory basis for the benefit of City before the City's own insurance or self-insurance shall be called upon to protect it as a named insured.

City's rights of enforcement. In the event any policy of insurance required under this Agreement does not comply with these specifications or is canceled and not replaced, City has the right but not the duty to obtain the insurance it deems necessary and any premium paid by City will be promptly reimbursed by CONSULTANT or City will withhold amounts sufficient to pay premium from CONSULTANT payments. In the alternative, City may cancel this Agreement.

Acceptable insurers. All insurance policies shall be issued by an insurance company currently authorized by the Insurance Commissioner to transact business of insurance or is on the List of Approved Surplus Line Insurers in the State of California, with an assigned policyholders' Rating of A- (or higher) and Financial Size Category Class VI (or larger) in accordance with the latest edition of Best's Key Rating Guide, unless otherwise approved by the City's Risk Manager.

Waiver of subrogation. All insurance coverage maintained or procured pursuant to this agreement shall be endorsed to waive subrogation against CITY, its elected or appointed officers, agents, employees and volunteers or shall specifically allow CONSULTANT or others providing insurance evidence in compliance with these specifications to waive their right of recovery prior to a loss. CONSULTANT hereby waives its own right of recovery against City, and shall require similar written express waivers and insurance clauses from each of its subconsultants.

Enforcement of contract provisions (non estoppel). CONSULTANT acknowledges and agrees that any actual or alleged failure on the part of the City to inform CONSULTANT of non-compliance with any requirement imposes no additional obligations on the City nor does it waive any rights hereunder.

Requirements not limiting. Requirements of specific coverage features or limits contained in this Section are not intended as a limitation on coverage, limits or other requirements, or a waiver of any coverage normally provided by any insurance. Specific reference to a given coverage feature is for purposes of clarification only as it pertains to a given issue and is not intended by any party or insured to be all inclusive, or to the exclusion of other coverage, or a waiver of any type. If the Consultant maintains higher limits than the minimums shown above, the City requires and shall be entitled to coverage for the higher limits maintained by the Consultant. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to the City.

Notice of cancellation. Consultant agrees to oblige its insurance agent or broker and insurers to provide to CITY with a thirty (30) day notice of cancellation (except for nonpayment for which a ten (10) day notice is required) or nonrenewal of coverage for each required coverage.

Additional insured status. General liability policies shall provide or be endorsed to provide that City and its officers, employees, agents, and volunteers shall be additional insureds under such policies. This provision shall also apply to any excess/umbrella liability policies.

Prohibition of undisclosed coverage limitations. None of the coverages required herein will be in compliance with these requirements if they include any limiting endorsement of any kind that has not been first submitted to City and approved of in writing.

Separation of insureds. A severability of interests provision must apply for all additional insureds ensuring that Consultant's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the insurer's limits of liability. The policy(ies) shall not contain any cross-liability exclusions.

Pass through clause. CONSULTANT agrees to ensure that its subconsultants, subcontractors, and any other party involved with the project who is brought onto or involved in the project by CONSULTANT, provide the same minimum insurance coverage and endorsements required of CONSULTANT. CONSULTANT agrees to monitor and review all such coverage and assumes all responsibility for ensuring that such coverage is provided in conformity with the requirements of this section. CONSULTANT agrees that upon request, all agreements with consultants, subcontractors, and others engaged in the project will be submitted to City for review.

City's right to revise specifications. The City reserves the right at any time during the term of the contract to change the amounts and types of insurance required by giving the CONSULTANT ninety (90) days advance written notice of such change. If such change results in substantial additional cost to the CONSULTANT, the City and CONSULTANT may renegotiate CONSULTANT's compensation.

Self-insured retentions. Any self-insured retentions must be declared to and approved by City. City reserves the right to require that self-insured retentions be eliminated, lowered, or replaced by a deductible. Self-insurance will not be considered to comply with these specifications unless approved by City.

Timely notice of claims. CONSULTANT shall give City prompt and timely notice of claims made or suits instituted that arise out of or result from CONSULTANT's performance under this Agreement, and that involve or may involve coverage under any of the required liability policies.

Additional insurance. CONSULTANT shall also procure and maintain, at its own cost and expense, any additional kinds of insurance, which in its own judgment may be necessary for its proper protection and prosecution of the work.

DRAFT

CONTRACT BETWEEN THE CITY OF PACIFIC GROVE, CALIFORNIA AND ACCESS MONTEREY PENINSULA, INC.

AGREEMENT

This Agreement is made this _____ day of _____, by and between the City of Pacific Grove, a municipal corporation ("City"), and Access Monterey Peninsula, Inc. ("AMP"), a 501(c) (3) non-profit corporation, who agree as follows:

RECITALS:

1. The City desires to provide continuing support for public, educational, and government ("PEG") cable access channels pursuant to state law.

2. The California Public Utilities Commission has granted franchises to Comcast and AT&T (hereafter Franchisees) to provide video services in the City pursuant to the Digital Infrastructure and Video Competition Act ("DIVCA") of 2006.

3. The City has codified its rights pursuant to the DIVCA in Chapter 21 Section 21.12.270 of the Pacific Grove City Code (City Code). Pursuant to those rights, video service providers granted franchises pursuant to DIVCA must provide certain PEG access channels, funding, and resources to the City.

4. City Code allows the City to designate a nonprofit access management entity to operate and administer the PEG access facilities, services, and programming. The City surveyed potential providers.

5. AMP, a PEG management entity serving cities on the Monterey Peninsula, has indicated its interest in serving the City by proving PEG access programming and services.

6. The City wishes to utilize AMP to serve as the access management organization to operate and manage PEG access, and be the recipient of those PEG access channels, funding, and resources provided by video service providers pursuant to DIVCA and the City Code.

7. AMP has agreed to serve the City and the community by managing the Community Media Center and providing PEG access programming, and services in a manner consistent with applicable law and best practices.

NOW, THEREFORE, in consideration of the mutual promises and covenants set forth herein, the parties agree as follows:

SECTION 1. INCORPORATION OF RECITALS. The foregoing Recitals are true and correct and are integrated into this Agreement as if each was set forth fully herein.

SECTION 2. SCOPE OF SERVICES. In exchange for the funding provided by the City to AMP pursuant to this Agreement, AMP shall provide the following services:

A. *OPERATE PUBLIC, EDUCATIONAL, AND GOVERNMENTAL ACCESS CABLE CHANNEL(S*). Operate the public, educational, and governmental access cable channel(s) in accordance with the provisions of this Agreement and applicable state and federal law, with the primary purpose being to bring to the community local programming and information not otherwise readily available in commercial and national media.

B. *OPERATE A COMMUNITY MEDIA CENTER*. Manage a video production facility and equipment, available for public use at such hours and times that are convenient and accessible to the public as determined by AMP. Access to equipment and facilities shall be open to all those who satisfactorily complete training class(es) provided by AMP or who receive a certification from AMP, identifying said user(s) as having satisfied training requirements through means other than AMP training classes.

C. *PRODUCTION OF VIDEO PROGRAMMING*. Provide personnel required to assist the City in video recording, broadcasting, and streaming, either on premises or remotely, up to 30 meetings per year, as requested by the City Manager's Office. AMP will provide a file of each meeting for VOD purposes within 2 business days and will also provide on-demand streaming of all the past meetings on AMP's website. AMP will broadcast the City's meetings on the Peninsula Channel ONLY while meetings are live (no replays). Should the City desire to retain AMP to provide additional services (meetings, special event coverage, content creation), AMP agrees to provide those services at the hourly rates delineated in Exhibit A in this agreement.

D. *MAINTENANCE OF EQUIPMENT*. Provide regular maintenance and repair of all video equipment purchased with monies received pursuant to this Agreement and/or donated, loaned, or leased to AMP by the City.

E. *PROVIDE AUDIO VISUAL & TECHNICAL SERVICES*. Provide routine maintenance and repair of audio and video equipment located in the City Council Chambers, as needed or requested. In addition, provide the following special services:

1. Evaluate the audio and video equipment in the City Council Chambers and prepare recommendations for replacement or upgrade.

2. Assist with or undertake the implementation of the video and audio equipment upgrades approved by the City.

3. Analyze any problems during the term of the agreement associated with the live transmission of City meetings or community events on the cable and signal

streaming on the Internet, research potential solutions and their costs, and recommend preferred solutions.

4. Based on the City's choice from the options described in Item E.3 above and the City's approved budget for the implementation of the approved solutions, assist with and oversee, in coordination with the designated City staff, the implementation of the City's desired solution for the problems associated with the live signal transmission of City Council meetings on the cable system and signal streaming on the Internet.

5. On an ongoing basis, monitor best practices of the industry and recommend to the City those improvements in policies, practices, and equipment that could enhance the achievement of the City's goals.

F. *PROVIDE EQUAL ACCESS*. Provide access to the use of the equipment, facilities, channels, and services provided herein on a non-discriminatory basis to all members of the community for non-commercial programming purposes, whether individuals, groups, or organizations pursuant to operating rules promulgated by AMP.

G. *DEVELOP OPERATING POLICIES AND PROCEDURES*. Develop policies and procedures for use and operation of the PEG access equipment, facilities, and channel(s). AMP shall file such policies and procedures with the City.

H. *OPERATE USING BEST PRACTICES*. Operate the Community Media Center and the PEG access channels in a manner consistent with best practices for PEG access and other similar organizations.

I. *COMPLIANCE WITH LAWS, RULES, AND REGULATIONS*. Administer the PEG access channels and facilities in compliance with applicable federal, state, and local laws, rules, regulations, and in compliance the Pacific Grove City Code.

J. *TRAINING*. Train City residents and, when requested, City employees, school or college employees and students in the techniques of video production, and provide technical advice in the execution of productions.

K. *PLAYBACK/CABLECAST*. AMP provides for the playback/cablecasting of programs on the PEG access channels twenty-four (24) hours per day, three hundred sixty-five (365) days per year. AMP will broadcast the City's meetings on the Peninsula Channel ONLY while meetings are live. Additionally, AMP agrees to retain and archive one year (1) of the City's video meeting recordings. Video files in excess of the one-year period will be transferred to the City for final archiving as required.

L. *SPECIAL NEEDS GROUPS*. Support special needs groups, including but not limited to the hearing impaired, in program production through training and other means.

M. *PROMOTION*. Actively promote the use and benefit of the PEG access channels and facilities to cable subscribers, the public, PEG access users, and Franchisees.

N. *OTHER ACTIVITIES*. Undertake other PEG access programming activities and services as deemed appropriate by AMP and consistent with the obligation to facilitate and promote PEG access programming and provide non-discriminatory access.

SECTION 3. CHANNELS OPEN TO PUBLIC: AMP shall keep the PEG access channels open to all potential users regardless of their viewpoint, subject to Federal Communications Commission regulations and other relevant laws. The parties agree neither the City, Franchisees, nor AMP shall have the authority to control the content of programming placed on the public access channel(s), so long as such programming is lawful. Nothing herein shall prevent AMP, the City, or the Franchisees from producing or sponsoring programming, prevent the City or the Franchisees from underwriting programming, or prevent the City, the Franchisees, or AMP from engaging in activities designed to promote production of certain types of programming or use by targeted groups as consistent with applicable law and rules for use of PEG channels. AMP shall promulgate and enforce policies and procedures that are designed to promote local use of the PEG access channels and make the programming accessible to the viewing public, consistent with such time, manner, and place regulations as are appropriate to provide for and promote use of PEG access channels, equipment and facilities.

SECTION 4. INDEMNIFICATION. AMP shall indemnify, defend, and hold harmless the City, its officers, agents, and employees and volunteers from and against any and all claims, suits, actions, causes of action, losses, damage, or liabilities of any kind, nature or description, including, payment of litigation costs and attorneys' fees, brought by any person or persons for or on account of any loss, damage or injury to person, property or any other interest, tangible or intangible, sustained by or accruing to any person or persons, howsoever the same may be caused, directly or indirectly arising or resulting from any alleged acts or omission of the AMP, its officers, employees, agents or subcontractors arising out of or resulting from the performance of this Agreement. AMP shall indemnify and hold harmless City, its officers, agents, employees and volunteers from and against any and all claims or other injury, including costs of litigation and attorney's fees, arising from or in connection with claims or loss or damage to person or property arising out of the failure to comply with any applicable laws, rules, regulations or other requirements of local, state or federal authorities, for claims of libel, slander, invasions of privacy, or infringement of common law or statutory copyright, for breach of contract of other injury or damage in law or at equity which claims, directly or indirectly, result from AMP use of channels, funds, equipment, facilities or staff granted under this Agreement or the franchise agreement.

The City shall indemnify, defend, and hold harmless AMP, its officers, agents and employees from and against any and all claims, losses, liabilities, or damage including payment of reasonable attorneys' fees arising out of or resulting from the performance of this Agreement, caused in whole or part by any act or omission of the City.

SECTION 5. COPYRIGHT CLEARANCE. Before cablecasting video transmissions AMP shall require all users to agree in writing that they shall make all appropriate arrangements to obtain all rights to all material cablecast and clearances from broadcast stations, networks, sponsors, music licensing organizations' representatives, and without limitation from the foregoing, any and all other persons as may be necessary to transmit its or their program material over the PEG access channels that are operated and managed by AMP.

SECTION 6. COPYRIGHT AND OWNERSHIP. AMP shall own the copyright of any programs which it may produce. Copyright of programming produced by the public shall be held by such person(s) who produces said programming.

SECTION 7. DISTRIBUTION RIGHTS.

A. AMP shall require that all programs produced with funds, equipment, facilities, or staff granted under this Agreement be cablecast on the channels whose use is authorized by this Agreement. This subparagraph shall not be interpreted to restrict other distribution (beyond cablecasting on channels authorized by this Agreement), so long as such other distribution is consistent with any pertinent guidelines established in the PEG access operating policies and procedures.

B. At least at the beginning and end of each day that video programming is cablecast on the PEG access channels whose use is authorized by this Agreement, AMP shall display a credit stating "Partial funding for the operation of this channel is provided by the City of Pacific Grove." Such credit shall also state that opinions expressed in programming on the PEG access channels are the sole responsibility of the program producers.

SECTION 8. EQUIPMENT AND FACILITIES.

A. AMP shall be responsible for maintenance of all equipment and facilities owned, leased, or loaned to it under this Agreement or purchased with funds provided pursuant to this Agreement.

B. AMP shall own all equipment and facilities acquired by it and purchased with funds received pursuant to this Agreement. Upon termination or non-renewal of this Agreement all such equipment or facilities purchased with funds received pursuant to this Agreement shall become property of the City.

C. Upon the dissolution of AMP, it shall, subject to the approval of the City, transfer all assets of AMP representing City-funded equipment and facilities, and/or the proceeds of either to the City, or at the City's option, to such organization or organizations designated by the City to manage access which shall at the time qualify as a tax exempt organization(s) under Section 501(c)(3) of the Internal Revenue Code (or the corresponding provisions of any future United States Internal Revenue Law).

SECTION 9. INSURANCE. AMP shall maintain in full force and effect at all times during the term of this Agreement, or any extension thereof, insurance as required by this Section. The cost of such insurance shall be borne by AMP and may be included in AMP annual budget.

A. *COMPREHENSIVE LIABILITY INSURANCE*. Comprehensive liability insurance, including protective, completed operations and broad form contractual liability, property damage and personal injury coverage, and comprehensive automobile liability including owned, hired, and non-owned automobile coverage. All such coverage shall be carried in the minimum amounts of $1,000,000 per occurrence, $2,000,000 aggregate.

B. *EQUIPMENT INSURANCE*. Insurance shall be maintained on all equipment and facilities, including fixtures, funded in whole or in part under this Agreement to replacement cost. The insurance shall include, at a minimum, insurance against loss or damage beyond the user's control, theft, fire or natural catastrophe.

C. WORKERS' COMPENSATION. Full Workers' Compensation Insurance and Employer's Liability with limits as required by California law shall be maintained by AMP and shall include an endorsement waiving any subrogation rights against the City. The insurance carrier shall be approved by the City.

D. *CABLECASTER'S ERRORS AND OMISSIONS INSURANCE*. Insurance shall be maintained to cover the content of productions which are cablecast on the access channel in, at minimum, the following areas: libel and slander; copyright or trademark infringement; infliction of emotional distress, invasion of privacy; plagiarism; and misuse of musical or literary materials. This policy shall not be required to cover individual access producers.

E. *CITY AS ADDITIONAL INSURED*. The aforementioned insurance policies shall be on a primary basis and shall list the City, via policy endorsement, as an additional insured. The policies shall provide that no cancellation, major change in coverage or expiration may be affected by the insurance company or AMP without first giving the City thirty (30) days written notice prior to the effective date of such cancellation or change in coverage. Any insurance or self-insurance maintained by the City, its officers, agents, employees, or volunteers shall be in excess of the AMP insurance and shall not contribute to it.

F. *NOTIFICATION OF COVERAGE*. AMP shall annually file with the City proof of insurance coverage as follows: (1) Comprehensive Liability and Workers' Compensation; (2) equipment insurance; (3) cablecaster's error and omission insurance prior to the commencement of cablecasting of programming on the designated PEG access channels. AMP shall immediately notify the City of any break or reduction in coverage.

SECTION 10. NON-DISCRIMINATION IN EMPLOYMENT AND SERVICE. AMP shall comply with Title VII of the Civil Rights Act of 1964 and no person shall, on the grounds of race, religion or religious creed, color, age (over 40), sex (including gender identity

and expression, pregnancy, childbirth and related medical conditions), sexual orientation (including heterosexuality, homosexuality and bisexuality), national origin, ancestry, marital status, medical condition (including cancer and genetic characteristics), mental or physical disability (including HIV status and AIDS), military service, or any other classification protected by federal, state, or local laws and ordinances be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under this Agreement.

SECTION 11. INDEPENDENT CONTRACTOR. It is understood and agreed that AMP is an independent contractor and that no relationship of principal/agent or employer/employee exists between the City and AMP. If in the performance of this Agreement any third persons are employed by AMP, such persons shall be entirely and exclusively under the control, direction and supervision of AMP. All terms of employment, including hours, wages, working conditions, discipline, hiring and discharging or any other term of employment shall be determined by AMP and the City shall have no right or authority over such persons or terms of employment.

SECTION 12. ASSIGNMENT AND SUBLETTING. Neither this Agreement nor any interest herein shall be assigned or transferred by AMP, except as expressly authorized in writing by City.

SECTION 13. ANNUAL REPORTS. On or before December 31st of each year, AMP shall submit to City an annual report for the preceding fiscal year (July 1 – June 30). This report shall contain, at a minimum, the following information:

A. Statistics on programming and services provided, as available;
B. Current and complete listing of AMP's Board of Directors; and
C. Year-end financial statements audited or reviewed by an independent certified public accountant.

SECTION 14. RECORDS, FISCAL AUDIT.

A. AMP shall maintain all necessary books and records, in accordance with generally accepted accounting principles.
B. B. Upon reasonable request from City, AMP shall, at any time during normal business hours, make available all of its records with respect to all matters covered by this Agreement at:

Pacific Grove City Hall
Attn: City Manager
300 Forest Avenue
Pacific Grove, CA 93950

C. AMP shall prepare (or have prepared) and submit to the City a fiscal audit by a certified public accountant, at least every three (3) years.

SECTION 15. FUNDING.

A. Pursuant to City Code Section 21.12.270 (g), all Franchisees are obligated to provide certain PEG access channels, funding and resources to the City for PEG access purposes. The City does by this Agreement transfer those channels, funds, and resources as described below to AMP for the purposes described in this Agreement.
1. **PEG Channel Capacity**: There has been designated certain channel capacity (spectrum on franchised video broadband systems) for PEG access use. The City agrees to permit AMP to manage that channel capacity for PEG access programming.
2. **PEG Support**: The City agrees to provide AMP with $40,000.00 of PEG fees it receives from companies which have been granted franchises by the California Public Utilities Commissions. Should the City desire to retain AMP to provide additional services (meetings, special event coverage, content creation), AMP agrees to provide those services at the hourly rates delineated in Exhibit A in this agreement.
3. **PEG Channel Carriage** All PEG channels shall be receivable by all subscribers, whether they receive digital or analog service, or a combination thereof, without the need for any equipment other than that needed to receive the lowest cost tier of service. PEG access capacity provided by a state franchisee shall be of similar quality and functionality to that offered by commercial channels, shall be capable of carrying a National Television System Committee (NTSC) quality television signal, and shall be carried on the state franchisee's lowest cost tier of service.
4. **PEG Channel Interconnection**. A state franchisee shall make interconnection available to each PEG channel originator programming a channel in the City and shall provide the facilities necessary for the interconnection.

SECTION 16. ANNUAL PLAN AND BUDGET.

A. On or before March 1 of each year in which this Agreement is in effect, City shall provide AMP with an estimate of the funds (franchise fees and PEG fees) that will be available to AMP for the upcoming fiscal year. As used herein, the fiscal year begins on July 1 and ends on June 30.

B. On or before March 30, AMP shall meet and confer with City staff to seek input regarding the development of its annual plan and budget for the upcoming fiscal year. During that meeting the City shall share with AMP any matters that it would like AMP to consider as it prepares its annual plan and budget.

C. On or before March 30 of each year in which this Agreement is in effect, AMP shall provide to the City a proposed Annual Plan and Budget outlining activities and programs planned for the following fiscal year with funds and PEG access channels received from the City. The Annual Plan and Budget shall contain:

1. A statement of anticipated number of hours of local original PEG access programming;
2. Training classes to be offered and frequency of classes;
3. Public meeting coverage;

4. Other access activities planned by AMP; and
5. A detailed operating and capital equipment and facilities budget.

SECTION 17. EXPENDITURE OF FUNDS. AMP shall spend funds received from City solely for the purposes listed in its Annual Plan and Budget and as described in Section 2 (Scope of Services) of this Agreement. Funds not expended in the year covered by the Annual Plan and Budget may be carried over by AMP into succeeding years. Upon termination of this Agreement all funds of any kind received from City and not expended by AMP shall be returned to City. AMP shall provide for such fiscal control and accounting procedures as are necessary to assure proper disbursement and accounting for funds received from City.

SECTION 18. RECEIPT OF APPROVED FUNDING. For each year in which AMP has submitted the Annual Plan and Budget to the City as required under Section 16 of this Agreement, the City shall make quarterly payments of $10,000.00 to AMP. Those payments shall be made on or before February 15, May 15, August 15, and November 15. If the City requests additional services from AMP, those will be billed to the City at an hourly rate, on a monthly basis.

SECTION 19. FUNDING FROM OTHER SOURCES. AMP may, during the course of this Agreement, receive supplemental funds from other sources. These funds may include, but are not limited to, fundraising activities.

SECTION 20. TERM OF AGREEMENT. This Agreement shall be for a period of one (1) year commencing on _____, 2021 and ending on _____, 2022 unless terminated earlier, as provided in this Agreement. This Agreement may be extended, by mutual agreement of the City and AMP, in writing, for one additional period of one (1) year in accordance with Section 22 of this Agreement.

SECTION 21. TERMINATION OF AGREEMENT: TRANSFER OF ASSETS.

A. The City shall have the right upon one hundred twenty (120) days written notice to AMP to terminate this Agreement for:

1. Breach of any provision of this Agreement by AMP;
2. Malfeasance, misfeasance, misappropriation of public funds; or
3. Loss of 501(c)(3) status by AMP.

B. AMP may avoid termination by curing any such breach to the satisfaction of the City within one hundred twenty (120) days of notification or within a time frame agreed to by the City and AMP. The City may also terminate this Agreement at the expiration of its term, or any extension thereof.

C. Upon termination of this Agreement, AMP shall immediately transfer to the City all equipment, real property, fixtures, contracts, leases, deposit accounts or other assets received by or purchased by AMP with funds received pursuant to this Agreement.

SECTION 22. EXTENSION OF AGREEMENT. This Agreement may be renewed or extended for an additional period of one (1) year, pursuant to the following process:

A. If AMP seeks an extension of this Agreement, it shall, on or before _____, 2022 submit to City a letter of intent requesting extension.

B. On or before _____, 2022 City shall respond to AMP's letter of intent to request extension. If City intends to refuse to extend the Agreement, it shall explain the reasons for this decision in its response to AMP. City may not refuse to extend the contract based upon a failure of AMP to comply with the terms of this Agreement unless City has provided AMP a notice of its failure to comply with the terms and the opportunity to cure said noncompliance.

SECTION 23. TIME. Time is of the essence in this Agreement and for the performance of all covenants and conditions of this Agreement.

SECTION 24. COOPERATION. Each party agrees to execute all documents and do all things necessary and appropriate to carry out the provisions of this Agreement.

SECTION 25. APPLICABLE LAW. This Agreement shall be interpreted and enforced under the laws of the State of California.

SECTION 26. VENUE. The parties agree this Agreement is being entered into, and shall be performed, in Pacific Grove County, California.

SECTION 27. NOTICES. All notices and other communications to be given by either party may be given in writing, depositing the same in the United States mail, postage prepaid and addressed to the appropriate party as follows:

To City of Pacific Grove:
City Manager's Office
Pacific Grove, CA 93940

To Access Monterey Peninsula:
Executive Director
465 Tyler Street
Monterey, CA 93940

Any party may change its address for notice by written notice to the other party at any time.

SECTION 28. SEVERABILITY. If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, invalid, unenforceable, or contrary to public policy, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.

SECTION 29. MUTUALITY. This Agreement is the product of negotiation and preparation by and among the parties represented by counsel. All sides and their

counsel have reviewed and have had the opportunity to revise this Agreement. The Parties waive the provisions of Section 1654 of the Civil Code of California and any other rule of construction to the effect that ambiguities are to be resolved against the drafting party, and the parties warrant and agree that the language of this Agreement shall neither be construed against or in favor of any party.

SECTION 30. WAIVER. A party's failure to insist on the strict performance of any provision of this Agreement or to exercise any right, power, or remedy upon a breach of this Agreement shall not constitute a waiver of any provision of this Agreement. Neither shall such action or inaction limit the party's right to later enforce any provision or exercise any right to the fullest extent allowed under this Agreement. A waiver of any covenant, term or condition contained in this Agreement shall not be construed as a waiver of any subsequent breach of the same covenant, term or condition. The consent, authorization or approval by a party of any act shall not be deemed to waive or render unnecessary the consent, authorization or approval of any subsequent similar act. Any waiver of any terms or conditions must be in writing and signed by the parties.

SECTION 31. ENTIRE AGREEMENT. This Agreement is the entire agreement of the parties and supersedes all prior negotiations and agreements whether written or oral. This Agreement may be amended only by written agreement and no purported oral amendment to this Agreement shall be valid.

City of PG Meeting Coverage & Streaming Service Packages

1. Basic Streaming & Channel Access Package — $35K annually

- Broadcast of all City of PG City Council meetings and Streaming to Peninsula Channel during City Council meetings
- RTMP Connection to AMP Headend and live broadcast to Comcast of City Council Meetings
- No on-site technical support

2. Broadcast & Replay Package — $40K annually

- Same coverage as above
- Streaming to Peninsula Channel during City Council meetings and Special Council meetings.
- Channel access to Peninsula with replays and playlist functions for City Website
- No on-site technical support

3. Current Plan — $52K annually

- Full coverage of City Council Meetings and Special Meetings
- Streaming and Peninsula Channel access
- VOD file of Meetings and playlist function
- Technical support included, with current setup on site tech and testing prior to meetings.

4. Pacific Grove Channel Package — $62K annually

- All features of the current plan
- Option for PG to get its own dedicated channel
- Full control over content on the Pacific Grove Channel

- On-site technical support included
- Coverage of 4 special events per year (separate from City Council meetings) this includes any city sponsored event, or production needs for the city separate from City Council meetings or event production.

CITY OF PACIFIC GROVE

300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO:	Honorable Mayor and Members of the City Council
FROM:	Garrett McCown, Associate Planner
MEETING DATE:	February 04, 2026
SUBJECT:	Appeal of Architectural Permit (AP) and Coastal Development Permit (CDP) 24-0044 for 685 Mermaid Avenue (APN 006-085-003-000)
CEQA:	Categorical Exemption, CEQA Guidelines 15331, Historical Resources Restoration/Rehabilitation

RECOMMENDATION

Deny the appeal and affirm the Planning Commission approval of Architectural Permit (AP) and Coastal Development Permit (CDP) 24-0044, based on findings, conditions of approval, and Class 1 and 31 Categorical Exemptions (CEQA Guidelines Sections 15301, Existing Facilities, and 15331, Historical Resource Restoration and Rehabilitation).

DISCUSSION

APPEAL

City Council to consider an appeal of the Planning Commission's December 11, 2025 approval of the following:

1. Coastal Development Permit (CDP) 24-0044
2. Architectural Permit (AP) 24-0044

These approvals were granted to allow a remodel and rehabilitation of an existing two-story residence. This project includes demolition of an existing garage (which was converted to living space) and additions at the back of the house, first and second-floor additions to the residence, addition of an attached one-car garage and a second floor accessory dwelling unit (ADU) above the garage. This property is on the Historic Resources Inventory ("HRI").

The appellant submitted twelve (12) reasons as the grounds for their appeal, which include:

1. Approval of this permit will destroy the historical significance of a valuable resource, causing it to be de-listed from the Pacific Grove HRI,

2. The permit application does not meet the criteria for Categorical Exemptions per CEQA 15300.2 or 15331 Class 31, nor comply with CEQA by meeting the Secretary of the Interior's Standards for Rehabilitation,

3. The proposed demolition of the historical resource disqualifies it from a CEQA exemption, and does

not comply with the Secretary of the Interior's Standards for Rehabilitation,

4. The detailed Historic Resource Evaluations ("HREs") required by CEQA, including documentation of the current condition of the built environment, have not been submitted,

5. An Environmental Impact Report (EIR) must be completed to assess the impact of the proposed demolition and mitigation,

6. The project does not meet the Secretary of the Interior's Standards for Rehabilitation of a Historic Building, particularly, Standards 9 and 10, for the proposed demolition and massing of the new addition. Simplified or non-related explanations are offered for meeting the PG Architectural Review Guidelines.

7. Dana E. Supernowicz's Phase II Assessment is based on a report not in compliance with CEQA and does not offer evidence of substantial compliance to the Secretary of the Interior's Standards for rehabilitation,

8. The Historic Resources Committee's ("HRC") approval of the permit was based on the design containing an Accessory Dwelling Unit ("ADU"), the historical preservation of the resource was not considered.

9. This modern build takes away from the charm of the "special community" protected under Section 30253 of the Coastal Act, negatively affecting its historical significance.

10. The property owners are in violation of PGMC 23.76.110 code for (a) Minimum maintenance.

11. The completed project will invade our privacy and impair the desirability of investment or occupation in our neighborhood,

12. The Planning Commission did not receive a complete history of the project in which to make an informed decision.

BACKGROUND

The following is a listing of the key elements in the review of this project that led to its consideration and approval by the Planning Commission:

- February 22, 2024 - Community Development Department application submitted including a Phase II Historic Assessment (Seavey, December 2023).
- March 8, 2024 - Coastal Development Permit Application submitted.
- April 10, 2024 - Notice of Incomplete Application sent to applicant.
- June 21, 2024 - Notified the California Coastal Commission that a Coastal Development Permit (CDP) is required for this project.
- July 24, 2024 - Historic Resources Committee Regular Meeting

The project was first presented to the Historic Resources Committee (HRC). Upon consideration, the HRC needed further clarification on:

- The historicity of the existing attached garage, which had been converted to living space,
- Confirmation of the compatibility of materials used in the proposed project and their consistency with the Secretary of Interior's Standards for Rehabilitation,
- Address concerns about the scale and massing of the proposed project.

Also, the HRC requested a redesign with a primary focus on massing and compatible materials consistent with the Secretary of Interior's Standards. The applicant agreed to make revisions reflecting the HRC's comments and approved a motion to continue the item to meeting to a date uncertain.

- August 28, 2024 - Historic Resources Committee Regular Meeting

The applicant made revisions to the plan addressing the HRC and neighbor's concerns that included:

- Lowered ADU height by 6 inches
- Windows and doors were revised to wood windows and doors.
- Updated materials and colors
- Submitted an addendum to the Phase II Assessment (Seavey, August 2024) to confirm materials compatibility and historicity of the converted garage.

The project was presented to the HRC with the above revisions and upon consideration, the HRC voted 3-2 to recommend approval to the Planning Commission.

- November 1, 2024 - Appellant submitted a Peer Review (Evans & DeShazo, October 2024)

Shortly after HRC recommendation to the Planning Commission and submittal of the Peer Review, Mr. Seavey declined to continue as project historian.

In preparation for the Planning Commission, the applicant contracted with a qualified historic consultant, Historic Resource Associates, to provide a historic consultation and a new Phase II Historic Assessment for the project. Upon consultation, Historic Resource Associates recommended changes to the proposed project which focused on historical compatibility and improved consistency with the Secretary of Interior's Standards for Rehabilitation (the standards) of the historic structure.

The applicant revised the August 28, 2024, plans to the HRC and submitted a new Phase II Historic Assessment (Historic Resource Associates, August 2025) in support of the project and an analysis that is consistent with the Secretary of Interior's Standards for Rehabilitation.

In consideration of the changes to the plans and the new Phase II Historic Assessment, staff presented the revised proposed project to the HRC on September 24, 2025.

September 24, 2025 - Historic Resources Committee Regular Meeting

The applicant made revisions to the plan set that include:

- Removing lap siding in order to return siding back to its original exterior board and batten wall cladding
- Retain the character-defining front door in its existing location
- Retain the character-defining first floor window in its existing location
- Differentiate the addition from the original structure with horizontal wood siding

The project was presented to the HRC with the above revisions and upon consideration, the HRC voted 3-0 to recommend approval of the project to the Planning Commission.

December 11, 2025 - Planning Commission Regular Meeting

The project was presented to the Planning Commission and upon consideration, the PC voted 4-1-2 (Fredrickson and Davison absent) to approve Architectural Permit (AP) and Coastal Development Permit (CDP) 24-0044 with the following conditions of approval:

- Tribal Monitoring. A qualified tribal monitor shall be present to observe all soil disturbance for all grading and excavation activities. If, at any time, potentially significant resources or intact features are discovered, the monitor(s) shall temporarily halt work until the find can be evaluated.
- Legal Lot of Record. Applicant will provide documentation demonstrating that the subject site was lawfully created and documented under state and local Subdivision Map Act requirements.
- December 19, 2025 - Appeal Submitted

ANALYSIS

Proposed Project Description
The proposed development consists of a remodel and rehabilitation of an existing 950 square-foot two-story residence to include the demolition of the existing converted garage and rear additions, the construction of a 156 square-foot first-floor addition, a 165 square-foot second-floor addition, a 337 square-foot attached garage addition, and a 339 square-foot second-floor ADU resulting in a 1,363 square-foot two-story residence with a 339 square-foot attached ADU. Additionally, the rehabilitation will include returning the existing structure back to its original board and batten wall cladding; replacing damaged or deteriorated windows with in-kind replacements, matching the design and shape of the existing windows; restoring the front (French) door; and restoring the front bay window.

In short, the appellants' grounds for appeal are:

1. The project is having a negative impact on a historic resource.
2. Does not comply with the California Environmental Quality Act (CEQA).
3. Is not compatible with the neighborhood character.
4. Impacts privacy and desirability of investment in and
5. Decisions by the HRC and PC were based on inadequate information.

In response to the reasons in support of the appeals, staff provides the following analysis.

The City of Pacific Grove's zoning regulations provide for additions, alterations, and improvements to a structure listed on the Historic Resources Inventory (HRI). They do not mandate that such a structure remain as it was built or frozen as it was at a specific point in the past. Rather, the city's codes recognize that improvements to those structures are warranted in order that they may be inline with current living standards.

As supported by the Phase II Historic Assessment (Historic Resource Associates, August 2025), the proposed project is the "rehabilitation" of a historic resource and has been found by the HRC and PC to be compliant with the Secretary of Interior's Standards for Rehabilitation, retaining its significance and integrity.

“Rehabilitation” means the process of returning a property to a state of utility through repair or alteration, which makes possible an efficient contemporary use while preserving those portions or features of the property that are significant to its historical, architectural, and cultural values.
“Reconstruction” means the process of reproducing by new construction the exact form and detail of a vanished structure, or part thereof, as it appeared during a specific period of time.
“Restoration” means the process of returning a building to a documented prior condition.

The appellant cites "demolition, alterations, and massing" as the factors that they believe will "destroy the historic significance of available resource."

The extent of demolition has been reviewed by the project historian, who concludes that the proposed demolition and rehabilitation meets the Secretary of Interior's Standards for Rehabilitation, and has been processed and included within the Architectural Permit (AP) and Coastal Development Permit (CDP), which have been reviewed and approved by the HRC and PC.

Per the Phase II Historic Assessment, the proposed project is considered a "Rehabilitation" and will use a combination of reconstruction, restoration, and new construction to achieve a state of utility through repair and alteration to make an efficient contemporary use of the structure while preserving and restoring the character-defining features of the property that are significant. This proposed project

would also contribute to achieving the City's Regional Housing Needs Allocation (RHNA) numbers with the addition of an ADU.

As for the converted garage, the Phase II Historic Assessment (Historic Resource Associates, August 2025) describes the former garage (demolition portion of the building) as "is [in] such deteriorated condition and has been so altered to conclude that it no longer is a "contributing" part of the historic residence, which itself has undergone numerous alterations."

In line with the California Environmental Quality Act (CEQA), staff evaluates a project to identify the level of environmental review that would be required based on a project's cumulative impact on the environment, which includes listed historic resources. Also, the project proposes to demolish a "non-contributing" former garage and rehabilitate the residence by retaining key features and returning the historic siding. Since this property is on the HRI, staff requested that the applicant provide a Phase II Historic Assessment confirming that the project is consistent and conforming with the Secretary of Interior's Standards for Rehabilitation and will not have a significant impact to the structure.

This project is not the "demolition" of a historic resource as "demolition" is defined in Chapter 23.76, Historic Preservation, of the Pacific Grove Municipal Code. Demolition is defined in this chapter of the code as changes to more than 25% of the wall area of the historic structure facing the street or more than 50% of the total of the exterior walls of the historic structure. Note that this definition was not applied to the garage because it is a non-contributing element of the historic resource due to the alterations and change in use. Since this project is not the demolition of a historic resource, per the city's own definitions, this project does not result in a significant impact on a historic resource.

The most recent Phase II Historic Assessment (Historic Resource Associates, August 2025), states that, "Per the Secretary of the Interior's Standards for the Treatment of Historic Properties (Standards), a project that complies with the Standards is considered to have mitigated the changes to less than significant."

The city does not have an on-call historic consultant. Therefore, staff relies on qualified professional historians' technical reports (Phase II Historic Assessment) to evaluate whether the project is in compliance with the Secretary of Interior Standards for Rehabilitation (Standards) and to identify whether there are significant impacts on the properties.

Per CEQA Guidelines Section 15064.5 states, "Generally, a project involving a listed resource that follows the Secretary of the Interior's Standards for the treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitaing Historic Buildings (1995 as amended), Weeks and Grimer, shall be considered mitigated to a level of less than significant impact on the historical resource."

The historic consultant, Historic Resource Associates, has reviewed the project and found the project to be in compliance with these Standards and made recommendations to modify the original proposed project, which has been incorporated into the project by the architect.

In this case, staff made a determination based on what the Phase II Historic Assessment (Historic Resource Associates, August 2025) identified and determined that the proposed project falls under Class 1 and 31 categorical exemption for Class 1 and 31 (CEQA Guidelines Sections 15301, Existing Facilities, and 15331, Historical Resource Restoration and Rehabilitation).

The City has followed the CEQA Guidelines adopted by the State of California. The proposed project has been found to be categorically exempt under CEQA Guidelines Section 15331 (Class 31), Historical Resource Restoration/Rehabilitation. The Class 31 exemption consists of projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the treatment of historic properties with Guidelines for preserving, rehabilitating, restoring and reconstructing historic buildings. As proposed, the project is consistent with the parameters of the Class 31 categorical exemptions. The project is also exempt under CEQA Guidelines Section 15301 (Class 1), Existing Facilities. The Class 1 exemption applies to expansions of existing structures not exceeding 10,000 square feet in areas where public utilities and services are available and are not environmentally sensitive habitat.

The Mermaid neighborhood has smaller lots relative to the rest of the city, and it includes an eclectic mix of varying architectural styles, alignments, and scales which are regulated by PGMC 23.57 and PGMC 23.90 (R-3-PGB district and LCP Implementation Plan). These standards in the code sections include, but are not limited to, uses permitted, building height limits, allowed building coverage, allowed site coverage, and required yards (setbacks). The existing structure is on a double lot (1,760 square foot lot). The proposed project complies with the following objective standards:

- Uses permitted: Single-family dwellings with an ADU are allowed
- Building height allowed is 25 feet and limited to two stories: The proposed building height is 20'-11" and two stories.
- Allowed building coverage 50% (880 max): The proposed building coverage is 48% (851 square feet).
- Allowed site coverage 60% (1,056 max): The proposed site coverage is 59% (1,047 square feet).
- Required yards: The existing residence is non-conforming with regard to the front yard, rear yard, and west side yard setback. However, the proposed demolition of a non-historic addition at the back of the residence results in a greater separation between the back of the structure and the rear property line, reducing the nonconformity by approximately four feet. The proposed project will not expand or create new nonconformities. All new construction will meet required yards per PGMC 23.57 (R-3-PGB) and PGMC 23.90 (Implementation Plan).

The proposed project and the neighborhood consist of similarly-sized residences of varying architectural styles, alignments, and scales. As proposed, the mass and height of the new structure would not overwhelm adjacent structures nor be out of character with the neighborhood. The implementation of the general plan, specifically as it relates to mass and scale, is carried out through the zoning regulations and development standards. As proposed, the project complies with all zoning regulations.

Additionally, staff has referenced and was guided by the Architectural Review Guidelines as well as the Architectural Guidelines for Historic Buildings in the previous HRC (9.24.2025) and PC (12.11.2025) hearings.

The site development requirements, as identified in the zoning regulations, provide the adopted standards for privacy and retention of neighborhood compatibility. Again, as noted earlier, the review by the appointed commissions serve as a check on this and their approval indicates that they found the siting and design of the proposed structure are appropriate for the R-3-PGB neighborhood.

Although in need of work, the current owners purchased the property in its present condition, and they are currently making an effort to rehabilitate the property by means of their proposal. Once complete, the project will contribute to the eclectic mix of residential buildings in this neighborhood and will not detract from the desirability of the surrounding neighborhood.

As noted earlier in this agenda report, the project reviewed by the Planning Commission was the result of a change in the applicant's historic consultant, input by the HRC, and architect/homeowners willingness to make changes that brought the project further into compliance with the Secretary of Interior's Standards for Rehabilitation, including an exterior siding that more closely resembles that of the original home. Although the information from the first historic consultant was not provided to the Planning Commission because it had lost its relevance in light of the new historic evaluation, changes to the project, and reconsideration by the HRC, they are included in this agenda report, so the City Council can review the evolution of this project. Also, as part of this packet, staff has included the agenda report provided to the Planning Commission and minutes of the December 11, 2025 Planning Commission meeting.

RECOMMENDATION

As explained above, the grounds for the appellants' appeal are not supported by the City's Zoning regulations, CEQA requirements, or the City's Historic Resource conservation efforts and processes. This project has been reviewed by the HRC and PC and their approvals support this conclusion. Therefore, staff recommends denial of this appeal.

OPTIONS

1. Deny Appeal
2. Grant Appeal
3. Refer project to applicant to address concerns raised by City Council members and continue to a date specific.

FINANCIAL IMPACT:

No significant financial impact is anticipated as the appellants have paid an appeal fee, which has been established at an amount intended to recover resource expenditures.

FOCUSED PRIORITY AREA: Community Development

Attachments

Written public comment
HRC Signed AP Recommendation
HRC Signed CDP Recommendation
Seavey Phase II Historic Report 12.20.23
Seavey Phase II Addendum
Historic Resource Associates Phase II
PC Signed AP 24-0044 12.11.25
PC Signed CDP 24-0044 12.11.25
Project Data Sheet PC 12.11.25
PC Plan Set 12.11.25
CEQA Exemption Form
12-11 PC Minutes
Appeal Application Packet
Assessment and Recommendations (Evans and DeShazo, 1.12.2026)
Phase II Summary Letter (Historic Resource Associates, 1.25.2026

Proposed project model view
PC - Correspondence
Draft Reso CC AP24-0044
Draft Reso CC CDP 24-0044

Outlook

City council meeting 2/4/26 item #11 A on the agenda

From anthony billeci <antbilleci@gmail.com>
Date Mon 2/2/2026 1:26 PM
To City Council Members <citycouncil@cityofpacificgrove.org>

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Regarding the appeal of the architectural permit for 685 Mermaid avenue (item #11 A on the agenda) I would like to express my disappointment for the approval of the permit both by the HRC and the planning commission of the city of Pacific Grove.
The architectural hodgepodge proposed would completely overwhelm the existing historic home to the point that the historic home would no longer be identifiable.

The historian's report is biased in that the historian was hired by the homeowner to write a report favorable to support the project. He did not suggest any alternatives to demolishing the original historic garage which could have been rehabilitated along with the historic home.
Since the current homeowners purchased the home on January 18, 2023, no maintenance has been performed on the home which is in violation of the city of Pacific Grove's municipal code, chapter 23.76 historic preservation section 23.76.110 minimum maintenance sub section (a) states that minimum maintenance is necessary to prevent an owner from facilitating the demolition of a historic resource by neglecting it. All buildings listed on the historic resources inventory shall be kept in a state of good repair consistent with all other state and city codes so as to preserve them against decay and deterioration.

It is my belief that the current owners purposely neglected the property at 685 Mermaid avenue to accelerate the decay of the building to not only support the historian's report but to also support their project. The plan calls for an architectural hyphen to accommodate a staircase to be in compliance with current building standards. A recent HRC meeting approved plans to remodel 687 & 689 Mermaid avenue by allowing a small extension of the homes to accommodate the staircases so that they would be in compliance with current building standards.

The planned remodel of 687 & 689 Mermaid avenue maintains the look of the historic homes without dramatically changing their view from the street. The project at 685 Mermaid avenue could achieve the same thing if done correctly. The house would maintain the same street view as the other two and there would be plenty of room to add an ADU next to the historic structure. This would maintain the symmetry of the three homes when viewed from the street while walking down Mermaid avenue.

There are several other historic homes along Mermaid avenue that have been altered in such a way over the years so as not to take away their historic appearance when viewed from the street.
Please do not deny the appeal. Instead, encourage the homeowners to take another look at the project and try to keep the looks of 685 Mermaid avenue in line with the other homes along the street.

Thank you for your consideration in this matter.

Regards,
Anthony Billeci
700 Briggs avenue
Pacific Grove

Garrett McCown

From:	Leslie Anderson <ldanders@earthlink.net>
Sent:	Tuesday, February 3, 2026 12:46 PM
To:	Garrett McCown; Aaron Campbell; Jon Biggs; City Council Members
Cc:	john@rdlaw.net; maria@rdlaw.net; stacey@evans-deshazo.com; Katie Butler CCC; Anthony Billeci #52; Cindy B MPHA; Linda Downum #20; David and Myrna #51; Rachel McDonald #49; Mikki Jenott #50; Marian Moe
Subject:	URGENT CONTINUATION REQUEST - Appeal Hearing 685 Mermaid 24-0044 Feb 4 City Council Meeting
Attachments:	Feb 2025 Email 685 Mermaid Avenue - Jon Biggs JBiggs@cityofpacificgrove.org - EarthLink Mail.pdf

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Dear Planning Department and City Council:

I am writing to request a Continuance for the Appeal Hearing scheduled for February 4, 2026 with the City Council.

The agenda for the February 4th City Council meeting was published after business hours on Friday, January 30, 2026. It was at this time we learned the Archeologist, Dana Supernowicz, submitted a letter, "Summary Report of the Phase II Historical Assessment of 685 Mermaid Avenue, Pacific Grove, CA 93950", to rebut the "Assessment and Recommendation" Report submitted on January 12, 2026 by Stacey De Shazo of Evans & De Shazo.

This January 25, 2026 letter is an entirely new circumstance we need time to digest and review with our expert Qualified Architectural Historian, Stacey De Shazo. Ms. De Shazo is currently visiting a project site and is not available for consultation or able to attend the February 4th City Council meeting.

John Domingue, Attorney with Rossi Domingue LLP is currently en route back to the United States after a month abroad. In light of his limited availability, and the new developments in this appeal, we need time to thoroughly review the case with him. John Domingue will not be available to attend the February 4, 2026 City Council meeting.

In addition, there are errors on the Appeal Agenda to be corrected.

1) The property address is not indicated anywhere on the agenda,

2) Under Background, the "April 10, 2024 - Notice of Incomplete Application sent to applicant", has an INCORRECT date. This occurred sometime after February 28, 2025 and corresponds with Kent Seavey “no longer being able to continue with the project” (see email attached), and was after the Peer Review was submitted by Evans & De Shazo (November 1, 2024),

3) Although I included a copy of this Peer Review in my appeal packet, this document has not been provided by the city as part of the file for the appeal.

We are requesting the Appeal hearing be continued to a mutually agreeable date in approximately eight weeks, where Stacey De Shazo, John Domingue and the Appellants will be available to attend.

Thank you for your help in this matter.

Leslie Anderson

685 Mermaid Avenue

From: Jon Biggs <JBiggs@cityofpacificgrove.org>
To: ldanders@earthlink.net <ldanders@earthlink.net>
Cc: Matthew Mogensen <mmogensen@cityofpacificgrove.org>
Subject: 685 Mermaid Avenue
Date: Feb 28, 2025 9:35 AM

Hello Ms. Anderson,

In checking with staff, the status of the project is that it will need to return to the HRC at a future meeting (date not yet determined) to consider new information provided from the historian – Kent Seavey.

The Planner working on the project has been in contact with Mr. Seavey regarding a peer review of his report and will be meeting with the applicant in the near future.

Thank you for your attention to this.

Jon Biggs, City of Pacific Grove
Interim Community Development Director

From: Leslie Anderson <ldanders@earthlink.net>
Sent: Thursday, February 27, 2025 2:55 PM
To: Matthew Mogensen <mmogensen@cityofpacificgrove.org>; Jon Biggs <JBiggs@cityofpacificgrove.org>
Cc: centralcoast@coastal.ca.gov <centralcoast@coastal.ca.gov>
Subject: 685 Mermaid Avenue AP & CDP #24-0044, APN 006-085-003

[NOTICE: This message originated outside of the City of Pacific Grove email system -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

Dear Matt Mogensen and Jon Biggs:

I am writing to follow up on the status of the permit application for 685 Mermaid Avenue that is currently under review. I would like to know if the PG Planing Commission Called Up the HRC approval of this permit? It never appeared on the agenda of any meeting and the HRC decision to approve this permit should have been reversed.

Evans & De Shazo, the Architectural Historians who submitted a Peer Review of Kent Seavey’s “Focused Phase II Historical Assessment” determined his report provides an insufficient Secretary of Interior Standards review and does not meet CEQA requirements. In our meeting last October regarding this permit, Karen Vaughn, former Community Development Director stated the determination this proposed remodel qualifies for categorical exemptions to CEQA and the decision of the HRC to approve this permit, were based on Kent Seavey’s Focused Phase II Historical Assessment. Because the HRC approval of the permit is based on an insufficient report, I assumed this decision would be reversed.

I noticed the city is still allowing Kent Seavey to submit Phase II Historic Assessments for building permits for Historic Resources. Although he is now following the required format per the Pacific Grove Guideline for Historic Assessments, I still do not believe he is correctly interpreting CEQA laws related to significantly altering historic resources. He also continues to assert projects comply with the Secretary of Interior Standards, rather than explaining how the standards are met. His Historic Assessment for 487 Ocean View Blvd is a good example, where he does not address how adding over 400 square feet for a second story master bedroom will impact the historic resource in relation to CEQA guidelines.He also continues to state no mitigation is required for the project under Secretary of Interior Standards, and sites the National Park Service Preservation Briefs, which is an informational brochure, not historic resource guidelines. There is no

evidence Kent Seavey is a Secretary of the Interior qualified Architectural Historian. I understand the city of Pacific Grove allows him to submit reports because he is on the Monterey County approved list, but I think relying on Kent Seavey’s reports is a huge liability for the city.

I appreciate any update you can provide.

Thank you.

Leslie Anderson

02.02.26

CITY OF PACIFIC GROVE
COMMUNITY DEVELOPMENT DEPARTMENT
300 FOREST AVENUE, 2ND FLOOR
PACIFIC GROVE, CA 93950

Mayor Smith and Members of the City Council,

This letter addresses the Grounds for Appeal challenging the Planning Commission's approval of the project at 685 Mermaid Avenue. While the appeal presents multiple reasons, many of the arguments repeat the same core concerns under different headings.

The project was reviewed and approved according to the Secretary of the Interior's Standards for Rehabilitation, which manage proposed changes to historic resources. Under this framework, compatible additions and selective removal of non-contributing elements are allowed, provided the historic resource's defining character and integrity remain intact. Several points raised in the appeal apply standards that are more restrictive than those actually required.

1. HISTORIC INTEGRITY & MASSING (GROUNDS #1, #6, #8)
The addition was designed in three dimensions to stay set back, appear visually subordinate, feature simplified detailing, and be secondary to the historic structure. The design maintains the primacy of the original building form, including the two-story gable, and adheres to the Standards for Rehabilitation governing compatible additions.

2. CEQA & CLAIMS OF SIGNIFICANT ALTERATION (GROUNDS #2, #3, #5)
An Environmental Impact Report is only necessary when a project would cause a significant adverse impact. The City concluded that the project does not meet this threshold and is correctly classified as a Categorical Exemption under CEQA.
While the scope includes rehabilitation and limited demolition, it does not result in a significant adverse effect on a historic resource. Therefore, an Environmental Impact Report is not needed.

3. HISTORIC REVIEW PROCESS & RECORD (GROUNDS #4, #7, #11, #12)
The project underwent extensive historic review, including:

- A Phase II Historic Assessment by Historian Kent Seavy
- Review and initial approval by the Historic Resource Committee
- A revised, independent Phase II Historic Assessment by Historian Dana Supernowicz
- Revisions to enhance compliance with the Standards for Rehabilitation
- A unanimous 3–0 recommendation from the Historic Resource Committee
- An approval by the Planning Commission with a 4–1 vote

All required procedures were followed, and the administrative record shows no material procedural issues.

4. NEIGHBORHOOD CONTEXT (GROUNDS #9, #10)
The project is compatible in scale, materials, and massing within an architecturally diverse neighborhood. The design responds appropriately to the surrounding context through proportional relationships, material choices, and articulated massing, aligning with City guidelines and neighborhood character.

5. GARAGE / CONTRIBUTING STATUS (GROUND #3)
Two independent Phase II Historic Assessments found that the former garage area is non-contributing due to prior alterations. Its modification does not involve the demolition of the historic residence.

Conclusion
The appeal presents no new factual evidence and provides no grounds for reversing the Planning Commission's decision. The project remains consistent with the Secretary of the Interior's Standards for Rehabilitation, CEQA requirements, and the City's review criteria. For these reasons, we respectfully ask the City Council to deny the appeal and uphold the Planning Commission's approval.

Thank you for your time and consideration.

Respectfully submitted,

Charles S. Hornisher, Architect

549 HILLCREST AVENUE, PACIFIC GROVE CA 93950

Outlook

URGENT CONTINUATION REQUEST - Appeal Hearing 685 Mermaid 24-0044 Feb 4 City Council Meeting

From Leslie Anderson <ldanders@earthlink.net>

Date Tue 2/3/2026 12:46 PM

To Garrett McCown <gmccown@cityofpacificgrove.org>; Aaron Campbell <ACampbell@cityofpacificgrove.org>; Jon Biggs <JBiggs@cityofpacificgrove.org>; City Council Members <citycouncil@cityofpacificgrove.org>

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1 attachment (68 KB)

Feb 2025 Email 685 Mermaid Avenue - Jon Biggs JBiggs@cityofpacificgrove.org - EarthLink Mail.pdf;

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Dear Planning Department and City Council:

I am writing to request a Continuance for the Appeal Hearing scheduled for February 4, 2026 with the City Council.

The agenda for the February 4th City Council meeting was published after business hours on Friday, January 30, 2026. It was at this time we learned the Archeologist, Dana Supernowicz, submitted a letter, "Summary Report of the Phase II Historical Assessment of 685 Mermaid Avenue, Pacific Grove, CA 93950", to rebut the "Assessment and Recommendation" Report submitted on January 12, 2026 by Stacey De Shazo of Evans & De Shazo.

This January 25, 2026 letter is an entirely new circumstance we need time to digest and review with our expert Qualified Architectural Historian, Stacey De Shazo. Ms. De Shazo is currently visiting a project site and is not available for consultation or able to attend the February 4th City Council meeting.

John Domingue, Attorney with Rossi Domingue LLP is currently en route back to the United States after a month abroad. In light of his limited availability, and the new developments in this appeal, we need time to thoroughly review the case with him. John Domingue will not be available to attend the February 4, 2026 City Council meeting.

In addition, there are errors on the Appeal Agenda to be corrected.

1) The property address is not indicated anywhere on the agenda,

2) Under Background, the "April 10, 2024 - Notice of Incomplete Application sent to applicant", has an INCORRECT date. This occurred sometime after February 28, 2025 and corresponds with Kent Seavey

“no longer being able to continue with the project” (see email attached), and was after the Peer Review was submitted by Evans & De Shazo (November 1, 2024),

3) Although I included a copy of this Peer Review in my appeal packet, this document has not been provided by the city as part of the file for the appeal.

We are requesting the Appeal hearing be continued to a mutually agreeable date in approximately eight weeks, where Stacey De Shazo, John Domingue and the Appellants will be available to attend.

Thank you for your help in this matter.

Leslie Anderson

Docusign Envelope ID: AF00388E-8655-4BAD-A460-C04AC5DF61B6

CITY OF PACIFIC GROVE

Community Development Department – Planning Division
300 Forest Avenue, Pacific Grove, CA 93950
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RECOMMENDATION TO THE PLANNING COMMISSION TO APPROVE ARCHITECTURAL PERMIT (AP) 24-0044 FOR A PROPERTY LOCATED AT 685 MERMAID AVENUE TO ALLOW THE DEMOLITION OF THE EXISTING CONVERTED GARAGE AND REAR ADDITIONS, CONSTRUCTION OF A 156 SQUARE FOOT FIRST-FLOOR ADDITION, A 165 SQUARE FOOT SECOND-FLOOR ADDITION, A 337 SQUARE FOOT ATTACHED GARAGE ADDITION, AND A 339 SQUARE FOOT ATTACHED ADU. THE PROPERTY IS LISTED ON THE HISTORIC RESOURCES INVENTORY.

FACTS

1. The subject site is located at 685 Mermaid Avenue, Pacific Grove, APN 006-085-003-000.
2. The subject site has a land use designation of Medium High Density Residential, 10-20 dwelling units per acre (MHD 10-20 du/ac) in the certified City of Pacific Grove Coastal Land Use Plan (LUP Figure 6).
3. The project site is located in the R-3-PGB zoning district.
4. The subject site is approximately 1,760 square feet in size, and currently developed with an existing two-story 950 square foot single-family residence.
5. The property is located within the City's Area of Special Biological Significance, the Coastal Zone (LUP Figure 1), an archaeologically sensitive area (LUP Figure 7), and is listed on the City's Historic Resources Inventory (HRI).
6. The proposed development consists of a major remodel of an existing 950 square foot two-story residence to include demolition of the existing converted garage and rear additions, construction of a 156 square foot first-floor addition, a 165 square foot second-floor addition, a 337 square foot attached garage addition, and a 339 square foot second-floor ADU resulting in a 1,363 square foot two-story residence with a 339 square foot attached ADU. As designed, the project would conform to all of the required zoning development standards except for the existing non-conforming setbacks of the historic building.
7. The existing development on the property is non-conforming with regard to the front, west side and rear setbacks. However, demolishing the non-historic garage will reduce the non-conforming rear setback from 2 feet 1 inch to 6 feet. All proposed, new development will conform to development regulations. No new nonconformities will be created or expanding the original setback of the historic structure.
8. A Phase I and II archaeological assessment (Historic Resource Associates, April 2024) was prepared for the subject property and concluded that, "Due to the presence of precontact cultural material, it is recommended that an archaeological monitor be present during any ground disturbing activity associated with the proposed remodel of the existing residential house located at 685 Mermaid Avenue." Condition Nos. 8, 9, and 10 have been added to address archaeological monitoring, as well as inadvertent discovery of cultural resources.
9. A Phase II Historic assessment (Historic Resource Associates, August 2025) was prepared for the subject property and concluded, "After carefully examining the subject property, it is my professional opinion that the former garage is [in] such a deteriorated condition and has been so altered to conclude that it no longer is a "contributing" part of the residence, which itself has undergone numerous alterations. Therefore, the rehabilitation of the residence and the demolition of the former garage appear to meet the aforementioned standards [in the Phase II report]. In this regard it is presumed that any new addition, in this case a two-story addition set back from the original residence and beyond it to the east the construction of a two-story combination garage and ADU, will be designed in a manner that does not directly damage or visually imply that either addition was once part of the original residence. At the same time, rehabilitating the residence and removing the modern circa-1950's horizontal board siding and exposing the board and batten siding, replacing

the window in-kind while keeping the massing of the original residence largely intact, as well as other architectural details, such as the bay window on the front and lighted French style entry door, meet the Standards for preservation and rehabilitation." "Thus, CEQA Guidelines Section 15064.5 states; "Generally, a project that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995 as amended) shall be considered as mitigated to a level of less than significant impact on the historical resource."

10. This project has been determined to be Categorically Exempt per California Environmental Quality Act (CEQA) Guidelines, Section 15331, Class 31, Categorical Exemption for Historical Resource Restoration/Rehabilitation, and the exceptions to the exemptions in Section 15300.2 of the CEQA Guidelines do not apply.

FINDINGS

For an Architectural Permit per PGMC Section 23.70.070(h)

1. *The architecture and general appearance of the completed project are compatible with the neighborhood.*

   The proposed development consists of a major remodel of an existing 950 square foot two-story residence to include demolition of the existing converted garage and rear additions, construction a 156 square foot first-floor addition, a 165 square foot second-floor addition, a 337 square foot attached garage addition, and a 339 square foot second-floor ADU resulting in a 1,363 square foot two-story residence with a 339 square foot attached ADU. As designed, the project would be compatible with the neighborhood of medium- to large-sized one- and two-story residences. The surrounding streetscapes are comprised of residences with varying architectural styles, alignments, and scales. The proposed project would use exterior colors and materials (i.e.; black wood windows and doors, board and batten wood siding, smooth exterior cement plaster, and black composition shingles) that will be compatible with residences in the vicinity and will blend with the surrounding natural streetscape.

2. *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.*

   There is no indication or evidence that the proposed project would either negatively affect the orderly and harmonious development of the city or impair the desirability of investment in the neighborhood. The proposed development would improve the subject property and contribute to the desirability of investment in the Beach Tract neighborhood.

3. *The committee has been guided by and referenced applicable provisions of the architectural review guidelines in making its determinations on single-family residences.*

   The architectural style, materials and site design are in substantial conformance with the City's Architectural Review Guidelines, including but not limited to guidelines Nos. 1, 2, 7, 31, 32, and 38.

Appendix I: Working with Buildings on the Historic Resources Inventory
Architectural Review Guidelines for Historic Resources

Guideline #1: Neighborhood Context: Any additions to historic buildings must take into account the effect of the proposed addition on the existing neighborhood, including but not limited to setbacks, mass, architectural style, and design.

The proposed project conforms with the zoning regulations set forth in the R-3-PGB zoning district as well as the Local Coastal Program Implementation plan (23.90). The original existing historic building has non-conforming setbacks, however, the project proposes to reduce the rear setback and the new additions will not

expand or create new non-conformities. The architectural style and design is consistent with the Historic Context statement neighborhood context and existing neighborhood in regard to its rectangular shape, wood frame construction, board and batten siding, cement plaster siding, and combination of gable and flat roofs.

Guideline #2: Effects of additions on historic scale and character: Additions to historic buildings should be designed to preserve, as much as possible, the scale and overall character of the original structure.

The Phase II Historic Assessment (Historic Resource Associates, August 2025) states that, " The historic character of the property will be preserved, including returning the exterior design to its original wall cladding by removing the 1950's horizontal siding and uncovering the original board and batten wood siding." Additionally, "Parts of the property that do not retain integrity or not within the period of significance will be removed, such as the garage and rear shed-roof addition."

Guideline #3: Preservation of character-defining features: New additions and alterations should be designed and constructed so that the character-defining features of the historic building are not radically changed, obscured, damaged, or destroyed.

The Phase II Historic Assessment (Historic Resource Associates, August 2025) states, "The proposed project involves rehabilitation of the residence which includes returning it back to its original exterior board and batten wall cladding, replacing damaged or deteriorated windows with in-kind replacements, matching the design and shape of the existing windows, restoring the front door, and restoring the front bay window."

Guideline #4: Compatibility of new work with old: Additions and remodels should be compatible with the original historic building in forms, scale, and materials and not compromise the architectural integrity of the original.

The Phase II Historic Assessment (Historic Resource Associates, August 2025) states that, "The new addition and the ADU will be constructed in a manner that will not damage or harm the historic residence." Additionally, "The new additions will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired." Lastly, "the project meets the Secretary of Interior's Standards for Preservation and rehabilitation."

Guideline #5: Replacements: When important character-defining features, such as windows, need to be replaced, the replacements should be of similar design and material. If using the same kind of material is not technically feasible, then a compatible substitute material may be considered.

The proposed project includes replacement of damaged or deteriorated windows with in-kind replacements, as well as restoration of the front French door and front bay window.

6. De facto demolitions: Certain alterations that are so extensive that they are tantamount to demolition of the original structure may be treated as demolitions rather than remodels.

The Phase II Historic Assessment (Historic Resource Associates, August 2025) states, "It is my professional opinion that the former garage is such a deteriorated condition and has been so altered to conclude that it no longer is a "contributing" part of the residence, which itself has undergone numerous alterations. Therefore, the rehabilitation of the residence and the demolition of the former garage appear to meet the aforementioned standards."

RECOMMENDATION TO THE PLANNING COMMISSION

Recommendation to the Planning Commission to approve Architectural Permit (AP) 24-0044 for a property located at 685 Mermaid Avenue to allow the demolition of the existing converted garage and rear additions, construction of a 156 square foot first-floor addition, a 165 square foot second-floor addition, a 337 square foot attached garage addition, and a 339 square foot second-floor ADU resulting in a 1,363 square foot two-story residence with a 339 square foot attached ADU. The property is listed on the Historic Resources Inventory.

RECOMMENDED CONDITIONS OF APPROVAL

1. **Permit Expiration.** The 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 the approval must be made prior to the expiration date.
2. **Construction Compliance.** All construction must occur in general 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 discretionary hearing approval.
3. **Terms and Conditions.** These terms and conditions shall run with the land and bind to all future owners and possessors of the subject property, 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 and Fire Departments, and Building Division, 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 the approved plans for "The Zheng Remodel" dated September, 9, 2025, on file with the Community Development Department and to the Building Code, with the exception of any subsequently approved changes.
6. **Lighting.** All exterior lighting must conform to LUP Policy DES-6.
7. **Building Plans.** All conditions of approval for the Planning permit(s) shall be printed on a full-size plan sheet and included with the construction plan set submitted to the Building Division.
8. **Archaeological Monitoring.** As recommended in the Phase I and II Archaeological Assessment (Historic Resource Associates, April 2024) prepared for the property, a qualified archaeological monitor shall be present to observe all soil disturbance for all grading and excavation activities. If at any time, potentially significant resources or intact features are discovered, the monitor(s) shall temporarily halt work until the find can be evaluated. See also Conditions of Approval 9 and 10 below.
9. **Archaeology and Inadvertent Discovery.** When human remains or artifacts are exposed, the Health and Safety Code § 7050.5 requires that no further excavation or disturbance occurs in the area and that the county coroner is called so that the coroner can verify that the remains are not subject to medical jurisprudence. Within 24 hours of notification, the coroner calls the Native American Heritage Commission if the remains are known or thought to be Native American. The Native American Heritage Commission selects the Most Likely Descendant (MLD) from a rotating list of MLDs. The MLD has 24 hours to respond. All work will halt with a 50-yard radius until an osteologist can examine the remains, and a treatment plan for any said remains has been provided according to the MLD.
10. **Cultural and/or Archaeological Artifacts.** If such artifacts are unexpectedly discovered during ground disturbing activities, work shall be halted until the item(s) can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation will be formulated, with the approval of the lead agency, and implemented prior to recommencement of work.

NOW, THEREFORE, BE IT RESOLVED BY THE HISTORIC RESOURCES COMMITTEE OF THE CITY OF PACIFIC GROVE:

1. The Committee recommends that the Planning Commission determine that each of the Findings set forth above is true and correct, and by this reference incorporates those Findings as an integral part of this recommendation.
2. The Committee recommends that the Planning Commission approve Architectural Permit (AP) 24-0044 as proposed and conditioned, pursuant to Categorical Exemptions for Historical Resource Restoration/Rehabilitation (CEQA Guidelines Section 15331, Class 31).

RECOMMENDATION TO THE PLANNING COMMISSION ADOPTED AT A REGULAR MEETING OF THE HISTORIC RESOURCES COMMITTEE OF THE CITY OF PACIFIC GROVE ON THE 24TH DAY OF SEPTEMBER 2025, BY THE FOLLOWING VOTE:

AYES: Anton, Greening, and Collins

NOES: None

ABSENT: None

RECUSALS: None

APPROVED:

DocuSigned by:
Jean Anton
F02389A12443D...

Jean Anton, HRC Chair

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CITY OF PACIFIC GROVE
Community Development Department – Planning Division
300 Forest Avenue, Pacific Grove, CA 93950
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COASTAL DEVELOPMENT PERMIT (CDP) 24-0044 FOR A PROPERTY LOCATED AT 685 MERMAID AVENUE TO ALLOW THE DEMOLITION OF THE EXISTING CONVERTED GARAGE AND REAR ADDITIONS, CONSTRUCTION OF A 156 SQUARE FOOT FIRST-FLOOR ADDITION, A 165 SQUARE FOOT SECOND-FLOOR ADDITION, A 337 SQUARE FOOT ATTACHED GARAGE ADDITION, AND A 339 SQUARE FOOT ATTACHED ADU. THE PROPERTY IS LISTED ON THE HISTORIC RESOURCES INVENTORY.

FACTS

1. The subject site is located at 685 Mermaid Avenue, Pacific Grove, APN 006-085-003-000.
2. The subject site has a land use designation of Medium High Density Residential, 10-20 dwelling units per acre (MHD 10-20 du/ac) in the certified City of Pacific Grove Coastal Land Use Plan (LUP Figure 6).
3. The project site is located in the R-3-PGB zoning district.
4. The property is located within the City's Area of Special Biological Significance, the Coastal Zone (LUP Figure 1), an archaeologically sensitive area (LUP Figure 7), and is listed on the City's Historic Resources Inventory (HRI).
5. The subject site is approximately 1,760 square feet in size and currently developed with an existing two-story 950 square foot single-family residence.
6. With the exception of the existing non-conforming setbacks of the historic building, as proposed, the project would conform to PGMC 23.57 (R-3-PGB zoning district) and PGMC 23.90 (Local Coastal Plan-Implantation Plan).
7. The existing development on the property is non-conforming with regard to the front, west side and rear setbacks. However, demolishing the non-historic garage will reduce the non-conforming rear setback from 2 feet 1 inch to 6 feet. All proposed, new development will conform to development regulations. No new nonconformities will be created or expanding the original setback of the historic structure.
8. Pursuant to Pacific Grove Municipal Code (PGMC) Sections 23.90.050, City CDP Determinations, and 23.90.040, CDP Exemptions, Community Development Department (CDD) staff determined the proposed project would require a Coastal Development Permit (CDP), and forwarded this determination to the Coastal Commission on June 21, 2024.
9. Per PGMC Section 23.90.140, Coastal Hazards, CDD staff reviewed LUP Figure 3 (Coastal Hazards and Areas of Potential Sea Level Rise), aerial and topographic imagery, plan set, and conducted a site visit on May 24, 2024, and determined the site and proposed development would not be subject to coastal hazards over its lifetime. The lowest point of the subject property is at an elevation of approximately 140 feet above mean sea level and approximately 220 feet from the shoreline. The property is further separated from the shoreline by a Recreation Trail, two city streets, and a block of single-family residences. In this case, submittal of a Coastal Hazards Report is not required or warranted.
10. Per PGMC Section 23.90.150, Water Quality and Marine Resources, the City did not require a water quality assessment because the proposed new development is under 2,500 square feet of new coverage, and will fall within the City's Municipal Permit. The proposed project includes removing the existing bricks and demolition of the former garage and rear addition, which will be replaced with a two-story addition set back behind the residence and to the left of the addition, an attached garage with a second floor ADU above the garage, resulting in an increased site coverage of approximately 35 square feet.
11. Per PGMC Section 23.90.160, Scenic Resources, CDD staff reviewed LUP Figure 4 (Scenic Areas), aerial and street view imagery, and conducted a site visit on May 24, 2024. This review determined the site and proposed development are not within a designated scenic view area, not visible seaward of Ocean View

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Boulevard or the Recreational Trail, and would not adversely impact public views along Ocean View Boulevard. As designed, the proposed second-story addition is consistent with adjacent development. In this case, submittal of a site-specific visual analysis is not required or warranted.

12. Per PGMC Section 23.90.170, Biological Resources, CDD staff reviewed LUP Figure 5, Land Habitat Sensitivity Map, aerial imagery, and conducted a site inspection on May 24, 2024. This review determined the proposed development would not have the potential to adversely affect biological resources or an environmentally sensitive habitat area. LUP Figure 5 identifies the site as having a moderate habitat value, and the property is a previously-developed site in a residentially zoned district surrounded by residential structures. The property is separated from any sensitive habitat by a recreational trail, two city streets, and open space. Additionally, the project site is approximately 220 feet from the nearest beach area. The project site is over 1,970 feet to the 5th Street beach and over 4,370 feet to the Hopkins Marine Station West Beach, and neither has a direct line of sight of the subject property. As designed and conditioned, the project would not impact natural habitats or resources; therefore, in this case, submittal of an initial site assessment for biological resources is not required or warranted.
13. Per PGMC Section 23.90.180, Community Design, the project conforms to all applicable LUP policies and IP community design standards.
14. Per PGMC Section 23.90.200, Cultural Resources, the application includes a Phase I and II Archaeological Assessment prepared for the project site by a qualified archaeologist (Historic Resource Associates, April 2024). The assessment concluded that, "Due to the presence of precontact cultural material, it is recommended that an archaeological monitor be present during any ground disturbing activity associated with the proposed remodel of the existing residential house located at 685 Mermaid Avenue." Condition Nos. 8, 9, and 10 have been added to address archaeological monitoring, as well as inadvertent discovery of cultural resources.
15. Per PGMC Section 23.90.200, Cultural Resources, the application includes a Phase II Historic Assessment prepared for the project by a qualified historian (Historic Resource Associates, August 2025). The assessment concluded that, "After carefully examining the subject property, it is my professional opinion that the former garage is [in] such a deteriorated condition and has been so altered to conclude that it no longer is a "contributing" part of the residence, which itself has undergone numerous alterations. Therefore, the rehabilitation of the residence and the demolition of the former garage appear to meet the aforementioned standards [in the Phase II report]. In this regard it is presumed that any new addition, in this case a two-story addition set back from the original residence and beyond it to the east the construction of a two-story combination garage and ADU, will be designed in a manner that does not directly damage or visually imply that either addition was once part of the original residence. At the same time, rehabilitating the residence and removing the modern circa-1950's horizontal board siding and exposing the board and batten siding, replacing the window in-kind while keeping the massing of the original residence largely intact, as well as other architectural details, such as the bay window on the front and lighted French style entry door, meet the Standards for preservation and rehabilitation."

    "Thus, CEQA Guidelines Section 15064.5 states; "Generally, a project that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995 as amended) shall be considered as mitigated to a level of less than significant impact on the historical resource."
16. On September 24, 2025, the Historic Resources Committee voted 3-0 (3 yes, 0 noes) to recommend the Planning Commission approve the project.
17. This project has been determined to be Categorically Exempt per California Environmental Quality Act (CEQA) Guidelines, Section 15331, Class 31, Categorical Exemption for Historical Resource Restoration/Rehabilitation, Section 15301, Class 1, Categorical Exemption for Existing Facilities, and the exceptions to the exemptions in Section 15300.2 of the CEQA Guidelines do not apply.

FINDINGS

For a Coastal Development Permit per PGMC Section 23.90.080

1. *LCP Consistency. The project is consistent with the LCP. (Local Coastal Program)*

   The project meets the requirements of the LCP including, but not limited to, the applicable Coastal Resource Protection Standards (PGMC § 23.90.130) of the Implementation Plan (IP) and the Biological, Cultural, Scenic, and Community Design policies of the Land Use Plan (LUP). These standards and policies are addressed in the Facts above and in the following findings.

2. *Public Views. The project protects or enhances public views.*

   Per LUP Figure 4, Scenic Areas, the project site is not located within a designated Scenic View Area. As designed, the project would not impact public views or adversely impact public views. The proposed development would also not result in adverse visual impacts as viewed seaward from Oceanview Boulevard, the Recreation Trail, and would be consistent with the height and massing of residences in the immediate vicinity of the project area.

3. *Habitat Protection. The project protects vegetation, natural habitats, and natural resources consistent with the LCP.*

   Per LUP Figure 5, Land Habitat Sensitivity Map, the project site is identified as having a moderate habitat value, and the property is a previously-developed site in a residentially zoned district surrounded by residential structures. The property is separated from any sensitive habitat by a recreational trail, two city streets, and open space. Additionally, the project site is approximately 220 feet from the nearest beach area. The project site is over 1,970 feet to the 5th Street beach and over 4,370 feet to the Hopkins Marine Station West Beach, and neither has a direct line of sight of the subject property. As designed, the project will not impact natural habitats or resources and is consistent with the LCP, including PGMC § 23.90.170 regarding biological resources and/or environmentally sensitive habitat areas.

4. *Design Consistency. The design, location, size, and operating characteristics of the proposed development is consistent with applicable LCP design requirements, including design plans and area plans incorporated into the LCP.*

   The project conforms to all applicable LUP polices and IP community design standards (PGMC 23.90.180, Coastal Community Design).

5. *Coastal Access. The project protects or enhances public access to and along the coast.*

   As designed, the project will have no effect on coastal access to or along the coast.

6. *Visitor Serving. The project supports the LCP goal of providing for visitor-serving needs as appropriate, including providing low and no cost visitor and recreational facilities.*

   The project includes residential development and will have no visitor-serving features, yet may qualify for a Short-Term Rental (STR) license given its location within the coastal zone. As of this date, there is no indication that the applicant intends to pursue an STR license.

7. *Appropriate Use. The project is consistent with the allowed LCP uses associated with the property.*

   Per LUP Figure 6, the subject property has a Coastal Zone Land Use Designation of Medium High Density Residential 10-20 du/ac (MHD 10-20). LUP Policy LUD-6 identifies single-family residences and guest/auxiliary/second housing units as allowed uses in areas designated MHD 10-20. Therefore, the proposed use is consistent.

8. *Coastal Resources. The proposed development protects or enhances coastal resources, where applicable.*

   The 1,760 square foot property is a previously-developed site in a residentially zoned district surrounded by residential structures and is currently developed with an existing two-story 950 square foot single-family residence. As proposed and designed, the project will not impact coastal resources. See also Facts 9 – 14 and supporting information. Condition No. 11 has been added to implement the construction management plan as

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well as using Best Management Practices (BMP's).

PERMIT

Approve Architectural Permit (AP) 24-0044 for a property located at 685 Mermaid Avenue to allow the demolition of the existing converted garage and rear additions, construction of a 156 square foot first-floor addition, a 165 square foot second-floor addition, a 337 square foot attached garage addition, and a 339 square foot second-floor ADU resulting in a 1,363 square foot two-story residence with a 339 square foot attached ADU. The property is listed on the Historic Resources Inventory.

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 two (2) years 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 general 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 subsequent discretionary approval.
3. **Terms and Conditions.** These terms and conditions shall run with the land and bind to all future owners and possessors of the subject property, 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 and Fire Departments, and Building Division, 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 the approved plans for "The Zheng Remodel" dated November 15, 2025, on file with the Community Development Department and to the Building Code, with the exception of any subsequently approved changes.
6. **Lighting.** All exterior lighting must conform to LUP Policy DES-6.
7. **Building Plans.** All conditions of approval for the Planning permit(s) shall be printed on a full-size plan sheet and included with the construction plan set submitted to the Building Division.
8. **Archaeological Monitoring.** As recommended in the Phase I and II Archaeological Assessment (Historic Resource Associates, April 2024) prepared for the property, a qualified archaeological monitor shall be present to observe all soil disturbance for all grading and excavation activities. If at any time, potentially significant resources or intact features are discovered, the monitor(s) shall temporarily halt work until the find can be evaluated. See also Conditions of Approval 9 and 10 below.
9. **Archaeology and Inadvertent Discovery.** When human remains or artifacts are exposed, the Health and Safety Code § 7050.5 requires that no further excavation or disturbance occurs in the area and that the county coroner is called so that the coroner can verify that the remains are not subject to medical jurisprudence. Within 24 hours of notification, the coroner calls the Native American Heritage Commission if the remains are known or thought to be Native American. The Native American Heritage Commission selects the Most Likely Descendant (MLD) from a rotating list of MLDs. The MLD has 24 hours to respond. All work will halt with a 50-yard radius until an osteologist can examine the remains, and a treatment plan for any said remains has been provided according to the MLD.
10. **Cultural and/or Archaeological Artifacts.** If such artifacts are unexpectedly discovered during ground disturbing activities, work shall be halted until the item(s) can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation will be formulated, with the approval of the lead agency, and implemented prior to recommencement of work.
11. **Construction Plan and BMP's.** The construction plan shall provide that copies of the signed CDP and the

Docusign Envelope ID: 689554C6-2BAD-4C17-B947-AB8293B66E8E

approved construction plan be maintained in a conspicuous location at the construction job site at all times, and that such copies are available for public review on request. All persons involved with the construction shall be briefed on the content and meaning of the CDP and the approved construction plan, and the public review requirements applicable to them, prior to commencement of construction.

Planning Commission Conditions of Approval:

12. **Tribal Monitoring.** A qualified tribal monitor shall be present to observe all soil disturbance for all grading and excavation activities. If at any time, potentially significant resources or intact features are discovered, the monitor(s) shall temporarily halt work until the find can be evaluated. See also Conditions of Approval 9 and 10.
13. **Legal Lot of Record.** Applicant will provide documentation demonstrating that the subject site was lawfully created and documented under state and local Subdivision Map Act requirements.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THECITY OF PACIFIC GROVE:

1. The Planning Commission determines that each of the Findings set forth above is true and correct, and by this reference incorporates those Findings as an integral part of this Permit.
2. The Planning Commission approves Coastal Development Permit (CDP) 24-0044 as proposed and conditioned, pursuant to Categorical Exemptions for Historical Resource Restoration/Rehabilitation and Existing Facilities (CEQA Guidelines Section 15331, Class 31 and Section 15301, Class 1).
3. This permit shall become effective upon the expiration of the 10-day appeal period after the final approval.
4. This permit shall not take effect until the owner acknowledges and agrees to all terms and conditions and agrees to conform to and comply with those terms and conditions.

Passed and adopted at a regular meeting of the Planning Commission of the City of Pacific Grove on the 11th day of December, 2025, by the following vote:

AYES: **KUBICA, MOURLAM, MYERS, AND NODZENSKI**
NOES: **SWEIGERT**
ABSENT: **DAVISON**
ABSTENTIONS: **NONE**

APPROVED:

Signed by:
Andrew Kubica, Planning Commission Chair
7A531E5C692846E...
Andrew Kubica, Chair

The undersigned hereby acknowledge and agree to the approved terms and conditions, and agree to fullyconform to, and comply with, said terms and conditions.

DocuSigned by:
Charles Zheng
A2DA8CC3DE55456...
Charles Zheng, Owner

12/17/2025
Date

KENT L. SEAVEY
310 LIGHTHOUSE AVENUE
PACIFIC GROVE, CALIFORNIA 93950
(831) 375-8739

December 20, 2023

Mr. Charles Zheng
The Zheng-Xu Family Trust
10166 Barbara Ln.
Cupertino, CA 93014

Dear Mr. Zheng:

Introduction:

This Focused Phase II Historic Assessment has been prepared on behalf of the owner, as part of an application for an Accessory Dwelling Unit (ADU), for his residential property, located at 685 Mermaid Ave. (APN# 006-085-003), in Pacific Grove (see photos, plans & drawings provided).

Historical Background & Description

The subject property is a two-story wood-framed vernacular residence, rectangular in plan, resting on a cement foundation. The exterior wall-cladding is drop wood-siding. The low-pitched, front-gabled roof has slightly overhanging eaves, with exposed rafter-tails faced by metal gutters. The roof is covered in asphalt shingle. There is one interior brick chimney, near the SW corner of the roof. Fenestration is irregular, with fixed & casement multi-paned focal windows on the front (North) elevation. The second floor window is centered on a slightly projecting gabled bay, Smaller windows are on the side & rear elevations. An undated attached board & batten one-car garage, at the rear of the East side elevation, with a fixed, multi-pane focal window on the North elevation was converted to living space at an unknown date. The house is sited on the South side of Mermaid Ave., in the 1916 Beach Addition of Pacific Grove. It was Constructed in 1926, by local contractor Fred C. Goodale (PGBP # 2096) (see general description & significance in the 2014 DPR523 provided).

Proposed Project Description

The owner proposes to add a 343 S.F. Accessory Dwelling Unit (ADU), adjacent to an undated & deteriorated former one-car garage & rear appendages connected to the 1926 two-story residence. The existing garage will be demolished, and a flat-roofed hyphen will act as a new entry to the original 1926 residence. A separate entry is proposed for the ADU. The ground floor of the proposed ADU will be an off street covered garage space (see photos, plans & drawings provided).

The proposed ADU addition will be consistent with the intent of National Parks Service 2010 Preservation Brief #14, which emphasizes, preservation of the character of the historic buildings. The above described treatment has been designed to do so. The subject property is identified as an example of Vernacular architecture associated with the Theme of Pacific Grove Comes of Age (1903-1926), in the 2011 Pacific Grove Historic Context Statement. (see modified documentation and, plans & drawings provided).

Evaluation for Significance

The California Environmental Quality Act (CEQA), PRC Sec.21084.1 requires all properties fifty years of age or older to be reviewed for potential historic significance. Criteria for that significance is addressed in PRC Sec. 5024.1 (a). It asks, did any event important to the region, state or nation occur on the property. Did anyone important to the region, state or nation occupy the property during the productive period of their lives. Does the building represent an important architectural type, period or method of construction, or is it a good example of the work of a noted architect or master-builder.
The criteria also asks if the property is likely to yield information significant to the understanding of the areas history.

Eligibility for historic listing of buildings, structures, objects, sites and districts, i.e., rests on the twin factors of historic significance and integrity to be considered for listing in the National Register of Historic Places, the California Register of Historical Resources, & the City of Monterey Historic Resource Inventory. Loss of integrity, if sufficiently great, will overwhelm the historic significance a resource may possess and render it ineligible for historic listing.

Likewise, a resource can have complete integrity, but if it lacks significance, it must also be considered ineligible.

Integrity is measured by the application of seven aspects, defined by the National (NR) & California (CR) registers criteria for Evaluation. They include: Location, the place where the historic property was constructed, or an historic event occurred; Design, the combination of elements that create the form, plan, space, structure, and style of a building; Setting, the physical environment of the historic property; Materials, the physical elements that were combined during a particular period of time and in a particular pattern or configuration to form a historic property; Workmanship, the physical evidence of the crafts of a particular culture or people during any given period in history; Feeling & Association are subjective elements that assess a resources ability to evoke a sense of time and place.

City of Pacific Grove's Historic Preservation Ordinance

The criteria employed by the City of Pacific Grove for designation of historic resources, Pacific Grove Municipal Code, Chapter 23.76, are the same general standards by which the significance of a historic property is judged for inclusion in the National (NR) and/or California Register (CR), and are included in the City's Historic Preservation Ordinance,

The subject property is not included in the California Office of Historic Preservation-maintained "Historic Data File for Monterey County" (updated August, 2022). It is not listed in the California Register, or the National Register of Historic Places, but has been locally listed in the attached DPR523 as NRHP Status Code as 5S1.

Regarding the necessary seven aspects of integrity, the historic residence retains its location and setting, and the majority of its original materials and workmanship. The residence is a good example of it's type. In its present neighborhood context, which contains a variety of architectural periods and styles, the property continues to evoke a strong sense of time and place, and of feeling and association with its 1926 documented date of construction.

IMPACTS OF THE PROPOSED PROJECT

Introduction

The *Secretary of the Interior's Standards for the Treatment of Historic Properties (standards)* provides the framework for evaluating the impacts of additions and alterations to historic buildings. The *Standards* describe four treatment approaches: preservation, rehabilitation, restoration and reconstruction. The *Standards* require that the treatment approach be determined first, as a different set of *Standards* apply to each approach. For the subject property, the treatment approach is rehabilitation. The *Standards* describe *Rehabilitation* as, "historic building materials and character-defining features are protected and maintained as they are in the treatment for Preservation, however, an assumption is made prior to the work that existing historic fabric has become damaged or deteriorated over time and, as a result more repair and replacement will be required".

Thus, latitude is given in the *Standards for Rehabilitation and Guidelines for Rehabilitation* to replace extensively deteriorated, damaged, or missing features using either traditional or substitute materials. Of the four treatments, only *Rehabilitation* includes an opportunity to make possible an efficient contemporary use through alterations and additions. (see *The Secretary of the interior's Standards for Treatment of Historic Properties* (Washington, D.C.: National Park Service, 1995).

Project Impacts

The proposed attached ADU use will be visually detectable from a public right-of-way. It will employ design characteristics of the Vernacular Style described in the 2011 Pacific Grove Historic Context Statement by Page & Turnbull, Inc. of San Francisco, outlined on Page 85 of the Context Statement

As described in the said document:

"The style is the most common type of 19th century housing in Pacific Grove. All feature prominent front facing gables. Wood board-and-batten or channel-drop cladding is most common. Simple fenestration. Typically display limited ornamentation.''

The proposed attached ADU design addresses the general characteristics described, without copying, or trying to match the finishes and existing features of its adjacent original 1926 historic property, consistent with the *Secretary's Standards for Rehabilitation.*

Proposed Project Description

The proposed attached ADU will make possible for a more efficient contemporary use of the property, while preserving those portions and features of the adjacent historic residence which are significant to its historic, architectural, and cultural use. All new work will be undertaken in conformance with the *The Secretary of the Interior's Standards for the Treatment of Historic Properties, under the Standard for Rehabilitation.*

The 1992 National Park Service *Illustrated Guidelines for Rehabilitating Historic Buildings,* states that "The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility."

The proposed new wood-framed, stucco-clad building envelope is essentially "U" shaped in plan. with an open, partial roof deck above the connecting hyphen, which accesses both the original house, but not the ADU (see plans and drawings provided). The exterior stucco wall cladding is clearly differentiated from the painted drop wood-siding on the 1926 building envelope. The proposed full-height, fixed and sliding windows on the ADU are clearly differentiated from the 1926 fenestration as well, but reflect the pattern of the original, while the side approach entry staircase respects the rhythm of entryways along the street.

For reasons of health and safety, because of the close proximity to a narrow roadway, it is proposed to remove the front door and existing entry staircase, and enclose the void with wood siding, matching the historic wall-cladding. Also proposed, to move the existing deteriorated offset first floor window, or replacing it with a slightly larger window, matching the damaged feature in type and centering it on the building envelope, below the second floor bay, to balance the facades appearance.

While respectful of the character-defining features of its vernacular neighbors along the narrow roadway, the proposed ADU will not attempt to "match" in kind the specific character-defining features of any of them.

Conclusion

As proposed, the attached Accessory Dwelling Unit, (ADU) adjacent to the 1926 Vernacular style residence, at 685 Mermaid Ave., in Pacific Grove, has been designed to reflect the historic character of its immediate neighbors along the SW side of the narrow roadway. Its design is consistent with *the Secretary of the Interior's Standards for the treatment of Historic Properties*, especially Rehabilitation Standards #9 & #10. In that:

(#9) "as related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion and massing to protect the integrity of the property and its environment."

(#10) "In that new additions and adjacent or related construction will be undertaken in such a manner that, if removed in future, the essential form & integrity of the historic property and its environment would be unimpaired".

The proposed work on the subject property is consistent with the *Secretary's Standards for Rehabilitation* and will not cause an adverse effect on the environment.

Mitigation

The proposed project appears to be in conformance with the *Secretary of the Interior's Standards for the Treatment of Historic Properties* under the *Standard for Rehabilitation* (see documentation, photos and plans & drawings provided). No mitigation is required.

Respectfully Submitted,



685 Mermaid Avenue-Pacific Grove



Photo #1. Looking SW at the facade, SE side-elevation & undated garage, note window addition in garage, Kent Seavey, December, 2023.



Photo #2. Looking SW at the neighboring pair of vernacular residences immediately adjacent to the subject property, note entry locations addressing narrow street issues, Kent Seavey, December, 2023.

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION

PRIMARY RECORD

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code 5S1
Other Listings _____
Review Code _____ Reviewer _____ Date _____

 *Resource Name or #: 685 Mermaid Ave (APN 006085003000)

P1. Other Identifier:

* P2. Location: ☐ Not for Publication ☑ Unrestricted *a. County: Monterey

* b. USGS Quad(s): Monterey, California (1997)

c. Address: 685 Mermaid Ave, Pacific Grove, CA 93950 (APN 006085003000)

d. UTM:

e. Other Locational Data: Latitude, Longitude (Decimal Degrees) 36.6263456090516, -121.918854494429

* P3a. Description:

- Architectural Style(s): Vernacular
- Construction Type: Wood Frame
- Number of Stories: 2
- Basement: Not Visible
- Garage: None
- Roof Type(s): Gable
- Roof Material(s): Asphalt Shingle
- Wall Material(s): Wood Drop
- Window Type(s): Casement
- Window Material(s): Wood
- Architectural Features: Overhanging Eaves
- Decorative Details: Exposed Rafter Tails
- Alterations: Altered Pattern of Windows or Doors, Replacement Door(s)
- Additional Remarks: One-story volume was originally an attached garage that has been converted to living space.

* P3b. Resource Attributes: HP02 (Single family property)

* P4. Resources Present: ☑ Building ☐ Structure ☐ Object ☐ Site ☐ District ☐ Element of District ☐ Other (isolates, etc.)

P5a. Photo



*P5b. Description of Photo:
Primary façade, 8/27/2018.

*P6. Date Constructed/Age & Sources:
☐ Prehistoric ☐ Protohistoric
☑ Historic ☐ Unknown
Circa 1922. Sources: Monterey County Assessor's Records.

*P7. Owner and Address:
Lower Mark & Tina
427 Third St
Los Banos, CA 93635

*P8. Recorded by:
Hannah Simonson, Page & Turnbull
170 Maiden Lane, 5th Floor
San Francisco, CA 94108

*P9. Date Recorded: 8/27/2018
Finalized: 10/18/2019

*P10. Survey Type: Reconnaissance

* P11. Citation: Page & Turnbull. "Pacific Grove Historic Resource Inventory (HRI) Survey Report." Prepared for the City of Pacific Grove, October 18, 2019 [Final Report].

* Attachments: ☐ None ☐ Location Map ☐ Sketch Map ☑ Continuation Sheet ☐ Building, Structure, and Object Record
☐ Archaeological Record ☐ District Record ☐ Linear Feature Record ☐ Milling Station Record ☐ Rock Art Record
☐ Artifact Record ☐ Photograph Record ☐ Other:

Historic Name:
Original Use: Residential **Present Use:** Residential
Original Owner: **Architect/Builder:**

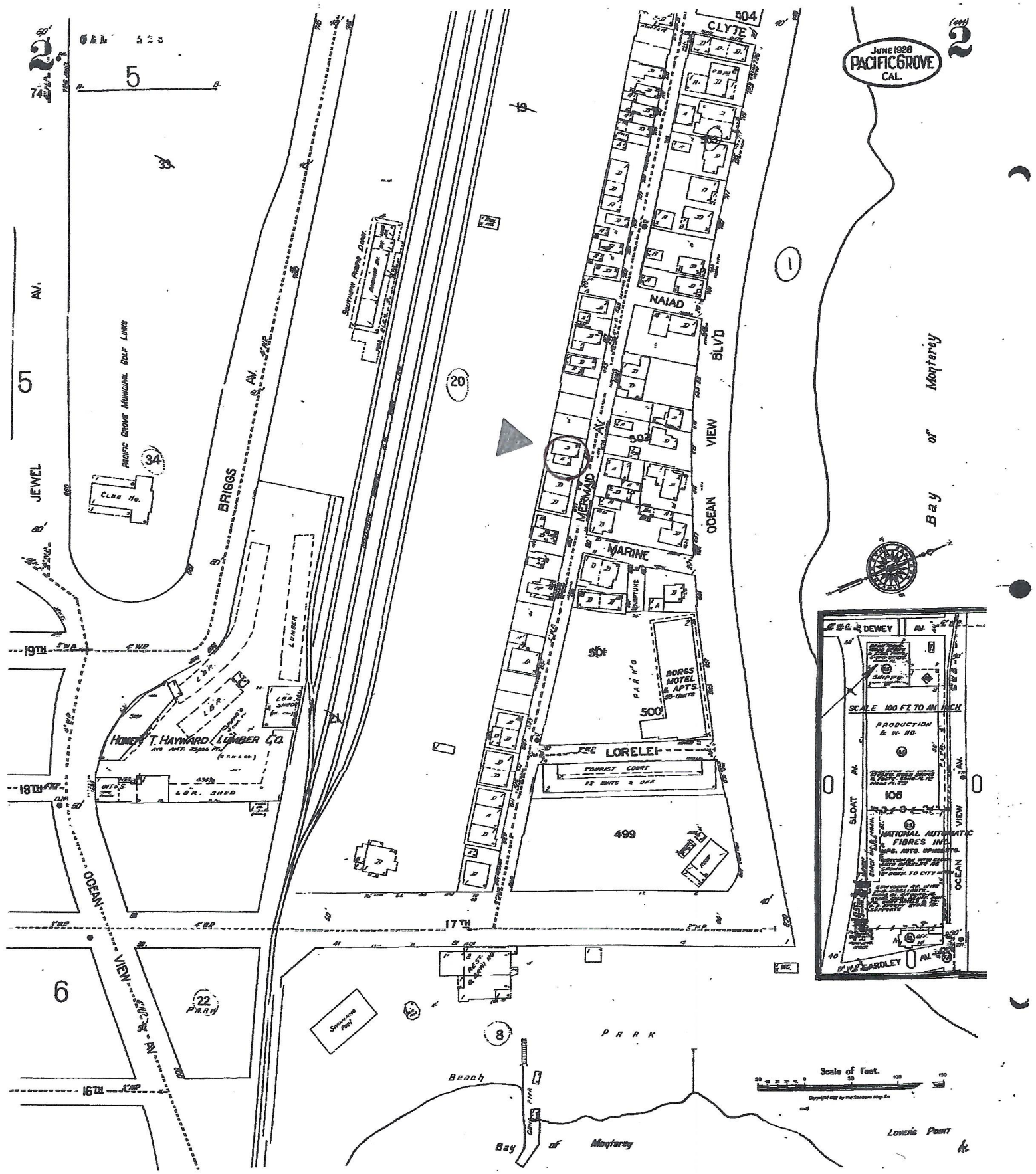
Significance

***Pacific Grove Historic Context Statement* Theme:** Residential Development

Period of Development: Pacific Grove Comes of Age (1903-1926)
Integrity: Good **Period of Significance:** Circa 1922
Eligible for Pacific Grove HRI: Yes **Level of Significance:** Local
Appears Individually Eligible for National Register and/or California Register: No
California Historic Resource Status Codes: 5S1
Evaluation Notes:

National/ California Register	PG Municipal Code §23.76	Significance	Discussion of Individual Eligiblity
A/1	A, B	Events, Patterns & Trends	Not found to be eligible under these criteria during the course of this survey.
B/2	C	Persons	Not found to be eligible under these criteria during the course of this survey.
C/3	D, E, F, G, H, I	Architecture & Design	Eligible for the Pacific Grove HRI. Significant for Vernacular design expressed by intact stylistic features, forms and/or construction methods. Good example of type and/or style from Pacific Grove Comes of Age (1903-1926) development period and retains historic integrity.
D/4		Information Potential	Properties were not evaluated for significance under these criteria as part of this survey.

References: Page & Turnbull. *City of Pacific Grove Historic Context Statement.* Prepared for City of Pacific Grove, CA. Approved by City Council October 19, 2011.


JUNE 1926
PACIFIC GROVE
CAL.
CLYTE
NAIAD
MERMAID AV.
OCEAN VIEW BLV'D
MARINE
NEPTUNE
501
502
500
499
BORGS MOTEL & APTS.
LORELEI
TOURIST COURT
22 UNITS & OFF
PARK
BRIGGS AV.
JEWEL AV.
Pacific Grove Municipal Golf Links
Club Ho.
Swimming Pool
HOMER T. HAYWARD LUMBER CO.
L.&S. SHED
LUMBER
19TH
18TH
17TH
16TH
OCEAN VIEW AV.
SLOAT AV.
DEWEY AV.
SHIPPG.
PRODUCTION & W. HO.
106
NATIONAL AUTOMATIC FIBRES INC.
SCALE 100 FT. TO AN INCH
Beach
Bay of Monterey
Lovers Point
Scale of Feet.
Bay of Monterey

1926

Bibliography

City of Pacific Grove Historic Context Statement, Page & Turnbull, Inc.: San Francisco, 2011.

McAlester, V.S., *A Field Guide to American Houses*, Alfred A. Knopf: New York, 2013, pp. 135-138.

Monterey Co. Assessor's records, Mo. Co. Assessor's off., Salinas.

National Park Service Preservation Brief #14: New Exterior Additions to Historic Buildings: Preservation Concerns. U.S. Dept. of the Interior, 2010.

National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation. U.S. Dept. of the Interior, National Park Service, 1997.

National Register Bulletin 16A: How to Complete the National Register Registration Form. U.S. Dept. of the Interior, National Park Service.

Pacific Grove building records, Pacific Grove Planning Department., City Hall, Pacific Grove.

Polk Business Directory for Pacific Grove, 1922- 1970.

Sanborn Fire Insurance Map of Pacific Grove, 1926-43

Simonson, S., California DPR523, 10/18/2019.

Weeks, K.D., & Grimmer, A.E., *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings,* Washington, D.C.: National Park Service, 1995.

KENT L. SEAVEY
310 LIGHTHOUSE AVENUE
PACIFIC GROVE, CALIFORNIA 93950
(831) 375-8739

August 22, 2024

Mr. Garrett McCown, Sr. Planner
Pacific Grove Planning Dept.
300 Forest Ave.
Pacific Grove, CA 93950

Dear Mr. Garrett:

This letter is intended as a review and recommendations for discussion of the proposed construction project for 685 Mermaid Ave., in Pacific Grove (APN# 006-085-003). As a first item, the date of construction of the subject property is found in Pacific Grove building permit #2096, dated April/5,1926, built by local contractor Fred C. Goodale (provided). It states that both the residence and garage were constructed at that time with board & batten wood siding.

The current owner wishes to add a two story ADU to the original building envelope, removing the deteriorated attached garage as a point of contact, because the garage was converted to living space after original construction, probably in the 1950s or later, with a large fixed focal window replacing the original wooden doors, altering the features original appearance & physical integrity. It is also in a deteriorated condition and should be removed to provide for the proposed building project.

As designed, the proposed ADU would use the space occupied by the altered garage as a hyphen connecting the existing 1926 house to the proposed ADU. The existing design for the ADU continues the front-gabled look of Mermaid Ave along its South side, and maintain the existing setback of the original residence.

The owner proposes to slightly lower the roofline of the ADU to respect the rhythm of roof forms along the Avenue & intends to use a smooth stucco exterior wall-cladding, for fire safety and insurance purposes. The intent is to employ a single appropriate color for the historic residence and the ADU to both unify and diversify these features, as called for by the Secretary of the Interiors standards for Rehabilitation., & noted in the Standard #9, "New additions, exterior alterations, or related new construction will not destroy historic materials, features & special relationships that characterize the property, The new work will be differentiated from the old & be compatible with the historic materials, features, size, scale & proportion & massing to protect the integrity of the property & its environment.". Please note how the color connection frames the two similar building adjacent to the West of the subject property enhancing much of the character of Mermaid Ave. beyond.

Respectfully Submitted,
Kent L. Seavey

685 Nelson

J. E. Flannelly

PETITION FOR BUILDING PERMIT

UNDER ORDINANCE NO. 149 OF THE CITY OF PACIFIC GROVE, CALIFORNIA

To the Honorable Board of Trustees and City Clerk of the City of Pacific Grove, California:

Application is hereby made for a permit to erect house & garage building on Lot No. 28 in Block No. 241, Beardsley Addition to Pacific Grove Retreat Grounds, at No. _____, _____ Street, according to Plans and Specifications herewith presented, as follows:

(Note: If plans and specifications have been prepared a copy of same must be filed with the City Clerk with this petition.)

Size	12 X 32	Size of Flues	
Stories	2	Fireplaces	
Foundation	R W	Toilets	1
Basement		Baths	1
Sides	B & B	Outside Finish	
Roof	Comp	Inside Finish	
Floors		Time necessary to do the work	
Number of Rooms	3	Estimated Cost	$1045
Chimneys	Brick		

To properly carry on said work it will be necessary to partially obstruct _____ _____ Street _____ for a period of _____ days. I therefore ask permission to obstruct said street _____ during the period necessary for doing said work, diligently prosecuted, under the conditions and restraints provided for in Ordinance No. 149 of the City of Pacific Grove.

Dated April 5 1924

Godale & Co.
By F. L. Godale
Petitioner.



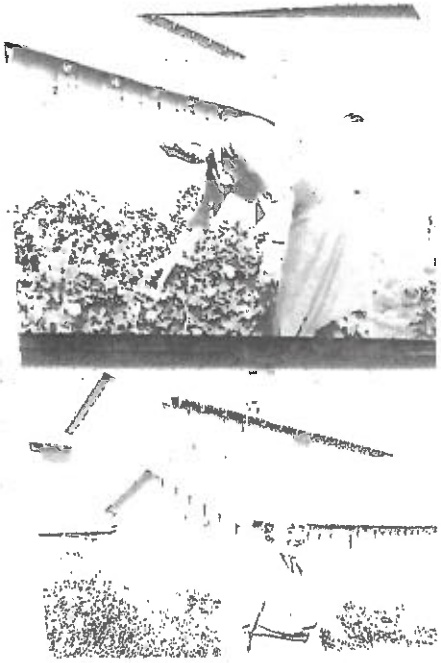




Replace Window in the Rear
Door in the Rear

Garage Window/ Door

Phase II Report
Required



Rear of House

685 Mermaid Avenue-Pacific Grove



Photo #1. Looking SW at the facade, SE side-elevation & undated garage, note window addition in garage, Kent Seavey, December, 2023.



Photo #2. Looking SW at the neighboring pair of vernacular residences immediately adjacent to the subject property, note entry locations addressing narrow street issues, Kent Seavey, December, 2023.



PROPOSED UPPER FLOOR

SCALE: 1/2" = 1'-0"

FLOOR PLAN SHEET NOTES

01 PROPERTY LINE

02 ELECTRICAL MASTHEAD

03

04

GENERAL NOTES

A. THIS IS A HISTORIC RENOVATION. CAREFUL ATTENTION SHALL BE GIVEN TO HISTORIC ASPECTS AS DETAILED IN THE HISTORIC REPORT. ORIGINAL BUILDING ELEMENTS SHALL BE PROTECTED AND RESTORED AS DIRECTED BY ARCHITECT AND HISTORIAN

B. VERIFY ALL DIMENSIONS AFTER DEMOLITION AND FINISHES ARE REMOVED

C. NOTIFY ARCHITECT OF ANY DISCREPANCIES BETWEEN PLANS + DIMENSIONS

H3 DESIGN
685 MILLARD AVENUE
PACIFIC GROVE, CA 93950

12 . 01 . 23

ZHENG REMODEL

685 MERMAID AVE. PACIFIC GROVE, CA 93950

ALL DRAWINGS, DESIGNS + WRITTEN MATERIALS ARE THE ORIGINAL WORK OF H³ DESIGN AND MAY NOT BE DUPLICATED, USED OR TRANSFERRED WITHOUT WRITTEN CONSENT

PROPOSED UPPER FLOOR

A2.5

A. TITLE PAGE

PHASE II HISTORICAL ASSESSMENT OF 685 MERMAID AVENUE, PACIFIC GROVE, MONTEREY COUNTY, CALIFORNIA 93950

AUGUST 2025



PREPARED FOR:

Charles Zeng
685 Mermaid Avenue
Pacific Grove, CA 93950

PREPARED BY:

Dana E. Supernowicz, M.A., RPA
Historic Resource Associates
3142 Bird Rock Road
Pebble Beach, CA 93953

B. TABLE OF CONTENTS

A. Title Page 1

B. Table of Contents 2

C. Introduction 3

D. Historical Context 7

E. Property Description 9

F. Evaluation of Significance 15

G. Impacts of the Proposed Project 15

H. Mitigation 15

I. Appendices 18

C. INTRODUCTION

Historic Resource Associates (HRA) has completed a Phase II Historical Assessment of 685 Mermaid Avenue in Pacific Grove, Monterey County, California (Figures 1-3). The study was conducted to meet permit requirements imposed by the City of Pacific Grove in accordance with the proposed project plans (Figures 4-6). The property, identified as Assessor's Parcel Number (APN) 006-085-003, is located in the Beach Tract on the south side of Mermaid Avenue. According to Kent Seavey, who prepared a similar Phase II Historic Assessment in December 2024, the residence and garage were reportedly built in 1926 by local contractor Fred C. Goodale (Seavey 2024). The proposed project involves construction of an Accessory Dwelling Unit (ADU) and an addition and rehabilitation of the residence, which requires demolition of the former garage. Building upon the Phase II Historic Assessment by Seavey, this study focuses on the rehabilitation of the residence, the addition, and the demolition of the former garage.

According to the City of Pacific Grove, a Phase I Historical Assessment has been completed for the subject property by Page & Turnbull in 2019. Page and Turnbull found the subject property to be "significant for vernacular design expressed by intact stylistic features, forms and/or construction methods, and as a good example of type and/or style from Pacific Grove Comes of Age (1903-1926) historic theme." When recorded in 2019, Page & Turnbull determined that the property "retained integrity." Consequently, the property was rated C3 meeting Pacific Grove Criteria D, E, F, G, H, and I, based upon its architectural design. The building was given a rating of "5S1" which presumably included the attached garage (Page & Turnbull 2019). As previously noted, a Phase II Historic Assessment was completed by Kent Seavey in December 2024.

A Phase II Historical Assessment is intended to provide a more detailed evaluation of the resource and examines how a project will affect its significance, applying the Secretary of the Interior's Standards for the Treatment of Historic Properties (Standards). In addition, a Phase II Historical Assessment may provide potential mitigation measures for consideration by the City of Pacific Grove to reduce impacts to a level of insignificance, if possible, or a clear statement that the proposal will cause a significant impact to the resource which cannot be mitigated to a level of insignificance. If a property is listed or has been determined eligible for listing on the National or California Registers or is listed on the Pacific Grove Historic Resource Inventory, a Phase II Historical Assessment is automatically required.

The subject property was assessed by Dana E. Supernowicz, M.A., RPA, Registered Historian, Architectural Historian, and Archaeologist with Monterey County. Supernowicz has owned and operated Historic Resource Associates since the mid-1980s, served as principal historian for the U.S. Forest Service and California Department of Transportation, and worked for the State Historic Preservation Office (SHPO) as a staff project reviewer. Supernowicz has been performing architectural and archaeological assessments in Monterey County and Pacific Grove since the 1990s, and meets or exceed the Secretary of Interior's Professional Qualification Standards for the aforementioned professions. The Phase II Historical Assessment was completed on August 4, 2025, in part using background information provided in the State of California, Department of Parks and Recreation (DPR) site records prepared by Katherine Wallace of Page & Turnbull in 2019, and the previous Phase II Historical Assessment prepared by Kent Seavey in 2024 (Appendix 2: DPR Site Records).

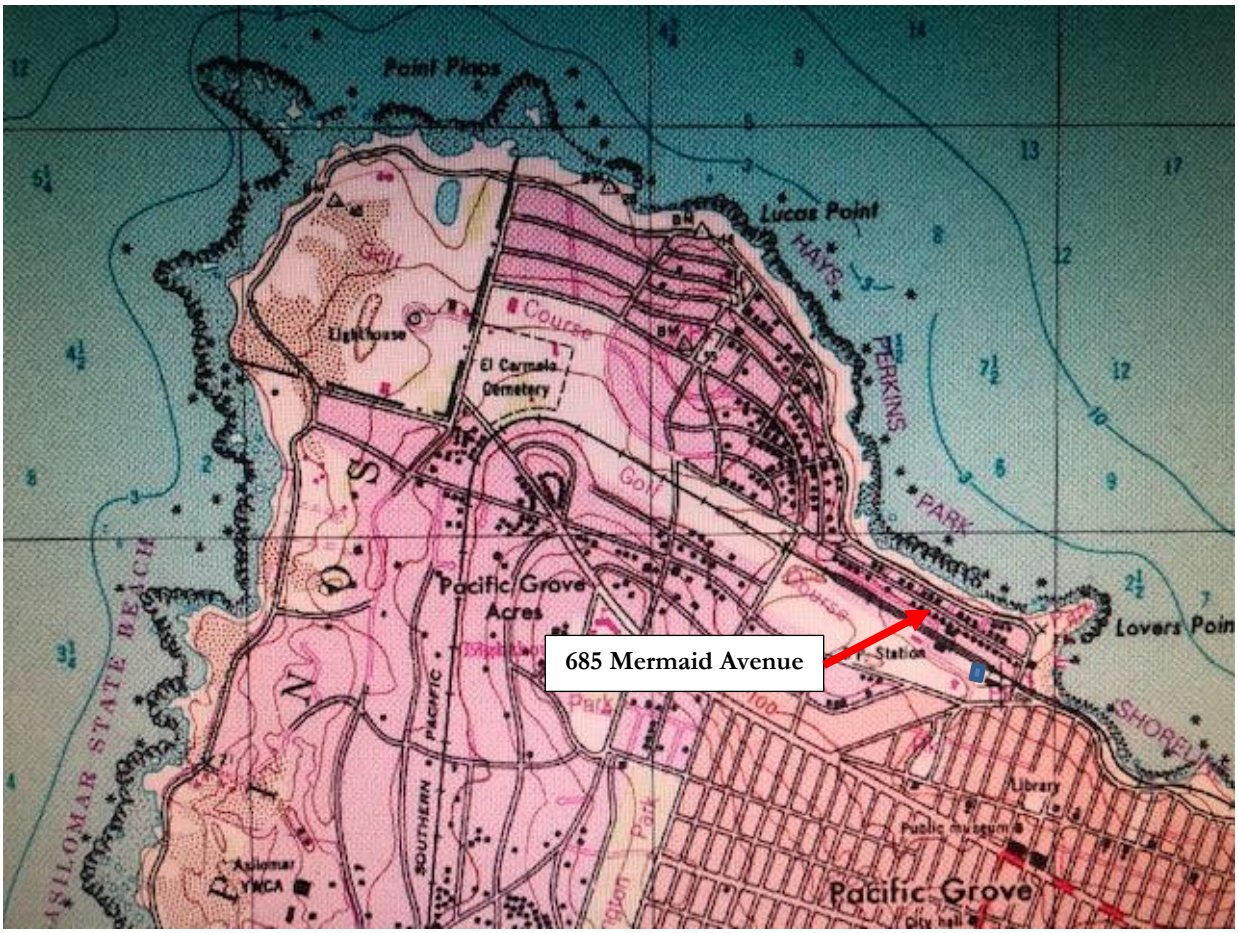


Figure 1: Project Location Map (USGS 7.5' Monterey, California Topographic Quadrangle Map).



Figure 2: 3D Aerial view of the garage at 685 Mermaid Avenue, looking north.



Figure 3: 3D Aerial view of the garage at 685 Mermaid Avenue, looking south.

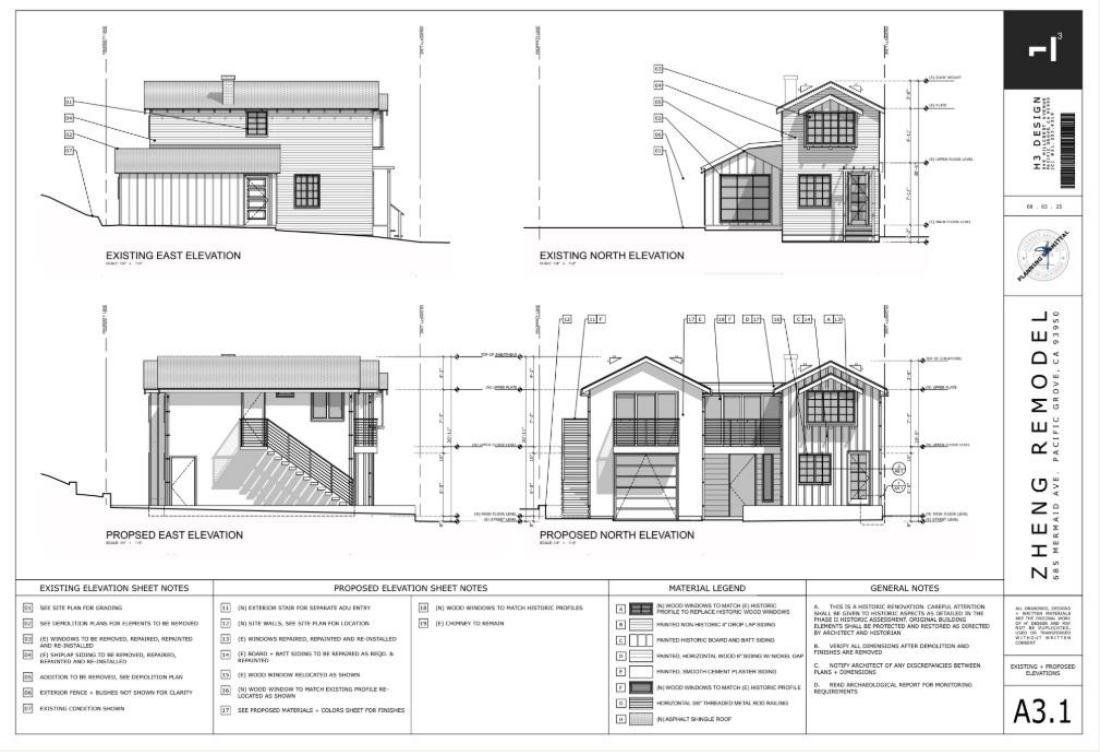


Figure 4: Existing and Proposed East and North Elevations.

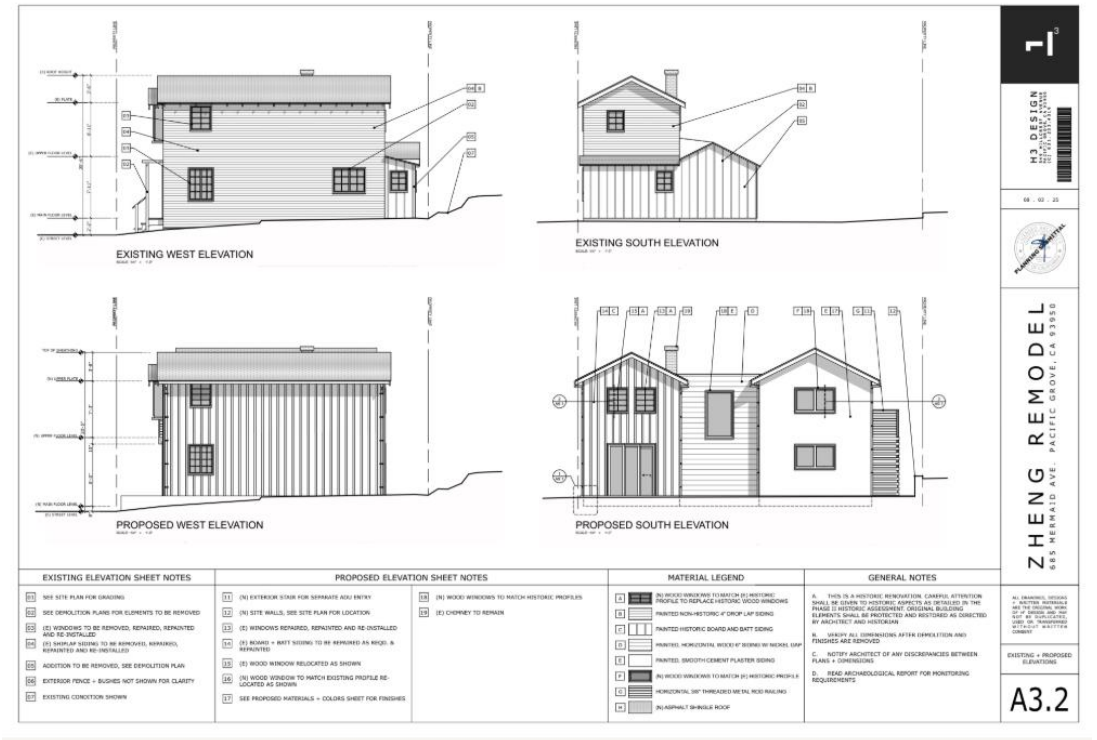


Figure 5: Existing and Proposed West and South Elevations.

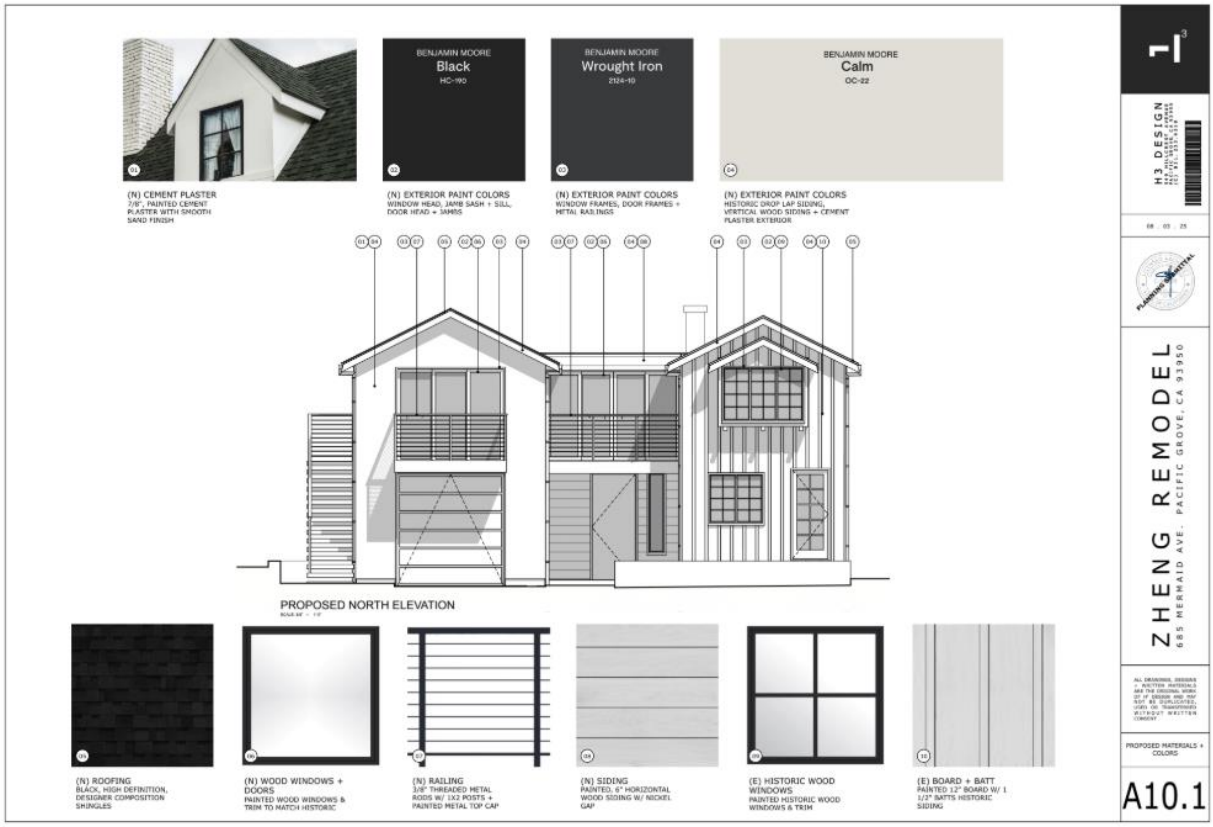


Figure 6: Proposed front elevation and material designs.

D. HISTORICAL CONTEXT

Pacific Grove was founded in 1875 by a group of Methodists who modeled the town after Ocean Grove, New Jersey. In time, the butterflies, fragrant pines and fresh sea air brought others to the Pacific Grove Retreat to rest and meditate. The initial meeting of the Pacific Coast branch of the Chautauqua Literary and Scientific Circle was held in Pacific Grove in June 1879. Modeled after the Methodist Sunday school teachers' training camp established in 1874 at Lake Chautauqua, New York, this location became part of a nationwide educational network. In November 1879, after the summer campers returned home, Robert Louis Stevenson wandered into the deserted campgrounds: "I have never been in any place so dreamlike. Indeed, it was not so much like a deserted town as like a scene upon the stage by daylight, and with no one on the boards." The Pacific Grove post office opened in 1886, closed later that year, and was re-opened in 1887. Pacific Grove incorporated in 1889 (McLane 1952).

Pacific Grove, like Carmel-by-the-Sea and Monterey, became an artists' haven in the 1890s and subsequent period. Artists of the plein air school in both Europe and the United States were seeking an outdoor venue which had natural beauty, so that Pacific Grove was a magnet for this movement. William Adam was an English painter who first moved to Monterey and then decided on Pacific Grove for his home in 1906. At about the same time Eugen Neuhaus, a German painter, arrived in Pacific Grove with his new bride. Charles B. Judson was an artist of aristocratic lineage who painted

in Pacific Grove over a long period of time beginning in 1907; Judson's murals decorate the halls of the California Academy of Sciences (McLane 1952).

For a number of years, John Steinbeck lived in a cottage in Pacific Grove owned by his father, Ernest, who was Monterey County Treasurer. The cottage still stands on a quiet side street, without any plaque or special sign, virtually overlooked by most Steinbeck fans. In Steinbeck's book Sweet Thursday, a chapter is dedicated to describing a likely fictional rivalry that arose among the town's residents over the game of roque. Local traditions include a Butterfly Parade, in which elementary schoolchildren dress in costumes and march through town, and the Feast of Lanterns, a Chinese-styled pageant in which a high school girl and her companions act out a melodrama (McLane 1952).

The Asilomar Conference Grounds, now part of the California State Park system, lie to the south of the subject property. At the end of the 19th century, the Young Women's Christian Association (YWCA) played an active role in providing shelter for the young women who were coming to the nation's big cities in search of low-paying jobs in factories and offices. The YWCA housing included educational and vocational classroom facilities, where these young women could take classes in practical subjects, such as money management, sewing, cooking, and typing. The YWCA staff, students, and supporters met periodically to discuss women's issues of that time. These meetings eventually led to the formation of the YWCA Regional Leadership Conferences, and the western region was called the Pacific Coast Field Committee (Asilomar Conference Grounds Website 2025).

The Asilomar concept was first born in 1897, when the YWCA held its first western regional conference at Mills College near Oakland, California. Later, between 1900 and 1911, the Pacific Coast Field Committee conferred each year at the old Hotel Capitola near the beach at Santa Cruz. The committee was then composed of some of the most influential and prestigious women in California: Phoebe Apperson Hearst (mother of pioneer publisher, William Randolph Hearst), Ellen Browning Scripps (a successful publisher), Mrs. Warren Olney and Mary Sroufe Merrill (who authored a history of Asilomar and its founding) (Asilomar Conference Grounds Website 2025).

In 1912, the Hotel Capitola was destroyed by fire, and that summer Phoebe Apperson Hearst opened her estate, Hacienda del Pozo Verona, near Livermore, for the YWCA's leadership conference. The conference was held in a miniature tent city furnished with iron beds, mattresses, blankets, electricity and running water for over 300 attendees. The red and white canvas tents and equipment that Hearst provided were later to become the original furnishings of Asilomar. It was at this conference that Hearst embraced the YWCA's idea to build a western conference ground (Asilomar Conference Grounds Website 2025).

The Pacific Improvement Company, whose Monterey area assets became the basis for what is now known as the Pebble Beach Company, donated thirty acres facing the Pacific Ocean on the Monterey Peninsula to the YWCA. The deed stipulated that the YWCA would pay the property taxes and that $30,000 of improvements were to be made on the property over the next ten years. The National Board accepted the offer, and the western conference grounds became a reality. That same year, the YWCA hired Julia Morgan, a San Francisco architect, and work began immediately. With funds donated by YWCA members and supporters, the Administration Building (Phoebe Apperson Hearst Social Hall), the Engineer's Cottage, the tent houses and the large granite entrance gates were built (Asilomar Conference Grounds Website 2025).

In July 1913, those were the only structures standing when 300 young women attended Asilomar's first YWCA student leadership conference. Meals were served in a central dining tent. While these facilities would be considered spartan today, they did offer electricity, running water, and bathing facilities. The facility at Capitola had been known as "Guardamar," and in 1913, the YWCA held a contest to name their new property on the Monterey Peninsula. They received hundreds of entries. The winning name came from a Stanford University student, Helen Salisbury, who made up the word Asilomar, derived from the Spanish words "asilo" meaning retreat or refuge, and "mar," meaning sea, hence "refuge-by-the-sea" (Asilomar Conference Grounds Website 2025).

E. PROPERTY DESCRIPTION

The subject property is best described as a two-story, single-wall or balloon-framed, vernacular residence, originally built with an attached single-car garage to the left of the residence. The exterior wall-cladding of the residence is dropwood-siding, placed over the original board and batten siding in the circa 1950s. The former garage to the left of the residence is in extremely poor condition, has some replaced or altered board and batten exterior wall siding, and the rear has been altered to allow for a structural retrofit. The front of the former garage facing Mermaid Avenue features an awkward combination shed and gable roof clad with asphalt shingles, and a large circa-1950s 12-light fixed steel-sash window on the front below the gable. The west wall of the garage shares a common wall with the two-story residence. The east elevation of the garage continues to the south lacking fenestration. The south elevation of the garage is characterized by an offset gable with its west side transitioning lower as opposed to the main roof that forms a shed as it approaches the east wall of the residence. Figure 7 illustrates what the property looked like in 1926, shortly after it was constructed. What is notable is that the small rectangle below the main dwelling is denoted as "A" for automobiles, in essence a garage.

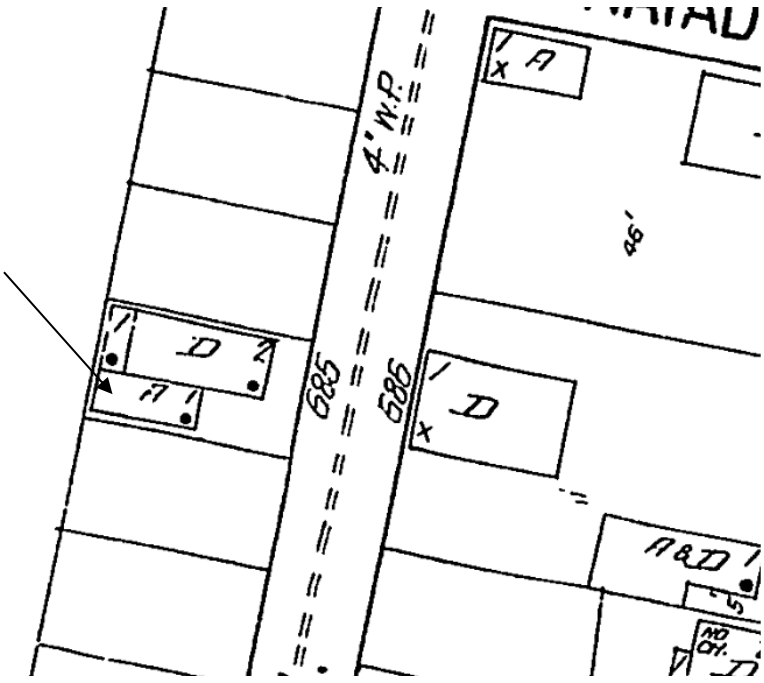


Figure 7: Sanborn Fire Insurance Map, Pacific Grove, California, 1926.

While the 1961 Sanborn Fire Insurance Map does not depict a window in the front of the garage, it's likely that the garage had already been converted into a living unit with alterations to the roof and front elevation. There is also a modification in the map (Figure 8) to the front of the garage, which appears to be an addition. It is also notable that the rear of the residence (single-story portion) appears to have been an open porch, which is now enclosed (Figures 7 and 8).



Figure 8: Sanborn Fire Insurance Map,
Pacific Grove, California, 1926, updated 1961.

It is important to point out that the 2019 DPR site record prepared by Page & Turnbull was cursory at best and largely failed to adequately describe the full range of alterations to both the residence and the garage. A close examination of the residence suggests that besides the building's massing or shape, there are few character defining features that remain, although it is important to point out that under the much newer horizontal board siding is the original board and batten wood siding.

Similarly, the garage converted to a residence when it was altered in the 1950s with a large window added to the front elevation, a result of removing the original garage door or doors. A concrete footing has also been added to the front of the former garage, presumably to create an interior living area. It is also unclear if the original roof was a shed design or a gable. A gable roof would have collected water against the residence, which would seem unadvisable, resulting in damage to the exterior wall of the residence (Photographs 1-6).



Photograph 1: View looking southwest from Mermaid Avenue at 685 Mermaid Avenue.



Photograph 2: View looking southeast. Note that the existing exterior siding was added circa 1950s covering the original board and battens. Although a later addition, the bay window on the second story will be retained as well as the front door, which may be original to the house.



Photograph 3: View looking at the converted single-car garage.



Photograph 4: View looking northeast at the rear of the residence and former garage. Note the conversion of the original open rear porch, now having plywood walls.



Photograph 5: View looking north at the rear of the residence and former garage. This view clearly shows the addition of a shed roof cutting into the gabled garage roof, the creation of an exterior wall closing what was an open porch, and a metal window on the second story alongside a window filled with horizontal siding.



Photograph 6: View looking west at the east elevation of the former garage and a door punched into the side to provide access.



Photograph 7: View looking south at the neighbor's residence at 687 Mermaid Avenue illustrating what the original garage at 685 Mermaid Avenue may have looked like prior to it being converted into a living area.

F. EVALUATION OF SIGNIFICANCE

In 2019 the subject property was formally evaluated by Page and Turnbull for listing on the City of Pacific Grove Historic Resource Inventory. Page and Turnbull found the subject property to be "significant for vernacular design expressed by intact stylistic features, forms and/or construction methods, and as a good example of type and/or style from Pacific Grove Comes of Age (1903-1926) historic theme." When recorded in 2019, Page & Turnbull determined that the property "retained integrity." Consequently, the property was rated C3 meeting Pacific Grove Criteria D, E, F, G, H, and I, based upon its architectural design. The building was given a rating of "5S1" which presumably included the attached garage (Page & Turnbull 2019).

G. IMPACTS OF THE PROPOSED PROJECT

As previously described, the proposed project involves rehabilitation of the residence, which includes returning it back to its original exterior board and batten wall cladding; replacing damaged or deteriorated windows with in-kind replacements, matching the design and shape of the existing windows; restoring the front (French) door; and restoring the front bay window. To the left of the historic residence is a former garage converted into a living space, which will be demolished and replaced with a two-story addition set back behind the residence, and, to the left of the addition, a garage and second-story ADU is proposed (Figures 4-6).

H. MITIGATION

Per the Secretary of the Interior's Standards for the Treatment of Historic Properties (Standards) a project that complies with the Standards is considered to have mitigated the changes to less than significant. The Standards include four levels of treatment:

> Stabilization (maintaining the condition of a property until the plans are approved).
>
> Restoration (returning a property to its condition during the period of significance using tools, methods and materials of the original).
>
> Rehabilitation (returning a property to a useful condition while maintaining the features of its significance).
>
> Reconstruction (when a property is destroyed or beyond rehabilitation and the loss impacts other properties or the understanding of history).

The intent of the Standards is to assist the long-term preservation of a property's significance through the preservation of historic materials and features. The Standards pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and interior of the buildings. They also encompass related landscape features and the building's site and environment, as well as attached, adjacent, or related new construction. It is important to note that before the property was acquired by the current owner it was in a state decay due to the lack of maintenance.

In applying the Standards, the term "Rehabilitation" is the most appropriate in describing the current plans, which involve demolition of the converted garage, replacing it with an addition to the residence and constructing a two-story addition to the left with a garage on the first floor and an ADU on the second story.

The ten Standards include:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Assessment of each Standard:

1. The historic residence will be rehabilitated and used as it was historically. With the exception of the addition to the left, there will be minimal change to its distinctive materials, features, spaces and spatial relationships.
2. The historic character of the property will be preserved, including returning the exterior design to its original wall cladding by removing the 1950s horizontal siding and uncovering the original board and batten wood siding.
3. Parts of the property that do not retain integrity or are not within the period of significance will be removed, such as the garage and rear shed-roof addition.
4. Not applicable.

5. Distinctive materials, such as the original board and batten siding and front entry door, will be retained and preserved.
6. If feasible, deteriorated historic fabric will be restored.
7. No chemical treatment is recommended for this project.
8. Archaeological resources associated with the parcel will be monitored during ground disturbing activities.
9. The new addition and the ADU will be constructed in a manner that will not damage or harm the historic residence.
10. The new additions will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

In summary, after carefully examining the subject property, it is my professional opinion that the former garage is such a deteriorated condition and has been so altered to conclude that it no longer is a "contributing" part of the residence, which itself has undergone numerous alterations. Therefore, the rehabilitation of the residence and the demolition of the former garage appear to meet the aforementioned Standards. In this regard it is presumed that any new addition, in this case a two-story addition set back from the original residence and beyond it to the east the construction of a two-story combination garage and ADU, will be designed in a manner that does not directly damage or visually imply that either addition was once part of the original residence. At the same time, rehabilitating the residence and removing the modern circa-1950s horizontal board siding and exposing the board and batten siding, replacing windows in-kind while keeping the massing of the original residence largely intact, as well as other architectural details, such as the bay window on the front and lighted French style entry door, meet the Standards for preservation and rehabilitation.

Thus, CEQA Guidelines Section 15064.5 states; "generally, a project that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995 as amended) shall be considered as mitigated to a level of less than a significant impact on the historical resource."

I. APPENDICES

Appendix 1: References

Asilomar Conference Grounds Website. "Park History." www.visitasilomar.com/discover/park-history. Accessed August 2025.

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Schoenherr, A. *A Natural History of California*. Berkeley: University of California Press. 1992.

Seavey, Kent L. Phase II Historic Assessment for 685 Mermaid Ave. Pacific Grove. Prepared for Charles Zheng. December 7, 2024.

USGS 7.5' *Monterey, California* Topographic Quadrangle Map, 1955, revised 1980.

Watkins, R. C. *History of Monterey, Santa Cruz and San Benito Counties, California*. S.J. Clarke Publishing, Chicago. 1925.

Appendix 2: DPR Site Records

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
PRIMARY RECORD

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code 5S1
Other Listings _____
Review Code _____ Reviewer _____ Date _____

Page 1 of 2 *Resource Name or #: 685 Mermaid Ave (APN 006085003000)

P1. Other Identifier:
***P2. Location:** ☐ **Not for Publication** ☑ **Unrestricted** ***a. County:** Monterey
***b. USGS Quad(s):** Monterey, California (1997)
c. Address: 685 Mermaid Ave, Pacific Grove, CA 93950 (APN 006085003000)
d. UTM:
e. Other Locational Data: Latitude, Longitude (Decimal Degrees) 36.6263456090516, -121.918854494429

***P3a. Description:**

- Architectural Style(s): Vernacular
- Construction Type: Wood Frame
- Number of Stories: 2
- Basement: Not Visible
- Garage: None
- Roof Type(s): Gable
- Roof Material(s): Asphalt Shingle
- Wall Material(s): Wood Drop
- Window Type(s): Casement
- Window Material(s): Wood
- Architectural Features: Overhanging Eaves
- Decorative Details: Exposed Rafter Tails
- Alterations: Altered Pattern of Windows or Doors, Replacement Door(s)
- Additional Remarks: One-story volume was originally an attached garage that has been converted to living space.

***P3b. Resource Attributes:** HP02 (Single family property)
***P4. Resources Present:** ☑ Building ☐ Structure ☐ Object ☐ Site ☐ District ☐ Element of District ☐ Other (isolates, etc.)

P5a. Photo



***P5b. Description of Photo:**
Primary façade, 8/27/2018.

***P6. Date Constructed/Age & Sources:**
☐ Prehistoric ☐ Protohistoric
☑ Historic ☐ Unknown
Circa 1922. Sources: Monterey County Assessor's Records.

***P7. Owner and Address:**
Lower Mark & Tina
427 Third St
Los Banos, CA 93635

***P8. Recorded by:**
Hannah Simonson, Page & Turnbull
170 Maiden Lane, 5th Floor
San Francisco, CA 94108

***P9. Date Recorded:** 8/27/2018
Finalized: 10/18/2019

***P10. Survey Type:** Reconnaissance

***P11. Citation:** Page & Turnbull. "Pacific Grove Historic Resource Inventory (HRI) Survey Report." Prepared for the City of Pacific Grove, October 18, 2019 [Final Report].

***Attachments:** ☐ None ☐ Location Map ☐ Sketch Map ☑ Continuation Sheet ☐ Building, Structure, and Object Record ☐ Archaeological Record ☐ District Record ☐ Linear Feature Record ☐ Milling Station Record ☐ Rock Art Record ☐ Artifact Record ☐ Photograph Record ☐ Other:

DPR523A (1/95) ***Required Information**

State of California - The Resources Agency
DEPARTMENT OF PARKS AND RECREATION
CONTINUATION SHEET

Primary # _____
HRI # _____
Trinomial _____

Page 2 of 2 ***Resource Name or #:** 685 Mermaid Ave (APN 006085003000)

***Recorded By:** Hannah Simonson ***Date Recorded:** 8/27/2018 Finalized: 10/18/2019

Historic Name:
Original Use: Residential **Present Use:** Residential
Original Owner: **Architect/Builder:**

Significance

***Pacific Grove Historic Context Statement* Theme:** Residential Development

Period of Development: Pacific Grove Comes of Age (1903-1926)
Integrity: Good **Period of Significance:** Circa 1922
Eligible for Pacific Grove HRI: Yes **Level of Significance:** Local
Appears Individually Eligible for National Register and/or California Register: No
California Historic Resource Status Codes: 5S1
Evaluation Notes:

National/ California Register	PG Municipal Code §23.76	Significance	Discussion of Individual Eligiblity
A/1	A, B	Events, Patterns & Trends	Not found to be eligible under these criteria during the course of this survey.
B/2	C	Persons	Not found to be eligible under these criteria during the course of this survey.
C/3	D, E, F, G, H, I	Architecture & Design	Eligible for the Pacific Grove HRI. Significant for Vernacular design expressed by intact stylistic features, forms and/or construction methods. Good example of type and/or style from Pacific Grove Comes of Age (1903-1926) development period and retains historic integrity.
D/4		Information Potential	Properties were not evaluated for significance under these criteria as part of this survey.

References: Page & Turnbull. *City of Pacific Grove Historic Context Statement.* Prepared for City of Pacific Grove, CA. Approved by City Council October 19, 2011.

DPR523L (1/95) ***Required Information**

Docusign Envelope ID: 689554C6-2BAD-4C17-B947-AB8293B66E8E

CITY OF PACIFIC GROVE
Community Development Department – Planning Division
300 Forest Avenue, Pacific Grove, CA 93950
T: 831.648.3183 • F: 831.648.3184 • www.ci.pg.ca.us/cdd

ARCHITECTURAL PERMIT (AP) 24-0044 FOR A PROPERTY LOCATED AT 685 MERMAID AVENUE TO ALLOW THE DEMOLITION OF THE EXISTING CONVERTED GARAGE AND REAR ADDITIONS, CONSTRUCTION OF A 156 SQUARE FOOT FIRST-FLOOR ADDITION, A 165 SQUARE FOOT SECOND-FLOOR ADDITION, A 337 SQUARE FOOT ATTACHED GARAGE ADDITION, AND A 339 SQUARE FOOT ATTACHED ADU. THE PROPERTY IS LISTED ON THE HISTORIC RESOURCES INVENTORY.

FACTS

1. The subject site is located at 685 Mermaid Avenue, Pacific Grove, APN 006-085-003-000.
2. The subject site has a land use designation of Medium High Density Residential, 10-20 dwelling units per acre (MHD 10-20 du/ac) in the certified City of Pacific Grove Coastal Land Use Plan (LUP Figure 6).
3. The project site is located in the R-3-PGB zoning district.
4. The subject site is approximately 1,760 square feet in size and currently developed with an existing two-story 950 square foot single-family residence.
5. The property is located within the City's Area of Special Biological Significance, the Coastal Zone (LUP Figure 1), an archaeologically sensitive area (LUP Figure 7), and is listed on the City's Historic Resources Inventory (HRI).
6. With the exception of the existing non-conforming setbacks of the historic building, as proposed, the project would conform to PGMC 23.57 (R-3-PGB zoning district) and PGMC 23.90 (Local Coastal Plan-Implantation Plan).
7. The existing development on the property is non-conforming with regard to the front, west side and rear setbacks. However, demolishing the non-historic garage will reduce the non-conforming rear setback from 2 feet 1 inch to 6 feet. All proposed, new development will conform to development regulations. No new nonconformities will be created or expanding the original setback of the historic structure.
8. A Phase I and II archaeological assessment (Historic Resource Associates, April 2024) was prepared for the subject property and concluded that, "Due to the presence of precontact cultural material, it is recommended that an archaeological monitor be present during any ground disturbing activity associated with the proposed remodel of the existing residential house located at 685 Mermaid Avenue." Condition Nos. 8, 9, and 10 have been added to address archaeological monitoring, as well as inadvertent discovery of cultural resources.
9. A Phase II Historic assessment (Historic Resource Associates, August 2025) was prepared for the subject property and concluded, "After carefully examining the subject property, it is my professional opinion that the former garage is [in] such a deteriorated condition and has been so altered to conclude that it no longer is a "contributing" part of the residence, which itself has undergone numerous alterations. Therefore, the rehabilitation of the residence and the demolition of the former garage appear to meet the aforementioned standards [in the Phase II report]. In this regard it is presumed that any new addition, in this case a two-story addition set back from the original residence and beyond it to the east the construction of a two-story combination garage and ADU, will be designed in a manner that does not directly damage or visually imply that either addition was once part of the original residence. At the same time, rehabilitating the residence and removing the modern circa-1950's horizontal board siding and exposing the board and batten siding, replacing the window in-kind while keeping the massing of the original residence largely intact, as well as other architectural details, such as the bay window on the front and lighted French style entry door, meet the Standards for preservation and rehabilitation."

   "Thus, CEQA Guidelines Section 15064.5 states; "Generally, a project that follows the Secretary of the

Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995 as amended) shall be considered as mitigated to a level of less than significant impact on the historical resource.""

10. On September 24, 2025, the Historic Resources Committee voted 3-0 (3 yes, 0 noes) to recommend the Planning Commission approve the project.
11. This project has been determined to be Categorically Exempt per California Environmental Quality Act (CEQA) Guidelines, Section 15331, Class 31, Categorical Exemption for Historical Resource Restoration/Rehabilitation, Section 15301, Class 1, Categorical Exemption for Existing Facilities, and the exceptions to the exemptions in Section 15300.2 of the CEQA Guidelines do not apply.

FINDINGS

For an Architectural Permit per PGMC Section 23.70.070(h)

1. *The architecture and general appearance of the completed project are compatible with the neighborhood.*

   The proposed development consists of a major remodel of an existing 950 square foot two-story residence to include demolition of the existing converted garage and rear additions, construction a 156 square foot first-floor addition, a 165 square foot second-floor addition, a 337 square foot attached garage addition, and a 339 square foot second-floor ADU resulting in a 1,363 square foot two-story residence with a 339 square foot attached ADU. As designed, the project would be compatible with the neighborhood of medium- to large-sized one- and two-story residences. The surrounding streetscapes are comprised of residences with varying architectural styles, alignments, and scales. The proposed project would use exterior colors and materials (i.e.; black wood windows and doors, board and batten wood siding, smooth exterior cement plaster, and black composition shingles) that will be compatible with residences in the vicinity and will blend with the surrounding natural streetscape.

2. *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.*

   There is no indication or evidence that the proposed project would either negatively affect the orderly and harmonious development of the city or impair the desirability of investment in the neighborhood. The proposed development would improve the subject property and contribute to the desirability of investment in the Beach Tract neighborhood.

3. *The committee has been guided by and referenced applicable provisions of the architectural review guidelines in making its determinations on single-family residences.*

   The architectural style, materials and site design are in substantial conformance with the City's Architectural Review Guidelines, including but not limited to guidelines Nos. 1, 2, 7, 31, 32, and 38.

Appendix I: Working with Buildings on the Historic Resources Inventory
Architectural Review Guidelines for Historic Resources

Guideline #1: Neighborhood Context: Any additions to historic buildings must take into account the effect of the proposed addition on the existing neighborhood, including but not limited to setbacks, mass, architectural style, and design.

The proposed project conforms with the zoning regulations set forth in the R-3-PGB zoning district as well as the Local Coastal Program Implementation plan (23.90). The original existing historic building has non-conforming setbacks, however, the project proposes to reduce the rear setback and the new additions will not expand or create new non-conformities. The architectural style and design is consistent with the Historic Context statement neighborhood context and existing neighborhood in regard to its rectangular

Docusign Envelope ID: 689554C6-2BAD-4C17-B947-AB8293B66E8E

shape, wood frame construction, board and batten siding, cement plaster siding, and combination of gable and flat roofs.

Guideline #2: Effects of additions on historic scale and character: Additions to historic buildings should be designed to preserve, as much as possible, the scale and overall character of the original structure.

The Phase II Historic Assessment (Historic Resource Associates, August 2025) states that, " The historic character of the property will be preserved, including returning the exterior design to its original wall cladding by removing the 1950's horizontal siding and uncovering the original board and batten wood siding." Additionally, "Parts of the property that do not retain integrity or not within the period of significance will be removed, such as the garage and rear shed-roof addition."

Guideline #3: Preservation of character-defining features: New additions and alterations should be designed and constructed so that the character-defining features of the historic building are not radically changed, obscured, damaged, or destroyed.

The Phase II Historic Assessment (Historic Resource Associates, August 2025) states, "The proposed project involves rehabilitation of the residence which includes returning it back to its original exterior board and batten wall cladding, replacing damaged or deteriorated windows with in-kind replacements, matching the design and shape of the existing windows, restoring the front door, and restoring the front bay window."

Guideline #4: Compatibility of new work with old: Additions and remodels should be compatible with the original historic building in forms, scale, and materials and not compromise the architectural integrity of the original.

The Phase II Historic Assessment (Historic Resource Associates, August 2025) states that, "The new addition and the ADU will be constructed in a manner that will not damage or harm the historic residence." Additionally, "The new additions will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired." Lastly, "the project meets the Secretary of Interior's Standards for Preservation and rehabilitation."

Guideline #5: Replacements: When important character-defining features, such as windows, need to be replaced, the replacements should be of similar design and material. If using the same kind of material is not technically feasible, then a compatible substitute material may be considered.

The proposed project includes replacement of damaged or deteriorated windows with in-kind replacements, as well as restoration of the front French door and front bay window.

6. De facto demolitions: Certain alterations that are so extensive that they are tantamount to demolition of the original structure may be treated as demolitions rather than remodels.

The Phase II Historic Assessment (Historic Resource Associates, August 2025) states, "It is my professional opinion that the former garage is such a deteriorated condition and has been so altered to conclude that it no longer is a "contributing" part of the residence, which itself has undergone numerous alterations. Therefore, the rehabilitation of the residence and the demolition of the former garage appear to meet the aforementioned standards."

PERMIT

Approve Architectural Permit (AP) 24-0044 for a property located at 685 Mermaid Avenue to allow the demolition of the existing converted garage and rear additions, construction of a 156 square foot first-floor addition, a 165 square foot second-floor addition, a 337 square foot attached garage addition, and a 339 square

Docusign Envelope ID: 689554C6-2BAD-4C17-B947-AB8293B66E8E

foot second-floor ADU resulting in a 1,363 square foot two-story residence with a 339 square foot attached ADU. The property is listed on the Historic Resources Inventory.

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 general 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 subsequent discretionary approval.
3. **Terms and Conditions.** These terms and conditions shall run with the land and bind to all future owners and possessors of the subject property, 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 and Fire Departments, and Building Division, 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 the approved plans for "The Zheng Remodel" dated November 15, 2025, on file with the Community Development Department and to the Building Code, with the exception of any subsequently approved changes.
6. **Lighting.** All exterior lighting must conform to LUP Policy DES-6.
7. **Building Plans.** All conditions of approval for the Planning permit(s) shall be printed on a full-size plan sheet and included with the construction plan set submitted to the Building Division.
8. **Archaeological Monitoring.** As recommended in the Phase I and II Archaeological Assessment (Historic Resource Associates, April 2024) prepared for the property, a qualified archaeological monitor shall be present to observe all soil disturbance for all grading and excavation activities. If at any time, potentially significant resources or intact features are discovered, the monitor(s) shall temporarily halt work until the find can be evaluated. See also Conditions of Approval 9 and 10 below.
9. **Archaeology and Inadvertent Discovery.** When human remains or artifacts are exposed, the Health and Safety Code § 7050.5 requires that no further excavation or disturbance occurs in the area and that the county coroner is called so that the coroner can verify that the remains are not subject to medical jurisprudence. Within 24 hours of notification, the coroner calls the Native American Heritage Commission if the remains are known or thought to be Native American. The Native American Heritage Commission selects the Most Likely Descendant (MLD) from a rotating list of MLDs. The MLD has 24 hours to respond. All work will halt with a 50-yard radius until an osteologist can examine the remains, and a treatment plan for any said remains has been provided according to the MLD.
10. **Cultural and/or Archaeological Artifacts.** If such artifacts are unexpectedly discovered during ground disturbing activities, work shall be halted until the item(s) can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation will be formulated, with the approval of the lead agency, and implemented prior to recommencement of work.

Planning Commission Conditions of Approval:

11. **Tribal Monitoring.** A qualified tribal monitor shall be present to observe all soil disturbance for all grading and excavation activities. If at any time, potentially significant resources or intact features are discovered, the monitor(s) shall temporarily halt work until the find can be evaluated. See also Conditions of Approval 9 and 10.
12. **Legal Lot of Record.** Applicant will provide documentation demonstrating that the subject site was lawfully created and documented under state and local Subdivision Map Act requirements.

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NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF PACIFIC GROVE:

1. The Planning Commission determines that each of the Findings set forth above is true and correct, and by this reference incorporates those Findings as an integral part of this Permit.
2. The Planning Commission approves Architectural Permit (AP) 24-0044 as proposed and conditioned, pursuant to Categorical Exemptions for Historical Resource Restoration/Rehabilitation and Existing Facilities (CEQA Guidelines Section 15301, Class 31 and Section 15301, Class 1).
3. This permit shall become effective upon the expiration of the 10-day appeal period after the final approval.
4. This permit shall not take effect until the owner acknowledges and agrees to all terms and conditions and agrees to conform to and comply with those terms and conditions.

Passed and adopted at a regular meeting of the Planning Commission of the City of Pacific Grove on the 11th day of December, 2025, by the following vote:

AYES:	**KUBICA, MOURLAM, MYERS, AND NODZENSKI**
NOES:	**SWEIGERT**
ABSENT:	**DAVISON**
ABSTENTIONS:	**NONE**

APPROVED:

Signed by:
Andrew Kubica, Planning Commission Chair
A953E...846E...
Andrew Kubica, Chair

The undersigned hereby acknowledge and agree to the approved terms and conditions, and agree to fullyconform to, and comply with, said terms and conditions.

DocuSigned by:
Charles Zheng
A2DA8CC3DE55456...
Charles Zheng, Owner

12/17/2025
Date

Docusign Envelope ID: 689554C6-2BAD-4C17-B947-AB8293B66E8E

CITY OF PACIFIC GROVE
Community Development Department – Planning Division
300 Forest Avenue, Pacific Grove, CA 93950
T: 831.648.3183 • F: 831.648.3184 • www.ci.pg.ca.us/cdd

COASTAL DEVELOPMENT PERMIT (CDP) 24-0044 FOR A PROPERTY LOCATED AT 685 MERMAID AVENUE TO ALLOW THE DEMOLITION OF THE EXISTING CONVERTED GARAGE AND REAR ADDITIONS, CONSTRUCTION OF A 156 SQUARE FOOT FIRST-FLOOR ADDITION, A 165 SQUARE FOOT SECOND-FLOOR ADDITION, A 337 SQUARE FOOT ATTACHED GARAGE ADDITION, AND A 339 SQUARE FOOT ATTACHED ADU. THE PROPERTY IS LISTED ON THE HISTORIC RESOURCES INVENTORY.

FACTS

1. The subject site is located at 685 Mermaid Avenue, Pacific Grove, APN 006-085-003-000.
2. The subject site has a land use designation of Medium High Density Residential, 10-20 dwelling units per acre (MHD 10-20 du/ac) in the certified City of Pacific Grove Coastal Land Use Plan (LUP Figure 6).
3. The project site is located in the R-3-PGB zoning district.
4. The property is located within the City's Area of Special Biological Significance, the Coastal Zone (LUP Figure 1), an archaeologically sensitive area (LUP Figure 7), and is listed on the City's Historic Resources Inventory (HRI).
5. The subject site is approximately 1,760 square feet in size and currently developed with an existing two-story 950 square foot single-family residence.
6. With the exception of the existing non-conforming setbacks of the historic building, as proposed, the project would conform to PGMC 23.57 (R-3-PGB zoning district) and PGMC 23.90 (Local Coastal Plan-Implantation Plan).
7. The existing development on the property is non-conforming with regard to the front, west side and rear setbacks. However, demolishing the non-historic garage will reduce the non-conforming rear setback from 2 feet 1 inch to 6 feet. All proposed, new development will conform to development regulations. No new nonconformities will be created or expanding the original setback of the historic structure.
8. Pursuant to Pacific Grove Municipal Code (PGMC) Sections 23.90.050, City CDP Determinations, and 23.90.040, CDP Exemptions, Community Development Department (CDD) staff determined the proposed project would require a Coastal Development Permit (CDP), and forwarded this determination to the Coastal Commission on June 21, 2024.
9. Per PGMC Section 23.90.140, Coastal Hazards, CDD staff reviewed LUP Figure 3 (Coastal Hazards and Areas of Potential Sea Level Rise), aerial and topographic imagery, plan set, and conducted a site visit on May 24, 2024, and determined the site and proposed development would not be subject to coastal hazards over its lifetime. The lowest point of the subject property is at an elevation of approximately 140 feet above mean sea level and approximately 220 feet from the shoreline. The property is further separated from the shoreline by a Recreation Trail, two city streets, and a block of single-family residences. In this case, submittal of a Coastal Hazards Report is not required or warranted.
10. Per PGMC Section 23.90.150, Water Quality and Marine Resources, the City did not require a water quality assessment because the proposed new development is under 2,500 square feet of new coverage, and will fall within the City's Municipal Permit. The proposed project includes removing the existing bricks and demolition of the former garage and rear addition, which will be replaced with a two-story addition set back behind the residence and to the left of the addition, an attached garage with a second floor ADU above the garage, resulting in an increased site coverage of approximately 35 square feet.
11. Per PGMC Section 23.90.160, Scenic Resources, CDD staff reviewed LUP Figure 4 (Scenic Areas), aerial and street view imagery, and conducted a site visit on May 24, 2024. This review determined the site and proposed development are not within a designated scenic view area, not visible seaward of Ocean View

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Boulevard or the Recreational Trail, and would not adversely impact public views along Ocean View Boulevard. As designed, the proposed second-story addition is consistent with adjacent development. In this case, submittal of a site-specific visual analysis is not required or warranted.

12. Per PGMC Section 23.90.170, Biological Resources, CDD staff reviewed LUP Figure 5, Land Habitat Sensitivity Map, aerial imagery, and conducted a site inspection on May 24, 2024. This review determined the proposed development would not have the potential to adversely affect biological resources or an environmentally sensitive habitat area. LUP Figure 5 identifies the site as having a moderate habitat value, and the property is a previously-developed site in a residentially zoned district surrounded by residential structures. The property is separated from any sensitive habitat by a recreational trail, two city streets, and open space. Additionally, the project site is approximately 220 feet from the nearest beach area. The project site is over 1,970 feet to the 5th Street beach and over 4,370 feet to the Hopkins Marine Station West Beach, and neither has a direct line of sight of the subject property. As designed and conditioned, the project would not impact natural habitats or resources; therefore, in this case, submittal of an initial site assessment for biological resources is not required or warranted.
13. Per PGMC Section 23.90.180, Community Design, the project conforms to all applicable LUP policies and IP community design standards.
14. Per PGMC Section 23.90.200, Cultural Resources, the application includes a Phase I and II Archaeological Assessment prepared for the project site by a qualified archaeologist (Historic Resource Associates, April 2024). The assessment concluded that, "Due to the presence of precontact cultural material, it is recommended that an archaeological monitor be present during any ground disturbing activity associated with the proposed remodel of the existing residential house located at 685 Mermaid Avenue." Condition Nos. 8, 9, and 10 have been added to address archaeological monitoring, as well as inadvertent discovery of cultural resources.
15. Per PGMC Section 23.90.200, Cultural Resources, the application includes a Phase II Historic Assessment prepared for the project by a qualified historian (Historic Resource Associates, August 2025). The assessment concluded that, "After carefully examining the subject property, it is my professional opinion that the former garage is [in] such a deteriorated condition and has been so altered to conclude that it no longer is a "contributing" part of the residence, which itself has undergone numerous alterations. Therefore, the rehabilitation of the residence and the demolition of the former garage appear to meet the aforementioned standards [in the Phase II report]. In this regard it is presumed that any new addition, in this case a two-story addition set back from the original residence and beyond it to the east the construction of a two-story combination garage and ADU, will be designed in a manner that does not directly damage or visually imply that either addition was once part of the original residence. At the same time, rehabilitating the residence and removing the modern circa-1950's horizontal board siding and exposing the board and batten siding, replacing the window in-kind while keeping the massing of the original residence largely intact, as well as other architectural details, such as the bay window on the front and lighted French style entry door, meet the Standards for preservation and rehabilitation."

    "Thus, CEQA Guidelines Section 15064.5 states; "Generally, a project that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995 as amended) shall be considered as mitigated to a level of less than significant impact on the historical resource."
16. On September 24, 2025, the Historic Resources Committee voted 3-0 (3 yes, 0 noes) to recommend the Planning Commission approve the project.
17. This project has been determined to be Categorically Exempt per California Environmental Quality Act (CEQA) Guidelines, Section 15331, Class 31, Categorical Exemption for Historical Resource Restoration/Rehabilitation, Section 15301, Class 1, Categorical Exemption for Existing Facilities, and the exceptions to the exemptions in Section 15300.2 of the CEQA Guidelines do not apply.

FINDINGS

For a Coastal Development Permit per PGMC Section 23.90.080

1. *LCP Consistency. The project is consistent with the LCP. (Local Coastal Program)*

   The project meets the requirements of the LCP including, but not limited to, the applicable Coastal Resource Protection Standards (PGMC § 23.90.130) of the Implementation Plan (IP) and the Biological, Cultural, Scenic, and Community Design policies of the Land Use Plan (LUP). These standards and policies are addressed in the Facts above and in the following findings.

2. *Public Views. The project protects or enhances public views.*

   Per LUP Figure 4, Scenic Areas, the project site is not located within a designated Scenic View Area. As designed, the project would not impact public views or adversely impact public views. The proposed development would also not result in adverse visual impacts as viewed seaward from Oceanview Boulevard, the Recreation Trail, and would be consistent with the height and massing of residences in the immediate vicinity of the project area.

3. *Habitat Protection. The project protects vegetation, natural habitats, and natural resources consistent with the LCP.*

   Per LUP Figure 5, Land Habitat Sensitivity Map, the project site is identified as having a moderate habitat value, and the property is a previously-developed site in a residentially zoned district surrounded by residential structures. The property is separated from any sensitive habitat by a recreational trail, two city streets, and open space. Additionally, the project site is approximately 220 feet from the nearest beach area. The project site is over 1,970 feet to the 5th Street beach and over 4,370 feet to the Hopkins Marine Station West Beach, and neither has a direct line of sight of the subject property. As designed, the project will not impact natural habitats or resources and is consistent with the LCP, including PGMC § 23.90.170 regarding biological resources and/or environmentally sensitive habitat areas.

4. *Design Consistency. The design, location, size, and operating characteristics of the proposed development is consistent with applicable LCP design requirements, including design plans and area plans incorporated into the LCP.*

   The project conforms to all applicable LUP polices and IP community design standards (PGMC 23.90.180, Coastal Community Design).

5. *Coastal Access. The project protects or enhances public access to and along the coast.*

   As designed, the project will have no effect on coastal access to or along the coast.

6. *Visitor Serving. The project supports the LCP goal of providing for visitor-serving needs as appropriate, including providing low and no cost visitor and recreational facilities.*

   The project includes residential development and will have no visitor-serving features, yet may qualify for a Short-Term Rental (STR) license given its location within the coastal zone. As of this date, there is no indication that the applicant intends to pursue an STR license.

7. *Appropriate Use. The project is consistent with the allowed LCP uses associated with the property.*

   Per LUP Figure 6, the subject property has a Coastal Zone Land Use Designation of Medium High Density Residential 10-20 du/ac (MHD 10-20). LUP Policy LUD-6 identifies single-family residences and guest/auxiliary/second housing units as allowed uses in areas designated MHD 10-20. Therefore, the proposed use is consistent.

8. *Coastal Resources. The proposed development protects or enhances coastal resources, where applicable.*

   The 1,760 square foot property is a previously-developed site in a residentially zoned district surrounded by residential structures and is currently developed with an existing two-story 950 square foot single-family residence. As proposed and designed, the project will not impact coastal resources. See also Facts 9 – 14 and supporting information. Condition No. 11 has been added to implement the construction management plan as

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well as using Best Management Practices (BMP's).

PERMIT

Approve Architectural Permit (AP) 24-0044 for a property located at 685 Mermaid Avenue to allow the demolition of the existing converted garage and rear additions, construction of a 156 square foot first-floor addition, a 165 square foot second-floor addition, a 337 square foot attached garage addition, and a 339 square foot second-floor ADU resulting in a 1,363 square foot two-story residence with a 339 square foot attached ADU. The property is listed on the Historic Resources Inventory.

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 two (2) years 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 general 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 subsequent discretionary approval.
3. **Terms and Conditions.** These terms and conditions shall run with the land and bind to all future owners and possessors of the subject property, 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 and Fire Departments, and Building Division, 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 the approved plans for "The Zheng Remodel" dated November 15, 2025, on file with the Community Development Department and to the Building Code, with the exception of any subsequently approved changes.
6. **Lighting.** All exterior lighting must conform to LUP Policy DES-6.
7. **Building Plans.** All conditions of approval for the Planning permit(s) shall be printed on a full-size plan sheet and included with the construction plan set submitted to the Building Division.
8. **Archaeological Monitoring.** As recommended in the Phase I and II Archaeological Assessment (Historic Resource Associates, April 2024) prepared for the property, a qualified archaeological monitor shall be present to observe all soil disturbance for all grading and excavation activities. If at any time, potentially significant resources or intact features are discovered, the monitor(s) shall temporarily halt work until the find can be evaluated. See also Conditions of Approval 9 and 10 below.
9. **Archaeology and Inadvertent Discovery.** When human remains or artifacts are exposed, the Health and Safety Code § 7050.5 requires that no further excavation or disturbance occurs in the area and that the county coroner is called so that the coroner can verify that the remains are not subject to medical jurisprudence. Within 24 hours of notification, the coroner calls the Native American Heritage Commission if the remains are known or thought to be Native American. The Native American Heritage Commission selects the Most Likely Descendant (MLD) from a rotating list of MLDs. The MLD has 24 hours to respond. All work will halt with a 50-yard radius until an osteologist can examine the remains, and a treatment plan for any said remains has been provided according to the MLD.
10. **Cultural and/or Archaeological Artifacts.** If such artifacts are unexpectedly discovered during ground disturbing activities, work shall be halted until the item(s) can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation will be formulated, with the approval of the lead agency, and implemented prior to recommencement of work.
11. **Construction Plan and BMP's.** The construction plan shall provide that copies of the signed CDP and the

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approved construction plan be maintained in a conspicuous location at the construction job site at all times, and that such copies are available for public review on request. All persons involved with the construction shall be briefed on the content and meaning of the CDP and the approved construction plan, and the public review requirements applicable to them, prior to commencement of construction.

Planning Commission Conditions of Approval:

12. **Tribal Monitoring.** A qualified tribal monitor shall be present to observe all soil disturbance for all grading and excavation activities. If at any time, potentially significant resources or intact features are discovered, the monitor(s) shall temporarily halt work until the find can be evaluated. See also Conditions of Approval 9 and 10.
13. **Legal Lot of Record.** Applicant will provide documentation demonstrating that the subject site was lawfully created and documented under state and local Subdivision Map Act requirements.

NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING COMMISSION OF THECITY OF PACIFIC GROVE:

1. The Planning Commission determines that each of the Findings set forth above is true and correct, and by this reference incorporates those Findings as an integral part of this Permit.
2. The Planning Commission approves Coastal Development Permit (CDP) 24-0044 as proposed and conditioned, pursuant to Categorical Exemptions for Historical Resource Restoration/Rehabilitation and Existing Facilities (CEQA Guidelines Section 15331, Class 31 and Section 15301, Class 1).
3. This permit shall become effective upon the expiration of the 10-day appeal period after the final approval.
4. This permit shall not take effect until the owner acknowledges and agrees to all terms and conditions and agrees to conform to and comply with those terms and conditions.

Passed and adopted at a regular meeting of the Planning Commission of the City of Pacific Grove on the 11th day of December, 2025, by the following vote:

AYES: **KUBICA, MOURLAM, MYERS, AND NODZENSKI**
NOES: **SWEIGERT**
ABSENT: **DAVISON**
ABSTENTIONS: **NONE**

APPROVED:

Signed by:
Andrew Kubica, Planning Commission Chair
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Andrew Kubica, Chair

The undersigned hereby acknowledge and agree to the approved terms and conditions, and agree to fullyconform to, and comply with, said terms and conditions.

DocuSigned by:
Charles Zheng
A2DA8CC3DE55456...
Charles Zheng, Owner

12/17/2025
Date

PROJECT DATA SHEET

Project Address: 685 Mermaid Avenue, Pacific Grove **Submittal Date:** 08.27.25

Applicant(s): Charles S. Hornisher, H3 design **Permit Type(s) & No(s):**

	REQUIRED/ Permitted	Existing Condition	Proposed Condition	Notes
Zone District	R-3-PGB	R-3-PGB	R-3-PGB	
Building Site Area	1,760 SQFT	1,760 SQFT	1,760 SQFT	
Density (multi-family projects only)	+++	+++	+++	
Building Coverage	50% MAX	603 SQFT	851 SQFT	880 SQFT MAX
Site Coverage	60% MAX	1,012 SQFT	1,047 SQFT	1,056 SQFT MAX
Gross Floor Area	+++	950 SQFT	1,702 SQFT	
Square Footage not counted towards Gross Floor Area includes ADU's under 800 sf		NA	339 SQFT	
Impervious Surface Area Created and/or Replaced		NA	35 SQFT	1,047 - 1,012 = 35
Exterior Lateral Wall Length to be demolished in feet & % of total*	_____	_____	72 ft/ 37 %	0'-0" to street facade
Exterior Lateral Wall Length to be built	_____	_____	103'	
Building Height	25' MAX	20'-10"	20'-11"	
Number of stories	2	2	2	
Front Setback	8'-0" MAX	5'-7" (E)	5'-7" (E)	8'-0" (N)
EAST **Side Setback** (specify side)	4'-5"	21'-2 1/2"	6'-5"	10% of 44'-0"= 52.8"
WEST **Side Setback** (specify side)	4'-5"	8"	8"	10% of 44'-0"= 52.8"
Rear Setback	8'-0"	2'-1"	6'-0" (E)	8'-0" (N)
Garage Door Setback	8'-0"	NA	8'-0"	
Covered Parking Spaces	1 required	0	1	
Uncovered Parking Spaces	0 required	2	0	
Parking Space Size (Interior measurement)	9' x 20'	NA	9' x 20'	
Number of Driveways	1	NA	1	
Driveway Width(s)		NA	11'-5"	
Back-up Distance		NA	8'-0"	
Eave Projection (Into Setback)	3' maximum	11"	11"	
Distances Between Eaves & Property Lines	3' minimum	0"	0"	(E) condition
Open Porch/Deck Projections		14"	14"	(E) bay window
Architectural Feature Projections		NA		
Number & Category of Accessory Buildings		NA	NA	
Accessory Building Setbacks		NA	NA	
Distance between Buildings		NA	NA	
Accessory Building Heights		NA	NA	
Fence Heights				

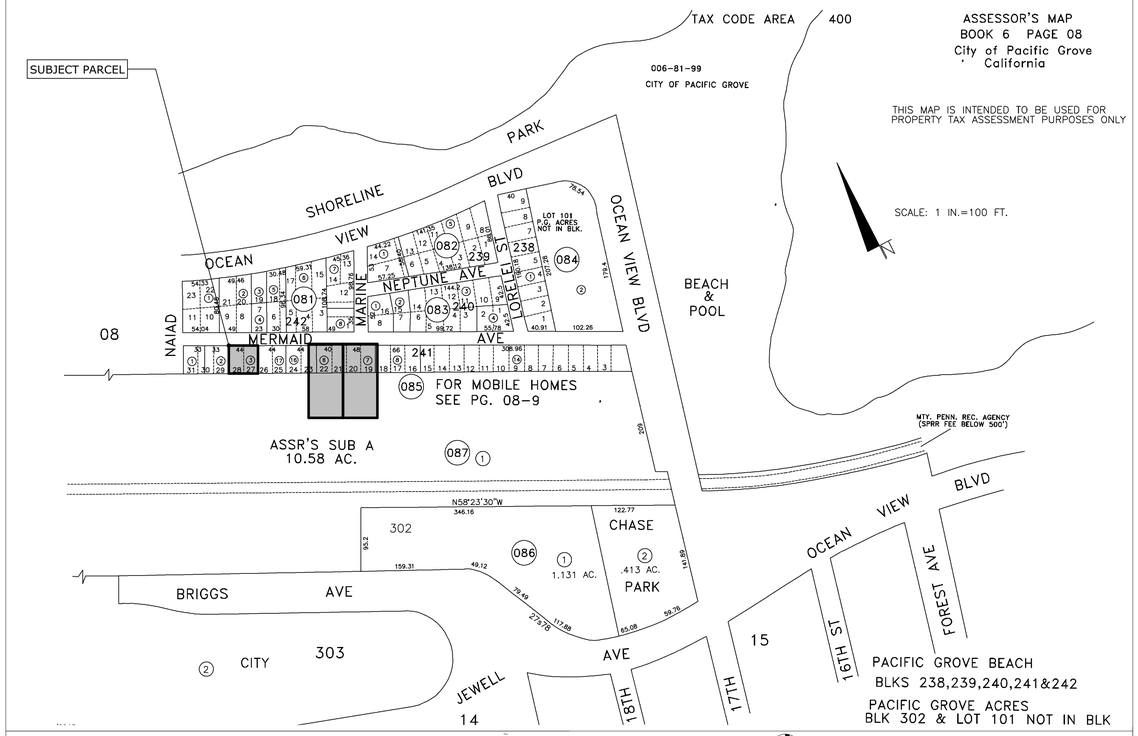
**If project proposes demolition to an HRI structure, also indicate % of proposed demolition of the surface of all exterior walls facing a public street or streets, if applicable.*

[Rev. 05/20/2020]

ZHENG RESIDENCE

685 MERMAID AVENUE, PACIFIC GROVE CA 93950

PARCEL MAP



VICINITY MAP / TRUCK HAUL ROUTE



⚠1 PROJECT DATA

OWNER:	CHARLES ZHENG 685 MERMAID AVENUE PACIFIC GROVE, CA 93950
SITE:	685 MERMAID AVENUE PACIFIC GROVE, CA 93950
APN:	006-085-003
SITE AREA:	1,760 SQ FT (.04 AC)
ZONING:	R-3-PGB
OCCUPANCY:	R-3
CONSTUCTION TYPE:	V-B
PARKING	1 GARAGE SPACE PROVIDED (23.64.190.A)
AREA CALCULATIONS:	EXISTING BUILDING AREA: LOWER FLOOR: 603 SQ FT UPPER FLOOR: 347 SQ FT TOTAL: 950 SQ FT PROPOSED BUILDING AREA: GARAGE: 337 SQ FT LOWER FLOOR: 514 SQ FT UPPER FLOOR: 512 SQ FT ADU: 339 SQ FT TOTAL: 1,702 SQ FT

MAX ALLOWABLE COVERAGE 50% (23.57.050) = 1,760 SQFT X 50% = 880 SQFT
PROPOSED BUILDING COVERAGE = 337 SQFT + 514 SQFT = 851 SQFT

MAX ALLOW. SITE COVERAGE 60% (23.57.051) = 1,760 SQFT X 60% = 1,056 SQFT

PROPOSED SITE COVERAGE = 1,056 SQFT (SEE COVERAGE DIAGRAM BELOW)

ALLOWABLE BUILDING HEIGHT	25'-0" (23.57.030)
GRADING:	15 CY CUT 01 CY FILL 16 TOTAL (UNDER 50 CY)
FIRE SPRINKLERS:	YES
TREE REMOVAL:	NONE
WATER SUPPLY:	CAL AM
SEWER:	CITY

⚠3 SCOPE OF WORK

PROJECT INVOLVES REHABILITATION AND EXPANSION OF AN EXISTING 950 SF, NON-CONFORMING, TWO-STORY SINGLE-FAMILY RESIDENCE, LISTED AS A LOCAL HISTORIC RESOURCE. THE SCOPE INCLUDES EXTENSIVE REHABILITATION OF THE HISTORIC STRUCTURE, SELECTIVE DEMOLITION OF NON-CONTRIBUTING ELEMENTS, NEW CONSTRUCTION, AND FULL INTERIOR MODERNIZATION.

THE HISTORIC PORTION OF THE RESIDENCE WILL BE LIFTED TO ALLOW INSTALLATION OF A NEW ENGINEERED FOUNDATION WITH PROPER DRAINAGE AND CODE-COMPLIANT FLOOR-TO-FLOOR CLEARANCE. INTERIOR FLOOR FRAMING WILL BE REMOVED AND REPLACED, AND THE EXISTING SINGLE-WALL CONSTRUCTION WILL BE REINFORCED PER THE STRUCTURAL ENGINEER'S SPECIFICATIONS. TWO EXISTING NON-CONFORMING ADDITIONS—THE EAST-FACING GARAGE AND THE SOUTH-FACING SINGLE-STORY LEAN-TO—WILL BE DEMOLISHED, AS THEY HAVE BEEN DEEMED HISTORICALLY INSIGNIFICANT AND IN SUBSTANTIAL DECAY. THE ORIGINAL GABLE FORM AND HISTORIC ARCHITECTURAL FEATURES WILL BE RETAINED AND RESTORED IN ACCORDANCE WITH APPLICABLE PRESERVATION STANDARDS.

A NEW TWO-STORY GABLED VOLUME WILL BE CONSTRUCTED PARALLEL TO THE EXISTING STRUCTURE AND SET BACK TO ALLOW THE HISTORIC PORTION TO BE THE PROMINENT FACE. THE LOWER LEVEL WILL CONTAIN A SINGLE-CAR GARAGE FOR THE PRIMARY RESIDENCE, WHILE THE UPPER LEVEL WILL CONTAIN AN ACCESSORY DWELLING UNIT (ADU) WITH INDEPENDENT ACCESS VIA EXTERIOR STAIR. A FLAT-ROOFED HYPHEN VOLUME WILL CONNECT THE TWO FORMS, HOUSING THE PRIMARY ENTRY, INTERIOR STAIR, AND A SECOND-FLOOR STUDY.

ADDITIONAL IMPROVEMENTS INCLUDE A NEW ELECTRICAL SYSTEM THROUGHOUT, RELOCATION OF THE GAS METER TO A CODE-COMPLIANT LOCATION, AND RENOVATION OF THE KITCHEN, BATHROOMS, AND INTERIOR FINISHES THROUGHOUT THE PRIMARY RESIDENCE AND ADU.

SHEET INDEX

SHEET I.D.	NAME / DESCRIPTION	REVISION
A0.0	COVER SHEET, PROJECT DATA	1 2 3 4 5
T-1	SITE SURVEY	1
A1.0	EXISTING SITE PLAN	1
A1.1	PROPOSED SITE PLAN	1 4
A1.2	CONSTRUCTION SITE PLAN	5
A1.3	CONSTRUCTION BEST MANAGEMENT PRACTICES	5
A2.0	EXISTING MAIN FLOOR PLAN	1
A2.1	EXISTING UPPER FLOOR PLAN	1
A2.2	MAIN FLOOR DEMOLITION PLAN	1 3
A2.3	UPPER FLOOR DEMOLITION PLAN	1
A2.4	PROPOSED MAIN FLOOR PLAN	1 3
A2.5	PROPOSED UPPER FLOOR PLAN	1
A2.6	ROOF PLAN	1 3
A3.1	EXISTING + PROPOSED ELEVATIONS	1 2 3
A3.2	EXISTING + PROPOSED ELEVATIONS	1 2 3
A4.2	PROPOSED BUILDING SECTION	1 2 3
A9.1	ARCHITECTURAL DETAILS	2 3
A10.1	MATERIALS	1 2 3
A10.2	COASTAL COMMUNITY CHARACTER ASSESSMENT	5

1 2 3 4 PROJECT DATA SHEET

	REQUIRED/ Permitted	Existing Condition	Proposed Condition	Notes
Zone District	R-3-PGB	R-3-PGB	R-3-PGB	
Building Site Area	1,760 SQFT	1,760 SQFT	1,760 SQFT	
Density (multi-family projects only)	+++	+++	+++	
Building Coverage	50% MAX	603 SQFT	851 SQFT	880 SQFT MAX
Site Coverage	60% MAX	1,012 SQFT	1,047 SQFT	1,056 SQFT MAX
Gross Floor Area	+++	950 SQFT	1,702 SQFT	
Square Footage not counted towards Gross Floor Area includes ADU's under 800 sf		NA	339 SQFT	
Impervious Surface Area Created and/or Replaced		NA	35 SQFT	1,047 - 1,012 = 35
Exterior Lateral Wall Length to be demolished in feet & % of total*	_____	_____	72 ft/ 37 %	0'-0" to street facade
Exterior Lateral Wall Length to be built	_____	_____	103'	
Building Height	25' MAX	20'-10"	20'-11"	
Number of stories	2	2	2	
Front Setback	8'-0" MAX	5'-7" (E)	5'-7" (E)	8'-0" (N)
EAST Side Setback (specify side)	4'-5"	21'-2 1/2"	6'-5"	10% of 44'-0"= 52.8"
WEST Side Setback (specify side)	4'-5"	8"	8"	10% of 44'-0"= 52.8"
Rear Setback	8'-0"	2'-1"	6'-0" (E)	8'-0" (N)
Garage Door Setback	8'-0"	NA	8'-0"	
Covered Parking Spaces	1 required	0	1	
Uncovered Parking Spaces	0 required	2	0	
Parking Space Size (Interior measurement)	9' x 20'	NA	9' x 20'	
Number of Driveways	1	NA	1	
Driveway Width(s)		NA	11'-5"	
Back-up Distance		NA	8'-0"	
Eave Projection (Into Setback)	3' maximum	11"	11"	
Distances Between Eaves & Property Lines	3' minimum	0"	0"	(E) condition
Open Porch/Deck Projections		14"	14"	(E) bay window
Architectural Feature Projections		NA		
Number & Category of Accessory Buildings		NA	NA	
Accessory Building Setbacks		NA	NA	
Distance between Buildings		NA	NA	
Accessory Building Heights		NA	NA	
Fence Heights				

1 2 3 4 REVISION DATE

BELOW ARE LISTED REVISIONS, THEIR DELTA SYMBOL AND DATE:
1. 06.07.24 - PLAN CHECK RESPONSES
2. 08.13.24 - DESIGN REVISIONS
3. 08.27.25 - DESIGN REVISIONS
4. 09.08.25 - AREA REVISIONS
5. 11.15.25 - PLANNING REVISIONS

H3 DESIGN
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PACIFIC GROVE, CA 93950
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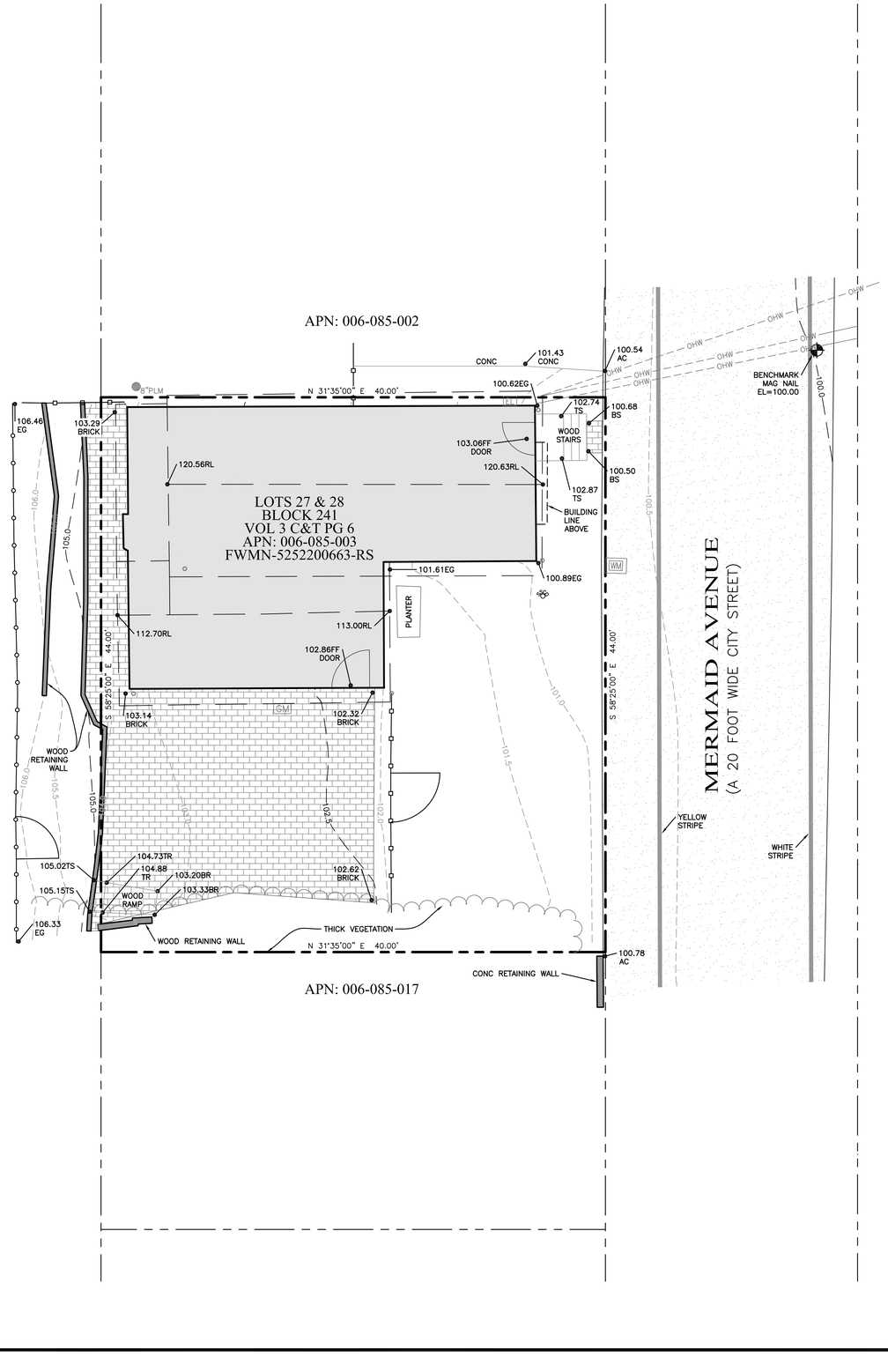
LICENSED ARCHITECT
CHARLES S. ZHENG
C-38709
08.31.26
STATE OF CALIFORNIA

ZHENG REMODEL
685 MERMAID AVE. PACIFIC GROVE, CA 93950

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TITLE SHEET

A0.0



5 0 2.5 5 10

1" = 5'

LEGEND

PROPERTY LINE	AC PAVEMENT
ROOF LINE	
WOOD FENCE	CONCRETE
LINK FENCE	
RAIL	BRICK PAVERS
OVERHEAD WIRE	
MAJOR CONTOUR	
MINOR CONTOUR	

80.00 → SPOT ELEVATION

AC	ASPHALT
BR	BOTTOM OF RAMP
BS	BOTTOM STAIRS
BW	BOTTOM OF WALL
CONC	CONCRETE
DS	DOWNSPOUT
E	EXISTING
EG	EXISTING GRADE
ELEC	ELECTRICAL
FC	FACE OF CURB
FL	FLOW LINE
FP	FINISH PAVEMENT
FW	FACE OF WALL
PLM	PALM TREE
POR	PORTION
RL	RIDGE LINE
TR	TOP OF RAMP
TS	TOP OF STAIRS
TW	TOP OF WALL
TYP	TYPICAL

- WM WATER METER
- WV WATER VALVE
- ICV IRRIGATION CONTROL
- FIRE HYDRANT
- HOSE BIB
- BACKFLOW PREVENTOR
- EL ELECTRICAL METER
- UTILITY POLE
- GAS VALVE
- GM GAS METER
- SEWER MANHOLE
- SEWER CLEANOUT
- DOWNSPOUT

NOTES

1. BOUNDARY DATA SHOWN HEREON WERE DETERMINED WITH THE BENEFIT OF A FIELD SURVEY SUPPLEMENTED BY RECORD DOCUMENTS. ALL BOUNDARY DATA SHOWN HEREON ARE FROM THE RECORDS PER CHICAGO TITLE REPORT ORDER NO. FWMN–5252200663–RS, AND SHOWN APPROXIMATE ONLY. THIS IS NOT A BOUNDARY SURVEY.

2. THIS TOPOGRAPHIC SURVEY IS PREPARED FOR DESIGN PURPOSES ONLY.

3. ENTITLEMENTS OR ENCUMBRANCES AFFECTING THIS PROPERTY MAY NOT NECESSARILY BE SHOWN.

4. DISTANCES SHOWN ARE EXPRESSED IN FEET AND DECIMALS THEREOF.

5. CONTOUR INTERVAL = ONE HALF FOOT.

6. TREE TYPES ARE INDICATED WHERE KNOWN. DIAMETERS OF TREES ARE SHOWN IN INCHES AND ARE APPROXIMATE ONLY, TO BE VERIFIED BY AN APPROVED ARBORIST. TREES SMALLER THAN 6" ARE NOT NECESSARILY SHOWN. DIRECTION OF GROWTH AND DRIP LINE SHAPE TO BE VERIFIED BY OTHERS.

7. POSITION AND DIMENSIONS (IF ANY) OF BUILDINGS AND OTHER STRUCTURES ARE SHOWN HEREON APPROXIMATE ONLY DUE TO MEASUREMENT LIMITATIONS, IRREGULAR SHAPE OF BRICK FACING, POP–OUTS, BULL NOSE CORNERS, ETC.

8. NOT ALL UTILITY BOXES AND/OR UTILITY STRUCTURES ARE SHOWN INCLUDING BUT NOT LIMITED TO HOSE BIBS AND IRRIGATION VALVES. ONLY THE VISIBLE UTILITY BOXES AND/OR UTILITY STRUCTURES THAT WERE CONSIDERED TO CONVEY THE GENERAL UTILITY CONDITIONS ARE SHOWN.

9. A LOCAL BENCHMARK FOR THIS PROJECT IS A MAG NAIL SET IN MERMAID AVENUE AS SHOWN HEREON, HAVING AN ELEVATION OF 100.00 FEET BASED UPON AN ASSUMED DATUM.

10. THIS MAP CORRECTLY REPRESENTS A SURVEY PREPARED BY ME AND/OR UNDER MY DIRECTION, FROM FIELD DATA COLLECTED IN APRIL 2024.

PROFESSIONAL LAND SURVEYOR
FRANK LUCIDO JR
No. 8368
STATE OF CALIFORNIA

REGISTERED PROFESSIONAL ENGINEER
CHRISTOPHER J STOUT
No. 59685
CIVIL
STATE OF CALIFORNIA

L&S ENGINEERING AND SURVEYING, INC
2460 Garden Road, Suite G, Monterey, California 93940
P: 831.655.2723 F: 831.655.3425
LandSengineers.com

DRAWN BY: BA & PM
DESIGNED BY:
DATE: 4/26/24
SCALE: 1" = 5'
JOB NUMBER: 24-33
LAST REVISED:
REVISED BY:

TOPOGRAPHIC SURVEY
685 MERMAID AVENUE
PACIFIC GROVE, CA 93950
APN: 006-085-003

PREPARED FOR:
CHARLES ZHENG
685 MERMAID AVENUE
PACIFIC GROVE, CA 93950

SHEET 1
OF
1 SHEET

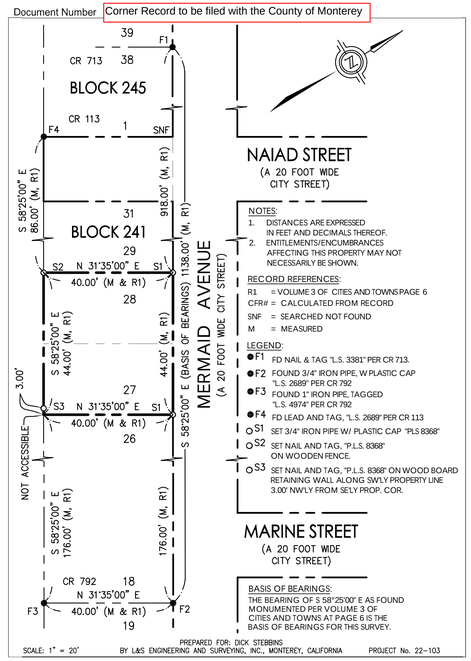


⚠1 EXISTING SITE PLAN

SCALE: 1/4" = 1'-0"

0 1' 2' 4' 8'

685 MERMAID CORNER RECORD



⚠1 SITE PLAN SHEET NOTES

01 GAS CONNECTION TO BE RELOCATED, SEE PROPOSED SITE PLAN

02 ELECTRICAL MASTHEAD

03 EXISTING RESIDENCE, SEE LEGEND FOR WALLS TO BE DEMOLISHED

04 SETBACK PER CITY OF PACIFIC GROVE REQUIREMENTS

05 TOPOGRAPHIC LINE IN 6" INCREMENTS

06 LINE OF EAVE OVERHANGING PROPERTY LINE

07 RETAINING WALL TO BE DEMOLISHED

08 BAY WINDOW ABOVE

09 FENCE TO BE DEMOLISHED

10 5' TALL CHAIN LINK FENCE TO ADJACENT PROPERTY

11 15' TALL OVERGROWN HEDGE

12 PAVING TO BE DEMOLISHED

13 EDGE OF PAVMENT

14 WHITE LINE ON STREET

15 OVERHEAD POWER / PHONE LINES

WALL LEGEND

(E) WALL TO REMAIN

(E) WALL TO BE DEMOLISHED

⚠GENERAL NOTES

A. THIS IS A HISTORIC RENOVATION. CAREFUL ATTENTION SHALL BE GIVEN TO HISTORIC ASPECTS AS DETAILED IN THE PHASE II HISTORIC ASSESSMENT. ORIGINAL BUILDING ELEMENTS SHALL BE PROTECTED AND RESTORED AS DIRECTED BY ARCHITECT AND HISTORIAN

B. VERIFY ALL DIMENSIONS AFTER DEMOLITION AND FINISHES ARE REMOVED

C. NOTIFY ARCHITECT OF ANY DISCREPANCIES BETWEEN PLANS + DIMENSIONS

D. READ ARCHAEOLOGICAL REPORT FOR MONITORING REQUIREMENTS

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11 . 15 . 25

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STATE OF CALIFORNIA

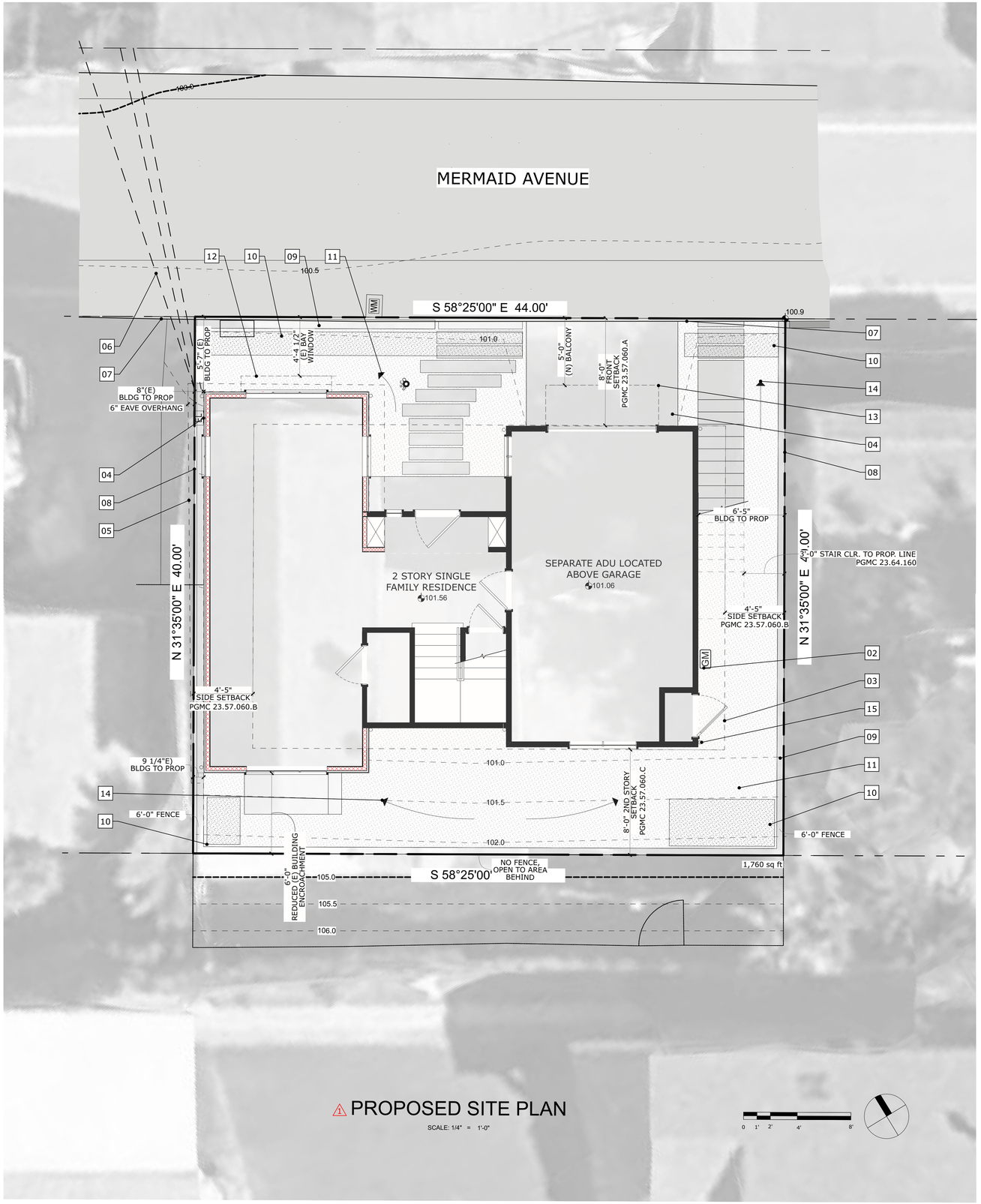
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EXISTING SITE PLAN

A1.0

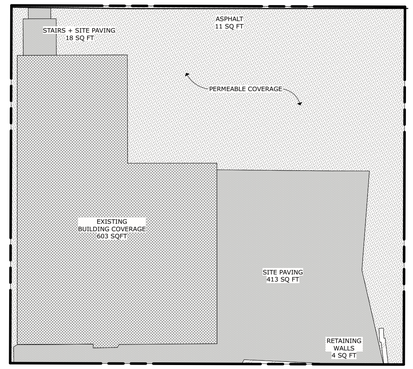


1 PROPOSED SITE PLAN

SCALE: 1/4" = 1'-0"

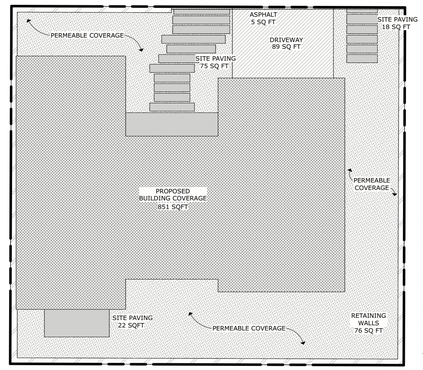
0 1' 2' 4' 8'

1 4 SITE COVERAGE



EXISTING SITE

BUILDING COVERAGE	603 SQFT
ASPHALT	11 SQFT
SITE PAVING	431 SQFT
RETAINING WALLS	4 SQFT
TOTAL	1,049 SQFT



PROPOSED SITE

BUILDING COVERAGE	864 SQFT
DRIVEWAY	89 SQFT
DRIVEWAY REDUCTION PCMC 23.08.020.S.SITE COVERAGE.2A	-89 SQFT
ASPHALT	5 SQFT
SITE PAVING	111 SQFT
RETAINING WALLS	76 SQFT
TOTAL	1,056 SQFT

1 4 SITE PLAN SHEET NOTES

01 (N) GAS CONNECTION

02 ELECTRICAL MASTHEAD

03 SETBACK PER CITY OF PACIFIC GROVE REQUIREMENTS

04 DIRVEWAY

05 LINE OF EAVE OVERHANGING PROPERTY LINE

06 OVERHEAD LINES

07 EDGE OF PAVEMENT

08 TOPOGRAPHIC LINE IN 6" INCREMENTS

09 30" RETAINING WALL

10 PROPOSED STORMWATER SEEPAGE PITS, CONNECT DOWN SPOUTS TO LOCATION + PROVIDE OVERFLOW OUTLETS

11 PLANTED / PERMEABLE AREA

12 (E) BAY WINDOW ABOVE

13 (N) OPEN DECK ABOVE

14 SWALE TO DIRECT SITE RUN-OFF TO INFILTRATION PITS

15 DOWNSPOUT LOCATION, HARD PIPE TO INFILTRATION PITS

WALL LEGEND

(E) WALL TO REMAIN

(E) WALL TO BE DEMOLISHED

(E) WALL TO BE ALTERED / REPAIRED

(N) PROPOSED WALL

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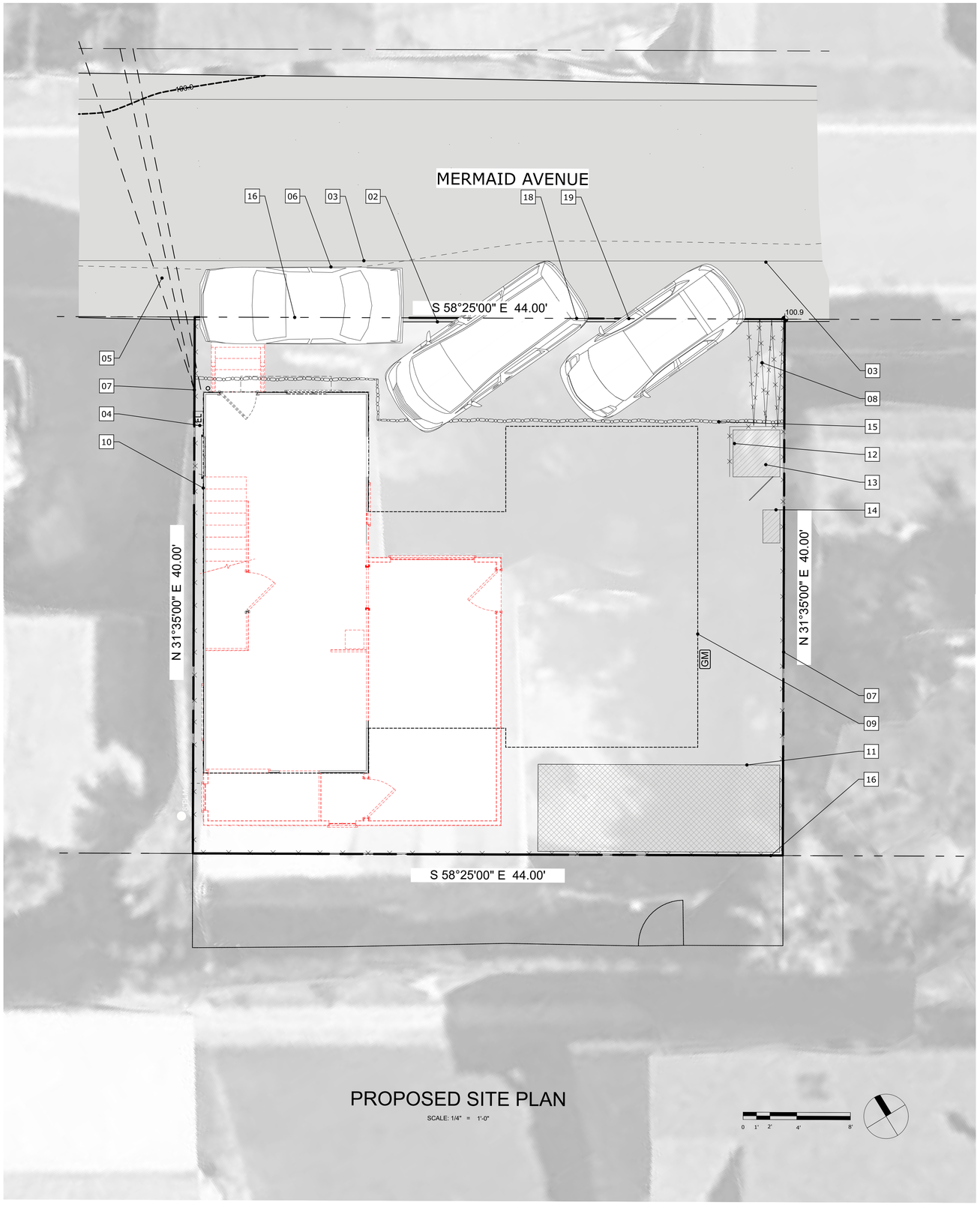
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PROPOSED SITE PLAN

A1.1



PROPOSED SITE PLAN

SCALE: 1/4" = 1'-0"

0 1' 2' 4' 8'

⚠ SITE PLAN SHEET NOTES

01 CONSTRUCTION PLAN BASED OFF OF SURVEY, SEE SHEET T-1 FOR INFORMATION NOT SHOWN HERE

02 EDGE OF PAVEMENT

03 LINE OF 12' RIGHT OF WAY

04 ELECTRICAL MASTHEAD

05 OVERHEAD POWER LINES

06 CONSTRUCTION PARKING

07 CHAIN LINK CONSTRUCTION FENCE W/ GREEN PRIVACY NETTING

08 PULL BACK CONSTRUCTION FENCING DURING WORK HOURS

09 LINE OF NEW CONSTRUCTION

10 SEE DEMOLITION PLAN FOR ITEMS TO BE REMOVED

11 MATERIAL STORAGE / STAGING AREA

12 LATTICE SCREENING

13 PORTA-POTTY

14 WASH STATION

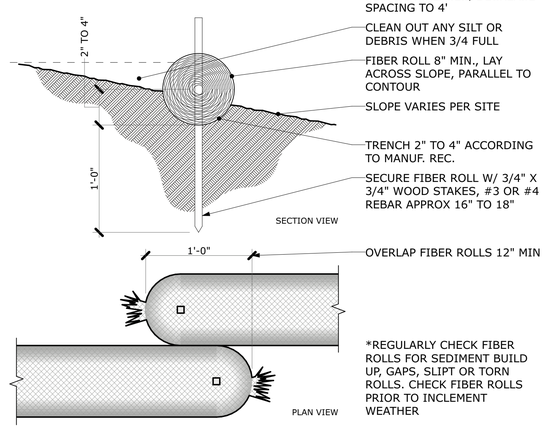
15 FIBER ROLL FOR STORM RUN OFF, SEE WATTLE DETAIL 1/A1.2 SHOWN BELOW

16 PROPERTY LINE

17 CONSTRUCTION BEST MANAGEMENT PRACTICES SHALL BE EMPLOYED ONSITE AT ALL TIMES, SEE A1.3 FOR NOTES AND DETAILS

18 CONSTRUCTION HOURS ONSITE WILL BE FROM 8:00 AM - 5:00 PM

19 SITE DELIVERIES CAN BE MADE FROM 9:00 AM TO 4:00 PM (OFF PEAK)



1 WATTLE DETAIL

SCALE: 1 1/2"= 1'-0"

WALL LEGEND

(E) WALL TO REMAIN

(E) WALL TO BE DEMOLISHED

(E) WALL TO BE ALTERED / REPAIRED

(N) PROPOSED WALL

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T-1 3

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CONSTRUCTION MANAGMENT PLAN

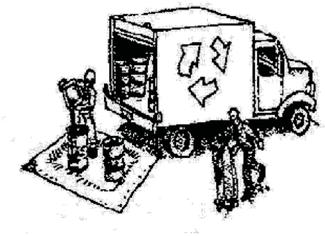
A1.2

SAN MATEO COUNTYWIDE
Water Pollution Prevention Program
Clean Water. Healthy Community.

Construction Best Management Practices (BMPs)

Construction projects are required to implement the stormwater best management practices (BMP) on this page, as they apply to your project. Please note: the wet season begins on October 1 and continues through April 30.

Materials & Waste Management



Non-Hazardous Materials

- ❑ Berm and cover stockpiles of sand, dirt or other construction material with tarps when rain is forecast or if not actively being used within 14 days.
- ❑ Use (but don't overuse) reclaimed water for dust control.

Hazardous Materials

- ❑ Label all hazardous materials and hazardous wastes (such as pesticides, paints, thinners, solvents, fuel, oil, and antifreeze) in accordance with city, county, state and federal regulations.
- ❑ Store hazardous materials and wastes in water tight containers, store in appropriate secondary containment, and cover them at the end of every work day or during wet weather or when rain is forecast.
- ❑ Follow manufacturer's application instructions for hazardous materials and be careful not to use more than necessary. Do not apply chemicals outdoors when rain is forecast within 24 hours.
- ❑ Arrange for appropriate disposal of all hazardous wastes.

Waste Management

- ❑ Cover waste disposal containers securely with tarps at the end of every work day and during wet weather.
- ❑ Check waste disposal containers frequently for leaks and to make sure they are not overfilled. Never hose down a dumpster on the construction site.
- ❑ Clean or replace portable toilets, and inspect them frequently for leaks and spills.
- ❑ Dispose of all wastes and debris properly. Recycle materials and wastes that can be recycled (such as asphalt, concrete, aggregate base materials, wood, gyp board, pipe, etc.)
- ❑ Dispose of liquid residues from paints, thinners, solvents, glues, and cleaning fluids as hazardous waste.

Construction Entrances and Perimeter

- ❑ Establish and maintain effective perimeter controls and stabilize all construction entrances and exits to sufficiently control erosion and sediment discharges from site and tracking off site.
- ❑ Sweep or vacuum any street tracking immediately and secure sediment source to prevent further tracking. Never hose down streets to clean up tracking.

Equipment Management & Spill Control



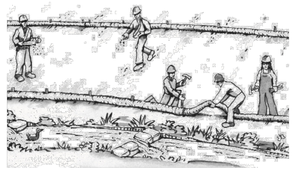
Maintenance and Parking

- ❑ Designate an area, fitted with appropriate BMPs, for vehicle and equipment parking and storage.
- ❑ Perform major maintenance, repair jobs, and vehicle and equipment washing off site.
- ❑ If refueling or vehicle maintenance must be done onsite, work in a bermed area away from storm drains and over a drip pan big enough to collect fluids. Recycle or dispose of fluids as hazardous waste.
- ❑ If vehicle or equipment cleaning must be done onsite, clean with water only in a bermed area that will not allow rinse water to run into gutters, streets, storm drains, or surface waters.
- ❑ Do not clean vehicle or equipment onsite using soaps, solvents, degreasers, steam cleaning equipment, etc.

Spill Prevention and Control

- ❑ Keep spill cleanup materials (rags, absorbents, etc.) available at the construction site at all times.
- ❑ Inspect vehicles and equipment frequently for and repair leaks promptly. Use drip pans to catch leaks until repairs are made.
- ❑ Clean up spills or leaks immediately and dispose of cleanup materials properly.
- ❑ Do not hose down surfaces where fluids have spilled. Use dry cleanup methods (absorbent materials, cat litter, and/or rags).
- ❑ Sweep up spilled dry materials immediately. Do not try to wash them away with water, or bury them.
- ❑ Clean up spills on dirt areas by digging up and properly disposing of contaminated soil.
- ❑ Report significant spills immediately. You are required by law to report all significant releases of hazardous materials, including oil. To report a spill: 1) Dial 911 or your local emergency response number, 2) Call the Governor's Office of Emergency Services Warning Center, (800) 852-7550 (24 hours).

Earthwork & Contaminated Soils



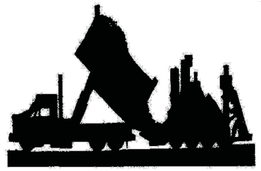
Erosion Control

- ❑ Schedule grading and excavation work for dry weather only.
- ❑ Stabilize all denuded areas, install and maintain temporary erosion controls (such as erosion control fabric or bonded fiber matrix) until vegetation is established.
- ❑ Seed or plant vegetation for erosion control on slopes or where construction is not immediately planned.

Sediment Control

- ❑ Protect storm drain inlets, gutters, ditches, and drainage courses with appropriate BMPs, such as gravel bags, fiber rolls, berms, etc.
- ❑ Prevent sediment from migrating offsite by installing and maintaining sediment controls, such as fiber rolls, silt fences, or sediment basins.
- ❑ Keep excavated soil on the site where it will not collect into the street.
- ❑ Transfer excavated materials to dump trucks on the site, not in the street.
- ❑ Contaminated Soils
- ❑ If any of the following conditions are observed, test for contamination and contact the Regional Water Quality Control Board:
  - ■ Unusual soil conditions, discoloration, or odor.
  - ■ Abandoned underground tanks.
  - ■ Abandoned wells
  - ■ Buried barrels, debris, or trash.

Paving/Asphalt Work

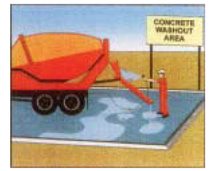


- ❑ Avoid paving and seal coating in wet weather, or when rain is forecast before fresh pavement will have time to cure.
- ❑ Cover storm drain inlets and manholes when applying seal coat, tack coat, slurry seal, fog seal, etc.
- ❑ Collect and recycle or appropriately dispose of excess abrasive gravel or sand. Do NOT sweep or wash it into gutters.
- ❑ Do not use water to wash down fresh asphalt concrete pavement.

Sawcutting & Asphalt/Concrete Removal

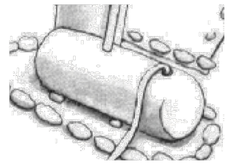
- ❑ Completely cover or barricade storm drain inlets when saw cutting. Use filter fabric, catch basin inlet filters, or gravel bags to keep slurry out of the storm drain system.
- ❑ Shovel, abosorb, or vacuum saw-cut slurry and dispose of all waste as soon as you are finished in one location or at the end of each work day (whichever is sooner!).
- ❑ If sawcut slurry enters a catch basin, clean it up immediately.

Concrete, Grout & Mortar Application



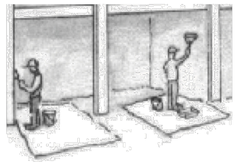
- ❑ Store concrete, grout and mortar under cover, on pallets and away from drainage areas. These materials must never reach a storm drain.
- ❑ Wash out concrete equipment/trucks offsite or in a contained area, so there is no discharge into the underlying soil or onto surrounding areas. Let concrete harden and dispose of as garbage.
- ❑ Collect the wash water from washing exposed aggregate concrete and remove it for appropriate disposal offsite.

Dewatering



- ❑ Effectively manage all run-on, all runoff within the site, and all runoff that discharges from the site. Divert run-on water from offsite away from all disturbed areas or otherwise ensure compliance.
- ❑ When dewatering, notify and obtain approval from the local municipality before discharging water to a street gutter or storm drain. Filtration or diversion through a basin, tank, or sediment trap may be required.
- ❑ In areas of known contamination, testing is required prior to reuse or discharge of groundwater. Consult with the Engineer to determine whether testing is required and how to interpret results. Contaminated groundwater must be treated or hauled off-site for proper disposal.

Painting & Paint Removal



Painting cleanup

- ❑ Never clean brushes or rinse paint containers into a street, gutter, storm drain, or surface waters.
- ❑ For water-based paints, paint out brushes to the extent possible. Rinse to the sanitary sewer once you have gained permission from the local wastewater treatment authority. Never pour paint down a drain.
- ❑ For oil-based paints, paint out brushes to the extent possible and clean with thinner or solvent in a proper container. Filter and reuse thinners and solvents. Dispose of residue and unusable thinner/solvents as hazardous waste.

Paint removal

- ❑ Chemical paint stripping residue and chips and dust from marine paints or paints containing lead or tributyltin must be disposed of as hazardous waste.
- ❑ Paint chips and dust from non-hazardous dry stripping and sand blasting may be swept up or collected in plastic drop cloths and disposed of as trash.

Landscape Materials



- ❑ Contain stockpiled landscaping materials by storing them under tarps when they are not actively being used.
- ❑ Stack erodible landscape material on pallets. Cover or store these materials when they are not actively being used or applied.
- ❑ Discontinue application of any erodible landscape material within 2 days before a forecast rain event or during wet weather.

Storm drain polluters may be liable for fines of up to $10,000 per day!

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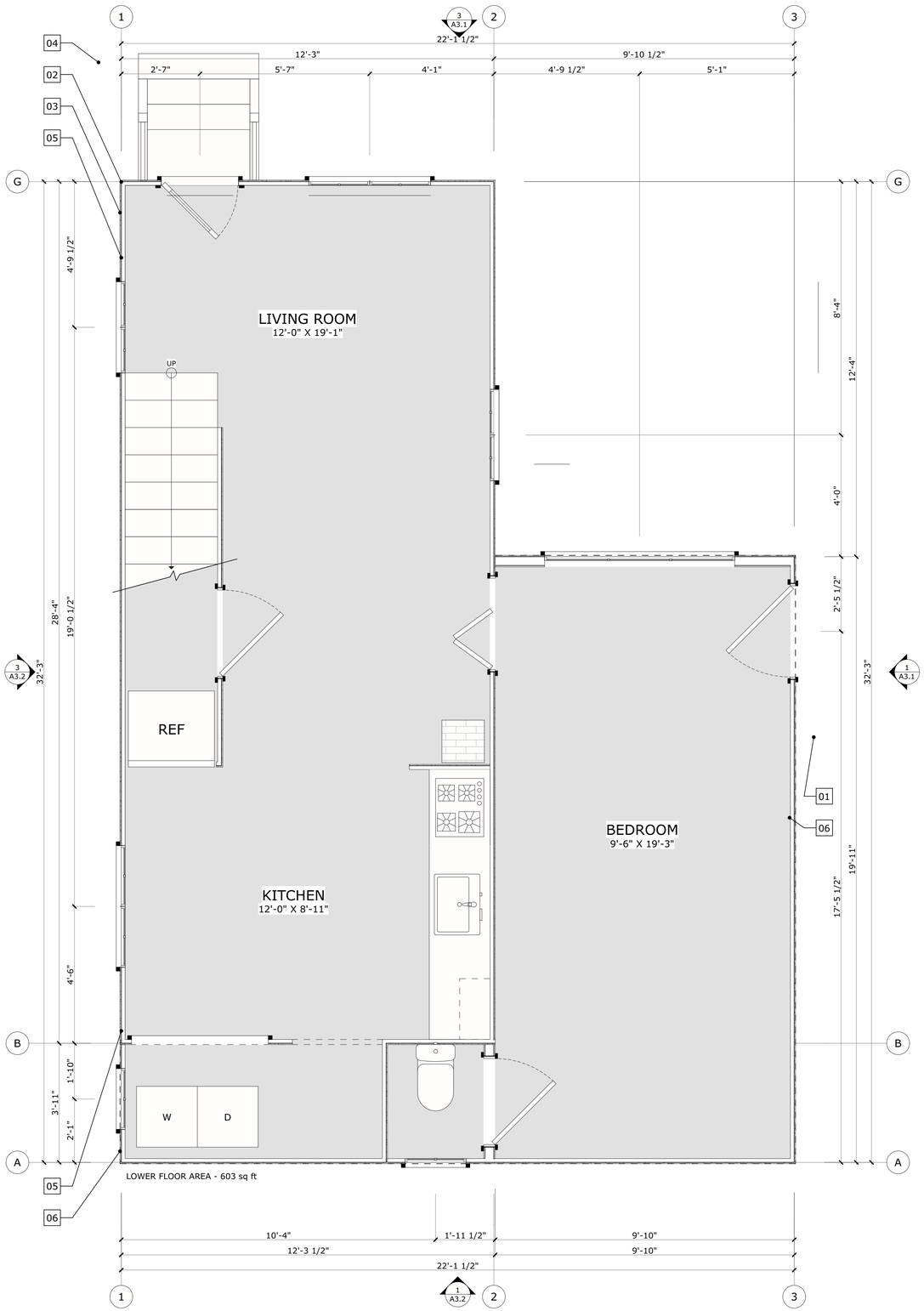
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CONSTRUCTION BEST MANAGEMENT PRACTICES

A1.3



EXISTING MAIN FLOOR

SCALE: 1/2" = 1'-0"

FLOOR PLAN SHEET NOTES

01 GAS CONNECTION

02 ELECTRICAL MASTHEAD

03 ELECTRICAL MAIN PANEL

04 PROPERTY LINE, SEE SITE PLAN

05 (E) SINGLE WALL CONSTRUCTION

06 NON-HISTORICALLY SIGNIFICANT BEDROOM ADDITION TO BE REMOVED, SEE DEMOLITION PLAN

GENERAL NOTES

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C. NOTIFY ARCHITECT OF ANY DISCREPANCIES BETWEEN PLANS + DIMENSIONS

D. READ ARCHAEOLOGICAL REPORT FOR MONITORING REQUIREMENTS

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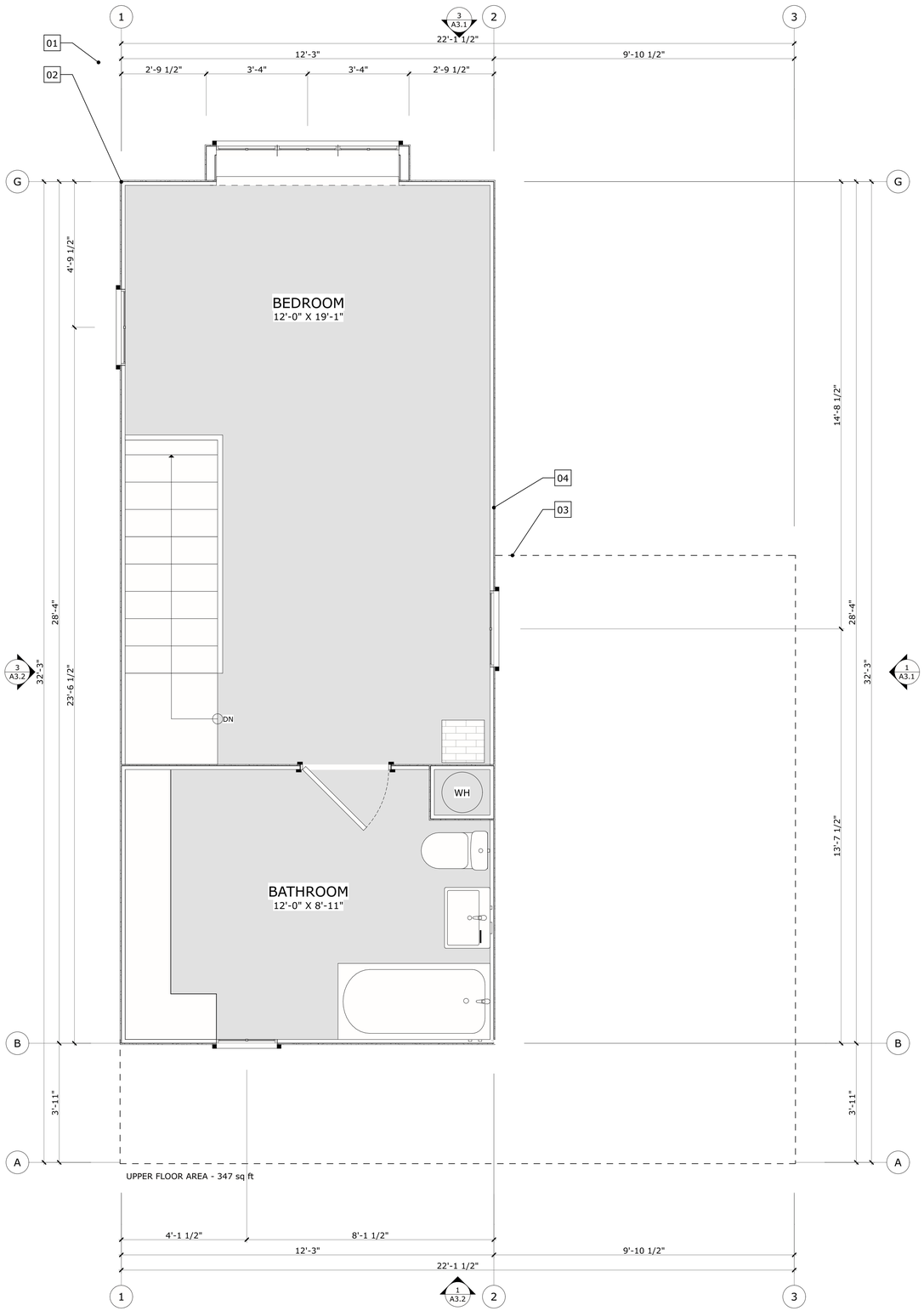
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EXISTING MAIN FLOOR

A2.0



EXISTING UPPER FLOOR

SCALE: 1/2" = 1'-0"

FLOOR PLAN SHEET NOTES

01 PROPERTY LINE

02 ELECTRICAL MASTHEAD

03 LINE OF FLOOR BELOW

04 (E) SINGLE WALL CONSTRUCTION

GENERAL NOTES

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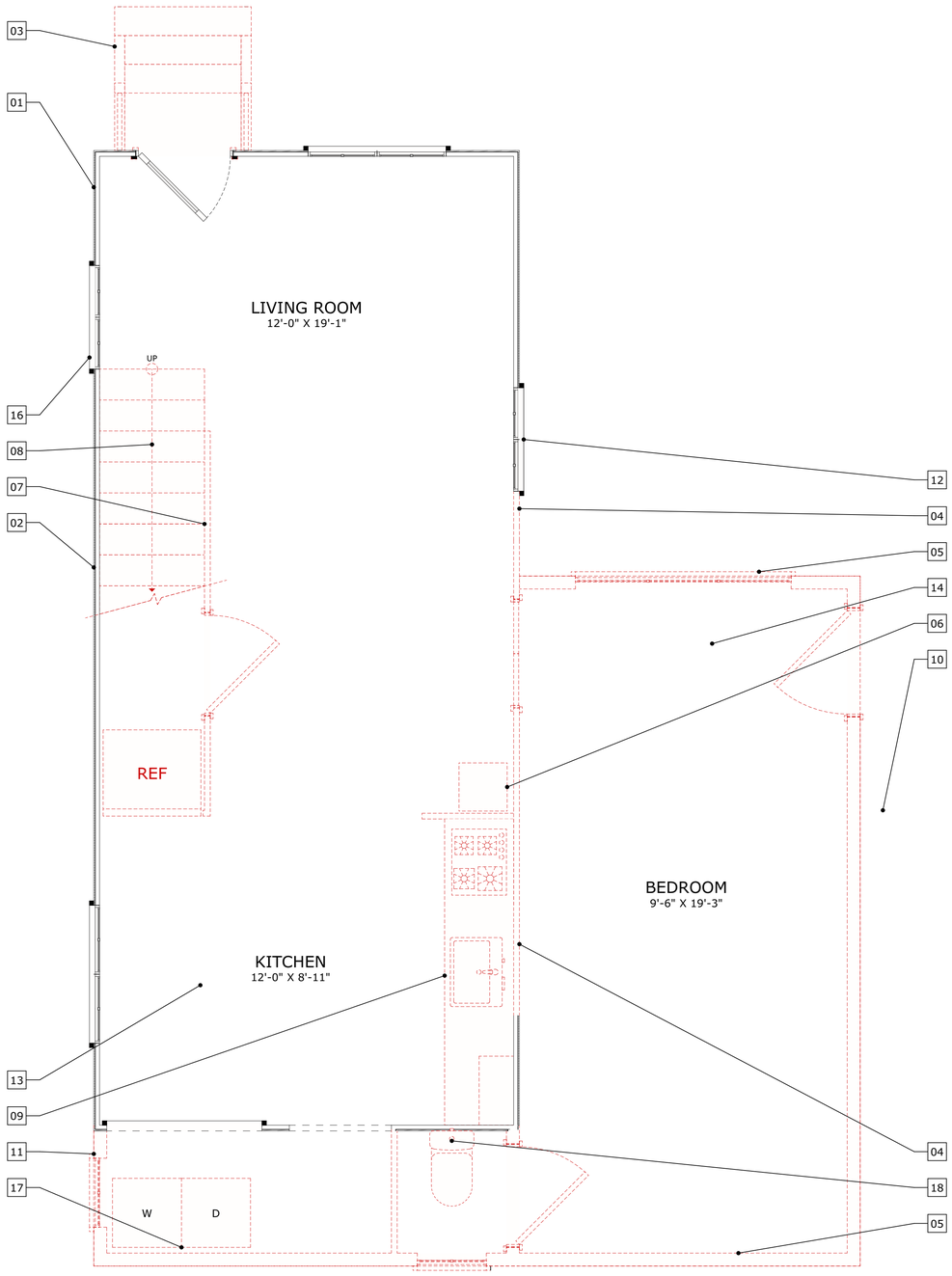
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EXISTING UPPER FLOOR

A2.1



DEMOLITION PLAN MAIN FLOOR

SCALE: 1/2" = 1'-0"

DEMOLITION PLAN SHEET NOTES

01 REMOVE PAINTED SHIP LAP SIDING

02 INSPECT AND REPAIR ANY DAMAGED PANELS IN SINGLE WALL CONSTRUCTION, PREPARE FOR NEW INTERNAL FRMAING

03 REMOVE NON-HISTORIC STEPS + OVERHEAD TRELLIS

04 REMOVE (E) PORTION OF WALL AS SHOWN

05 REMOVE (E) NON-HISTORIC GARAGE ADDITION

06 REMOVE BRICK FLUE, CAP GAS AS REQUIRED, CHIMNEY TO REMIAN

07 DEMOLISH INTERIOR WALLS

08 DEMOLISH (E) STAIRS

09 REMOVE (E) KITCHEN + FIXTURES, CAP AS REQUIRED

10 RELOCATE (E) GAS METER, DEMOLISH AND CAP AS REQUIRED

11 REMOVE (E) NON-HISTORIC REAR ADDITION

12 RELOCATE + REPAIR (E) HISTORIC WINDOW(S), SEE PROPOSED PLANS

13 REMOVE (E) FINISHES FROM FLOOR

14 REMOVE SLAB + PERIMITER FOUNDATION FOR GARAGE AND

15 NOTE REMOVED

16 INSPECT (E) HISTORIC WINDOW, REPAIR AND RESTORE AS NECESSARY

17 REMOVE (E) APPLIANCE, CAP PLUMBING + ELECTRICAL AS REQUIRED

18 REMOVE (E) FIXTURE, CAP PLUMBING AS REQUIRED

GENERAL NOTES

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C. NOTIFY ARCHITECT OF ANY DISCREPANCIES BETWEEN PLANS + DIMENSIONS

D. READ ARCHAEOLOGICAL REPORT FOR MONITORING REQUIREMENTS

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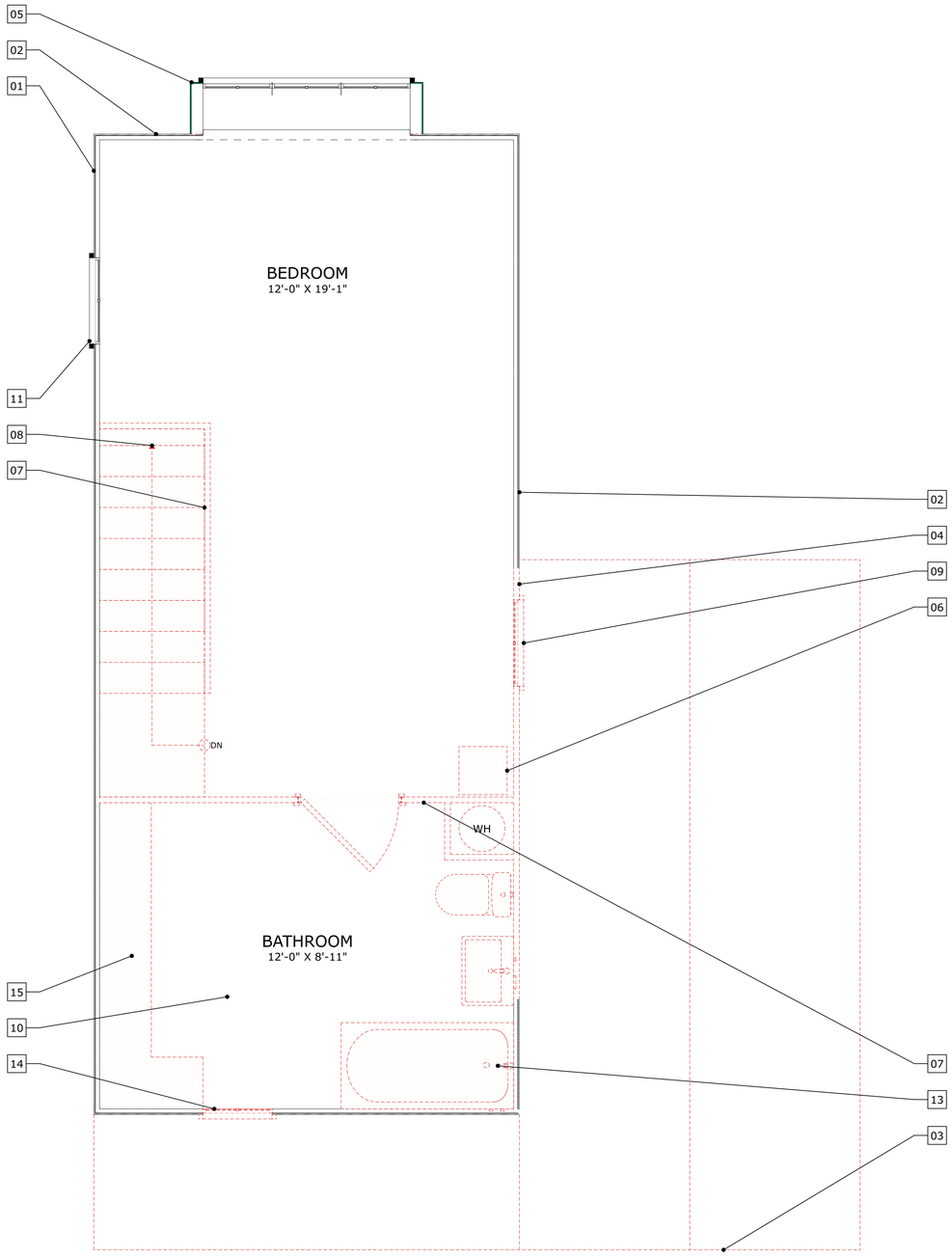
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DEMOLITION PLAN MAIN FLOOR

A2.2



DEMOLITION PLAN MAIN FLOOR

SCALE: 1/2" = 1'-0"

DEMOLITION PLAN SHEET NOTES

01 REMOVE PAINTED SHIP LAP SIDING

02 INSPECT AND REPAIR ANY DAMAGED PANELS IN SINGLE WALL CONSTRUCTION, PREPARE FOR NEW INTERNAL FRMAING

03 REMOVE (E) NON-HISTORIC ROOF

04 REMOVE (E) PORTION OF WALL AS SHOWN

05 (E) HISTORIC BAY WINDOW, REHABILITATE AS NEEDED

06 REMOVE BRICK FLUE, CAP GAS AS REQUIRED, CHIMNEY TO REMIAN

07 DEMOLISH INTERIOR WALLS

08 DEMOLISH (E) STAIRS

09 RELOCATE + REPAIR (E) HISTORIC WINDOW(S), SEE PROPOSED PLANS

10 REMOVE (E) FINISHES FROM FLOOR

11 INSPECT (E) HISTORIC WINDOW, REPAIR AND RESTORE AS NECESSARY

12 REMOVE (E) APPLIANCE, CAP PLUMBING + ELECTRICAL AS REQUIRED

13 REMOVE (E) FIXTURE, CAP PLUMBING AS REQUIRED

14 REMOVE (E) NON-HISTORIC WINDOW

15 REMOVE (E) BUILT-IN CABINETRY

GENERAL NOTES

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D. READ ARCHAEOLOGICAL REPORT FOR MONITORING REQUIREMENTS

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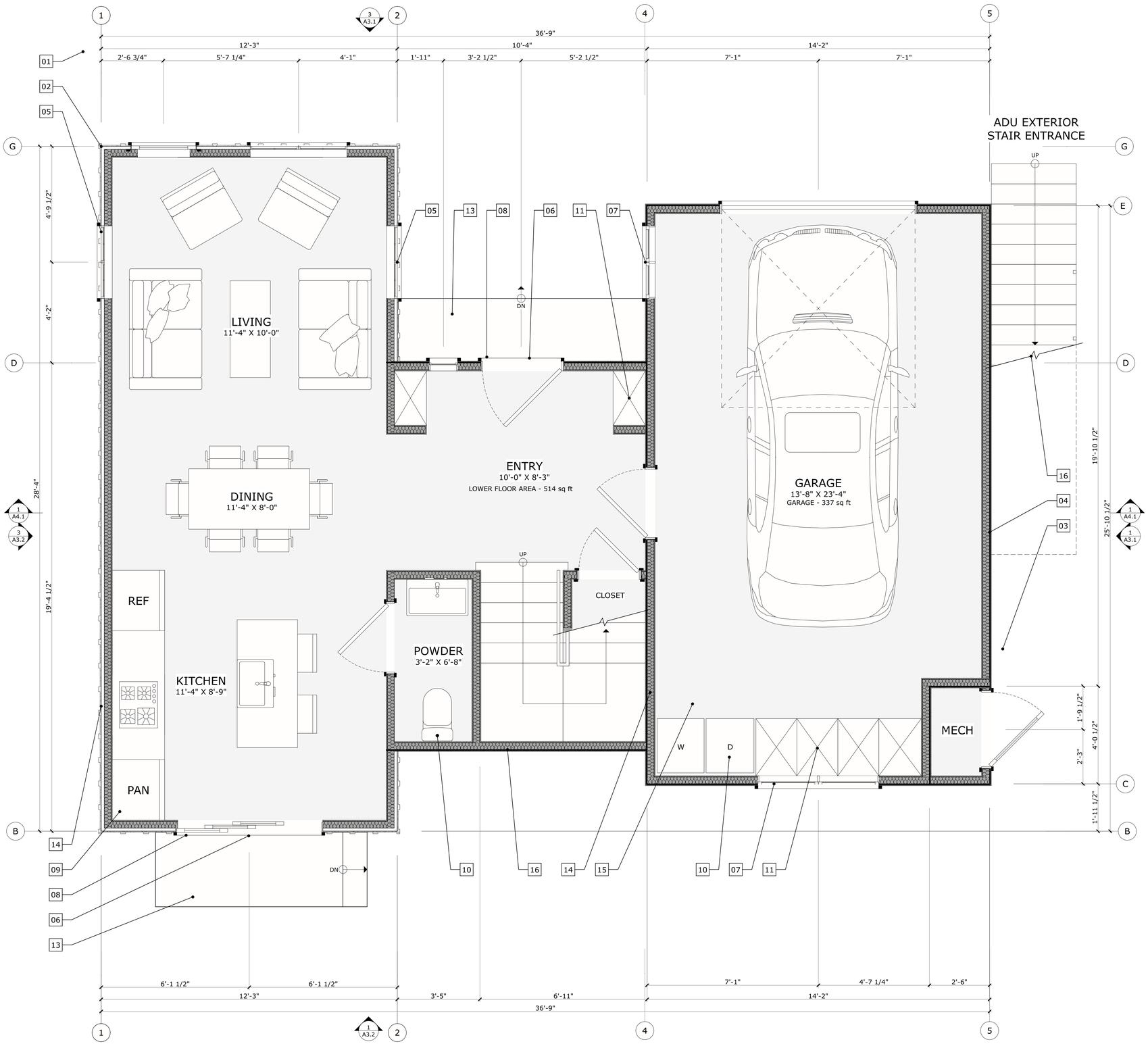
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DEMOLITION PLAN UPPER FLOOR

A2.3



PROPOSED LOWER FLOOR

SCALE: 1/2" = 1'-0"

FLOOR PLAN SHEET NOTES

01 PROPERTY LINE, SEE SITE PLAN

02 ELECTRICAL MASTHEAD

03 (N) GAS METER

04 (N) WALL, SEE WALL LEGEND FOR DETAIL

05 (E) WINDOW TO BE REPAIRED & REPAINTED TYP., SEE DEMOLITION PLAN

06 (N) DOOR, TYP

07 (N) WINDOW, TYP

08 1" THRESHOLD AT EXTERIOR DOOR

09 BUILT-IN CLOSET / SHELVING

10 LOW WATER USE FIXTURES PER MPWMD

11 BUILT-IN CABINETS

12 LOCATION OF VENT HOOD TERMINUS

13 CONCRETE LANDING

14 1 HOUR RATED WALL, ADD 2 LAYERS GWB TYPE X TO INTERIOR OF GARAGE

15 1 HOUR RATED WALL, ADD 2 LAYERS GWB TYPE X TO CEILING OF GARAGE BETWEEN ADU AND RESIDENCE

16 OPEN, EXTERIOR STAIR TO ADU W/ 7" RISERS + 11" TREADS, HANDRAIL TO BE AT 36" FROM TOE OF STAIR, W/ 42" GUARDRAIL @ TOP

GENERAL NOTES

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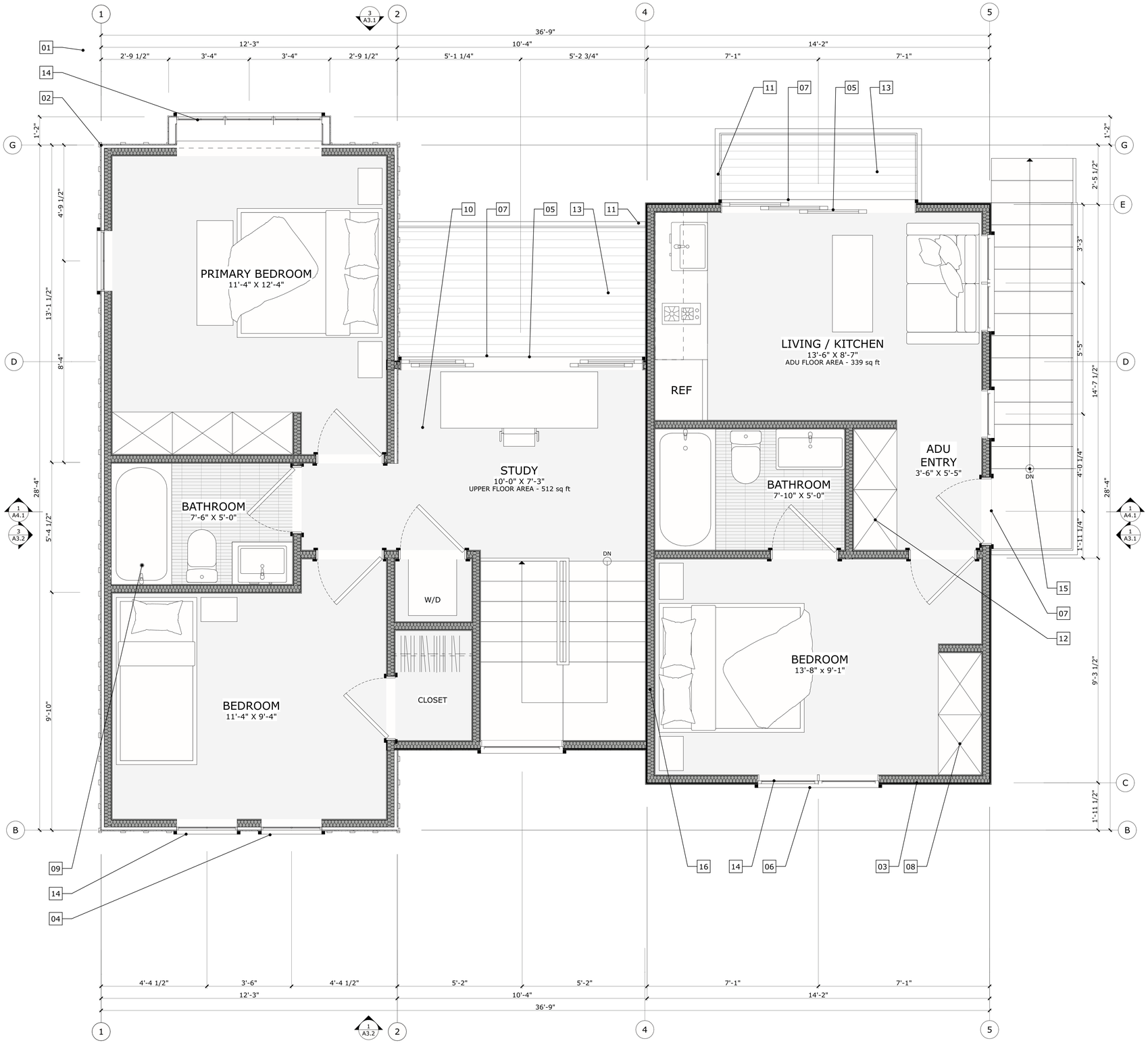
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PROPOSED MAIN FLOOR

A2.4



PROPOSED UPPER FLOOR

SCALE: 1/2" = 1'-0"

FLOOR PLAN SHEET NOTES

01 PROPERTY LINE, SEE SITE PLAN
02 ELECTRICAL MASTHEAD
03 (N) WALL, SEE WALL LEGEND FOR DETAIL
04 (E) WINDOW TO BE REPAIRED & REPAINTED, SEE WINDOW SCHEDULE
05 (N) DOOR
06 (N) WINDOW
07 1" THRESHOLD AT EXTERIOR DOOR
08 BUILT-IN CLOSET / SHELVING
09 LOW WATER USE FIXTURES PER MPWMD
10 DROP CEILING
11 42" GUARD RAIL
12 BUILT-IN CABINETS
13 OPEN BALCONY
14 EGRESS WINDOW
15 EXTERIOR STAIR W/ 15 RISERS < 7.75" + 11" TREADS, 42" GURD RAIL + 36" HANDRAIL
16 1 HOUR RATED WALL, ADD 2 LAYERS GWB TYPE X TO INTERIOR OF ADU BETWEEN ADU AND EXISTING RESIDENCE

GENERAL NOTES

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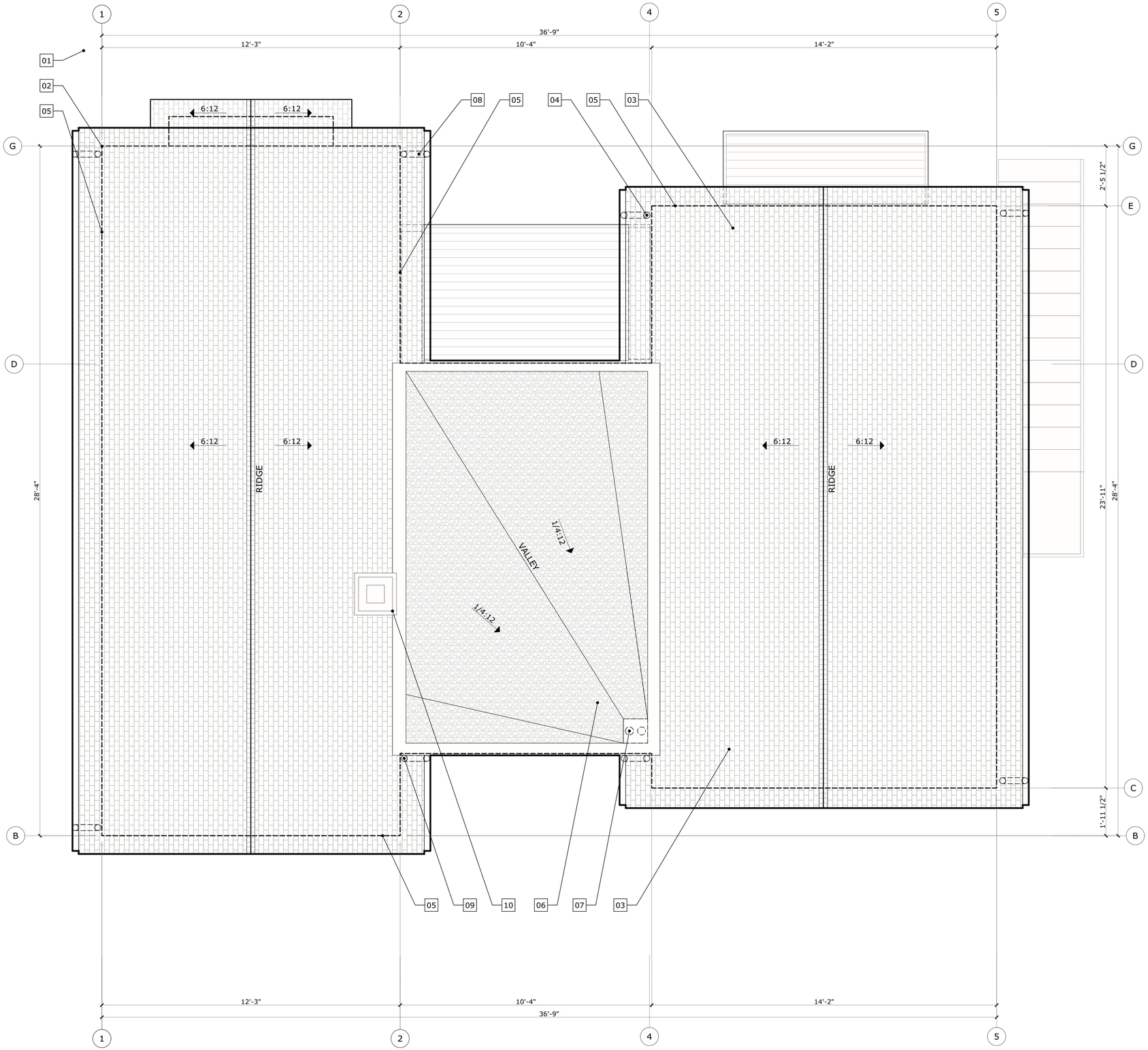
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PROPOSED UPPER FLOOR PLAN

A2.5



PROPOSED ROOF PLAN

SCALE: 1/2" = 1'-0"

FLOOR PLAN SHEET NOTES

01 PROPERTY LINE

02 ELECTRICAL MASTHEAD

03 (N) CLASS A COMPOSITION SHINGLE ROOF TO MATCH EXISTING

04 NEW GUTTER AND DOWNSPOUTS THROUGHOUT

05 LINE OF BUILDING BELOW

06 FLAT ROOF W/ TPO COVERED BY GRAVEL BALAST, SLOPE TO DRAIN

07 ROOF SCUPPER WITH 3" DRAIN TO LEADER HEAD AND 3" OVERFLOW

08 DOWNSPOUT LOCATION, HARD PIPE INTO INFILTRATION PITS, SEE A1.2

09 TIE IN DOWNSPOUTS IN BACK 1/2 OF BUILDING TO SEEPAGE PIT, SEE SITE PLAN FOR PROP. LOCATION

10 (E) CHIMNEY TO REMAIN, STRUCTURAL ENGINEER TO DESIGN STEEL SUPPORTS TO SECURE CHIMNEY WITHOUT FLUE BELOW

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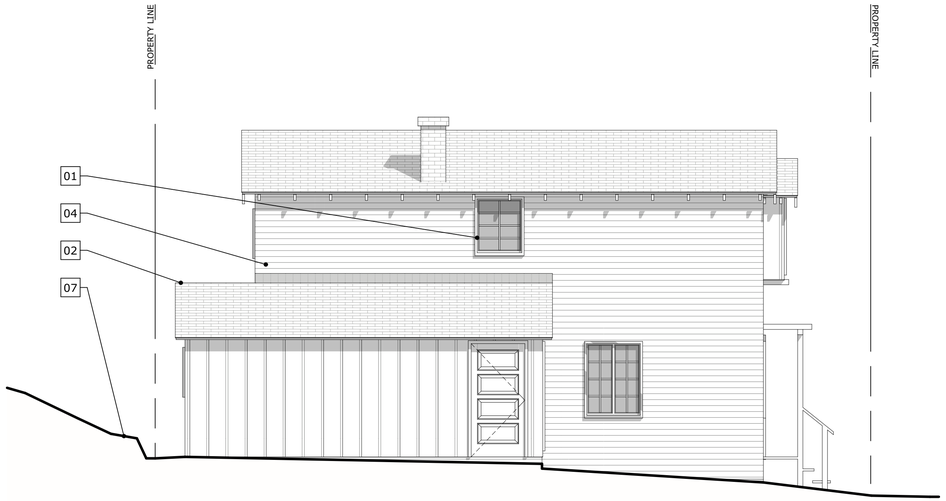
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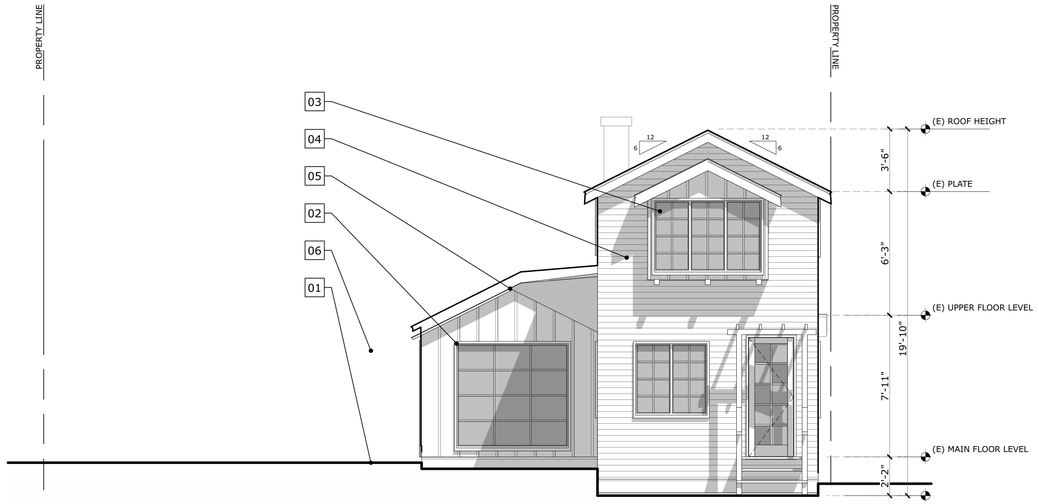
PROPOSED ROOF PLAN

A2.6



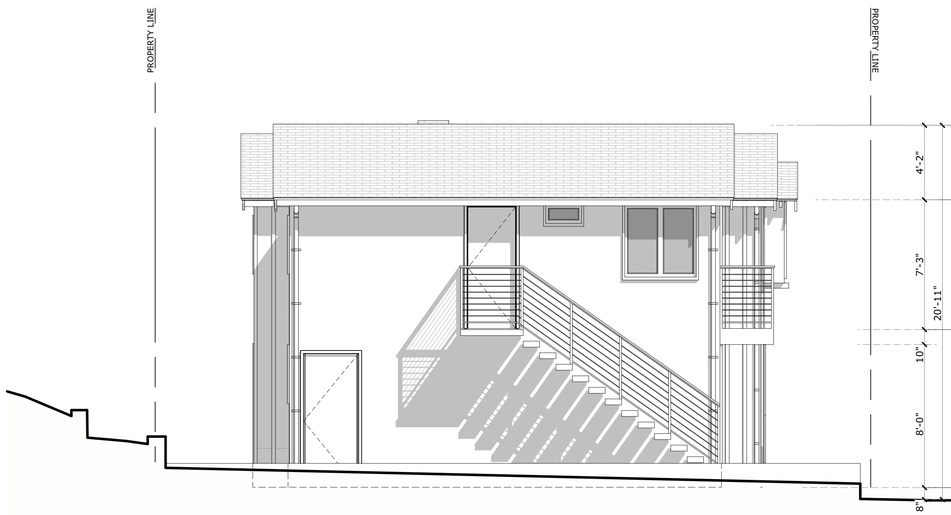
EXISTING EAST ELEVATION

SCALE: 1/4" = 1'-0"



EXISTING NORTH ELEVATION

SCALE: 1/4" = 1'-0"



1 2 3 PROPSED EAST ELEVATION

SCALE: 1/4" = 1'-0"



1 2 3 PROPOSED NORTH ELEVATION

SCALE: 1/4" = 1'-0"

1 EXISTING ELEVATION SHEET NOTES

01 SEE SITE PLAN FOR GRADING

02 SEE DEMOLITION PLANS FOR ELEMENTS TO BE REMOVED

03 (E) WINDOWS TO BE REMOVED, REPAIRED, REPAINTED AND RE-INSTALLED

04 (E) SHIPLAP SIDING TO BE REMOVED, REPAIRED, REPAINTED AND RE-INSTALLED

05 ADDITION TO BE REMOVED, SEE DEMOLITION PLAN

06 EXTERIOR FENCE + BUSHES NOT SHOWN FOR CLARITY

07 EXISTING CONDITION SHOWN

1 2 PROPOSED ELEVATION SHEET NOTES

11 (N) EXTERIOR STAIR FOR SEPARATE ADU ENTRY

12 (N) SITE WALLS, SEE SITE PLAN FOR LOCATION

13 (E) WINDOWS REPAIRED, REPAINTED AND RE-INSTALLED

14 (E) BOARD + BATT SIDING TO BE REPAIRED AS REQD. & REPAINTED

15 (E) WOOD WINDOW RELOCATED AS SHOWN

16 (N) WOOD WINDOW TO MATCH EXISTING PROFILE RE-LOCATED AS SHOWN

17 SEE PROPOSED MATERIALS + COLORS SHEET FOR FINISHES

18 (N) WOOD WINDOWS TO MATCH HISTORIC PROFILES

19 (E) CHIMNEY TO REMAIN

1 2 3 MATERIAL LEGEND

A (N) WOOD WINDOWS TO MATCH (E) HISTORIC PROFILE TO REPLACE HISTORIC WOOD WINDOWS

B PAINTED NON-HISTORIC 4" DROP LAP SIDING

C PAINTED HISTORIC BOARD AND BATT SIDING

D PAINTED, HORIZONTAL WOOD 6" SIDING W/ NICKEL GAP

E PAINTED, SMOOTH CEMENT PLASTER SIDING

F (N) WOOD WINDOWS TO MATCH (E) HISTORIC PROFILE

G HORIZONTAL 3/8" THREADED METAL ROD RAILING

H (N) ASPHALT SHINGLE ROOF

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D. READ ARCHAEOLOGICAL REPORT FOR MONITORING REQUIREMENTS

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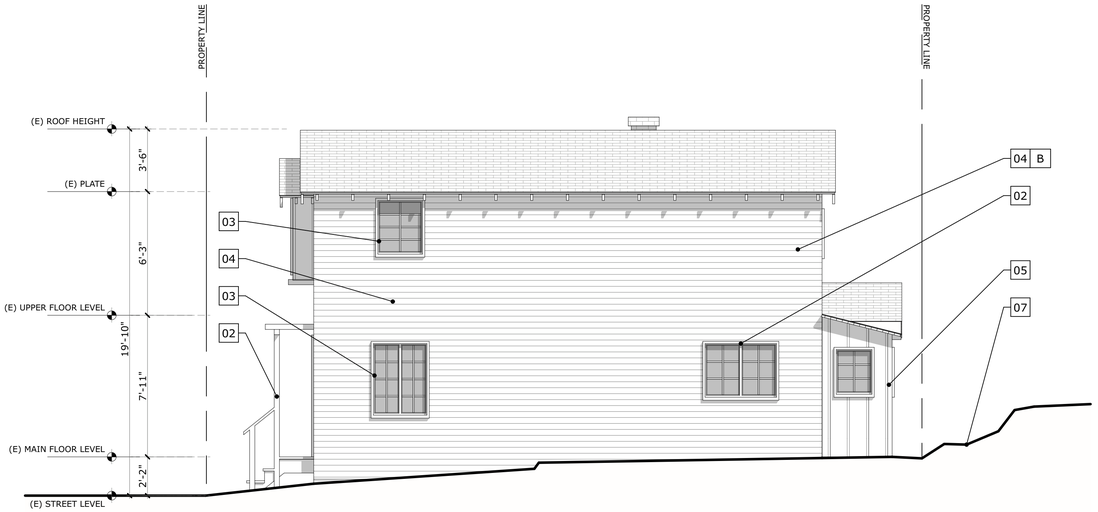
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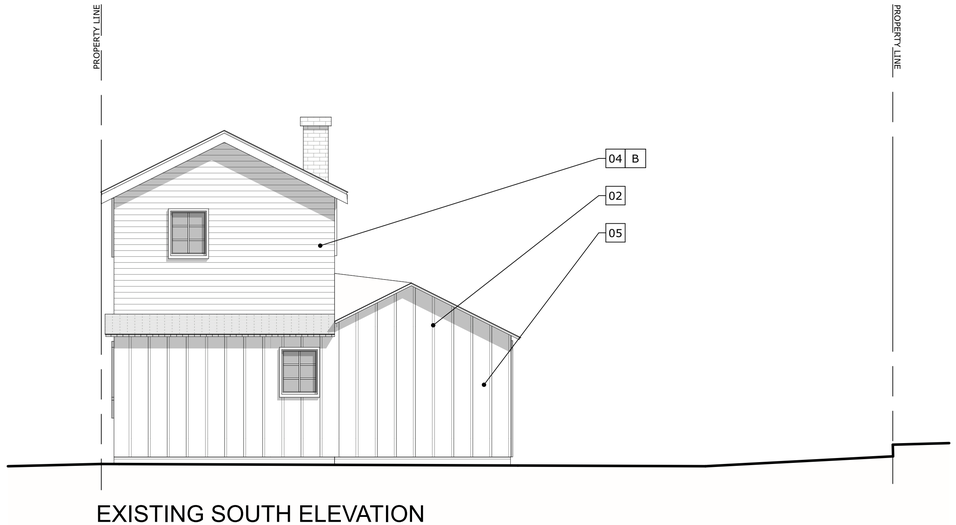
EXISTING + PROPOSED ELEVATIONS

A3.1



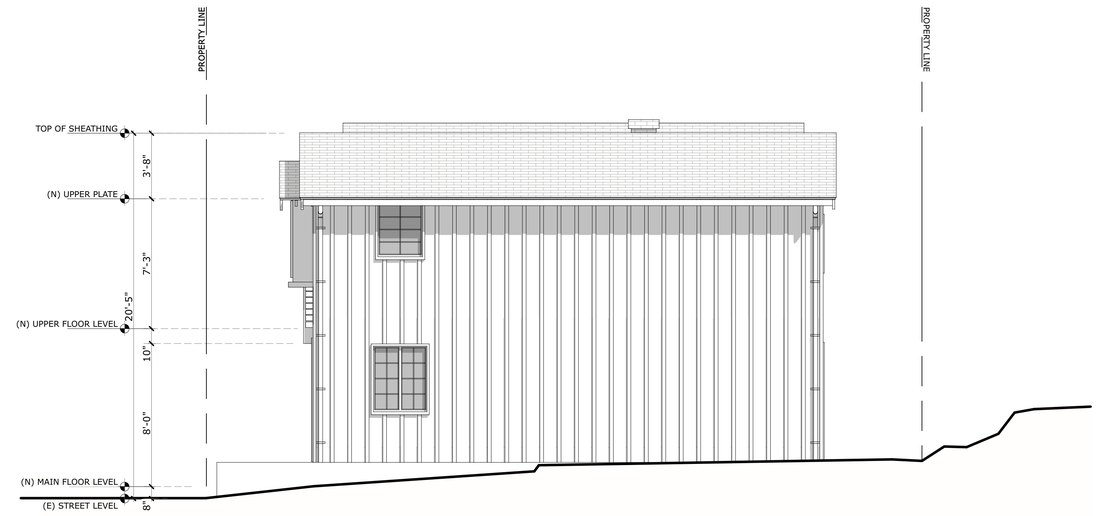
EXISTING WEST ELEVATION

SCALE: 1/4" = 1'-0"



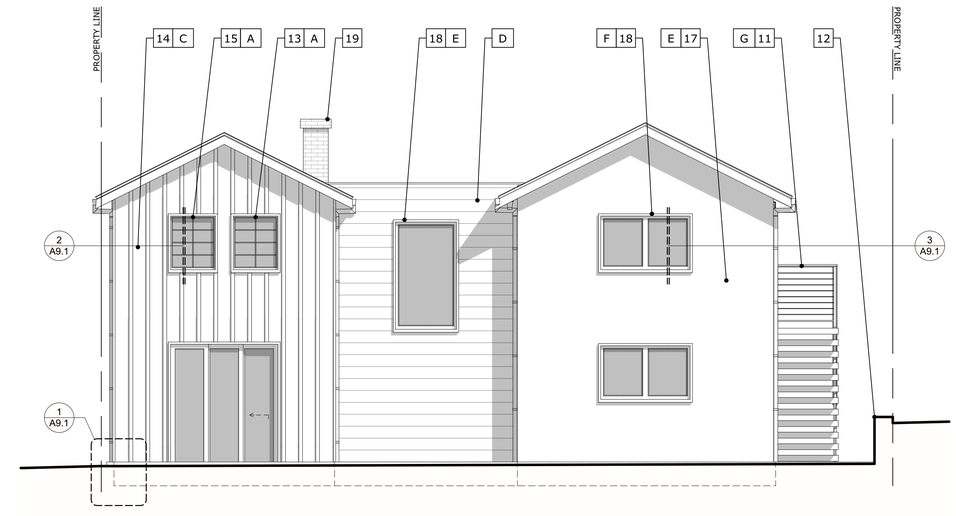
EXISTING SOUTH ELEVATION

SCALE: 1/4" = 1'-0"



1 2 3 PROPOSED WEST ELEVATION

SCALE: 1/4" = 1'-0"



1 2 3 PROPOSED SOUTH ELEVATION

SCALE: 1/4" = 1'-0"

1 EXISTING ELEVATION SHEET NOTES

01 SEE SITE PLAN FOR GRADING

02 SEE DEMOLITION PLANS FOR ELEMENTS TO BE REMOVED

03 (E) WINDOWS TO BE REMOVED, REPAIRED, REPAINTED AND RE-INSTALLED

04 (E) SHIPLAP SIDING TO BE REMOVED, REPAIRED, REPAINTED AND RE-INSTALLED

05 ADDITION TO BE REMOVED, SEE DEMOLITION PLAN

06 EXTERIOR FENCE + BUSHES NOT SHOWN FOR CLARITY

07 EXISTING CONDITION SHOWN

1 2 PROPOSED ELEVATION SHEET NOTES

11 (N) EXTERIOR STAIR FOR SEPARATE ADU ENTRY

12 (N) SITE WALLS, SEE SITE PLAN FOR LOCATION

13 (E) WINDOWS REPAIRED, REPAINTED AND RE-INSTALLED

14 (E) BOARD + BATT SIDING TO BE REPAIRED AS REQD. & REPAINTED

15 (E) WOOD WINDOW RELOCATED AS SHOWN

16 (N) WOOD WINDOW TO MATCH EXISTING PROFILE RE-LOCATED AS SHOWN

17 SEE PROPOSED MATERIALS + COLORS SHEET FOR FINISHES

18 (N) WOOD WINDOWS TO MATCH HISTORIC PROFILES

19 (E) CHIMNEY TO REMAIN

1 2 3 MATERIAL LEGEND

A (N) WOOD WINDOWS TO MATCH (E) HISTORIC PROFILE TO REPLACE HISTORIC WOOD WINDOWS

B PAINTED NON-HISTORIC 4" DROP LAP SIDING

C PAINTED HISTORIC BOARD AND BATT SIDING

D PAINTED, HORIZONTAL WOOD 6" SIDING W/ NICKEL GAP

E PAINTED, SMOOTH CEMENT PLASTER SIDING

F (N) WOOD WINDOWS TO MATCH (E) HISTORIC PROFILE

G HORIZONTAL 3/8" THREADED METAL ROD RAILING

H (N) ASPHALT SHINGLE ROOF

1 GENERAL NOTES

A. THIS IS A HISTORIC RENOVATION. CAREFUL ATTENTION SHALL BE GIVEN TO HISTORIC ASPECTS AS DETAILED IN THE PHASE II HISTORIC ASSESSMENT. ORIGINAL BUILDING ELEMENTS SHALL BE PROTECTED AND RESTORED AS DIRECTED BY ARCHITECT AND HISTORIAN

B. VERIFY ALL DIMENSIONS AFTER DEMOLITION AND FINISHES ARE REMOVED

C. NOTIFY ARCHITECT OF ANY DISCREPANCIES BETWEEN PLANS + DIMENSIONS

D. READ ARCHAEOLOGICAL REPORT FOR MONITORING REQUIREMENTS

H3 DESIGN
549 HILLCREST AVENUE
PACIFIC GROVE, CA 93950
(C) 831.233.4319

11 . 15 . 25

LICENSED ARCHITECT
CHARLES S. [illegible] NUMBER
C-38[illegible]09
08.31.26
RENEWAL
STATE OF CALIFORNIA

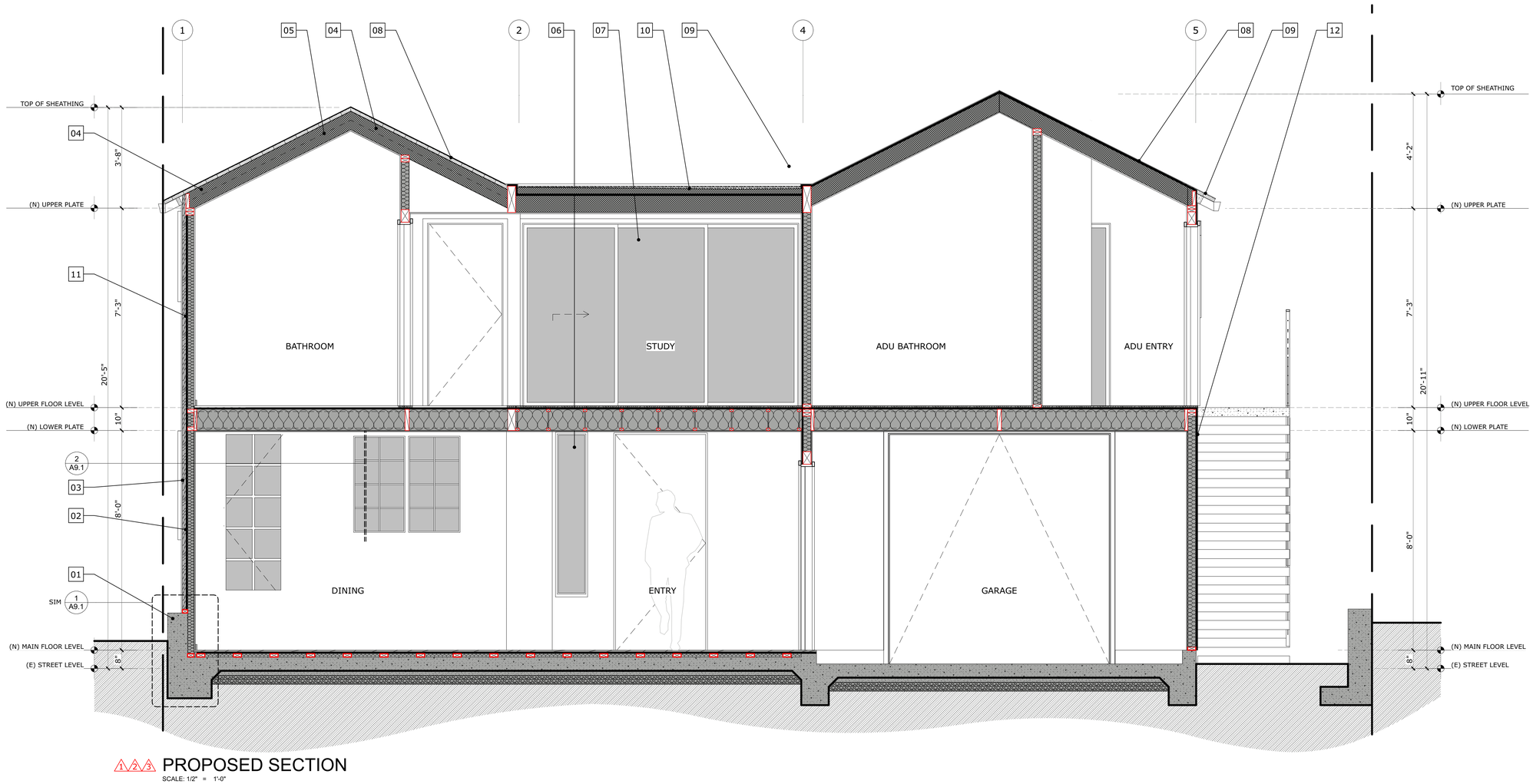
ZHENG REMODEL

685 MERMAID AVE. PACIFIC GROVE, CA 93950

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EXISTING + PROPOSED ELEVATIONS

A3.2



1 2 3 PROPOSED SECTION

SCALE: 1/2" = 1'-0"

SECTION SHEET NOTES

01 (N) SITE WALL

02 SINGLE WALL CONSTRUCTION W/ (N) 1/2" SHEATHING ATTACHED TO 3" LVLS

03 SIDING REPAIRED, REPAINTED & RE-INSTALLED O/ (N) VAOPR BARRIER

04 CLOSED CELL SPRAY FOAM INSULATION, MIN 4"

05 SISTER (N) 2X8 RAFTERS @ 24" O.C. (MIN)

06 (N) WOOD WINDOWS SIMILAR TO (E) PROFILE

07 (N) SLIDING WOOD DOORS SIMILAR TO (E) PROFILE

08 LOW PROFILE COMPOSITE SHINGLE ROOF TO MATCH (E)

09 EAVE DETAIL TO MATCH EXISTING AS SHOWN

10 FLAT TPO ROOFING W/ GRAVEL BALAST, SLOPE W/ RIGID INSULATION TO DRAIN

11 LIFT (E) HISTORIC STRUCTURE + REPLACE FOUNDATION W/ (N) SLAB ON GRADE AND CURB AS SHOWN

12 7/8" 3 COAT CEMENT PLASTER W/ SMOOTH SAND FINISH O/ (2) LAYERS GRADE D BUILDING PAPER

1 GENERAL NOTES

A. THIS IS A HISTORIC RENOVATION. CAREFUL ATTENTION SHALL BE GIVEN TO HISTORIC ASPECTS AS DETAILED IN THE PHASE II HISTORIC ASSESSMENT. ORIGINAL BUILDING ELEMENTS SHALL BE PROTECTED AND RESTORED AS DIRECTED BY ARCHITECT AND HISTORIAN

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11 . 15 . 25

LICENSED ARCHITECT
CHARLES S. [illegible] ZHENG
C-38709
08.31.26
RENEWAL
STATE OF CALIFORNIA

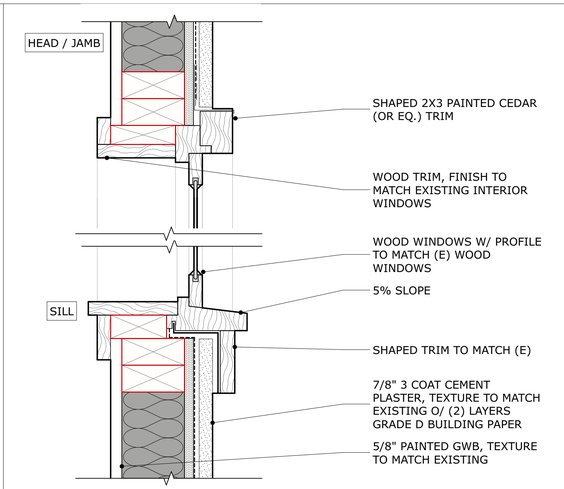
ZHENG REMODEL

685 MERMAID AVE. PACIFIC GROVE, CA 93950

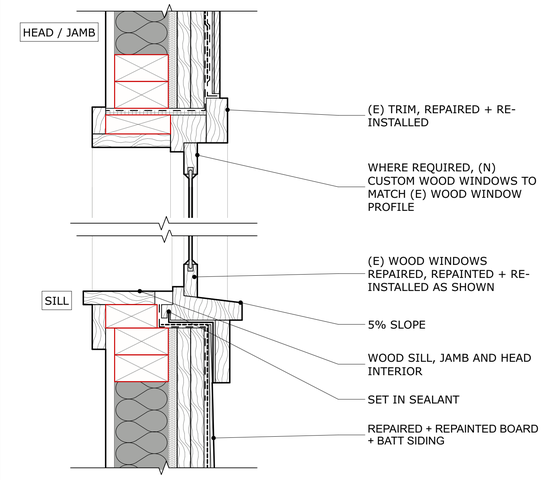
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PROPOSED SECTION

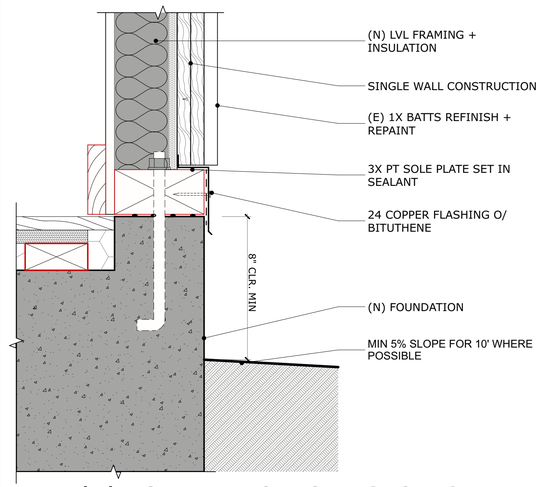
A4.1



3 (N) WINDOW ⚠2
SCALE: 3" = 1'-0"



2 (E) WINDOW @ HISTORIC WALL ⚠3
SCALE: 3" = 1'-0"



1 (N) FOUNDATION @ HISTORIC WALL ⚠3
SCALE: 3" = 1'-0"

H3 DESIGN
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PACIFIC GROVE, CA 93950
(C) 831.233.4319

11 . 15 . 25

LICENSED ARCHITECT
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C-38709
08.31.26
RENEWAL
STATE OF CALIFORNIA

ZHENG REMODEL
685 MERMAID AVE. PACIFIC GROVE, CA 93950

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ARCHITECTURAL DETAILS

A9.1



(N) CEMENT PLASTER
7/8", PAINTED CEMENT PLASTER WITH SMOOTH SAND FINISH

BENJAMIN MOORE
Black
HC-190
02

(N) EXTERIOR PAINT COLORS
WINDOW HEAD, JAMB SASH + SILL, DOOR HEAD + JAMBS

BENJAMIN MOORE
Wrought Iron
2124-10
03

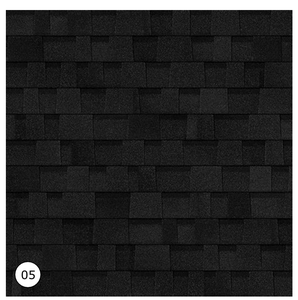
(N) EXTERIOR PAINT COLORS
WINDOW FRAMES, DOOR FRAMES + METAL RAILINGS

BENJAMIN MOORE
Calm
OC-22
04

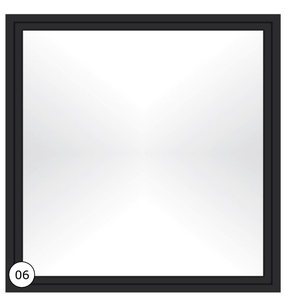
(N) EXTERIOR PAINT COLORS
HISTORIC DROP LAP SIDING, VERTICAL WOOD SIDING + CEMENT PLASTER EXTERIOR



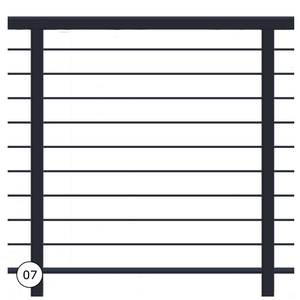
3 PROPOSED NORTH ELEVATION
SCALE: 3/8" = 1'-0"



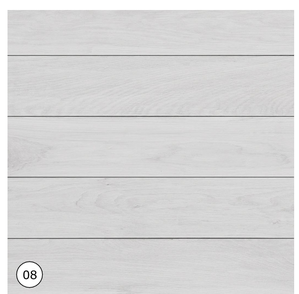
(N) ROOFING
BLACK, HIGH DEFINITION, DESIGNER COMPOSITION SHINGLES



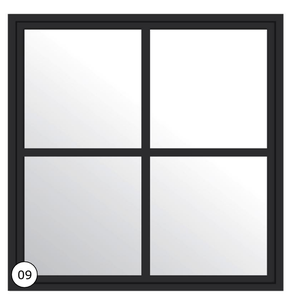
(N) WOOD WINDOWS + DOORS
PAINTED WOOD WINDOWS & TRIM TO MATCH HISTORIC



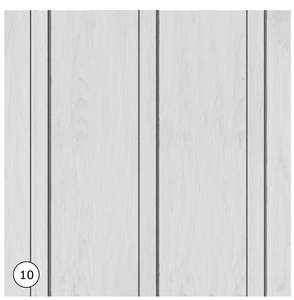
(N) RAILING
3/8" THREADED METAL RODS W/ 1X2 POSTS + PAINTED METAL TOP CAP



3 (N) SIDING
PAINTED, 6" HORIZONTAL WOOD SIDING W/ NICKEL GAP



(E) HISTORIC WOOD WINDOWS
PAINTED HISTORIC WOOD WINDOWS & TRIM



3 (E) BOARD + BATT
PAINTED 12" BOARD W/ 1 1/2" BATTS HISTORIC SIDING

H3

H3 DESIGN
549 HILLCREST AVENUE
PACIFIC GROVE, CA 93950
(C) 831.233.4319

11 . 15 . 25

LICENSED ARCHITECT
CHARLES S. HUNTER
C-38709
08.31.26
RENEWAL
STATE OF CALIFORNIA

ZHENG REMODEL

685 MERMAID AVE. PACIFIC GROVE, CA 93950

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PROPOSED MATERIALS + COLORS

A10.1



PROPOSED STREET MONTAGE
NOT TO SCALE



STREET ELEVATION
SCALE: 3/16" = 1'-0"

H3 DESIGN
549 HILLCREST AVENUE
PACIFIC GROVE, CA 93950
(C) 831.233.4319

11 . 15 . 25

LICENSED ARCHITECT
CHARLES S. ZHENG
C-38709
08.31.26
STATE OF CALIFORNIA

ZHENG REMODEL

685 MERMAID AVE. PACIFIC GROVE, CA 93950

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COASTAL COMMUNITY CHARACTER ASSESMENT

A10.2

CITY OF PACIFIC GROVE

Community Development Department – Planning Division

300 Forest Avenue, Pacific Grove, CA 93950

T: 831.648.3190 • F: 831.648.3184 • www.ci.pg.ca.us/cdd

NOTICE OF EXEMPTION FROM CEQA

Property Address/Location: 685 Mermaid ave, Pacific Grove, CA 93950

Project Description: AP/CDP 240044

Description: The proposed development consists of a major remodel of an existing 950 square foot two-story residence to include demo of 245 square feet of the first floor, a 156 square foot first-floor addition, a 165 square foot second-floor addition, a 337 square foot attached garage addition, and a 339 square foot second-floor ADU resulting in a 1,363 square foot two-story residence with a 339 square foot attached ADU. This property is on the Historic Resources Inventory (HRI).

APN: 006085003000

ZC: R-3-PGB

Lot Size: 1,760 Square Feet

Applicant Name:	Charles Hornisher	Phone #:	831.233.4319
Mailing Address:	549 Hillcrest Ave. Pacific Grove, Ca 93950		
Email Address:	csh@H3design.net		

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: §15301, Class 1, Existing Facilities and §15331, Class 31, Historical Resource Restoration/Rehabilitation
- ☐ Statutory Exemption
  Type and Section Number:
- ☐ Other:

Exemption Findings:

The proposed project does not present any unusual circumstances that would result in a potentially significant environmental impact. The proposed project consists of rehabilitating a historical resource in a manner consistent with the Secretary of Interior Standards for the Treatment of Historic Properties and expansion of an existing structure not exceeding 10,000 square feet in areas where public utilities and services are available and are not environmentally sensitive. These classes of exemption are subject to exceptions from the exemptions under §15300.2 of the CEQA Guidelines pertaining to location, cumulative impacts, significant effects, scenic highways, hazardous waste sites, and historical resources. In this case none of these exceptions apply and the proposed project qualifies for the Class 1 and class 31 categorical exemptions.

Contact: Garrett Mccown, Planning Department, City of Pacific Grove

Contact Phone: (831) 648-3183

Signature: _____ **Date:** _____

DRAFT MINUTES

CITY OF PACIFIC GROVE

PLANNING COMMISSION

MEETING MINUTES

Thursday, December 11, 2025, 6:00 P.M.
Council Chamber- City Hall - 300 Forest Avenue, Pacific Grove, CA

AGENDA

1. **CALL TO ORDER & ROLL CALL**

Community Development Director, Jon Biggs, announced that Chair Kubica would be participating via teleconferencing per Government Code Section 54953 (f) "emergency circumstances" or "just cause." For Chair Kubica to participate a motion, second, and vote from the Planning Commission would be required.

Action: Chair Kubica requested to participate remotely.
Action: Upon a motion by Commissioner Sweigert and seconded by Commissioner Nodzenski, the Planning Commissioners voted to allow Chair Kubica to participate remotely.

Motion carried 4-0-2 by the following vote:
AYES: Commissioners Sweigert, Nodzenski, Mourlam, Myers,
NOES: None
ABSENT: Vice Chair Fredrickson, Commissioners Davison

Chair Kubica stated that there was no one over the age of 18 in the room with him, but his wife may be in the room later. Chair Kubica also stated that his basis for request was an emergency medical issue.

Chair Kubica called the meeting to order at 6:05 pm. Senior Planner Campbell conducted rollcall with the following commissioners present in Chamber: Commissioners Mourlam, Nodzenski, Myers and Sweigert. Chair Kubica appearing telephonically (via Zoom) per Government Code 54953. Vice Chair Fredrickson and Commissioner Davison were absent.

2. **APPROVAL OF AGENDA**

Action: Upon a motion by Commissioner Myers and with a second by Commissioner Nodzenski, the Planning Commission voted to approve the agenda.

Motion carried 5-0-2 by the following vote:
AYES: Chair Kubica, Commissioners Sweigert, Mourlam, Myers, Nodzenski
NOES: None
ABSENT: Vice Chair Fredrickson, Commissioners Davison

3. **COMMISSION AND STAFF ANNOUNCEMENTS (City-Related Items Only)**

No Commission announcements were provided.
Community Development Director, Jon Biggs, provided staff announcements.

4. **COUNCIL LIAISON ANNOUNCEMENTS**

No Council Liaison announcements were provided.

5. **GENERAL PUBLIC COMMENT**

A. Written General Public Comment was provided by Tony Ciani (11/17), Curtis and Jennifer Jensen (11/23),

Larry and Maria Swank (11/29), Becky Tenanes (11/30), Tony Ciani (12/1), Geoff Welch (12/1), Emily Miller (12/2), Luke Coletti (12/2), Walama Detrote(sp?) (12/2), Lucy Moore (12/2), Eugene Lowe (12/2), Andrew Miller (12/3), Nate Welch (12/3), Maggie, Lindenthal-Cox (12/3), Joshua Beasley (12/3), Thomas Landberg (12/3), Tony Ciani (12/6), Charlie Marlowe (12/10), Blake Nilsson (12/10)

Public Comment in Chamber (or on-line) was provided by Lisa Ciani.

CONSENT AGENDA

6. REPORTS FOR INFORMATION ONLY

7. REPORTS REQUIRING ACTION

A. Minutes of the November 13, 2025, Planning Commission Regular Meeting.
Reference: Aaron Campbell, Senior Planner
Recommended Action: Approve the minutes of the November 13, 2025, Planning Commission Regular Meeting.
CEQA: Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

Action: Upon a motion by Commissioner Sweigert and with a second by Commissioner Nodzenski, the Planning Commission voted to approve the consent agenda.

Motion carried 5-0-2 by the following vote:
AYES: Chair Kubica, Commissioners Sweigert, Mourlam, Myers, Nodzenski
NOES: None
ABSENT: Vice Chair Fredrickson, Commissioners Davison

REGULAR AGENDA

8. **PUBLIC HEARINGS**

A. Architectural Permit (AP) and Coastal Development Permit (CDP) 24-0044 for 685 Mermaid Avenue (APN 006-085-003-000)

From: Garrett McCown, Associate Planner
Zoning District/General Plan Designation: R-3-PGB/Medium-High Density Residential 10-20 DU/ac
Coastal Zone: Yes
Historic Resources Inventory: Yes
CEQA: Categorical Exemption, CEQA Guidelines 15331, Historical Resources Restoration/Rehabilitation
Recommended Action: Staff recommends the Planning Commission approve Architectural Permit (AP) and Coastal Development Permit (CDP) 24-0044, subject to the findings, recommended conditions, and Class 1 and 31 Categorical Exemptions (CEQA Guidelines Sections 15301, Existing Facilities, and 15331, Historical Resource Restoration and Rehabilitation).
Reference: Garrett McCown, Associate Planner

Associate Planner, Garrett McCown, provided the staff presentation.
Project architect, Charles Hornisher, and project Historian, Dana Supernowicz, provided the applicant presentation.

Written public comment was submitted by Leslie Anderson and Anthony Billeci.
Public Comment in Chamber (in person/Zoom) was provided by Leslie Anderson, Lisa Ciani, Dean Kasparian, Inge Lorentzen Daumer, and Cindy Billeci.

Action: Commissioner Nodzenski, with a second by Commissioner Myers, moved to approve Architectural

Permit (AP) and Coastal Development Permit (CDP) 24-0044, subject to the findings, recommended conditions, and Class 1 and 31 Categorical Exemptions (CEQA Guidelines Sections 15301, Existing Facilities, and 15331, Historical Resource Restoration and Rehabilitation), as amended to include Tribal Monitoring as a condition of approval.

Action: Commissioner Sweigert requested a friendly amendment to the motion to include two additional conditions of approval; one to include the recordation of a deed restriction stating that the ADU will always remain an ADU, and the other requiring that the applicant provide documentation demonstrating that the two lots of the subject parcel have been legally merged.

Action: Commissioner Nodzenski accepted, in part, the friendly amendment to include that the applicant provide documentation demonstrating that the two lots of the subject parcel have been legally merged but did not accept the inclusion of the deed restriction.

Actions: On a motion by Commissioner Nodzenski and seconded by Commissioner Myers the Planning Commission voted to approve Architectural Permit (AP) and Coastal Development Permit (CDP) 24-0044, subject to the findings, recommended conditions, and Class 1 and 31 Categorical Exemptions (CEQA Guidelines Sections 15301, Existing Facilities, and 15331, Historical Resource Restoration and Rehabilitation), as amended, with two additional conditions of approval to include Tribal Monitoring and that the applicant provide documentation demonstrating that the two lots of the subject parcel have been legally merged.

Motion carried 4-1-2 by the following vote:
AYES: Chair Kubica, Commissioners Mourlam, Myers, Nodzenski
NOES: Commissioner Sweigert
ABSENT: Vice Chair Fredrickson, Commissioners Davison

9. **CONTINUED AND ONGOING BUSINESS**

10. **NEW BUSINESS**

11. **PRESENTATIONS**

Jon Biggs thanked the Planning Commission for their support, accomplishments, and contributions to the City in 2025, specifically, their diligence in providing recommendations to City Council regarding the Housing Element Update.

12. **NEXT MEETING - January 8, 2026**

13. **ADJOURNMENT – 7:49 p.m.**

NOTICE OF ADA COMPLIANCE: Pursuant to Title II of the Americans with Disabilities Act (Codified At 42 United States Code Section 12101 and 28 Code of Federal Regulations Part 35), and Section 504 of the Rehabilitation Act of 1973, the City of Pacific Grove does not discriminate on the basis of race, color, religion, national origin, ancestry, sex, disability, age or sexual orientation in the provision of any services, programs, or activities. The City of Pacific Grove does not discriminate against persons with disabilities. City Hall is an accessible facility. A limited number of assisted listening devices will be available at this meeting. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting or provide the requested agenda format.

CITY OF PACIFIC GROVE

Community Development Department – Planning Division

300 Forest Avenue, Pacific Grove, CA 93950

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Appeal Form

Appeal #: 25-0344
Date: 12.19.25
Received By:
Total Fee: $3237.00

$ PAID $3237. ck#5479

Project Information

Project Address: 685 Mermaid Avenue APN: 006-085-003-000

☒ On HRI / ☐ Not on HRI

Application & No.: AP 24-0044

Applicant Name: Leslie Anderson (see Appendix I) Phone #: 415-271-1850

Mailing Address: PO Box 51361 Pg 93950

Email Address: ldanders@earthlink.net

Owner Name: Phone #:

Mailing Address:

Email Address:

Action[1]

☐ ARB: Architectural Review Board
☐ CDD: Planning Staff
☐ HRC: Historic Resources Committee
☒ PC: Planning Commission
☐ NRC: Natural Resources Committee
☐ SPRC: Site Plan Review Committee
☐ ZA: Zoning Administrator

Date of Action: December 11, 2025

Action Taken: Approved AP & CDP 24-0044

Appeal Information

Appellant Name: Leslie Anderson for Appendix I Applicants Phone #: 415-271-1850

Mailing Address: P.O. Box 51361, Pacific Grove, CA 93950

Email Address: ldanders@earthlink.net

Appeal Deadline: 5:00 p.m. on December /19 /2025

Grounds for Appeal: See Included Schedule

If necessary, use additional pages.

RECEIVED
DEC 19 2025
CITY OF PACIFIC GROVE
COMMUNITY DEV DEPT

Fees

Discretionary Fees[2]	$	
Appeal Fee = 25% of discretionary fees	$	3,237.00
Cost of publication of legal notice[3]	$	
Photocopies ____ copies @ 10¢ each	$	
Postage[4] ____ stamps @ 45¢ each	$	
Other	$	
Total Appeal Fee		

Appellant Signature

12/19/2025
Date

[1] See Table 23.70.012-1 in the Pacific Grove Zoning Code, which identifies roles of review authorities as they relate to appeals.

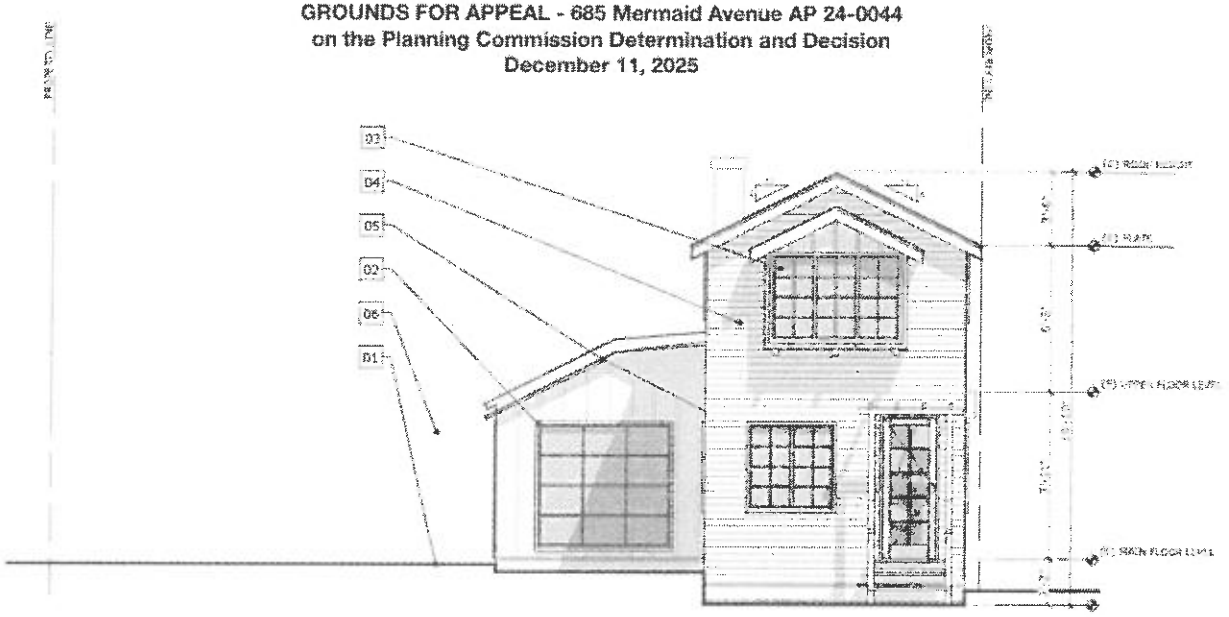
[2] Whatever fee was collected by the city for the application for use permit, architectural approval, variance, etc., or combination of more than one fee if more than one decision is being appealed.

[3] Currently averaging $250-300.

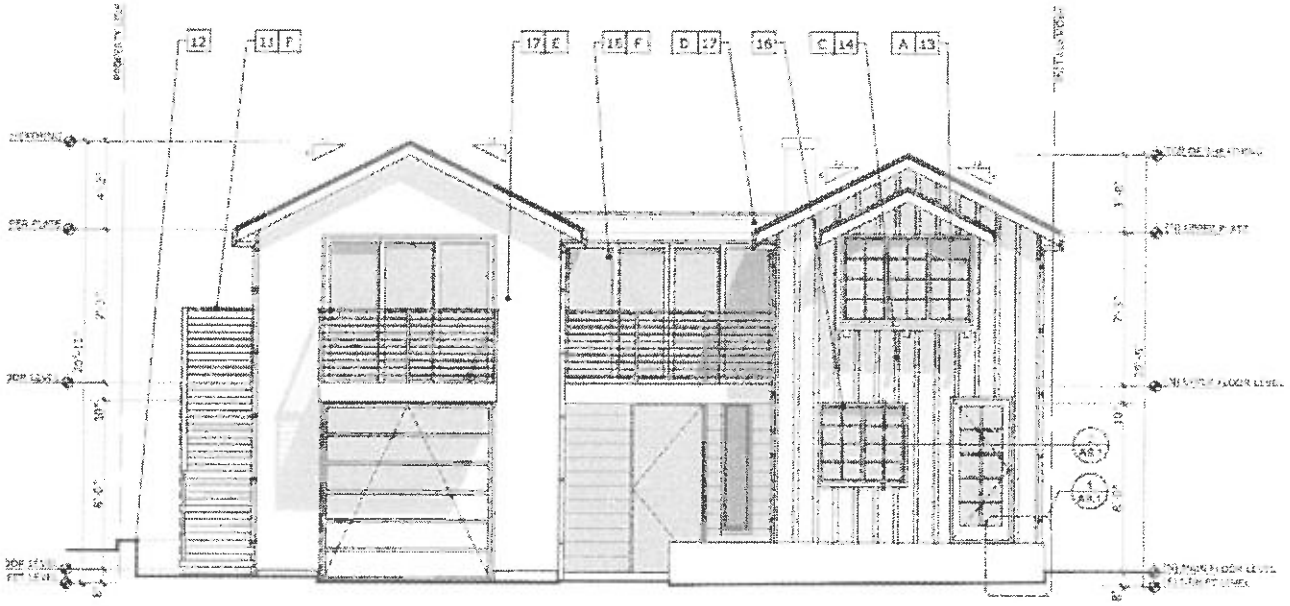
[4] Typically the number of address labels for parcels (or portions thereof) found within a 300 ft radius of the subject parcel (350 ft radius for homes in the Asilomar Dunes area) is approximately 120. Mailing is sent to owners and occupants (including most individual apartments) of properties.

	Appendix I: Appellants List - AP & CDP 24-0044 685 Mermaid Avenue
1	Leslie Anderson (Representative)
	Monarch Pines Resident
	ldanders@earthlink.net
2	Anthony Billeci
	Monarch Pines Resident
	antbilleci@gmail.com
3	Cynthia Billeci
	Monarch Pines Resident
	mphacindy@gmail.com
4	Linda Downum
	Monarch Pines Resident
	louski95242@yahoo.com
5	David Thorson
	Monarch Pines Resident
	thorson379@gmail.com
6	Mikki Jenott
	Monarch Pines Resident
	mommikki@aol.com
7	Rachel J. McDonald
	Monarch Pines Resident
	rachel_j_mcdonald@hotmail.com
8	Marian Moe
	Monarch Pines Resident
	m2moe@yahoo.com
9	Stacey De Shazo
	Qualified Architectural Historian, EDS, Inc.
	stacey@evans-deshazo.com
10	Dr. John Dominque or Associate
	Founding Partner, Rossi Domingue, LLP
	john@rdlaw.net

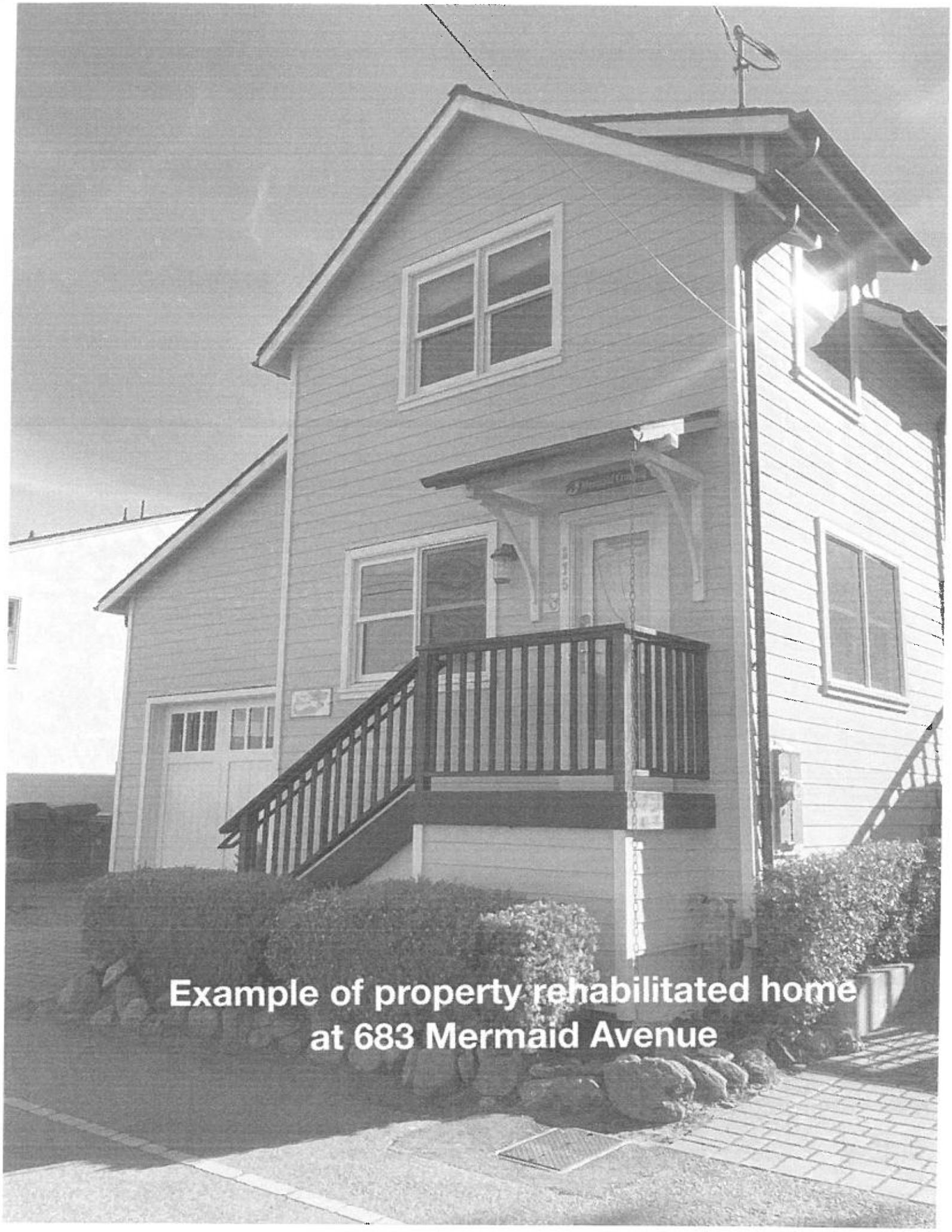
GROUNDS FOR APPEAL - 685 Mermaid Avenue AP 24-0044
on the Planning Commission Determination and Decision
December 11, 2025



EXISTING NORTH ELEVATION



PROPOSED NORTH ELEVATION



Example of property rehabilitated home
at 683 Mermaid Avenue

GROUNDS FOR APPEAL - 685 Mermaid Avenue AP & CDP 24-0044 on the Planning Commission Determination and Decision December 11, 2025

Items Being Appealed:

- **The decision by the Planning Commission to approve the AP & CDP 24-0044, this decision needs to be reversed,**
- **The determination the design is in compliance with CEQA or Secretary of the Interior's Standards for Rehabilitation of a Historic Resource,**
- **The determination the design, location, size, and operating characteristics of the proposed development is consistent with applicable LCP/LUP design requirements, and the Architectural Review Guideline #2, 3, 4, 5 and 6,**
- **The determination to rely on the Kent Seavey's 2023/2024 and Dana E. Supernowicz's August 2025 Phase II Assessment and that these are in compliance with CEQA or the City of Pacific Grove's Municipal Code findings in Chapter 23.76, Historic Preservation.**

Grounds for Appeal:

1. Approval of this permit will destroy the historical significance of a valuable resource causing it to be de-listed from the Pacific Grove HRI,
2. The permit application does not meet the criteria for Categorical Exemptions per CEQA 15300.2 or 15331 Class 31, nor comply with CEQA by meeting the Secretary of the Interior's Standards for Rehabilitation,
3. The proposed demolition of the historical resource disqualifies it from a CEQA exemption, and does not comply with the Secretary of the Interior's Standards for Rehabilitation,
4. The detailed HREs required by CEQA, including documentation of the current condition of the built environment, have not been submitted,
5. An Environmental Impact Report (EIR) must be completed to assess the impact of the proposed demolition and mitigation,
6. The project does not meet the Secretary of the Interior's Standards for Rehabilitation of a Historic Building, particularly, Standard 9 and 10, for the proposed demolition and massing with the new addition. Simplified or non-related explanations are offered for meeting the PG Architectural Review Guidelines,
7. Dana E. Supernowicz's Phase II Assessment is based on a report not in compliance with CEQA and does not offer evidence of substantial compliance to the Secretary of the Interior's Standards for rehabilitation,
8. The HRC's approval of the permit was based on the design containing an ADU, the historical preservation of the resource was not considered,
9. This modern build takes away from the charm of the "special community" protected under Section 30253 of the Coastal Act, negatively effecting is historical significance
10. The property owner's are in violation of PGMC 23.76.110 code for *(a) Minimum maintenance,*
11. The completed project WILL invade our privacy and impair the desirability of investment or occupation in our neighborhood,
12. The Planning Commission did not receive a complete history of the project in which to make an informed decision.

GROUNDS FOR APPEAL - 685 Mermaid Avenue AP & CDP 24-0044 on the Planning Commission Determination and Decision December 11, 2025

1. Approval of this permit will destroy the historical significance of a valuable resource causing it to be de-listed from the Pacific Grove HRI.

The proposed demolition, alteration and massing of the modern addition absolutely degrades the significance of this home as a historic resource registered on the Pacific Grove HRI.

The removal of the interior stairwell and moving the front door to the center of the home, leaving a faux door where the original was, also alters the original front fenestration historically significant to the home.

The removal of the current siding is not proper mitigation for the proposed demolition of the historical significance.

2. The permit application does not meet the criteria for Categorical Exemptions per CEQA 15300.2 or 15331 Class 31, nor complies with CEQA by meeting the Secretary of the Interior's Standards for Rehabilitation,

> Section 15300.2 (f) Historical Resources. "A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource."
>
> Section 15331: Class 31 "consists of projects limited to maintenance, repair, stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of historical resources in a manner consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings."

The proposed design will destroy the integrity of the resource. A thorough review has not been submitted proving how the Standards will be met and outlining proper mitigation. The conclusion in the Phase II Assessment by Dana E, Supernowicz that the design meets the Standards, and therefore CEQA guidelines, is incorrect.

> CEQA 15061. "Review for Exemption (a) Once a lead agency has determined that an activity is a project subject to CEQA, a lead agency shall determine whether the project is exempt from CEQA.
>
> > (3) The activity discovered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."

I don't know how anyone can look at this project and not understand how detrimental it will be to the significance of this historic home, and it's protected neighborhood. Once the home is altered, it can never be returned to it's original charm and will no longer be a historic resource. The proposal changes the use from a single family to a multi-family home, changes the size making it into an oversized modern home.

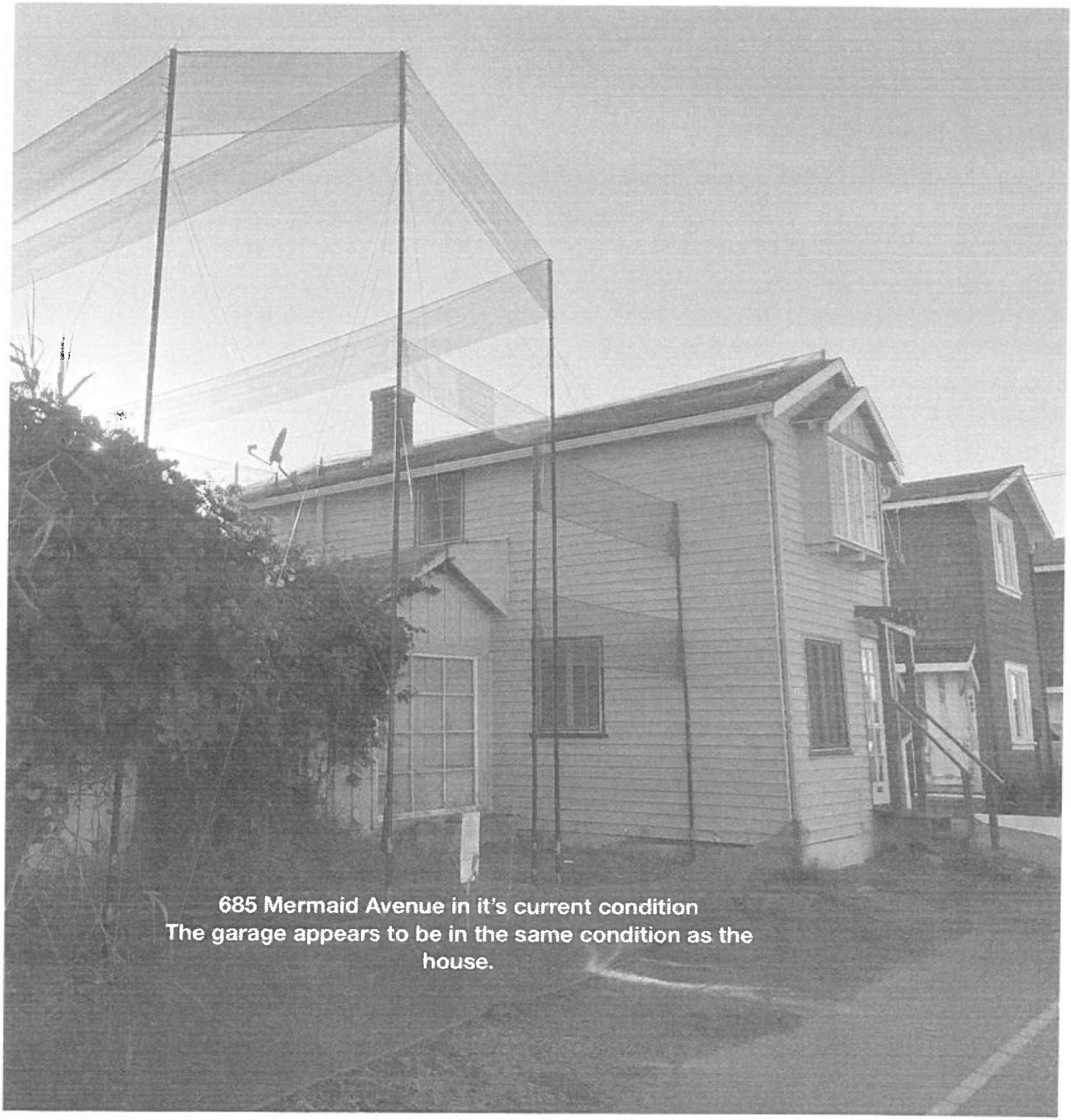
3. The proposed demolition of the historical resource disqualifies it from a CEQA exemption, and does not comply with the Secretary of the Interior's Standards for Rehabilitation,

> Pacific Grove Architectural Review Guideline #6. De facto demolitions: Certain alterations that are so extensive that they are tantamount to demolition of the original structure may be treated as demolitions rather than remodels.

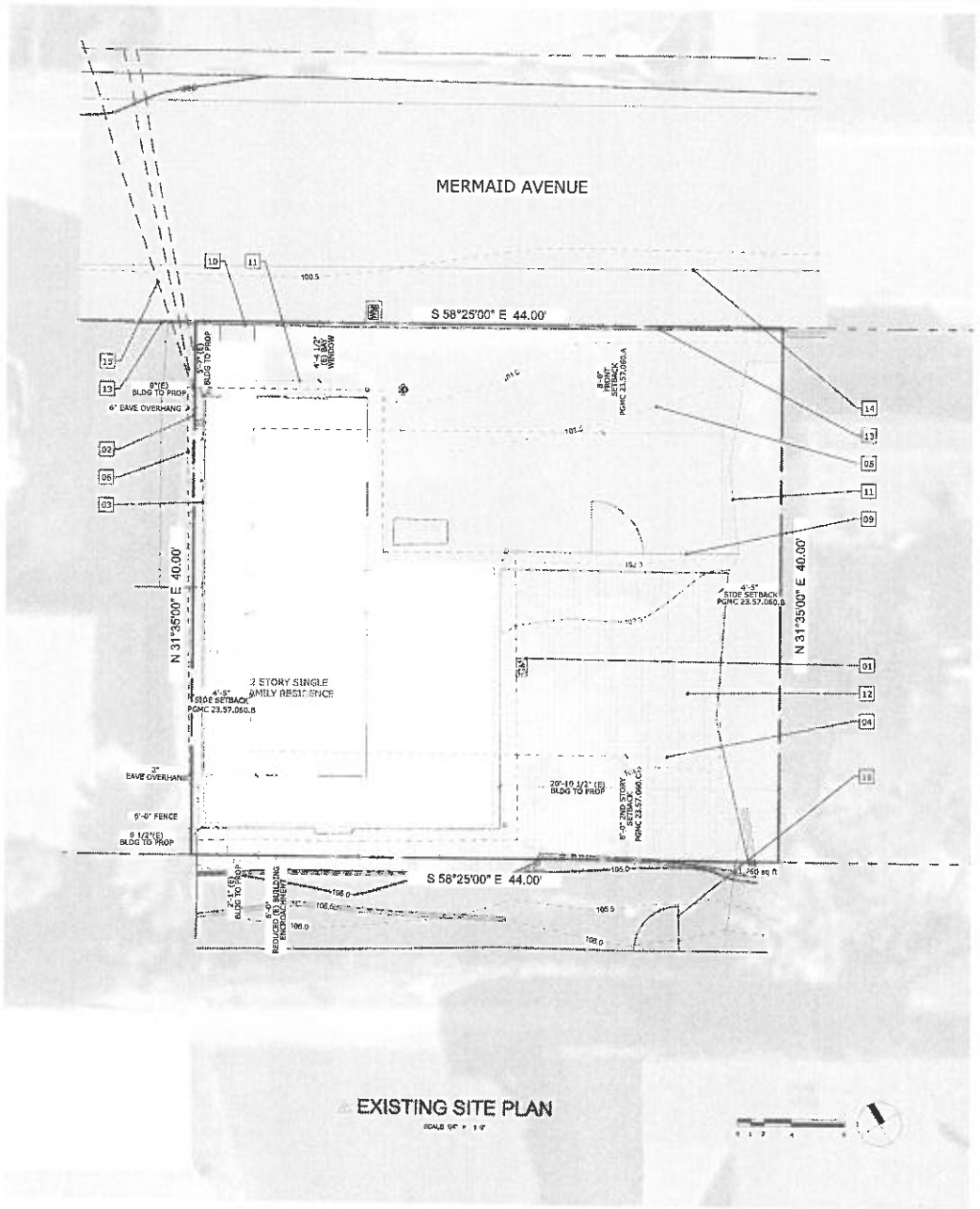
The demolition of the garage alone qualifies as a substantial adverse change in physical conditions, removing over 31% of the total square footage of the original home. The plan also includes removing the interior stairwell, portions of the kitchen and other parts of the home that increases the percentage of demolition (see the demolition graph of H3 2025 design proposal pages 9 and 10). The Planners and Architect comment they are not destroying significant features, they are "making it better", but it doesn't work like that. You can't remove over 245 square feet of a historic home and historic characteristics, replacing with new items and adding a large modern addition, and call it better.

> Pacific Grove Architectural Review Guideline #5: Replacements: When important character-defining features, such as windows, need to be replaced, the replacements should be of similar design and material. If using the same kind of material is not technically feasible, then a compatible substitute material may be considered.

The garage has been described as lacking historical integrity, but the garage was built in 1926 with the original home and cannot be treated as a separate resource. It is part of the house, not detached, and the gable roof is a significant historically characteristic of the Vernacular design. Besides Dana E. Supernowicz's opinion, studies have not been done outlining options for rehabilitation for the garage and the impact of the demolition on the home's historical significance. The garage was part of the home as listed in 2019 on the HRI as a Historical Resource as defined in Section 15064.5 of the California Environmental Quality Act (CEQA) Guidelines.



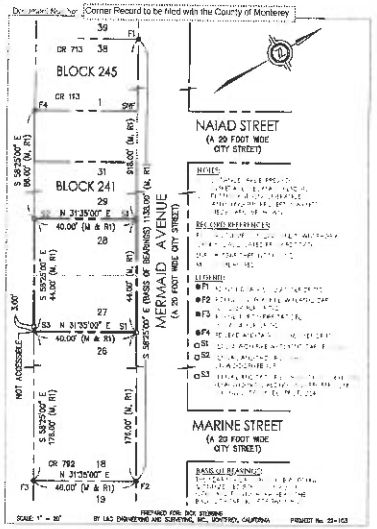
685 Mermaid Avenue in it's current condition
The garage appears to be in the same condition as the house.



EXISTING SITE PLAN

SCALE: 1/8" = 1'-0"

685 MERMAID CORNER RECORD



SITE PLAN SHEET NOTES

01. GAS CONNECTION TO BE RELOCATED, SEE PROPOSED SITE PLAN
02. ELECTRICAL MASTHEAD
03. EXISTING RESIDENCE, SEE LEGEND FOR WALLS TO BE DEMOLISHED
04. SETBACK PER CITY OF PACIFIC GROVE REQUIREMENTS
05. TOPOGRAPHIC LINE IN 6" INCREMENTS
06. LINE OF EAVE OVERHANGING PROPERTY LINE
07. RETAINING WALL TO BE DEMOLISHED
08. BAY WINDOW ABOVE
09. FENCE TO BE DEMOLISHED
10. 5' TALL CHAIN LINK FENCE TO ADJACENT PROPERTY
11. 15' TALL OVERGROWN HEDGE
12. PAVING TO BE DEMOLISHED
13. EDGE OF PAVMENT
14. WHITE LINE ON STREET
15. OVERHEAD POWER / PHONE LINES

WALL LEGEND

(E) WALL TO REMAIN

(E) WALL TO BE DEMOLISHED

GENERAL NOTES

A. THIS IS A HISTORIC RENOVATION. CAREFUL ATTENTION SHALL BE GIVEN TO HISTORIC ASPECTS AS DETAILED IN THE PHASE II HISTORIC ASSESSMENT. ORIGINAL BUILDING ELEMENTS SHALL BE PROTECTED AND RESTORED AS DIRECTED BY ARCHITECT AND HISTORIAN

B. VERIFY ALL DIMENSIONS AFTER DEMOLITION AND FINISHES ARE REMOVED

C. NOTIFY ARCHITECT OF ANY DISCREPANCIES BETWEEN PLANS + DIMENSIONS

D. READ ARCHAEOLOGICAL REPORT FOR MONITORING REQUIREMENTS

1 of 3

H3 DESIGN
PACIFIC GROVE, CA 93950
(C) 831.233.4739

11 - 15 - 25

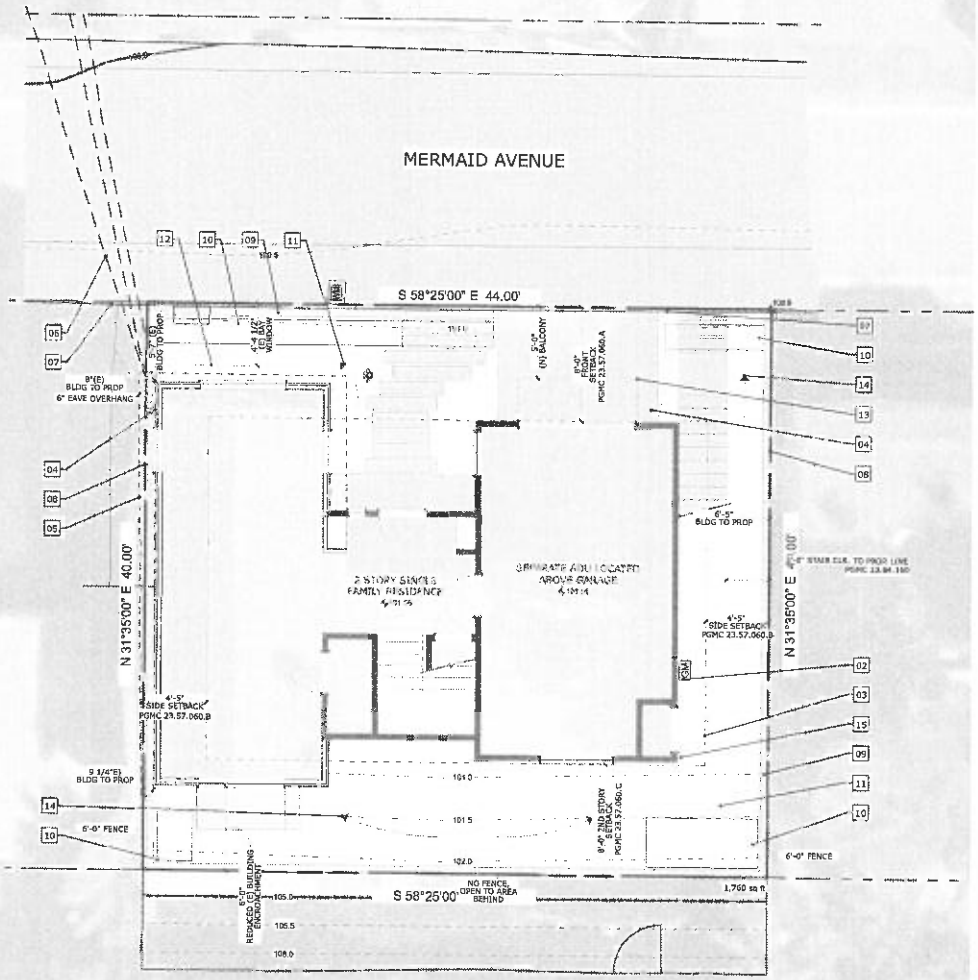
ZHENG REMODEL

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EXISTING SITE PLAN

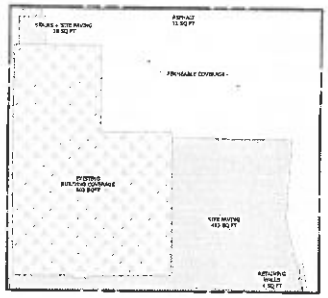
A1.0



PROPOSED SITE PLAN

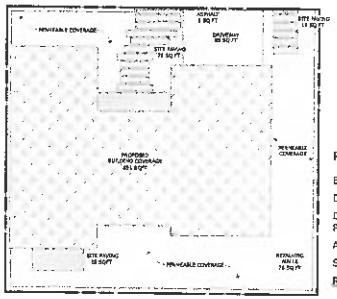
SCALE: 1/8" = 1'-0"

SITE COVERAGE



EXISTING SITE

BUILDING COVERAGE	603 SQFT
ASPHALT	11 SQFT
SITE PAVING	431 SQFT
RETAINING WALLS	4 SQFT
TOTAL	1,049 SQFT



PROPOSED SITE

BUILDING COVERAGE	864 SQFT
DRIVEWAY	89 SQFT
DRIVEWAY REDUCTION PGMC 23.08.020.S.SITE COVERAGE.2A	-89 SQFT
ASPHALT	5 SQFT
SITE PAVING	111 SQFT
RETAINING WALLS	76 SQFT
TOTAL	1,056 SQFT

SITE PLAN SHEET NOTES

01 (N) GAS CONNECTION
02 ELECTRICAL MASTHEAD
03 SETBACK PER CITY OF PACIFIC GROVE REQUIREMENTS
04 DIRVEWAY
05 LINE OF EAVE OVERHANGING PROPERTY LINE
06 OVERHEAD LINES
07 EDGE OF PAVEMENT
08 TOPOGRAPHIC LINE IN 6" INCREMENTS
09 30" RETAINING WALL
10 PROPOSED STORMWATER SEEPAGE PITS, CONNECT DOWN SPOUTS TO LOCATION + PROVIDE OVERFLOW OUTLETS
11 PLANTED / PERMEABLE AREA
12 (E) BAY WINDOW ABOVE
13 (N) OPEN DECK ABOVE
14 SWALE TO DIRECT SITE RUN-OFF TO INFILTRATION PITS
15 DOWNSPOUT LOCATION, HARD PIPE TO INFILTRATION PITS

WALL LEGEND

(E) WALL TO REMAIN
(E) WALL TO BE DEMOLISHED
(E) WALL TO BE ALTERED / REPAIRED
(N) PROPOSED WALL

GENERAL NOTES

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D. READ ARCHAEOLOGICAL REPORT FOR MONITORING REQUIREMENTS

H3 DESIGN
549 HILGARD AVENUE
PACIFIC GROVE, CA 93950
(831) 402-8967

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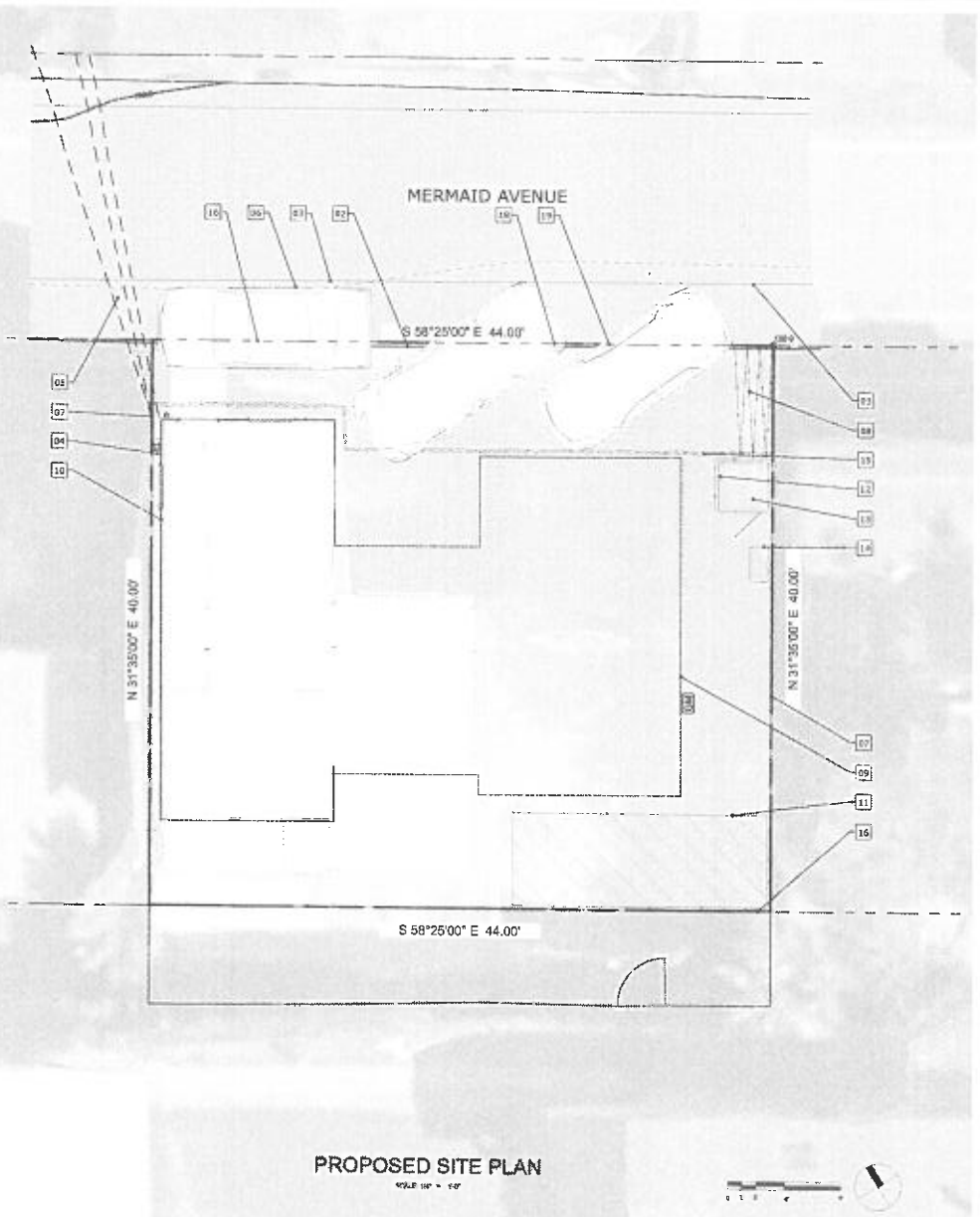
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PROPOSED SITE PLAN

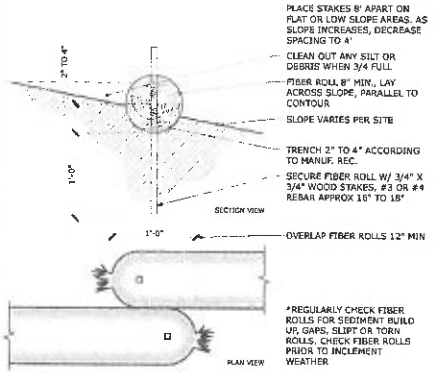
A1.1



PROPOSED SITE PLAN

SITE PLAN SHEET NOTES

01 CONSTRUCTION PLAN BASED OFF OF SURVEY, SEE SHEET T-1 FOR INFORMATION NOT SHOWN HERE
02 EDGE OF PAVEMENT
03 LINE OF 12' RIGHT OF WAY
04 ELECTRICAL MASTHEAD
05 OVERHEAD POWER LINES
06 CONSTRUCTION PARKING
07 CHAIN LINK CONSTRUCTION FENCE W/ GREEN PRIVACY NETTING
08 PULL BACK CONSTRUCTION FENCING DURING WORK HOURS
09 LINE OF NEW CONSTRUCTION
10 SEE DEMOLITION PLAN FOR ITEMS TO BE REMOVED
11 MATERIAL STORAGE / STAGING AREA
12 LATTICE SCREENING
13 PORTA-POTTY
14 WASH STATION
15 FIBER ROLL FOR STORM RUN OFF, SEE WATTLE DETAIL 1/A1.2 SHOWN BELOW
16 PROPERTY LINE
17 CONSTRUCTION BEST MANAGEMENT PRACTICES SHALL BE EMPLOYED ONSITE AT ALL TIMES, SEE A1.3 FOR NOTES AND DETAILS
18 CONSTRUCTION HOURS ONSITE WILL BE FROM 8:00 AM - 5:00 PM
19 SITE DELIVERIES CAN BE MADE FROM 9:00 AM TO 4:00 PM (OFF PEAK)



1 WATTLE DETAIL
SCALE: 1 1/2"= 1'-0"

WALL LEGEND

(E) WALL TO REMAIN
(E) WALL TO BE DEMOLISHED
(E) WALL TO BE ALTERED / REPAIRED
(N) PROPOSED WALL

GENERAL NOTES

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D. READ ARCHAEOLOGICAL REPORT FOR MONITORING REQUIREMENTS

H3 DESIGN
PACIFIC COAST AVENUE
PACIFIC GROVE, CA 93950
(C) 831.233.4319

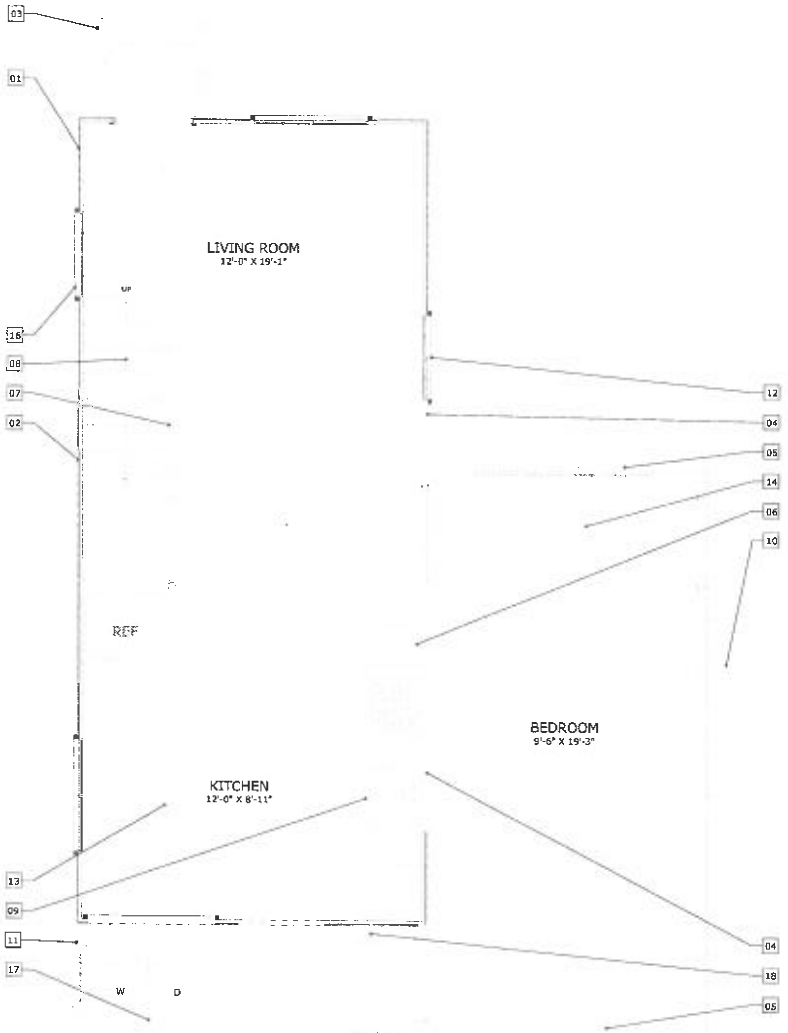
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CONSTRUCTION MANAGMENT PLAN

A1.2



DEMOLITION PLAN MAIN FLOOR

SCALE: 1/2" = 1'-0"

DEMOLITION PLAN SHEET NOTES

01 REMOVE PAINTED SHIP LAP SIDING

02 INSPECT AND REPAIR ANY DAMAGED PANELS IN SINGLE WALL CONSTRUCTION, PREPARE FOR NEW INTERNAL FRMAING

03 REMOVE NON-HISTORIC STEPS + OVERHEAD TRELLIS

04 REMOVE (E) PORTION OF WALL AS SHOWN

05 REMOVE (E) NON-HISTORIC GARAGE ADDITION

06 REMOVE BRICK FLUE, CAP GAS AS REQUIRED, CHIMNEY TO REMIAN

07 DEMOLISH INTERIOR WALLS

08 DEMOLISH (E) STAIRS

09 REMOVE (E) KITCHEN + FIXTURES, CAP AS REQUIRED

10 RELOCATE (E) GAS METER, DEMOLISH AND CAP AS REQUIRED

11 REMOVE (E) NON-HISTORIC REAR ADDITION

12 RELOCATE + REPAIR (E) HISTORIC WINDOW(S), SEE PROPOSED PLANS

13 REMOVE (E) FINISHES FROM FLOOR

14 REMOVE SLAB + PERIMETER FOUNDATION FOR GARAGE AND

15 NOTE REMOVED

16 INSPECT (E) HISTORIC WINDOW, REPAIR AND RESTORE AS NECESSARY

17 REMOVE (E) APPLIANCE, CAP PLUMBING + ELECTRICAL AS REQUIRED

18 REMOVE (E) FIXTURE, CAP PLUMBING AS REQUIRED

GENERAL NOTES

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B. VERIFY ALL DIMENSIONS AFTER DEMOLITION AND FINISHES ARE REMOVED

C. NOTIFY ARCHITECT OF ANY DISCREPANCIES BETWEEN PLANS + DIMENSIONS

D. READ ARCHAEOLOGICAL REPORT FOR MONITORING REQUIREMENTS

H3 DESIGN
348 HILLCREST AVENUE
SAN LUIS OBISPO, CA 93405
(C) 831.593.4319

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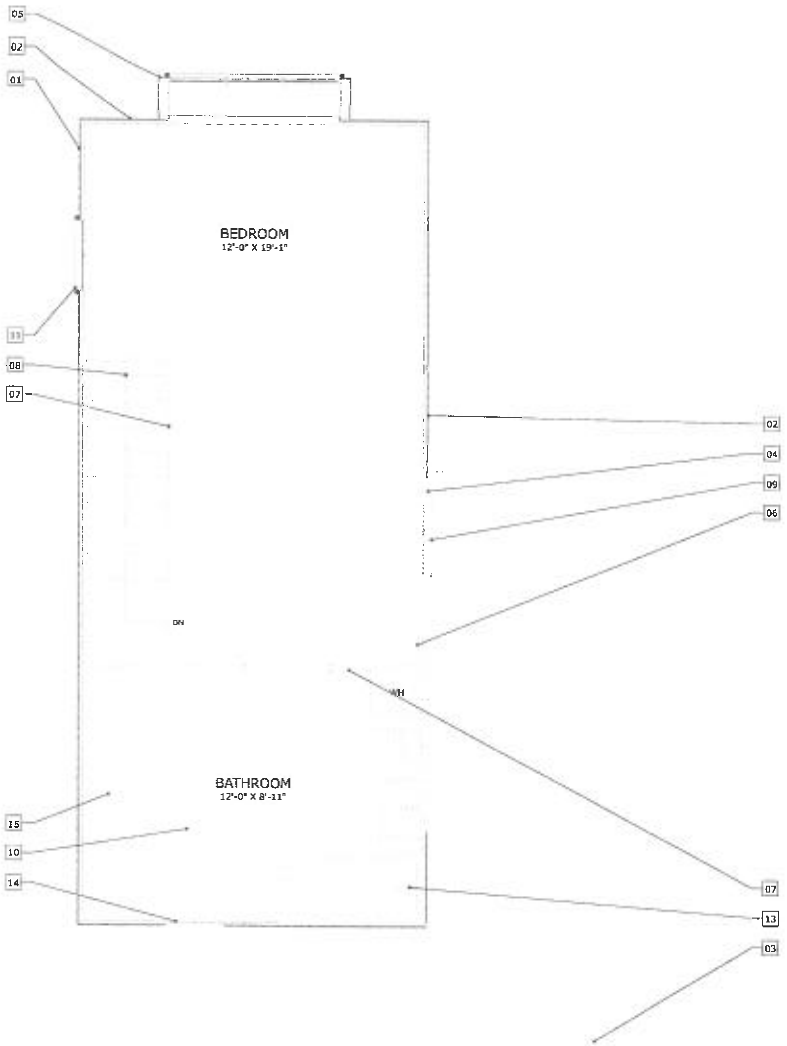
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DEMOLITION PLAN MAIN FLOOR

A2.2



DEMOLITION PLAN MAIN FLOOR

SCALE: 1/2" = 1'-0"

DEMOLITION PLAN SHEET NOTES

01 REMOVE PAINTED SHIP LAP SIDING

02 INSPECT AND REPAIR ANY DAMAGED PANELS IN SINGLE WALL CONSTRUCTION, PREPARE FOR NEW INTERNAL FRMAING

03 REMOVE (E) NON-HISTORIC ROOF

04 REMOVE (E) PORTION OF WALL AS SHOWN

05 (E) HISTORIC BAY WINDOW, REHABILITATE AS NEEDED

06 REMOVE BRICK FLUE, CAP GAS AS REQUIRED, CHIMNEY TO REMIAN

07 DEMOLISH INTERIOR WALLS

08 DEMOLISH (E) STAIRS

09 RELOCATE + REPAIR (E) HISTORIC WINDOW(S), SEE PROPOSED PLANS

10 REMOVE (E) FINISHES FROM FLOOR

11 INSPECT (E) HISTORIC WINDOW, REPAIR AND RESTORE AS NECESSARY

12 REMOVE (E) APPLIANCE, CAP PLUMBING + ELECTRICAL AS REQUIRED

13 REMOVE (E) FIXTURE, CAP PLUMBING AS REQUIRED

14 REMOVE (E) NON-HISTORIC WINDOW

15 REMOVE (E) BUILT-IN CABINETRY

GENERAL NOTES

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D. READ ARCHAEOLOGICAL REPORT FOR MONITORING REQUIREMENTS

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DEMOLITION PLAN UPPER FLOOR

A2.3

GROUNDS FOR APPEAL - 685 Mermaid Avenue AP & CDP 24-0044 on the Planning Commission Determination and Decision December 11, 2025

PGMC 23.70.070 (f) "Findings Required for Approval. "The historic resources committee shall determine from the application materials submitted whether historic determinations comply with the provisions of Section 15064.5 of the California Environmental Quality Act (CEQA) Guidelines (California Code of Regulations Title 14, Chapter 3)"

CEQA 15064.5 (4)(b) "A project with an effect that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment.

> (1) Substantial adverse change in the significance of an historical resource means physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired.
>
> (2) The significance of an historical resource is materially impaired when a project:
>
> > (B) Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources pursuant to section 5020.1(k) of the Public Resources Code or its identification in an historical resources survey meeting the requirements of section 5024.1(g) of the Public Resources Code, unless the public agency reviewing the effects of the project establishes by a preponderance of evidence that the resource is not historically or culturally significant."
>
> (4) "A lead agency shall identify potentially feasible measures to mitigate significant adverse changes in the significance of an historical resource. The lead agency shall ensure that any adopted measures to mitigate or avoid significant adverse changes are fully enforceable through permit conditions, agreements, or other measures."

The garage is described as "deteriorated" but no inspection has been completed by a qualified engineer or contractor, nor has it been inspected by the city, to formally document this condition.

Every effort must be made to rehabilitate the garage or replace it in kind, or the proper surveys must be done to prove the garage cannot be rehabilitated, and an Environmental Impact Report submitted outlining the impacts of the garage demolition and required mitigation.

Nation Park Service, *Interpreting & Applying the Secretary of the Interior's Standards for Rehabilitation,* "Historic character, however, is not readily lost through deterioration, and most deteriorated historic features must be replaced to match when they are beyond repair."

Standard 10(d): "In certain limited cases, it may be necessary to dismantle and rebuild portions of a certified historic structure to stabilize and repair weakened structural members and systems. In such cases, the Secretary will consider **such extreme intervention** as part of a certified rehabilitation if:

(1) The necessity for dismantling is justified in supporting documentation;

(2) Significant architectural features and overall design are retained; and

(3) Adequate historic materials are retained to maintain the architectural and historic integrity of the overall structure."

LUP 3.3.5 Background - Historic Resources. CRS-9. "In order to protect historic structures, unwarranted demolition shall be avoided by implementing standards for demolition."

4. The detailed HREs required by CEQA, including documentation of the current condition of the built environment, have not been submitted,

Per CEQA the project requires an HRE that includes appropriate historical context, a history of owners/occupants, a historic architectural survey to document the current condition of the built environment resources, and an evaluation for eligibility for listing on the CRHR, utilizing all four criteria. This required criteria was outlined in a Historic Built Environment Peer Review submitted to the City of Pacific Grove by Evans & De Shazo, Inc. (EDS) in October 2024, subsequently the city issued an NOIA for this permit but has not required these documents be submitted before approval.

5. An Environmental Impact Report (EIR) must be completed to assess the impact of the proposed demolition and mitigation.

CEQA 21061. Environmental Impact Report. "The purpose of an environmental impact report is to provide public agencies and the public in general with detailed information about the effect which a proposed project is likely to have on the environment; to list ways in which the significant effects of such a project might be minimized; and to indicate alternatives to such a project."

> 15064 (F)(1).if a lead agency is presented with a fair argument that a project may have a significant effect on the environment, the lead agency shall prepare an EIR even though it may also be presented with other substantial evidence that the project will not have a significant effect
>
> > (5) Substantial evidence shall include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts.
>
> (g) After application of the principles set forth above in Section 15064(f), and in marginal cases where it is not clear whether there is substantial evidence that a project may have a significant effect on the environment, the lead agency shall be guided by the following principle: If there is disagreement among expert opinion supported by facts over the significance of an effect on the environment, the Lead Agency shall treat the effect as significant and shall prepare an EIR.

6. The project does not meet the Secretary of the Interior's Standards for Rehabilitation of a Historic Building, particularly, Standard 9 and 10, for the proposed demolition and massing with the new addition. Simplified or non-related explanations are offered for meeting the PG Architectural Review Guidelines.

> Pacific Grove Architectural Review Guideline #2: "Effects of additions on historic scale and character: Additions to historic buildings should be designed to preserve, as much as possible, the scale and overall character of the original structure."

The AP 24-0044 Permit Draft justifies this with "returning the exterior design to its original wall cladding," and by this comment on the demolition, "Parts of the property that do not retain integrity or not within the period of significance will be removed, such as the garage and rear shed-of addition." Nothing is said about the additions or their effect on the significance of the historical resource,

> Pacific Grove Architectural Review Guideline #4: "Compatibility of new work with old: Additions and remodels should be compatible with the original historic building in forms, scale, and materials and not compromise the architectural integrity of the original".

The following Draft response to Guideline #4 does not address the subject of this Guideline.

> "The Phase II Historic Assessment (Historic Resource Associates, August 2025) states that, 'The new addition and the ADU will be constructed in a manner that will not damage or harm the historic residence. Additionally, 'The new additions will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.' Lastly, 'the project meets the Secretary of Interior's Standards for Preservation and rehabilitation.'"

The proposed addition is larger than the original home (a 1000 square foot addition to the 696 square foot original home),

> SOI Standard (9): "Size and Massing. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, **size,** scale, and architectural features to protect the historic integrity of the property and its environment.'

The proposed addition will demolish over 31% (245 sf) of the historic home, including the gabled roof of the garage historically significant to the historical home. The addition will increase the size of the historic home after demolition by 142%.

See Section 3 above for the adverse effects to the significance of the home caused by the proposed demolition and it's treatment under Standard 10.

The design is also not in compliance with the following codes:

> 2025 California Historical Building Code, Title 24, Chapter 8-303.7
> "The amount of alterations and repairs is not limited, provided there is no nonhistorical increase in floor area, volume or size of the building or property."

> PG LUP 3.3.8 Land Use Plan Policies - Historic Resources. CRS-7. "Rehabilitation, reconstruction, remodeling, or exterior modification of existing structures with historic or architectural significance in the Pacific Grove Retreat, and other neighborhoods in the Coastal Zone, shall relate to or retain the lines of the original design as much as possible and alterations shall provide **evidence of substantial compliance** to the Secretary of the Interior standards for rehabilitation of historic resources."

7. Dana E. Supernowicz's Phase II Assessment is based on a report not in compliance with CEQA and does not offer evidence of substantial compliance to the Secretary of the Interior's Standards for rehabilitation.

The Phase II Assessment submitted by Dana E. Supernowicz states his assessment is based on the previous "Focused" Phase II Assessment from Kent Seavey. Per the EDS October 2024 Peer Review, this is a 'letter report that is not in compliance with CEQA or the City of Pacific Grove's Municipal Code findings in Chapter 23.76, Historic Preservation'. Both Kent Seavey's and Dana E. Supernowicz's Phase II analysis lists all ten of the Secretary of the Interior's Standards for Rehabilitation of a Historic Resources and infer they are met, but do not offer details or proof as to how this is accomplished. (See the 2024 EDS Peer Review Included. A new analysis of the project by EDS to follow.)

> Per the September 24, 2025 HRC Meeting Transcript 00:39:36, Dana E. Supernowicz stated, "I clearly felt that Kent's initial assessment of the house was correct."

Kent Seavey's report continues to be referenced, in the HRC and PC meetings, and in the project Drafts, and is being sited as a valid resource for analysis of this project. It is referenced as proof the design complies with the Secretary of the Interior's Standards for Rehabilitation, despite an NOIA attached to the permit following the 2024 submittal of the Peer Review discrediting this "Focused" Phase II Assessment, and claims by the Planners that "Kent Seavey could no longer continue with the project." Kent Seavey's Phase II and subsequent letter on the historicity of the garage was withheld from the file submitted to the Planning Commission.

Dana E. Supernowicz's Phase II focused primarily on the demolition of the garage, did not offer applicable history of the Beach Tract neighborhood or concrete evidence of how the proposed design will effect the built environment and the neighborhood.

> Pacific Grove Architectural Review Guideline #3: Preservation of character-defining features: New additions and alterations should be designed and constructed so that the character-defining features of the historic building are not radically changed, obscured, damaged, or destroyed.

The Draft response to this is a quote from the The Phase II Historic Assessment (Historic Resource Associates, August 2025), "The proposed project involves rehabilitation of the residence which includes returning it back to its original exterior board and batten wall cladding, replacing damaged or deteriorated windows with in-kind replacements, matching the design and shape of the existing windows, restoring the front door, and restoring the front bay window."

The proposed demolition and massing of the new addition is not mentioned here, nor the removal of the interior stairwell, the relocation of the front entrance or the effect of the rehabilitation on the overall historical significance of the home.

8. The HRC's approval of the permit was based on the design containing an ADU, the historical preservation of the resource was not considered.

Per the transcripts of the September 24, 2025 Historic Resource Committee Meeting:

> At 00:57:38 Glynis Greening stated, "The other thing is we really have no control over the ADU so a lot of that massing is the 339 feet of the ADU and we're not allowed, we can do nothing about that. That's just something the state mandates and we can't use that in a historical context."

This statements in untrue, when considering an addition to a historic resource the total square footage is counted, regardless of an ADU. Because the ADU is built into the overall design, the project cannot be reviewed or approved separately from the ADU, anything effecting the historical integrity of the home, including massing, must be considered.

> At 1:01:22 Jean Anton stated, "With the limitations we have regarding the ADU um, as Glenda said. You know, that' s something we can't touch because it meets the guidelines that are already there.

It is not in the purview of the HRC to speak to the ADU, they should be focused solely on protecting the historic resource and evaluating the project and it's impact from this perspective.

9. This modern build takes away from the charm of the "special community" protected under Section 30253 of the Coastal Act, negatively effecting is historical significance.

The property is located within the City's Area of Special Biological Significance, the Coastal Zone, an archaeologically sensitive area, and is listed on the City's Historic Resources Inventory (HRI). I do not see what measures the city is taking to protect these resources. Approving the permit is allowing the destruction of a historic building and the character of the neighborhood. The blank modern design will absolutely NOT blend with the surrounding natural streetscape, it will stand out from the colorful character of this protected village. The design could be altered to meet the Secretary of the Interior's Standards, and to minimize the amount of digging in this Biological and Archaeologically sensitive area.

HRE reports are required, as well as an EIR, to determine the impact this design will have on all of these protected resources. There are few examples of the Vernacular on Mermaid Avenue and this design completely disregards the importance of this structure's history and it's contribution to the neighborhood. The Phase II Assessment by Dana E. Supernowicz does not discuss the character of the neighborhood, it's protected charm, the history or the historic contribution of the subject home to this neighborhood, nor how it's rehabilitation will alter it's significance in terms of it's environment.

> PG LUP 3.3.5 Background - Historical Resources. "The historic Pacific Grove Retreat (Retreat) is partially located in the Coastal Zone. Due to the Retreat's unique historic, architectural, and scenic characteristics the area is an important resource to the community and draws many visitors. As such, the area of the Retreat within the Coastal Zone is considered a "special community" within the context of Coastal Act §30253(e) and policies included in this Land Use Plan ensure the area is protected."
>
> 3.3.6 Coastal Act Policies – Historic Resources
>
> "The California Coastal Act seeks to minimize the adverse impacts to historical and archaeological resources within the Coastal Zone by requiring mitigation of any adverse impacts to these resources by any development (Public Resources Code §30244).
>
> The Coastal Zone area within the incorporated limits of the City of Pacific Grove includes the historic Pacific Grove Retreat which is a "special community" within the meaning of Public Resources Code §30253(e), and as described in: Part II "Findings and Policies" for Special Communities and Neighborhoods of the California Coastal Plan, December 1, 1975, as provided in Public Resources Code §30002 and §30102."
>
> Public Resource Code § 30253. New development shall 'Where appropriate, protect special communities and neighborhoods that, because of their unique characteristics, are popular visitor destination points for recreational uses.'"
>
> PG Municipal code 23.57.010 describes the Mermaid Avenue neighborhood as "an architecturally unique neighborhood of the city of Pacific Grove; that said neighborhood is characterized by its small lots, spaces and **massing** which has resulted in a village-like setting".

Altering the massing removes architectural significance from the historic resource and the protected neighborhood. The design is too large for the lot, too modern for the neighborhood and destroys a historic home and neighborhood aesthetic.

> PGMC 23.70.10(e) "Enrich the dimensions of human life by serving aesthetic as well as material needs and fostering knowledge of the living heritage of the past.
>
> (g) Control the demolition of historic structures in order to preserve, to the greatest extent feasible, the diverse qualities that define the character of the community of Pacific Grove and that reflect the distinct phases of its cultural and architectural history."
>
> Pacific Grove Architectural Review Guideline #1: Neighborhood Context: Any additions to historic buildings must take into account the effect of the proposed addition on the existing neighborhood, including but not limited to setbacks, mass, architectural style, and design.

The draft response states, "The architectural style and design is consistent with the Historic Context statement neighborhood context and existing neighborhood in regard to its rectangular shape, wood frame construction, board and batten siding, cement plaster siding, and combination of gable and flat roofs. The roof and siding will change per the plans and the rectangular shape will now be a part of a larger U-Shaped design following the addition.

10. The property owners are in violation of PGMC 23.76.110 code for *(a) Minimum maintenance*

> PGMC 23.76.110. "(a) Minimum maintenance is necessary to prevent an owner from facilitating the demolition of a historic resource by neglecting it."

The owner has not performed any maintenance on the home since it's purchase three years ago. It is the city's responsibility to prevent **demolition by neglec**t. The city is rewarding this homeowner for allowing the property to deteriorate and by approving this permit, setting a precedence for other homeowners to destroy historic resources. Approval of this permit could create a domino effect in demolition of historic homes.

> 23.76.030 Historic Resources Inventory Historic Determination – Additions and Deletions. "Deletions proposed for removal due to loss of integrity must demonstrate the loss of integrity was not the result of any illegal act or willful neglect by the owner or agent of the owner."

11. The completed project WILL invade our privacy and impair the desirability of investment and occupation in our neighborhood.

> PGMC 23.70.070(h). "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."

Besides destroying significant historic character of the neighborhood and permanently altering the massing from the revered cottage style village,this project will overwhelm our homes and take away our privacy, removing the desirability of investment in our neighborhood. The new addition will erect a large wall, blocking our ocean views and greatly reducing our property values.

12. The Planning Commission did not receive a complete history of the project in which to make an informed decision,

Kent Seavey's :"Focused" Phase II Assessment, Kent Seavey's additional letter report on the historicity of the garage, and the Historic Built Environment Peer Review on these two documents, submitted to the City of Pacific Grove by Evans & De Shazo, Inc. (EDS) in October 2024, were not included in the permit file provided to the Planning Commissioners prior to the Planning Commission meeting on December 11, 2025.

> CFR 36, Part 61 -Procedures for State, Tribal, and Local Government Historic Preservation Programs. 61.3 Implementation of this part.(2) Presume that State, tribal, and local government historic preservation officials manage their programs in an accountable way unless situations indicate the contrary

EVANS & DE SHAZO, INC
ARCHAEOLOGY HISTORIC PRESERVATION

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October 30, 2024

City of Pacific Grove
Community Development Department
300 Forest Avenue
Pacific Grove, CA 93950

RE: Historic Built Environment Peer Review of the "Focused Phase II Historic Assessment" Letter Report (2023) and Supplemental Letter (2024) for the Property at 685 Mermaid Avenue, Pacific Grove, Monterey County, California, Assessor Parcel Number (APN) 006-085-003.

To Matt Mogensen, City Manager, and Karen Vaughn, Community Development Director,

At the request of Leslie Anderson, Evans & De Shazo, Inc. (EDS) completed a Historic Built Environment Peer Review (Peer Review) of the "Focused Phase II Historic Assessment" letter report by Kent Seavey (dated December 20, 2023),[1] and the supplemental letter (dated August 22, 2024)[2] for the proposed project at 685 Mermaid Avenue, Pacific Grove, Monterey County, California, within APN 006-085-003 (Property). The Property currently includes a 1926 house and landscape. The proposed project includes changes to the 1926 house, including demolishing the attached garage and constructing a two-story addition as a separate accessory dwelling unit (ADU; Project). The Property was documented by Page & Turnbull on Department of Parks and Recreation (DPR) 523 forms in 2019 as part of the "Pacific Grove Historic Resource Inventory (HRI) Survey Report." The documentation recommended that the 1926 house is recommended as eligible for listing on the National Register of Historic Places (NRHP) and for local listing "for Vernacular design expressed by intact stylistic features, forms and/or construction methods" and is a "good example of type and/or style from Pacific Grove Comes of Age (1903-1926) development period and retains historic integrity." In 2019, the City of Pacific Grove adopted the 2019 HRI report, which included the listing of the Property with a California Historical Resource Status Code (Status Code) of "5S1," meaning it is an "individual property that is listed or designated locally." As such, the 1926 house is considered a Historical Resource as defined in Section 15064.5 of the California Environmental Quality Act (CEQA) Guidelines.

The Peer Review was completed by EDS Principal Architectural Historian Stacey De Shazo, M.A., and Nicole Wyton, M.S. ("peer reviewers"), who exceed the Secretary of Interior qualification standards in Architectural History and History. The Peer Review provides guidance and recommendations to the City of Pacific Grove and the Historic Resource Committee, as needed.

The following Peer Review includes the current historical status, general comments, and a "paragraph" review of Kent Seavey's "Focused Phase II Historic Assessment" letter report, dated December 20, 2023, and the supplemental document he provided to the city addressing the history of the attached garage, dated August 22, 2024.

[1] Kent Seavey, "Focused Phase II Historic Assessment," December 20, 2023.

[2] Kent Seavey, Letter addressed to Mr. Garrette McCowan (no reference), August 22, 2024.

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Current Historical Status

The historical status of the built environment resources within the Property is detailed below.

- The 1926 house was documented on DPR 523 forms in 2019 as part of the "Pacific Grove Historic Resource Inventory (HRI) Survey Report" prepared by Page & Turnbull and adopted by the City Council on November 20, 2019. As a result of the documentation, the 1926 house was recommended as eligible for listing on the NRHP and was listed on the Pacific Grove HRI due to its "Vernacular design expressed by intact stylistic features, forms and/or construction methods" and as a "good example of type and/or style from Pacific Grove Comes of Age (1903-1926) development period and retains historic integrity." In 2019, the City of Pacific Grove formally adopted the 2019 HRI report, which included listing the Property with a Status Code of 5S1 ("individual property that is listed or designated locally").

  As such, the 1926 house is considered a Historical Resource as defined in Section 15064.5 of the CEQA Guidelines.

EDS Comments: Current Historical Status

- In 2018, the City of Pacific Grove commissioned Page & Turnbull to survey the entire city and update the HRI. This HRI was finalized in October 2019 and incorporated city and public comments. This survey identified the Property as 5S1 – Individual property that is listed or designated locally based on the 2019 DPR 523 forms prepared by Page & Turnbull, the Property at 685 Mermaid Avenue was determined locally significant under Local Criteria D, E, F, G, H, and/or I, as established by Municipal Code 23.76.025 Evaluation Criteria, which is the local evaluation criteria similar to NRHP Criterion C and CRHR Criterion 3, with the comment: *"Eligible for the Pacific Grove HRI. Significant for Vernacular design expressed by intact stylistic features, forms and/or construction methods. Good example of type and/or style from Pacific Grove Comes of Age (1903-1926) development period and retains historical integrity."*[3]

- This 5S1 status includes the attached garage, which is not a separate resource but original to the house's design from 1926.

- As such, the Property is locally listed and considered a Historical Resource under CEQA and requires a Standards review and compliance with the City of Pacific Grove's Municipal Code findings in Chapter 23.76, Historic Preservation.

- The Page & Turnbull 2018-2019 survey is a reconnaissance survey, not a designation. As such, to ensure compliance with CEQA, an individual HRE must be performed on the Property to determine if any of the built environment resources within the Property, at least 45 years in age, are eligible for listing on the CRHR and/or NRHP using all four criteria. The HRE should utilize the California State Office of Historic Preservation (OHP) guidance for planning and carrying out HREs

[3] Page & Turnbull, "685 Mermaid Ave (APN 006085003000) – 1074," *DPR 523 Forms*, (City of Pacific Grove, October 18, 2019).

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and be in compliance with CEQA regulations and guidelines. The HRE should provide a specific context in which to evaluate the resource and utilize all of the CRHR evaluation criteria, including Criterion 1 (Event), Criterion 2 (Person), Criterion 3 (Architecture), and Criterion 4 (Information), as well as an integrity analysis.

2023 "Focused Phase II Historic Assessment" Letter and 2024 Supplemental Letter

In December 2023, Kent Seavey completed a "Focused Phase II Historic Assessment" letter report, a City of Pacific Grove compliance document (not a substitute for an HRE or Standards review). The letter report states that the purpose of the assessment was to determine if the *"attached ADU will make possible for a more efficient contemporary use of the property, while preserving those portions and features of the adjacent historic residence which are significant to its historic, architectural, and cultural use. All new work will be undertaken in conformance with the Secretary of the Interior's Standards for the Treatment of Historic Properties, under the Standard for Rehabilitation."*[4]

In August 2024, Kent Seavey provided a supplemental letter to correct the record regarding the attached garage – noting that both the "residence and the garage were constructed at the same time." Photographs and figures were also attached to the supplement to report this finding.

EDS General Comments

The following section is intended to provide the City of Pacific Grove with comments focusing on "general" significant and minor issues found within the "Focused Phase II Historic Assessment" and the supplemental document provided by Seavey addressing the garage.

Significant Issues:

- Local Requirements utilzing the "Guideline for Historic Assessments" - on August 3, 2017, the City of Pacific Grove issued "Guideline for Historic Assessments," which includes an overview of both a Part I Historic Assessment and a Part II Historic Assessment. The Property at 685 Mermaid Avenue is a locally identified historic resource; and in accordance with the "Guideline for Historic Assessments," a Part II Historic Assessment is automatically required. In 2023, a "Focused" Part II Historic Assessment was completed by Kent Seavey, which summarized each section required by Part II to such a degree that the full context of the historic resource and the Project was not ascertained. As the proposed Project significantly alters the form of the historic resource, a full Part II Historic Assessment (otherwise known as a Historic Resource Evaluation) should be performed in compliance with CEQA for buildings over 45 years in age. The reconnaissance document completed by Page & Turnbull is an identification survey. It does not include the evaluation requirements under CEQA for Criterion 1, 2, and 4, nor the context or integrity analysis to meet these legal requirements.
- In this "Focused" Part II Historical Assessment, it appears that Seavey bases much of his report on the DPR 523 forms completed by Page & Turnbull in 2019, and it does not appear that he performed any additional research to meet the requirements under CEQA. Furthermore, as noted

[4] Kent Seavey, "Focused Phase II Historic Assessment," December 20, 2023.

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above, he does not complete an evaluation of the building using all four of the CRHR criteria; instead, he only focuses on its physical characteristics.

- Although the proposed Project is described in the 2023 letter and two of the Secretary of the Interior's Standards are acknowledged, a complete Standards review is required, which considering all ten Standards for Rehabilitation.
- The Mermaid Avenue neighborhood is considered a "special community" under Section 30253 of the Coastal Act.[5] In addition, the Pacific Grove Municipal Code (PGMC) 23.57 "requires that the unique characteristics of special communities be protected."[6] The City also "intends to maintain the Mermaid Avenue area as an architecturally unique neighborhood"; **this should be considered part of the Property's history.**
- In addition, due to the neighborhood's density, it is not enough to determine the impacts of the Project on the historical resource alone. EDS also recommends that due to the historical status of the neighborhood, the HRE should consider cumulative effects on the neighborhood.

Minor Issues:

- There are a few areas where dates are incorrect; however, the DPR 523 forms should be amended to include the complete evaluation as required under CEQA and per the guidance of the OHP.
- Check for inconsistencies (proper names, capitalization, etc.) throughout the report.
- Check for grammatical errors throughout the report, for example, "The proposed new wood-framed, stucco-clad building envelope is essentially "U" shaped in the plan. with an open, partial roof deck above the connecting hyphen, which accesses the original house and the ADU" (see plans and drawings provided).

EDS Peer Review of the Focused Part II Historic Assessment

Introduction

- The Introduction of the Assessment provides a brief synopsis of the purpose of the assessment. While it provides the address and APN for the Property, it neglects to acknowledge the historic status, current use, methods used to complete the report, or the professional qualifications of the author.

  EDS Comment: As the Property is already locally listed and considered a Historical Resource, the Introduction should follow the guidelines provided by the City under Format Requirements, Section C. The Introduction should include the status of the property and the methods used to complete the report.

[5] City of Pacific Grove, "Land Use Plan and Implementing Ordinances," adopted by Pacific Grove City Council on January 15, 2020.

[6] City of Pacific Grove, Municipal Code, (accessed 10/28/2024), https://www.codepublishing.com/CA/PacificGrove/html/PacificGrove23/PacificGrove2357.html.

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Historical Background & Description

- The author provides one paragraph for the historical background and description of the Property.

  EDS Comment: A complete historical background of the Property should be performed to develop a historical context in which to evaluate the Property under CRHR Criterion 1 and 2. This includes a history of the Property's owners and occupants, a city and neighborhood history, and any information regarding the contractor.

  EDS Comment: Although the reconnaissance survey completed by Page & Turnbull in 2018-2019 determined that the house was constructed ca. 1922, the 2023 letter report states the house was constructed in 1926 and that the garage was not original to the construction of the house. The 2023 letter appears to have been based on the 1926 Sanborn Fire Insurance map provided in the 2023 letter, which also includes an inaccurate physical evaluation and lack of historical research to determine whether the garage was not original to the construction of the house. However, in 2024, after completing additional research, Seavy, in the 2024 letter, determined that the 1926 construction of the house included the garage.

  EDS Comment: It appears that the author visited the site – per two photographs in the appendices – so it appears a survey of the Property was conducted; however, to assess impacts to a historical resource using the Standards, a complete architectural description of the building from which to apply the Standards – identifying character-defining features, style, forms, material, etc., is required. This is especially important since the building is locally listed as architecturally significant and is a Historical Resource under CEQA. To perform a thorough Standards review (including all ten Standards), a fully developed HRE documenting the building and the associated landscape is required to assess potential impacts on the Historical Resource.

  Additional: The DPR 523 forms completed in 2018/2019 by Page & Turnbull appear to have a clerical error, which states the survey was completed in 2014.

Proposed Project Description

- The proposed Project description summarizes the Project, citing its conformance with the National Park Service (NPS) Historic Preservation Brief #14.[7]

  EDS Comment: The NPS "Preservation Briefs" are not a substitute for a Standards review. Instead, preservation briefs, such as Preservation Brief #14, provide information on preserving, rehabilitating, and restoring historic buildings. These publications help historic building owners recognize and resolve common problems before work. The briefs are especially useful to Historic Preservation Tax Incentives Program applicants because they recommend methods and approaches for rehabilitating historic buildings consistent with their historic character.

[7] https://www.nps.gov/orgs/1739/preservation-briefs.htm

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EDS Comment: For clarity, the proposed Project description should be mentioned first in the Introduction and again before the Standards review.

EDS Comment: The proposed Project, as summarized in this description, claims that the removal of the garage and the addition of a secondary front-facing gable form (ADU) with a hyphen connecting the new form to the historic house is in keeping with the intent of Preservation Brief #14, writing "[t]he proposed ADU addition will be consistent with the intent of National Parks Service 2010 Preservation Brief# 14, which emphasizes, preservation of the character of the historic buildings. The above-described treatment has been designed to do so."[8]

While the proposed Project seemingly addresses the issue of minimizing the loss of historic fabric through its use of the hyphen, described as a reasonable tactic on page 3 of Preservation Brief #14, the 2023 letter failed to determine if the garage has attained historic significance in its own right.[9] Although the 2024 letter acknowledges Standards 9, it does not address the fact that the Project will destroy original materials or features that define the Vernacular—this can be solved by completing a thorough, compliance-driven HRE.

Furthermore, the Standards for Rehabilitation state,

"[a] new addition should always be subordinate to the historic building; it should not compete in size, scale or design with the historic building. An addition that bears no relationship to the proportions and massing of the historic building – in other words, one that overpowers the historic form and changes the scale – will usually compromise the historic character as well."[10]

While the addition of 343 square feet may sound reasonable based on the current massing and form, this is disingenuous, as the plans by H3 Design, dated August 15, 2024, demonstrate that the new addition is more prominent in massing than the existing house and proposes significant changes in the vernacular design. In addition, though the new addition will be set back slightly from the road, it overwhelms the original primary façade of the 1926 house.

Additionally, per Preservation Brief #14 – utilized by Seavy, the guidelines provide routes to respectfully add to a historic building with minimal changes to the existing features of the primary façade. In contrast, the proposed Project removes the character-defining features along the primary façade. Thus, not only does the proposed Project impact the form and massing of the historical resource, it also alters the primary façade; the use as a single-family house is proposed to consist of two separate units, of which one will be an

[8] Kent Seavey, "Focused Phase II Historic Assessment," December 20, 2023, 2.

[9] Anne E Grimmer and Kay D. Weeks, "14: New Exterior Additions to Historic Buildings: Preservation Concerns," *Preservation Briefs,* (NPS.gov, August 2010) 3.

[10] Preservation Brief 14, 4.

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ADU. Furthermore, a review using the ten elements as outlined in the Standards was not completed for this Project; instead, the NPS Preservation Brief #14 was used, which was also applied inaccurately, as the Project does not appear to satisfy the guidelines established by this brief, despite the author claiming that the proposed Project is respectful and compatible.

Evaluation for Significance

- The 2023 letter simply reiterates the language of an evaluation for historical significance and the seven aspects of integrity, but an evaluation of significance has not been completed in compliance with CEQA.

  EDS Comment: The letter report does not include an evaluation of the Property as required under CEQA, noting the DPR 523 forms by Page & Turnbull an identification survey, and does not include a CEQA-compliant evaluation that includes a Property-specific historical context, application of all four CRHR criteria, and an integrity analysis. Although the Property is already locally listed, an evaluation for inclusion on the CRHR is required under CEQA for this Project and should always be completed before a Standards review. Though of great value, local identification surveys rarely apply all four CRHR evaluation criteria, and they often do not provide the information needed to comply with CEQA or determine project-related impacts on historical resources.

City of Pacific Grove's Historic Preservation Ordinance

- This section presents the Property's current historic status as locally listed, per the DPR 523 forms completed by Page & Turnbull in 2019. It also addresses each of the seven aspects of integrity, acknowledging that it maintains each of them.

  EDS Comment: Some of the information in this section should be positioned closer to the Introduction, as it establishes the Property's current historical status.

Impacts of the Proposed Project

Introduction

- The Introduction describes the Secretary of the Interior Standards, establishing the guidelines for historic rehabilitation. The ten Standards prevent a significant and detrimental effect on a historic resource.

  EDS Comment: For clarity and ease of understanding, a complete Secretary of the Interior Standards review should be performed, comparing the proposed Project with each of the ten Standards, not just Standards 9 and 10.

Project Impacts

- This paragraph determines that the proposed addition utilizes elements of the established local Vernacular without copying the existing features of the 1926 house.

  EDS Comment: This would be better stated as part of a review of the Secretary of the

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Interior Standards rather than as a separate paragraph.

Proposed Project Description

- The proposed Project description presents the various changes to the Property, including the addition of the east elevation and alterations to the primary façade.

  EDS Comment: Although the proposed Project will be differentiated from the original 1926 house, with its use of modern materials and stucco finish, the addition thoroughly alters the form and massing of the house in a way that is not respectful of the existing form, significantly impacting the original design.

  EDS Comment: The proposed Project removes the original entrance, which includes the wood steps and portico, to a wood-paneled door with a decorative wood trellis, and fenestration of the first floor, significantly altering the design of the house and creating a false sense of history. As a simple design, the house is defined by the configuration of the front entrance on the north elevation (primary façade) and the existing fenestration. The proximity to the road demonstrates the history of the neighborhood. Unfortunately, there is no consideration for "health and safety" in the Standards, and altering this façade removes character-defining features and as previously stated, creates a false sense of history, as the house was designed with the door on the north elevation, and as neither the road nor the house has moved, this location was intentional. Thus, shifting the entrance from the main form to a central hyphen alters the space and the historic egress. Although the proposed plan replaces the window and door with a wood window that matches the existing profile, it does not mitigate the removal of historic features.

Conclusions

- The conclusion determines that the proposed Project is compatible with the Secretary of the Interior Standards, particularly Standard 9 and Standard 10.

  EDS Comment: Although the conclusion determines that the proposed Project complies with the Standards, it does not show how this is achieved; it simply asserts this. As such, the Project should be evaluated against each of the ten Standards, with plans in the document to compare and explain how the Standards are met.

  EDS Comment: Only Standards 9 and 10 were acknowledged due to the nature of the proposed Project—that of an addition. The proposed Project also impacts the primary façade of 1926. Thus, all the Standards must be considered, even if it requires a note that a Standard does not apply to the proposed Project.

Mitigation

- As the author determined that the proposed Project will not negatively impact a historical resource, mitigation measures were deemed unnecessary.

  EDS Comment: EDS disagrees with the conclusion, and mitigation measures, including a focused Environmental Impact Report (EIR), may be necessary if the Project moves

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forward with significant impacts to a historical resource.

EDS Comments on the Focused Part II Historic Assessment

- Although it appears that the "Focused" Part II was completed to streamline the process, the overarching report does not meet CEQA requirements. Based on CEQA requirements, the Project requires an HRE that includes appropriate historical context, a history of owners/occupants, a historic architectural survey to document the current condition of the built environment resources, and an evaluation for eligibility for listing on the CRHR, utilizing all four criteria. An integrity analysis is also required if the evaluation determines the Property meets one or more CRHR criteria. In addition, a local assessment is needed to determine if the Property warrants continued local listing.
- The "Focused" Part II Historic Assessment is insufficient to determine the proposed Project's impacts on the built environment resources within the Property, as it provides an incomplete Standard review without addressing the plans or providing context for how and why the proposed Project is compatible with the Standards. Furthermore, the report attempts to substantiate the claims of compliance by citing Preservation Brief #14; however, it appears that the brief was only referenced regarding the location and use of a hyphen and the materials allowed but disregarded the sections that discussed form and massing.

EDS Recommendations for the Focused Part II Historic Assessment

EDS recommends that a qualified professional meeting the Secretary of the Interior Standards in Architectural History complete an HRE of the Property and a "compliant" Standards review for the proposed Project. While both may appear in the same document, an HRE can be completed first. Although the 1926 house is locally listed and is a historical resource under CEQA, the Property has not been evaluated for the CRHR. Due to the limited documentation completed by Page & Turnbull and Kent Seavy for the Property and the significant changes proposed by the Project, the "Focused Part II Historic Assessment" provided is insufficient for CEQA compliance.

Conclusion and Recommendations

The "Focused Phase II Historic Assessment" of the Property at 685 Mermaid Avenue lacks the historical context and evaluation of the built environment resource needed to complete a Standards review. The letter report is not in compliance with CEQA or the City of Pacific Grove's Municipal Code findings in Chapter 23.76, Historic Preservation – to determine the impacts of the proposed Project on the historical resource. Although the "Focused Phase II Historic Assessment" treats the Property as a historical resource, it does not correctly apply the CEQA guidelines or the Standards. As such, an HRE meeting CEQA requirements is needed before completing a Standards review. In addition, the HRE can incorporate the local requirements within the Part II Historic Assessment. Only after the HRE is completed should a Standards review be applied to the Project. Therefore, Kent Seavy's documentation does not comply with CEQA or local ordinances, including Pacific Grove Municipal Code (PGMC) 23.57, which requires "the protection of the unique characteristics of special communities."

1141 Gravenstein Highway S
Sebastopol, CA 95472
Tel. 707-823-7400
Email: stacey@evans-deshazo.com

Finally, as with all rehabilitation projects, this Project can meet the Standards; however, this often depends on the knowledge provided by a Secretary of the Interior qualified architectural historian via an HRE and Standards review, and a qualified historic architect who understands the City of Pacific Grove's local Vernacular.

Sincerely,

Nicole Wyton, M.S. Architectural Historian
nicole@evans-deshazo.com

Stacey De Shazo, M.A. Principal Architectural Historian
stacey@evans-deshazo.com

Re: Preserving Historic Resources and 685 Mermaid Ave AP 24-0044

From: Joyce Halabi <jhalabi@cityofpacificgrove.org>
To: Leslie Anderson <ldanders@earthlink.net>
Subject: Re: Preserving Historic Resources and 685 Mermaid Ave AP 24-0044
Date: Dec 5, 2025 1:34 PM

Hi Leslie,

Your email to the City of Pacific Grove City Council has been received. We sincerely appreciate the time you've taken to reach out and share your perspective with the City.

Joyce Halabi
Deputy City Manager
City of Pacific Grove
(831)648-3107
300 Forest Avenue, Pacific Grove, CA 93950

From: Leslie Anderson <ldanders@earthlink.net>
Sent: Thursday, December 4, 2025 4:35 PM
To: Jon Biggs <JBiggs@cityofpacificgrove.org>; City Manager <citymanager@cityofpacificgrove.org>; Garrett McCown <gmccown@cityofpacificgrove.org>; City Council Members <citycouncil@cityofpacificgrove.org>
Cc: Cal OHP <calshpo.ohp@parks.ca.gov>; Cal Coastal Comm Central Coast <centralcoast@coastal.ca.gov>; sara@montereycountynow.co <sara@montereycountynow.co>; Anthony Billeci #52 <antbilleci@gmail.com>; Cindy B MPHA <mphacindy@gmail.com>; David and Myrna #51 <thorson379@gmail.com>; Mikki Jenott #50 <mommikki@aol.com>; Linda Downum #20 <louski95242@yahoo.com>
Subject: Preserving Historic Resources and 685 Mermaid Ave AP 24-0044

[NOTICE: This message originated outside of the City of Pacific Grove email system -- DO NOT CLICK on links or open attachments unless you are sure the content is safe.]

"HGTV Names Pacific Grove Among the Tip 40 Most Charming Small Towns in the U.S,” The City of Pacific Grove Website

"PG Named One of the Top 15 Small Towns to Visit in 2025 by Smithsonian Magazine,” The City of Pacific Grove Website

"Located in one of California's most charming and culturally rich coastal towns... Situated just a short walk from the coast, Kimpton Mirador Pacific Grove is surrounded by historic homes, walkable streets, and local landmarks such as the Monarch Grove Sanctuary,” Hospitality.Net November 18, 2025

“It should be noted that this building style (687 Mermaid) is similar to its neighbor to the south, 685 Mermaid Avenue (1926), which may have been an inspiration for the subject house’s construction.” From the Phase I Historical Assessment on 687 and 689 Mermaid Avenue July 2, 2025 by Seth A. Bergstein, Principal of PAST Consultants, LLC

Dear Pacific Grove Community Development and City Council:

The City of Pacific Grove promotes the charm and historic nature of our town but does not take these important

elements into consideration when approving projects that will gravely alter historic resources. The location and dramatic history of our city are what draw much needed tourism and future residence to our community. I am writing to urge the City Council and Planning Commission to consider more thoughtful designs that highlight the city’s heritage, when it comes to the new Housing Element and rehabilitation of historic homes.

In particular, I am writing to assist the city of Pacific Grove in correctly analyzing the permit for a “rehabilitation” of 685 Mermaid Avenue (AP 24-0044), where the proposed design is more accurately described as a modern new build.

The Property currently includes a 1926 house and landscape. In 2019, the City of Pacific Grove adopted the 2019 HRI report, which included the listing of the Property with a California Historical Resource Status Code (Status Code) of “5S1,” meaning it is an “individual property that is listed or designated locally.” As such, the 1926 house is considered a Historical Resource as defined in Section 15064.5 of the California Environmental Quality Act (CEQA) Guidelines.

I continue to work with Stacey De Shazo, M.A. Principal Architectural Historian of Evans & De Shazo, Inc on the validity of documents submitted in relation to this permit. Stacey De Shazo is very busy so until she can get a review of the August 2025 Phase II Assessment submitted to the city, I would like to point out why this project should NOT be approved at the December 11 Planning Commission meeting, and an NOIA should remain on this permit until the required assessments are submitted.

In October 2024, Evans & De Shazo, Inc. (EDS) completed a Historic Built Environment Peer Review (Peer Review) of the “Focused Phase II Historic Assessment” letter report by Kent Seavey (dated December 20, 2023), and the supplemental letter (dated August 22, 2024) for the proposed project at 685 Mermaid Avenue, Pacific Grove, Monterey County, California, within APN 006-085-003 (Property). The Peer Review concluded,

* Mitigation measures, including a focused Environmental Impact Report (EIR), may be necessary if the Project moves forward with significant impacts to a historic resource;
* Based on CEQA requirements, the Project requires an HRE that includes appropriate historical context, a history of owners/occupants, a historic architectural survey to document the current condition of the built environment resources, and an evaluation for eligibility for listing on the CRHR, utilizing all four criteria. An integrity analysis is also required if the evaluation determines the Property meets one or more CRHR criteria. In addition, a local assessment is needed to determine if the Property warrants continued local listing.
* The “Focused Phase II Historic Assessment” of the Property at 685 Mermaid Avenue lacks the historical context and evaluation of the built environment resource needed to complete a Standards review. The letter report is not in compliance with CEQA or the City of Pacific Grove’s Municipal Code findings in Chapter 23.76, Historic Preservation – to determine the impacts of the proposed Project on the historical resource. Although the “Focused Phase II Historic Assessment” treats the Property as a historical resource, it does not correctly apply the CEQA guidelines or the Standards. As such, an HRE meeting CEQA requirements is needed before completing a Standards review. In addition, the HRE can incorporate the local requirements within the Part II Historic Assessment. Only after the HRE is completed should a Standards review be applied to the Project.

Following the submission of the 2024 Peer Review by Evans & De Shazo, the Planning Commission issued an NOIA for the project. The HRE recommended in the Peer Review has not been conducted, nor have mitigation measures or an EIR been submitted. In September 2025 the Historic Resource Committee (HRC), once again, approved the permit for 685 Mermaid Avenue solely based on the proposed design containing an ADU. The ADU will not be detached from the historic home but is part of the proposed 1000 square foot addition to the (696 square foot) historic property, and therefore all the elements of the proposed rehabilitation must be considered before approval. The HRC should focus solely on how the rehabilitation will alter the historicity of the built environment and base their approval on the design meeting Secretary of Interior Standards and CEQA laws pertaining to the historic structure. Historic Resources are not automatically exempt from CEQA. The HRC should know enough to see past insufficient reports and make an informed decision that protects the resource and the liability of the city.

Dana E. Supernowicz submitted a second Phase II Historic Assessment dated August 2025 for 685 Mermaid Avenue. This Phase II relies on the previous Assessment and the introduction states, “Building upon the Phase II Historic Assessment by Seavey, this study focuses on the rehabilitation of the residence, the addition, and the demolition of the former garage.” Most of this report focuses on the demolition of the garage, which has been proven historic, but proper studies as to it’s condition nor any form of mitigation are included in the Assessment. The Phase II Assessment has the same concerns as the previous Phase II in that both the Assessments do not conduct a complete Secretary of Interior Standards review but rather imply the design meets the standards without showing how this is done. Therefore, the report incorrectly concludes the design is exempt from CEQA.

The city of Pacific Grove continues to deem the Project exempt from CEQA per section 15300.2 but the exceptions state a categorical exemption does NOT apply when the project site is environmentally sensitive or (b) cumulative impacts would be significant AND (f) impacts to historic resources will occur. If any of the exceptions are triggered, a project that would normally be exempt under Class 31 would lose that exemption and require further environmental review. To qualify for the exemption, all work must conform with the Secretary of the Interior's Standards for the treatment of historic properties. The Project has not been property evaluated with Secretary of Interior Standards and therefore a CEQA exemption cannot be determined until the proper HRE is submitted. The inclusion of an attached ADU in the design does not exempt the Project from CEQA or the approval process for an alteration to a historic resource. Nor can the garage be treated as a separate resource. The Phase II Assessments does not consider the change from a single family to a multi family format. This project must be treated in the same way the resources effected by the new Housing Element and Rezoning report were treated, in that it may require an Environmental Impact Report to determine the impact the remodel will have on the resource or, it could be redesigned in a way that meets the Standards and does not destroy the distinct characteristics of the historic home and the neighborhood.

It is apparent in the H3 design proposal dated September 8, 2025, that the size and massing of the historic home will be significantly altered. The proposed addition is larger, in height and overall mass, than the original home. In addition, many defining characteristics of the vernacular will be changed and the features intended for demolition (H3 design proposal pages 7 and 8), including interior features, will destroy the integrity of the historic resource. The impact of this destruction is not addressed in the 2025 Phase II Historic Assessment.

There are ways this historic buildings can be respectfully rehabilitated to maintain the charm of the resource, the character of the neighborhood, and consideration for the surrounding neighbors. The current design of 685 Mermaid Avenue is NOT that. An Architect with a background in historic rehabilitation’s and restorations could create a design that is thoughtful and meets the Secretary of Interior Standards. I urge you to hold the owners accountable by denying the permit approval and requesting a design that meets the Secretary of Interior Standards for the historicity of the home and the neighborhood. This same theory applies to the resources that will be impacted by the new Housing Element for 2031. Please consider that Pacific Grove is revered for it's charm and historic nature, this is a strength we must appreciate and build upon instead of annihilating for the sake of meeting quotas.

Part of the charm of Pacific Grove is the sense of community. This should inspire us to work together to preserve what makes our town stand out and attract tourists and residence. If this house as proposed were to be built, it will negatively impact both the Monarch Pines and Beach Tract neighborhoods. Impacts of this design on the neighborhood are not addressed in either Phase II Assessment. This oversized modern build not only lacks character but would put a wall up in front of the ocean view enjoyed by one hundred and three Monarch Pines households, and block views from the nine homes on my street. My neighbors and I will be staring into this new house, and the owners of the new house will be staring into our living rooms. I do not understand why this is desired by the owners, or acceptable by the city, especially when a more creative design could not only meet the Secretary of Interior Standards but respect the charm of the neighborhood and the home. One of the biggest issues is the garage should not be removed. Nothing has proven this is an acceptable treatment of this historic resource, nor have the proper assessments been completed to show the impact this and other changes will have on this historic home and the surrounding neighborhood. The design should include the rehabilitation of the historic garage that is a vital characteristic to the original Vernacular home. The Secretary of Interior Standards for Rehabilitation is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values. We must uphold these values.

In Pacific Grove we are proud of our community and our landscape. The proposed design for 685 Mermaid Avenue respects neither. It is the duty of the City to protect it’s resources, home values, community and it’s citizens. We want to see the historic home restored but in a way that celebrates the modest Vernacular designs of the 1920s and the charm of what is considered a “special community” to be protected under Section 30253 of the Coastal Act. Once a historic resource is destroyed it cannot be replaced. With a little creativity Standards can be met and communities can remain intact. Please help us preserve our neighborhood and save our property values by preserving our views. Please issue an NOIA and require a design that meets the Secretary of Interior Standards, or at least require the proper surveys are conducted to assess the impact to the historic build environment.

Thank you for your help.

Leslie Anderson

EVANS & DE SHAZO
ARCHAEOLOGY HISTORIC PRESERVATION

ASSESSMENT AND RECOMMENDATIONS FOR CONSIDERATION BY THE CITY OF PACIFIC GROVE FOR THE CURRENT PROJECT AT 685 MERMAID AVENUE, PACIFIC GROVE, MONTEREY COUNTY, CALIFORNIA 93950

SUBMITTED TO:
City of Pacific Grove

SUBMITTED BY:
Stacey De Shazo, M.A.
Principal Architectural Historian
and
Nicole Wyton, M.S., Architectural Historian

January 12, 2026

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TABLE OF CONTENTS

INTRODUCTION **3**

PREVIOUS DOCUMENTATION **3**

PROPOSED PROJECT **3**

REGULATORY SETTING **3**

California Environmental Quality Act 4

Standards for Rehabilitation 5

METHODS **6**

STANDARDS REVIEW **6**

CONCLUSION **13**

Stacey De Shazo, M.A. | Principal Architectural Historian 15

Nicole Wyton, M.S. | Architectural historian 15

Appendix A: Qualifications

INTRODUCTION

The following document provides the City of Pacific Grove with an assessment and recommendation related to the current project at 685 Mermaid Avenue, Pacific Grove, Monterey County, California. Previously, at the request of Leslie Anderson, Evans & De Shazo, Inc. (EDS) completed a Historic Built Environment Peer Review (Peer Review) of the "Focused Phase II Historic Assessment" letter report by Kent Seavey (dated December 20, 2023),[1] and the supplemental letter (dated August 22, 2024)[2] for the proposed project at 685 Mermaid Avenue, Pacific Grove, Monterey County, California, within APN 006-085-003 (Property). A new "Phase II Historical Assessment of 685 Mermaid Avenue, Pacific Grove, Monterey County, California 93950," documentation was then completed by Dana E. Supernowicz, M.A., RPA of Historic Resource Associates. In December 2025, Ms. Anderson requested that EDS review the documentation by Historic Resource Associates. Based on our review of the documentation by Historic Resource Associates, which appears to have relied heavily on the Seavey report and due to the misinterpretation of the National Park Service guidelines, specifically guidelines within the Standards for Rehabilitation, EDS completed the following assessment report. The purpose of the report is to provide a comprehensive review with recommendations for the City Council to consider as part of the appeal documentation.

The assessment was completed by EDS Principal Architectural Historian Stacey De Shazo, M.A., and Architectural Historian Nicole Wyton, M.S., who both exceed the Secretary of Interior's qualification standards in Architectural History and History (Qualifications Appendix A). The results are presented herein.

PREVIOUS DOCUMENTATION

The Property was documented by Page & Turnbull on Department of Parks and Recreation (DPR) 523 forms in 2019 as part of the "Pacific Grove Historic Resource Inventory (HRI) Survey Report." The documentation recommended that the 1926 house is recommended as eligible for listing on the National Register of Historic Places (NRHP) and for local listing "for Vernacular design expressed by intact stylistic features, forms and/or construction methods" and is a "good example of type and/or style from Pacific Grove Comes of Age (1903-1926) development period and retains historic integrity." In 2019, the City of Pacific Grove adopted the 2019 HRI report, which included the listing of the Property with a California Historical Resource Status Code (Status Code) of "5S1," meaning it is an "individual property that is listed or designated locally." As such, the 1926 house is considered a Historical Resource as defined in Section 15064.5 of the California Environmental Quality Act (CEQA) Guidelines.

PROPOSED PROJECT

The proposed project includes changes to the 1926 house, including demolishing the attached garage and constructing a two-story addition as a separate accessory dwelling unit (ADU; Project).

REGULATORY SETTING

The CEQA regulations pertain to cultural resources, and the National Park Service (NPS) Standards guidelines

[1] Kent Seavey, "Focused Phase II Historic Assessment," December 20, 2023.

[2] Kent Seavey, Letter addressed to Mr. Garrette McCowan (no reference), August 22, 2024.

are outlined below.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

CEQA and the Guidelines for Implementing CEQA (State CEQA Guidelines § 15064.5) give direction and guidance for evaluating properties and preparing Initial Studies, Categorical Exemptions, Negative Declarations, and Environmental Impact Reports. Under California State law, the City of Pacific Grove is legally responsible and accountable for determining the environmental impact of any land use proposal it approves. Cultural resources are aspects of the environment that require identification and assessment for potential significance under CEQA (14 CCR § 15064.5 and PRC § 21084.1).

There are five classes of cultural resources defined by the State OHP. These are:

- **Building**: A structure created principally to shelter or assist in carrying out any form of human activity. A "building" may also be used to refer to a historically and functionally related unit, such as a courthouse and jail or a house and barn.
- **Structure**: A construction made for a functional purpose rather than creating human shelter. Examples include mines, bridges, and tunnels.
- **Object**: Construction is primarily artistic in nature or relatively small in scale and simply constructed. It may be movable by nature or design or made for a specific setting or environment. Objects should be in a setting appropriate to their significant historic use or character. Examples include fountains, monuments, maritime resources, sculptures, and boundary markers.
- **Site**: The location of a significant event. A prehistoric or historic occupation or activity, or a building or structure, whether standing, ruined, or vanished, where the location itself possesses historic, cultural, or archaeological value regardless of the value of any existing building, structure, or object. A site need not be marked by physical remains if it is the location of a prehistoric or historic event and if no buildings, structures, or objects marked it at that time. Examples include trails, designed landscapes, battlefields, habitation sites, Native American ceremonial areas, petroglyphs, and pictographs.
- **Historic District**: Unified geographic entities which contain a concentration of historic buildings, structures, or sites united historically, culturally, or architecturally.

According to CCR § 15064.5, cultural resources are historically significant if they are:

(1) A resource listed in or determined to be eligible by the State Historical Resources Commission for listing in the California Register of Historical Resources (PRC §5024.1, 14 CCR § 4850 et seq.).

(2) A resource included in a local register of historical resources, as defined in PRC § 5020.1(k) or identified as significant in a historical resource survey meeting the requirements of PRC § 5024.1(g), shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of the evidence demonstrates that it is not historically or culturally significant.

(3) Any object, building, structure, site, area, place, record, or manuscript which a lead agency

determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be a historical resource, provided the lead agency's determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be "historically significant" if the resource meets the criteria for listing on the California Register of Historical Resources (PRC § 5024.1, 14 CCR § 4852), including the following:

(A) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;

(B) Is associated with the lives of persons important in our past;

(C) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or

(D) Has yielded, or may be likely to yield, information important in prehistory or history.

(4) The fact that a resource is not listed in or determined to be eligible for listing in the CRHR, not included in a local register of historical resources pursuant to PRC § 5020.1(k), or identified in a historical resources survey meeting the criteria in PRC § 5024.1(g) does not preclude a lead agency from determining that the resource may be a historical resource as defined in PRC § 5020.1(j) or § 5024.1.

STANDARDS FOR REHABILITATION

The Secretary of the Interior's Standards for Rehabilitation

The Standards for Rehabilitation provide directions for making appropriate choices in planning the repairs, alterations, and additions that may be part of a rehabilitation project. The Guidelines apply the Standards and describe specific treatments that do and do not meet the Standards. The Standards for Rehabilitation, codified in 36 CFR Part 67, are regulatory for the Historic Preservation Tax Incentives program and are the Standards most often used by local historic district commissions nationwide.

The Standards for Rehabilitation are the criteria for determining if a rehabilitation project qualifies as a certified rehabilitation. The intent of the Standards is to assist in the long-term preservation of a property's significance through the preservation of historic materials and features. The Standards pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and the interior of historic buildings. The Standards also encompass related landscape features and the building's site and environment, as well as attached, adjacent, or related new construction. To be certified, a rehabilitation project must be determined by the Secretary to be consistent with the historic character of the structure(s) and, where applicable, the district in which it is located. The following Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

METHODS

The methods used to complete the focused "Standards review" included reviewing the recent documentation by Historic Resource Associates and a review of the Project's current architectural plans. Ms. De Shazo, M.A., and Ms. Wyton, M.S., worked to identify and address any potential adverse impacts on the 1926 house to ensure the current Project complies with the Standards for Rehabilitation.

STANDARDS REVIEW

Secretary of Interior Standards for Rehabilitation Review

The following section addresses the current Project within the context of the Secretary of the Interior's Standards for Rehabilitation. Rehabilitation is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features that convey its historical, cultural, or architectural values. When repair and replacement of deteriorated features are necessary, when alterations or additions to the property are planned for a new or continued use, and when its depiction at a particular period of time is not appropriate, Rehabilitation may be considered as a treatment.

According to the Standards, "some exterior and interior alterations to a historic building are generally needed as part of a Rehabilitation project to ensure its continued use, but it is most important that such alterations do not radically change, obscure, or destroy character-defining spaces, materials, features, or finishes. Alterations may include changes to the site or setting, such as the selective removal of buildings or other features of the building site or setting that are intrusive, not character-defining, or outside the building's period of significance."

The Standards and EDS' analysis of the current preliminary Project related to the Standards is presented below. The Project was reviewed using the Project description provided by the architect, which was applied to each of the Standards. The results of the Standards analysis are presented below with an "EDS Response" and an "EDS Analysis" that identifies whether the Project conforms with Standards. "EDS Recommendations" are also provided, if warranted.

Pages 16 and 17 of "Phase II Historical Assessment of 685 Mermaid Avenue, Pacific Grove, Monterey County, California 93950," by Dana E. Supernowicz, M.A., RPA, August 2025, address each of the ten Standards. The Standards are completed adequately, leaving out details that would support its assessment; however, several key elements of Standard 9 are ignored, simply stating "The new addition and the ADU will be constructed in a manner that will not damage or harm the historic residence."[3] This statement does not address the second sentence of the Standard "The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment." As such, EDS completed Standard 9 in full, to demonstrate that the proposed project does not meet the Standard, as it is not compatible with the massing, size, and scale of the property.

The following Standards review assesses potential impacts of the current project and provides recommendations to assist the City of Pacific Grove in ensuring compliance with CEQA.

9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

The character-defining features of the 1926 house include the following, as determined by Page & Turnbull's HRI, and confirmed by EDS:

- Slender, two-story, front-facing gable form
- Wood frame construction
- Off-centered entryway on the primary (street-facing) façade
- Wood, casement windows
- Wood drop siding (Pacific Grove Building Permit filed April 5, 1926, states that the house was

[3] Dana Supernowicz, M.A, ""Phase II Historical Assessment of 685 Mermaid Avenue, Pacific Grove, Monterey County, California 93950," (August 2025) 16.

clad with board and batten siding)

- Eave overhangs with exposed rafter tails
- Represents Pacific Grove "Vernacular" design

The proposed addition includes the removal of an original, but infilled, shed porch constructed on the south elevation, as well as the removal of the one-story, front-facing, infilled garage. The project proposes the removal of five original wood windows; thus, the project includes removing half of the existing ten windows. The project includes the restoration of the original board and batten siding (as demonstrated in the original Permit) and will maintain the original entrance on the primary facade. The proposed project includes the addition of a two-story, front-facing gable form with a two-story hyphen between the original gabled form and the addition.

Massing

The proposed Project is differentiated entirely from the old, due to its modern application of materiality and its emphasis on interior experience. However, it is not compatible with the massing, size, or scale of the extant 1926 house. The house is approximately 12' 3" wide, 32' 3" deep, and 20' 5" tall, representing a unique "Vernacular" design. The proposed front-facing addition is both wider and taller than the existing building, approximately 14' 3" wide, 23' 11" deep, and 21' 7" tall. The design attempts to mitigate the difference by setting it back from the road; however, this proposed addition physically overwhelms the original house, which alters the hierarchy of the building – where the extant shed additions are clearly distinct from the main house, the proposed additions usurp the original two-story front-facing gable house. Rather than presenting the original house as the main feature of the building, it restructures the building's street presence so that the additions appear to be the main building, and the ca. 1926 section of the house only an addition. Therefore, the proposed project is not compatible with the massing, size, or scale of the historic house.



Figure 1. "Proposed North Elevation" from Page A3.1 of *Zheng Remodel,* by H3 Design (Courtesy of Heritage Society of Pacific Grove).

EDS Assessment:

The **purpose of Standard 9 is to prevent the additions from undermining the historic integrity of the 1926 house.** While retaining the original door attempts to keep the original 1926 front-facing gable as the primary building, the proposed massing and scale of the addition are too overwhelming for the small frame of the original building.

As such, to meet the Standards for Rehabilitation, any proposed additions must not be greater in scale or massing than the original 1926 house. As such, below are a few massing proposals that are more fitting to the 1926 addition. These are not designs, as EDS are not architects or designers, but they are recommendations based on our Secretary of the Interior's professional qualifications as architectural historians. As such, EDS is qualified to determine what designs and elements, such as massing and materials, meet the Standards for Rehabilitation.

EDS Recommendations (3 options that meet the Standards and Local Compliance)

Massing 1: Reduce the width of the front-facing gable and the height of the overall addition (Figure 2). This may be achieved by sinking the foundation, thus beginning the baseplate below street level; an example of this is San Francisco's garages that are below the house and street level (Figure 3, Figure 4, and Figure 5). Though this may not be feasible, it should be considered as an option.

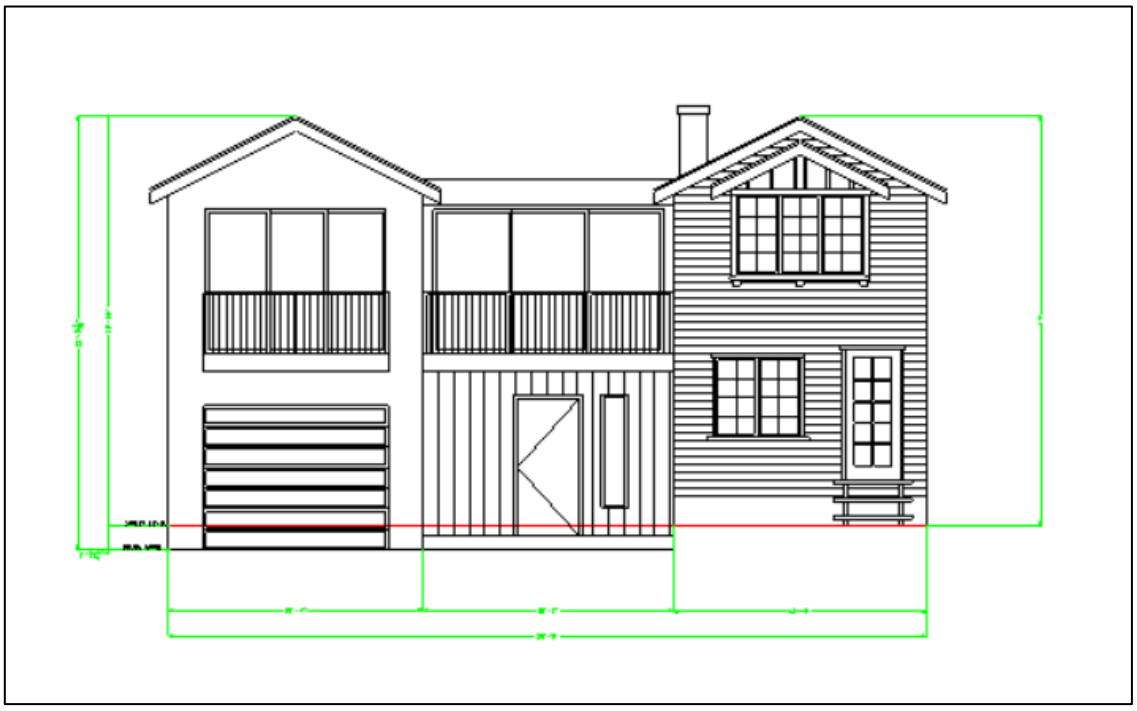


Figure 2. Massing option 1, showing the two front-facing gables and the central hyphen are approximately 12' wide, and the ridge of the roof is no higher than the ridge of the existing 1926 house. Achieved by sinking the addition below grade.

Examples of Sunken Garages

The following section provides three examples of sunken garages that are part of option 1.



Figure 3. 3343 Jackson, San Francisco (Courtesy of RedFin).



Figure 4. 3330 Jackson Avenue, San Francisco (courtesy of Google Maps).



Figure 5. 3424 Jackson Avenue, San Francisco (Courtesy of Google Maps).

Massing Option 2: The following option 2 demonstrates how removing the larger "ADU" and reducing the height of the "hyphen" meets the Standards for Rehabilitation (Figure 6).

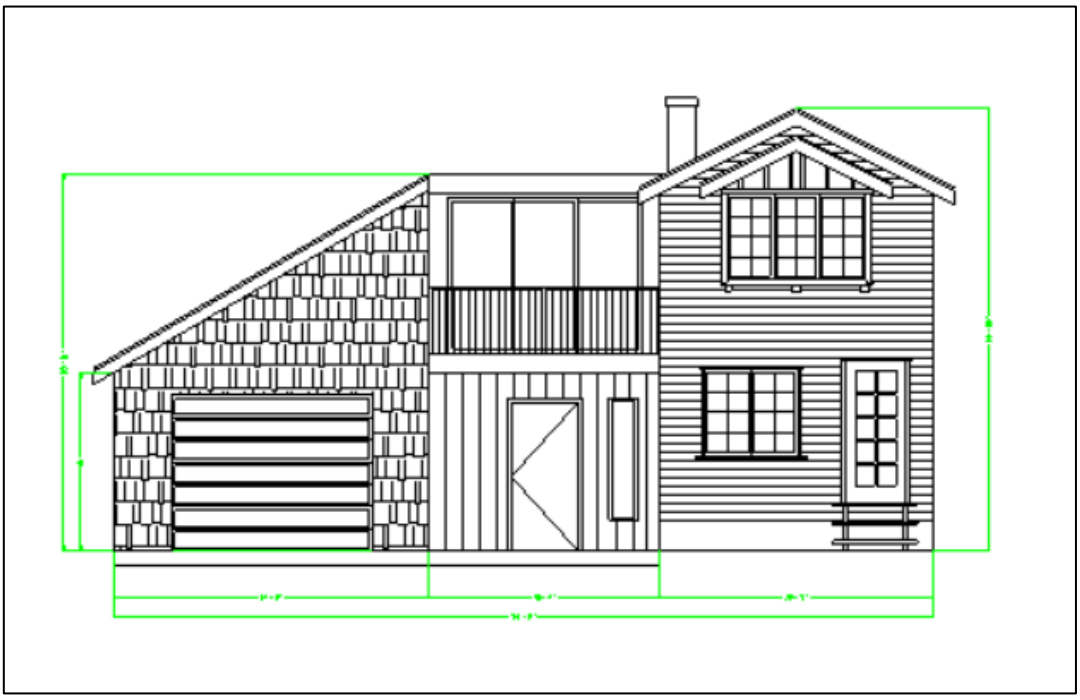


Figure 6. Massing Option 2 demonstrates where the widths are not altered, but the larger "ADU" is removed, and the height is below the eaves of the original 1926 front-facing gable.

Massing Option 3: The following option 3 demonstrates how reducing the proposed addition to one story meets the Standards for Rehabilitation (Figure 7).

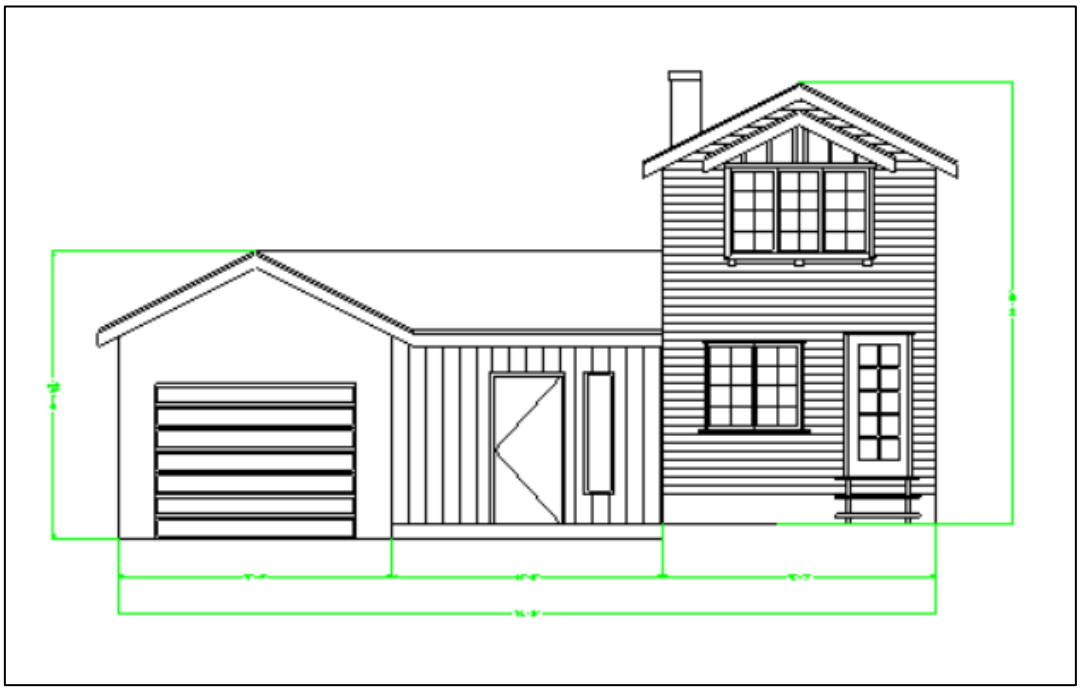


Figure 7. Massing Option 3, where the entire height of the addition does not exceed 17 feet.

CONCLUSION

Based on its local listing, the 1926 house is a historical resource under CEQA. EDS completed the assessment of the current Project to determine if the proposed Project would impact the integrity of the 1926 house to remain locally listed. Based on this review, EDS determined that the Project does not meet the Standards for Rehabilitation, and if approved, the 1926 house would no longer be eligible for local listing based on the City's guidelines. However, if any of the three options are utilized, reducing the massing, the Project would meet the Standards for Rehabilitation and remain eligible for local listing.

Appendix A:

Qualifications

STACEY DE SHAZO, M.A. | PRINCIPAL ARCHITECTURAL HISTORIAN

Stacey De Shazo, M.A., serves as Principal Architectural Historian and Project Manager. Ms. De Shazo has a Master of Arts (M.A.) degree in Historic Preservation, a Bachelor of Arts (B.A.) degree in Anthropology, and exceeds the Secretary of the Interior's qualification standards in Architectural History and History. She has over 25 years of experience in the identification and evaluation of built environment cultural resources in California. Ms. De Shazo has extensive knowledge of the history of California, including major trends in migration, industrialization, agricultural development, building, transportation, and economic growth. She has produced hundreds of Historic Resource Evaluations for properties in cities and counties throughout California, including Sonoma, Napa, Marin, Alameda, San Mateo, Santa Clara, San Francisco, Santa Cruz, Monterey, Sacramento, and San Mateo County, to name a few. She has experience with Secretary of the Interior Standards reviews, California Register and National Register nominations, Historic Preservation 20% Tax Credit applications, Mills Act, preservation treatment plans, and completing peer reviews. Her experience on complex historic preservation projects within California, along with her education, has allowed her to become an expert and leader in Architectural History and Historic Preservation. Ms. De Shazo also served as Chair of the City of Santa Rosa's Cultural Heritage Board from 2014 to 2019 and served as an Adjunct Lecturer at Sonoma State University from 2017 to 2019, teaching the graduate-level class Practicum in the National Register of Historic Places.

NICOLE WYTON, M.S. | ARCHITECTURAL HISTORIAN

Ms. Wyton is an architectural historian with a Master of Science (M.S.) degree in Historic Preservation from Clemson University and College of Charleston and a B.A. in History from Christendom College in Virginia. In 2021, Ms. Wyton completed a historic preservation internship with EDS under Principal Architectural Historian Stacey De Shazo. Ms. Wyton began her work with EDS as an architectural historian intern and was hired by EDS upon completing her Internship. During her nearly five years with EDS, Ms. Wyton has conducted archival research and completed numerous historic architectural surveys. She has assisted in completing numerous HRE reports, writing historical context, and evaluating built environment resources for eligibility for listing on the CRHR and the NRHP. Ms. Wyton has assisted with completing several NRHP nominations, including a civil rights nomination for the Sigma Chi House on the Stanford University campus, a nomination for a Julia Morgan-designed structure in Mendocino County, and a District Nomination in Sonoma County. She has also assisted with completing several Mills Act historic property tax relief projects and HABS documents for the Library of Congress. Ms. Wyton thoroughly understands state and federal laws and regulations, including CEQA and Section 106 of the NHPA.

HISTORIC RESOURCE ASSOCIATES
HISTORIC ARCHITECTURE • ARCHAEOLOGY • HISTORICAL & GENEALOGICAL RESEARCH
NATIONAL REGISTER NOMINATIONS • PRESERVATION PLANNING • HISTORIC INTERIORS

January 25, 2026

Charles Zheng
685 Mermaid Avenue
Pacific Grove, CA 93950

Re: Summary Report of the Phase II Historical Assessment of 685 Mermaid Avenue, Pacific Grove, CA 93950

Dear Mr. Zheng:

The purpose of this letter is to summarize the findings and recommendation presented in the Phase II Historical Assessment of 685 Mermaid Avenue, Pacific Grove, prepared by Historic Resource Associates (HRA) in August 2025. To date, the Pacific Grove Planning staff, the Historic Resource Committee, and the Pacific Grove Planning Commission have all voted favorably on the Phase II Historical Assessment and the design plans for the property. In 2025, Historic Resource Associates (HRA) was asked to review the Phase I Historical Assessment of the property and examine the attached guest house that was originally constructed as a garage and apply the Secretary of the Interior Standards for the Treatment of Historic Properties (Standards). Both the residence that was built in 1926 and the guest house are in extremely poor condition, due to neglect from previous owners. It is also apparent that the residence and guest house have undergone a number of consequential alterations that diminish the property's architectural integrity. Those alterations include re-siding over the original board and batten siding, building a non-historic addition in the rear, adding a large bay window on the front of the residence, and likely replacing most of the windows. The former garage no longer serves as it was intended in the original design of the house, having undergone extensive remodeling in the circa-1950s to convert it into a guest house, which included removing garage doors and reconstructing the front façade with a large fixed, wooden picture window, along with other alterations.

A review of other properties aligning Mermaid Avenue reveals numerous additions and alterations to many, if not most, of the original modest houses that were built on the street in the 1920s-1930s. Those additions often include adding a second-story to single-story cottages, adding garages, replacing original exterior wall fabric with non-historic fabric, and expanding the footprint of some houses to cover the entire parcel. It should be noted that the current owner of the property intends to rehabilitate the residence, retaining and restoring its "significant" architectural character defining features and removing non-historic materials, such as the inappropriate siding on the exterior walls, thus, revealing the original fabric and ensuring that the Standards are met. (refer to Phase II Historical Assessment of 685 Mermaid Avenue, Pacific Grove, Monterey County, California, August 2025, pages 16-17).

3142 Bird Rock Road
Pebble Beach, CA 93953
Office: 831-641-7474
Mobile: 916-296-4334
Email: historic.resource@comcast.net

In August 2025, HRA analyzed the character defining features of the residence, including the neighborhood character, and applied the Standards to the proposed rehabilitation of the property. The appropriate Standard for 685 Mermaid Avenue is "Rehabilitation." The key standards for "Rehabilitation" include preserving the historic character of the original residence; creating compatible new additions with the historic property (the guest house was determined to be a non-contributing part of the property); differentiating the new work from the old; designing the additions in a manner that, if removed, the overall form and integrity of the historic property is still largely revealed; designing the additions in a manner that when viewed from the public spaces the additions are subordinate to the historic house; and ensuring the new work does not present a false sense of history.

Because of the location, size, and setbacks of the project parcel, any additions would have to occur along its east elevation that are undeveloped with the exception of the attached guest house. Given the historic residence stands two-stories tall, and unlike the single-story cottages along Mermaid that have piggy-back rooftop additions, expansion is proposed in the location of the existing non-contributing guest house, which will be demolished and replaced with an extension of the residence, but set back with a lower roofline from the residence on the parcel so if viewed from the street it would be subordinate to the original residence. The Accessory Dwelling Unit (ADU), instead of being built against the historic residence is proposed to be constructed to the east of the center addition, and while similar in size it would also be subordinate to the existing historic residence. In essence, the distance between the original residence, the ADU, and the intervening addition setback on the parcel is more than sufficient to meet the Standards #9 and #10.

In summary, the previous analysis of 685 Mermaid Avenue performed by HRA in August 2025 found that the proposed project meets the Standards. Based upon 40 years of experience in conducting architectural assessments in California, the Standards were designed to provide "guidance" for government agencies, as well as qualified professionals addressing historic preservation projects. It is also apparent that each city or community operates differently in regards to determining the significance of properties and assessing projects that involve the four aspects of the Standards, namely Rehabilitation, Restoration, Preservation, and Reconstruction. Since the passage of the National Historic Preservation Act in 1966, there have been numerous changes to the regulatory process at both the federal and state level, such as California's mandate for expanding housing for its residents. Finally, characterizing Pacific Grove in comparison to San Francisco, as was done in the report prepared by Evans & De Shazo, Inc., is inherently flawed in that both cities have unique issues and differing ways that housing projects should be assessed. If you have any questions or concerns, please feel free to contact me.

Regards



Dana E. Supernowicz, M.A., RPA
Principal



PROPOSED NORTH + EAST ELEVATION
NOT TO SCALE



PROPOSED NORTH ELEVATION
NOT TO SCALE



PROPOSED NORTH + WEST ELEVATION
NOT TO SCALE

H3 DESIGN
549 HILLCREST AVENUE
PACIFIC GROVE, CA 93950
(C) 831.233.4319

11 . 15 . 25

LICENSED ARCHITECT
CHARLES S. ZHENG
C-38709
08.31.26
RENEWAL
STATE OF CALIFORNIA

ZHENG REMODEL

685 MERMAID AVE. PACIFIC GROVE, CA 93950

ALL DRAWINGS, DESIGNS + WRITTEN MATERIALS ARE THE ORIGINAL WORK OF H³ DESIGN AND MAY NOT BE DUPLICATED, USED OR TRANSFERRED WITHOUT WRITTEN CONSENT

PROPOSED MODEL VIEWS

A10.3

Outlook

FW: Support for Architectural Permit (AP) and Coastal Development Permit (CDP) 24-0044 for 685 Mermaid Avenue (APN 006-085-003-000)

From Garrett McCown <gmccown@cityofpacificgrove.org>
Date Thu 12/11/2025 2:25 PM
To Planning Commission <planningcommission@cityofpacificgrove.org>

Good afternoon Commissioners,

Please see forwarded email, from Mr. Dutra, for your consideration.

Best regards,

Garrett McCown
Associate Planner &
RFP Coordinator
City of Pacific Grove
www.cityofpacificgrove.org
p: 831-648-3185
a: 300 Forest Ave
Pacific Grove, CA 93950

Planning permits are no longer accepted through this email account. All planning permit applications must be submitted to either planning@cityofpacificgrove.org or in person at the community development department located on the second floor of City Hall.

From: Dominic Dutra <ddutra@3Dstrategies.com>
Sent: Thursday, December 11, 2025 2:13 PM
To: Garrett McCown <gmccown@cityofpacificgrove.org>
Cc: Jon Biggs <JBiggs@cityofpacificgrove.org>
Subject: Support for Architectural Permit (AP) and Coastal Development Permit (CDP) 24-0044 for 685 Mermaid Avenue (APN 006-085-003-000)

[**NOTICE:** This message originated outside of the City of Pacific Grove email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Mr. McCown,

As the new owner of the two properties located at 687 and 689 Mermaid Ave., please note to the members of the Planning Commission that we fully support the applicant and agree with staff's recommendation that the Planning

Commission approve the project (Architectural Permit (AP) and Coastal Development Permit (CDP) 24-0044, subject to the findings, recommended conditions, and Class 1 and 31 Categorical Exemptions (CEQA Guidelines Sections 15301, Existing Facilities, and 15331, Historical Resource Restoration and Rehabilitation).

We believe that this applicant has worked diligently to meet the concerns of neighbors, the HRC and others and have great confidence that his significant investment will be a great asset to the community. We appreciate the applicant's efforts and wish him well during tonight's meeting.

Please feel free to contact me should you have any questions.

Sincerely,

Dominic D. Dutra

Professional Qualifications

Cell Phone: 510.366.9931
BRE License No. 00963281

"The only man who can safely appear in public is the one who wishes he were at home. He alone can safely speak who prefers to be silent. Only he can safely govern who prefers to live in submission, and only he can safely command who prefers to obey."

Thomas A Kempis

Outlook

FW: 685 Mermaid Ave hearing

From Garrett McCown <gmccown@cityofpacificgrove.org>
Date Thu 12/11/2025 4:56 PM
To Planning Commission <planningcommission@cityofpacificgrove.org>

Good evening Commissioners,

Please see forwarded email, from Mr. and Mrs. Weidenhamer, for your consideration.

Best regards,

Garrett McCown
Associate Planner &
RFP Coordinator
City of Pacific Grove
www.cityofpacificgrove.org
p: 831-648-3185
a: 300 Forest Ave
Pacific Grove, CA 93950

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From: Michelle Robinson <robinsonmichelle75@yahoo.com>
Sent: Thursday, December 11, 2025 4:27 PM
To: Garrett McCown <gmccown@cityofpacificgrove.org>
Subject: 685 Mermaid Ave hearing

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Hi Garrett McCown,
I'm Michelle Weidenhamer and my husband is Joseph Weidenhamer. We own the 675 and 679 Mermaid Ave. properties next to the proposed project. The elevation of Charles Zheng's is very attractive and we are really excited about him moving forward with the build. If there is anything you need please reachout.
Best Regards
Michelle Weidenhamer

224-244-1319

Yahoo Mail: Search, Organize, Conquer

Outlook

FW: Preserving Historic Resources and 685 Mermaid Ave AP 24-0044

From Garrett McCown <gmccown@cityofpacificgrove.org>
Date Wed 12/10/2025 1:22 PM
To Planning Commission <planningcommission@cityofpacificgrove.org>

Good afternoon Commissioners,

Please see forwarded email, from Ms. Anderson, for your consideration.

Best regards,

Garrett McCown
Associate Planner &
RFP Coordinator
City of Pacific Grove
www.cityofpacificgrove.org
p: 831-648-3185
a: 300 Forest Ave
Pacific Grove, CA 93950

Planning permits are no longer accepted through this email account. All planning permit applications must be submitted to either planning@cityofpacificgrove.org or in person at the community development department located on the second floor of City Hall.

-----Original Message-----
From: Leslie Anderson <ldanders@earthlink.net>
Sent: Thursday, December 4, 2025 4:36 PM
To: Jon Biggs <JBiggs@cityofpacificgrove.org>; City Manager <citymanager@cityofpacificgrove.org>; Garrett McCown <gmccown@cityofpacificgrove.org>; City Council Members <citycouncil@cityofpacificgrove.org>
Cc: Cal OHP <calshpo.ohp@parks.ca.gov>; Cal Coastal Comm Central Coast <centralcoast@coastal.ca.gov>; sara@montereycountynow.co; Anthony Billeci #52 <antbilleci@gmail.com>; Cindy B MPHA <mphacindy@gmail.com>; David and Myrna #51 <thorson379@gmail.com>; Mikki Jenott #50 <mommikki@aol.com>; Linda Downum #20 <louski95242@yahoo.com>
Subject: Preserving Historic Resources and 685 Mermaid Ave AP 24-0044

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"HGTV Names Pacific Grove Among the Tip 40 Most Charming Small Towns in the U.S,” The City of Pacific Grove Website

"PG Named One of the Top 15 Small Towns to Visit in 2025 by Smithsonian Magazine,” The City of Pacific Grove Website

"Located in one of California's most charming and culturally rich coastal towns... Situated just a short walk from the coast, Kimpton Mirador Pacific Grove is surrounded by historic homes, walkable streets, and local landmarks such as the Monarch Grove Sanctuary,” Hospitality.Net November 18, 2025

“It should be noted that this building style (687 Mermaid) is similar to its neighbor to the south, 685 Mermaid Avenue (1926), which may have been an inspiration for the subject house’s construction.” From the Phase I Historical Assessment on 687 and 689 Mermaid Avenue July 2, 2025 by Seth A. Bergstein, Principal of PAST Consultants, LLC

Dear Pacific Grove Community Development and City Council:

The City of Pacific Grove promotes the charm and historic nature of our town but does not take these important elements into consideration when approving projects that will gravely alter historic resources. The location and dramatic history of our city are what draw much needed tourism and future residence to our community. I am writing to urge the City Council and Planning Commission to consider more thoughtful designs that highlight the city’s heritage, when it comes to the new Housing Element and rehabilitation of historic homes.

In particular, I am writing to assist the city of Pacific Grove in correctly analyzing the permit for a “rehabilitation” of 685 Mermaid Avenue (AP 24-0044), where the proposed design is more accurately described as a modern new build.

The Property currently includes a 1926 house and landscape. In 2019, the City of Pacific Grove adopted the 2019 HRI report, which included the listing of the Property with a California Historical Resource Status Code (Status Code) of “5S1,” meaning it is an “individual property that is listed or designated locally.” As such, the 1926 house is considered a Historical Resource as defined in Section 15064.5 of the California Environmental Quality Act (CEQA) Guidelines.

I continue to work with Stacey De Shazo, M.A. Principal Architectural Historian of Evans & De Shazo, Inc on the validity of documents submitted in relation to this permit. Stacey De Shazo is very busy so until she can get a review of the August 2025 Phase II Assessment submitted to the city, I would like to point out why this project should NOT be approved at the December 11 Planning Commission meeting, and an NOIA should remain on this permit until the required assessments are submitted.

In October 2024, Evans & De Shazo, Inc. (EDS) completed a Historic Built Environment Peer Review (Peer Review) of the “Focused Phase II Historic Assessment” letter report by Kent Seavey (dated December 20, 2023), and the supplemental letter (dated August 22, 2024) for the proposed project at 685 Mermaid Avenue, Pacific Grove, Monterey County, California, within APN 006-085-003 (Property). The Peer Review concluded,

* Mitigation measures, including a focused Environmental Impact Report (EIR), may be necessary if the Project moves forward with significant impacts to a historic resource;
* Based on CEQA requirements, the Project requires an HRE that includes appropriate historical context, a history of owners/occupants, a historic architectural survey to document the current condition of the

built environment resources, and an evaluation for eligibility for listing on the CRHR, utilizing all four criteria. An integrity analysis is also required if the evaluation determines the Property meets one or more CRHR criteria. In addition, a local assessment is needed to determine if the Property warrants continued local listing.
* The “Focused Phase II Historic Assessment” of the Property at 685 Mermaid Avenue lacks the historical context and evaluation of the built environment resource needed to complete a Standards review. The letter report is not in compliance with CEQA or the City of Pacific Grove’s Municipal Code findings in Chapter 23.76, Historic Preservation – to determine the impacts of the proposed Project on the historical resource. Although the “Focused Phase II Historic Assessment” treats the Property as a historical resource, it does not correctly apply the CEQA guidelines or the Standards. As such, an HRE meeting CEQA requirements is needed before completing a Standards review. In addition, the HRE can incorporate the local requirements within the Part II Historic Assessment. Only after the HRE is completed should a Standards review be applied to the Project.

Following the submission of the 2024 Peer Review by Evans & De Shazo, the Planning Commission issued an NOIA for the project. The HRE recommended in the Peer Review has not been conducted, nor have mitigation measures or an EIR been submitted. In September 2025 the Historic Resource Committee (HRC), once again, approved the permit for 685 Mermaid Avenue solely based on the proposed design containing an ADU. The ADU will not be detached from the historic home but is part of the proposed 1000 square foot addition to the (696 square foot) historic property, and therefore all the elements of the proposed rehabilitation must be considered before approval. The HRC should focus solely on how the rehabilitation will alter the historicity of the built environment and base their approval on the design meeting Secretary of Interior Standards and CEQA laws pertaining to the historic structure. Historic Resources are not automatically exempt from CEQA. The HRC should know enough to see past insufficient reports and make an informed decision that protects the resource and the liability of the city.

Dana E. Supernowicz submitted a second Phase II Historic Assessment dated August 2025 for 685 Mermaid Avenue. This Phase II relies on the previous Assessment and the introduction states, “Building upon the Phase II Historic Assessment by Seavey, this study focuses on the rehabilitation of the residence, the addition, and the demolition of the former garage.” Most of this report focuses on the demolition of the garage, which has been proven historic, but proper studies as to it’s condition nor any form of mitigation are included in the Assessment. The Phase II Assessment has the same concerns as the previous Phase II in that both the Assessments do not conduct a complete Secretary of Interior Standards review but rather imply the design meets the standards without showing how this is done. Therefore, the report incorrectly concludes the design is exempt from CEQA.

The city of Pacific Grove continues to deem the Project exempt from CEQA per section 15300.2 but the exceptions state a categorical exemption does NOT apply when the project site is environmentally sensitive or (b) cumulative impacts would be significant AND (f) impacts to historic resources will occur. If any of the exceptions are triggered, a project that would normally be exempt under Class 31 would lose that exemption and require further environmental review. To qualify for the exemption, all work must conform with the Secretary of the Interior's Standards for the treatment of historic properties. The Project has not been property evaluated with Secretary of Interior Standards and therefore a CEQA exemption cannot be determined until the proper HRE is submitted. The inclusion of an attached ADU in the design does not exempt the Project from CEQA or the approval process for an alteration to a historic resource. Nor can the garage be treated as a separate resource. The Phase II Assessments does not consider the change from a single family to a multi family format. This project must be treated in the same way the resources effected by the new Housing Element and Rezoning report were treated, in that it may require

an Environmental Impact Report to determine the impact the remodel will have on the resource or, it could be redesigned in a way that meets the Standards and does not destroy the distinct characteristics of the historic home and the neighborhood.

It is apparent in the H3 design proposal dated September 8, 2025, that the size and massing of the historic home will be significantly altered. The proposed addition is larger, in height and overall mass, than the original home. In addition, many defining characteristics of the vernacular will be changed and the features intended for demolition (H3 design proposal pages 7 and 8), including interior features, will destroy the integrity of the historic resource. The impact of this destruction is not addressed in the 2025 Phase II Historic Assessment.

There are ways this historic buildings can be respectfully rehabilitated to maintain the charm of the resource, the character of the neighborhood, and consideration for the surrounding neighbors. The current design of 685 Mermaid Avenue is NOT that. An Architect with a background in historic rehabilitation’s and restorations could create a design that is thoughtful and meets the Secretary of Interior Standards. I urge you to hold the owners accountable by denying the permit approval and requesting a design that meets the Secretary of Interior Standards for the historicity of the home and the neighborhood. This same theory applies to the resources that will be impacted by the new Housing Element for 2031. Please consider that Pacific Grove is revered for it's charm and historic nature, this is a strength we must appreciate and build upon instead of annihilating for the sake of meeting quotas.

Part of the charm of Pacific Grove is the sense of community. This should inspire us to work together to preserve what makes our town stand out and attract tourists and residence. If this house as proposed were to be built, it will negatively impact both the Monarch Pines and Beach Tract neighborhoods. Impacts of this design on the neighborhood are not addressed in either Phase II Assessment. This oversized modern build not only lacks character but would put a wall up in front of the ocean view enjoyed by one hundred and three Monarch Pines households, and block views from the nine homes on my street. My neighbors and I will be staring into this new house, and the owners of the new house will be staring into our living rooms. I do not understand why this is desired by the owners, or acceptable by the city, especially when a more creative design could not only meet the Secretary of Interior Standards but respect the charm of the neighborhood and the home. One of the biggest issues is the garage should not be removed. Nothing has proven this is an acceptable treatment of this historic resource, nor have the proper assessments been completed to show the impact this and other changes will have on this historic home and the surrounding neighborhood. The design should include the rehabilitation of the historic garage that is a vital characteristic to the original Vernacular home. The Secretary of Interior Standards for Rehabilitation is defined as the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features which convey its historical, cultural, or architectural values. We must uphold these values.

In Pacific Grove we are proud of our community and our landscape. The proposed design for 685 Mermaid Avenue respects neither. It is the duty of the City to protect it’s resources, home values, community and it’s citizens. We want to see the historic home restored but in a way that celebrates the modest Vernacular designs of the 1920s and the charm of what is considered a “special community” to be protected under Section 30253 of the Coastal Act. Once a historic resource is destroyed it cannot be replaced. With a little creativity Standards can be met and communities can remain intact. Please help us preserve our neighborhood and save our property values by preserving our views. Please issue an NOIA and require a design that meets the Secretary of Interior Standards, or at least require the proper surveys are conducted to assess the impact to the historic build environment.

Thank you for your help.

Leslie Anderson

Outlook

FW: 685 Mermaid Ave

From Garrett McCown <gmccown@cityofpacificgrove.org>
Date Wed 12/10/2025 1:17 PM
To Planning Commission <planningcommission@cityofpacificgrove.org>

Good afternoon Commissioners,

Please see forwarded email, from Mr. Belleci, for your consideration.

Best regards,

Garrett McCown
Associate Planner &
RFP Coordinator
City of Pacific Grove
www.cityofpacificgrove.org
p: 831-648-3185
a: 300 Forest Ave
Pacific Grove, CA 93950

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From: anthony billeci <antbilleci@gmail.com>
Sent: Wednesday, December 10, 2025 12:42 PM
To: Garrett McCown <gmccown@cityofpacificgrove.org>; Jon Biggs <JBiggs@cityofpacificgrove.org>; Anna Bornstein <ABornstein@cityofpacificgrove.org>
Cc: Cindy Billeci <cindybilleci60@gmail.com>; Leslie Anderson <ldanders@earthlink.net>
Subject: 685 Mermaid Ave

[**NOTICE:** This message originated outside of the City of Pacific Grove email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Re: December 11 planning commission meeting for 685 Mermaid Ave.

I strongly urge the planning commission to deny the permit for 685 Mermaid Ave. The HRC should not have approved the plans at their last meeting. I believe the HRC failed to perform their duties in preserving & rehabilitating a historic structure in the city of Pacific Grove

by allowing the demolition of the historic garage attached to the historic home. It was obvious at the HRC meeting that the historian was biased in his report in favor of the owners plans for the project as proposed.

Shouldn't the HRC as well as any historian be committed to preserve the historic homes and buildings of Pacific Grove?

If the permit is approved and the project is completed as planned it would open the door for other homeowners on Mermaid Avenue to follow suit. An example is the property next door at 687 Mermaid Avenue. The property was just approved for listing on the HRI. The homeowners already have plans to alter the structure as part of a remodel of the home.If this trend continues, the village-like atmosphere of Mermaid Avenue would be lost. Walking tours of historic homes in Pacific Grove are popular among tourists and residents of the city. As the historic homes are allowed to change their appearance there would be less interest in touring updated older homes. If the project at 685 Mermaid Avenue is approved and built and I was on a tour of historic homes I would walk right by this updated modern home.

At the last HRC meeting it was decided that the siding of the home be replaced with the original Board & Batten siding that the house was built with. The garage still has the original siding and with a little effort to restore & rehabilitate the structure by replacing the front window with original style doors the structure could be saved and have the appearance of the home as built 100 years ago.

Please don't approve the project as proposed. With some vision & talent a separate ADU can be added to the property which could enhance the historic home as it appears without destroying part of the original historic structure.

Keep in mind that the home was purchased in January of 2023 and the permit was requested in February of 2024. In the last three years no maintenance of the home has been performed adding to its state of disrepair.

This has been in violation of the city of Pacific Grove municipal code chapter 23.76 Historic preservation section 23.76110 that minimum maintenance must be performed to prevent the property from falling into decay and deterioration.

It is my belief that the owners of the property intended to have the property fall into a state of disrepair intentionally to justify their argument of the proposed project.

Please don't reward their bad behavior by approving the permit.

Thank you for your consideration in this matter.

Regards,
Anthony Billeci
700 Briggs ave.
Pacific Grove

RESOLUTION NO. 26-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE DENYING THE APPEAL OF ARCHITECTURAL PERMIT (AP) 24-0044 AND APPROVING AP 24-0044 FOR A PROPERTY LOCATED AT 685 MERMAID AVENUE TO ALLOW THE DEMOLITION OF THE EXISTING CONVERTED GARAGE AND REAR ADDITIONS, CONSTRUCTION OF A 156 SQUARE FOOT FIRST-FLOOR ADDITION, A 165 SQUARE FOOT SECOND-FLOOR ADDITION, A 337 SQUARE FOOT ATTACHED GARAGE ADDITION, AND A 339 SQUARE FOOT ATTACHED ADU. THE PROPERTY IS LISTED ON THE HISTORIC RESOURCES INVENTORY.

FACTS

1. The subject site is located at 685 Mermaid Avenue, Pacific Grove, APN 006-085-003-000.
2. The subject site has a land use designation of Medium High Density Residential, 10-20 dwelling units per acre (MHD 10-20 du/ac) in the certified City of Pacific Grove Coastal Land Use Plan (LUP Figure 6).
3. The project site is located in the R-3-PGB zoning district.
4. The subject site is approximately 1,760 square feet in size and currently developed with an existing two-story 950 square foot single-family residence.
5. The property is located within the City's Area of Special Biological Significance, the Coastal Zone (LUP Figure 1), an archaeologically sensitive area (LUP Figure 7), and is listed on the City's Historic Resources Inventory (HRI).
6. With the exception of the existing non-conforming setbacks of the historic building, as proposed, the project would conform to PGMC 23.57 (R-3-PGB zoning district) and PGMC 23.90 (Local Coastal Plan-Implantation Plan).
7. The existing development on the property is non-conforming with regard to the front, west side and rear setbacks. However, demolishing the non-historic garage will reduce the non-conforming rear setback from 2 feet 1 inch to 6 feet. All proposed, new development will conform to development regulations. No new nonconformities will be created or expanding the original setback of the historic structure.
8. A Phase I and II archaeological assessment (Historic Resource Associates, April 2024) was prepared for the subject property and concluded that, "Due to the presence of precontact cultural material, it is recommended that an archaeological monitor be present during any ground disturbing activity associated with the proposed remodel of the existing residential house located at 685 Mermaid Avenue." Condition Nos. 8, 9, and 10 have been added to address archaeological monitoring, as well as inadvertent discovery of cultural resources.
9. A Phase II Historic assessment (Historic Resource Associates, August 2025) was prepared for the subject property and concluded, "After carefully examining the subject property, it is my professional opinion that the former garage is [in] such a deteriorated condition and has been so altered to conclude that it no longer is a "contributing" part of the residence, which itself has undergone numerous alterations. Therefore, the rehabilitation of the residence and the demolition of the former garage appear to meet the aforementioned standards [in the Phase II report]. In this regard it is presumed that any new addition, in this case a two-story addition set back from the original residence and beyond it to the east the construction of a two-story combination garage and ADU, will be designed in a manner that does not directly damage or visually imply that either addition was once part of the original residence. At the same time, rehabilitating the residence and removing the modern circa-1950's horizontal board siding and exposing the board and batten siding, replacing the window in-kind while keeping the massing of the original residence largely intact, as well as other architectural details, such as the bay window on the front and lighted French style entry door, meet the Standards for preservation and rehabilitation."

   "Thus, CEQA Guidelines Section 15064.5 states; "Generally, a project that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995 as amended) shall be considered as mitigated to a

level of less than significant impact on the historical resource.""

10. On September 24, 2025, the Historic Resources Committee voted 3-0 (3 yes, 0 noes) to recommend the Planning Commission approve the project.
11. On December 11, 2025, the Planning Commission voted 4-1-1 (4 yes, 1 no, and 1 absent) to approve AP/CDP 24-0044.
12. This project has been determined to be Categorically Exempt per California Environmental Quality Act (CEQA) Guidelines, Section 15331, Class 31, Categorical Exemption for Historical Resource Restoration/Rehabilitation, Section 15301, Class 1, Categorical Exemption for Existing Facilities, and the exceptions to the exemptions in Section 15300.2 of the CEQA Guidelines do not apply.

FINDINGS

For an Architectural Permit per PGMC Section 23.70.070(h)

1. *The architecture and general appearance of the completed project are compatible with the neighborhood.*

   The proposed development consists of a major remodel of an existing 950 square foot two-story residence to include demolition of the existing converted garage and rear additions, construction a 156 square foot first-floor addition, a 165 square foot second-floor addition, a 337 square foot attached garage addition, and a 339 square foot second-floor ADU resulting in a 1,363 square foot two-story residence with a 339 square foot attached ADU. As designed, the project would be compatible with the neighborhood of medium- to large-sized one- and two-story residences. The surrounding streetscapes are comprised of residences with varying architectural styles, alignments, and scales. The proposed project would use exterior colors and materials (i.e.; black wood windows and doors, board and batten wood siding, smooth exterior cement plaster, and black composition shingles) that will be compatible with residences in the vicinity and will blend with the surrounding natural streetscape.

2. *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.*

   There is no indication or evidence that the proposed project would either negatively affect the orderly and harmonious development of the city or impair the desirability of investment in the neighborhood. The proposed development would improve the subject property and contribute to the desirability of investment in the Beach Tract neighborhood.

3. *The committee has been guided by and referenced applicable provisions of the architectural review guidelines in making its determinations on single-family residences.*

   The architectural style, materials and site design are in substantial conformance with the City's Architectural Review Guidelines, including but not limited to guidelines Nos. 1, 2, 7, 31, 32, and 38.

Appendix I: Working with Buildings on the Historic Resources Inventory
Architectural Review Guidelines for Historic Resources

Guideline #1: Neighborhood Context: Any additions to historic buildings must take into account the effect of the proposed addition on the existing neighborhood, including but not limited to setbacks, mass, architectural style, and design.

The proposed project conforms with the zoning regulations set forth in the R-3-PGB zoning district as well as the Local Coastal Program Implementation plan (23.90). The original existing historic building has non-conforming setbacks, however, the project proposes to reduce the rear setback and the new additions will not expand or create new non-conformities. The architectural style and design is consistent with the Historic Context statement neighborhood context and existing neighborhood in regard to its rectangular shape, wood frame construction, board and batten siding, cement plaster siding, and combination of gable

and flat roofs.

Guideline #2: Effects of additions on historic scale and character: Additions to historic buildings should be designed to preserve, as much as possible, the scale and overall character of the original structure.

The Phase II Historic Assessment (Historic Resource Associates, August 2025) states that, " The historic character of the property will be preserved, including returning the exterior design to its original wall cladding by removing the 1950's horizontal siding and uncovering the original board and batten wood siding." Additionally, "Parts of the property that do not retain integrity or not within the period of significance will be removed, such as the garage and rear shed-roof addition."

Guideline #3: Preservation of character-defining features: New additions and alterations should be designed and constructed so that the character-defining features of the historic building are not radically changed, obscured, damaged, or destroyed.

The Phase II Historic Assessment (Historic Resource Associates, August 2025) states, "The proposed project involves rehabilitation of the residence which includes returning it back to its original exterior board and batten wall cladding, replacing damaged or deteriorated windows with in-kind replacements, matching the design and shape of the existing windows, restoring the front door, and restoring the front bay window."

Guideline #4: Compatibility of new work with old: Additions and remodels should be compatible with the original historic building in forms, scale, and materials and not compromise the architectural integrity of the original.

The Phase II Historic Assessment (Historic Resource Associates, August 2025) states that, "The new addition and the ADU will be constructed in a manner that will not damage or harm the historic residence." Additionally, "The new additions will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired." Lastly, "the project meets the Secretary of Interior's Standards for Preservation and rehabilitation."

Guideline #5: Replacements: When important character-defining features, such as windows, need to be replaced, the replacements should be of similar design and material. If using the same kind of material is not technically feasible, then a compatible substitute material may be considered.

The proposed project includes replacement of damaged or deteriorated windows with in-kind replacements, as well as restoration of the front French door and front bay window.

6. De facto demolitions: Certain alterations that are so extensive that they are tantamount to demolition of the original structure may be treated as demolitions rather than remodels.

The Phase II Historic Assessment (Historic Resource Associates, August 2025) states, "It is my professional opinion that the former garage is such a deteriorated condition and has been so altered to conclude that it no longer is a "contributing" part of the residence, which itself has undergone numerous alterations. Therefore, the rehabilitation of the residence and the demolition of the former garage appear to meet the aforementioned standards."

CONDITIONS OF APPROVAL

In approving the permit, the following conditions of approval are imposed and deemed reasonable and necessary to ensure that the approval will comply with the findings cited above.

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 general 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 subsequent discretionary approval.
3. **Terms and Conditions.** These terms and conditions shall run with the land and bind to all future owners and possessors of the subject property, 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 and Fire Departments, and Building Division, 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 the approved plans for "The Zheng Remodel" dated November 15, 2025, on file with the Community Development Department and to the Building Code, with the exception of any subsequently approved changes.
6. **Lighting.** All exterior lighting must conform to LUP Policy DES-6.
7. **Building Plans.** All conditions of approval for the Planning permit(s) shall be printed on a full-size plan sheet and included with the construction plan set submitted to the Building Division.
8. **Archaeological Monitoring.** As recommended in the Phase I and II Archaeological Assessment (Historic Resource Associates, April 2024) prepared for the property, a qualified archaeological monitor shall be present to observe all soil disturbance for all grading and excavation activities. If at any time, potentially significant resources or intact features are discovered, the monitor(s) shall temporarily halt work until the find can be evaluated. See also Conditions of Approval 9 and 10 below.
9. **Archaeology and Inadvertent Discovery.** When human remains or artifacts are exposed, the Health and Safety Code § 7050.5 requires that no further excavation or disturbance occurs in the area and that the county coroner is called so that the coroner can verify that the remains are not subject to medical jurisprudence. Within 24 hours of notification, the coroner calls the Native American Heritage Commission if the remains are known or thought to be Native American. The Native American Heritage Commission selects the Most Likely Descendant (MLD) from a rotating list of MLDs. The MLD has 24 hours to respond. All work will halt with a 50-yard radius until an osteologist can examine the remains, and a treatment plan for any said remains has been provided according to the MLD.
10. **Cultural and/or Archaeological Artifacts.** If such artifacts are unexpectedly discovered during ground disturbing activities, work shall be halted until the item(s) can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation will be formulated, with the approval of the lead agency, and implemented prior to recommencement of work.

Planning Commission Conditions of Approval:

11. **Tribal Monitoring.** A qualified tribal monitor shall be present to observe all soil disturbance for all grading and excavation activities. If at any time, potentially significant resources or intact features are discovered, the monitor(s) shall temporarily halt work until the find can be evaluated. See also Conditions of Approval 9 and 10.
12. **Legal Lot of Record.** Applicant will provide documentation demonstrating that the subject site was lawfully created and documented under state and local Subdivision Map Act requirements.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE:

1. The Council determines that each of the Facts and Findings set forth above is true and correct, and by this reference incorporates those Facts and Findings as an integral part of this Resolution.

2. The Council denies the appeal and affirms the determination of the Planning Commission to approve CDP 24-0044.
3. The Council finds the project categorically exempt per CEQA Guidelines, Section 15301, Class 1, Existing Facilities, and CEQA Guidelines Section 15331, Class 31, Historical Resource Restoration/Rehabilitation. The Council also finds that the exceptions to the exemptions in Section 15300.2 of the CEQA Guidelines do not apply.
4. The required Findings and Conditions of Approval are hereby approved and incorporated herein by reference.
5. The Council APPROVES this permit (Application No. 24-0044) to allow the demolition of the existing converted garage and rear additions, construction of a 156 square foot first-floor addition, a 165 square foot second-floor addition, a 337 square foot attached garage addition, and a 339 square foot attached ADU.
6. This Resolution shall become effective immediately following passage and adoption thereof.

Passed and adopted at a regular meeting of the City Council of the City of Pacific Grove on the 4th day of February, 2026, by the following vote:

AYES:
NOES:
ABSENT:
ABSTENTIONS:

APPROVED:

_____

Nick Smith, Mayor

ATTEST:

_____

SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

_____

ALEX LORCA, City Attorney

RESOLUTION NO. 26-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE DENYING THE APPEAL OF COASTAL DEVELOPMENT PERMIT (CDP) 24-0044 AND APPROVING CDP 24-0044 FOR A PROPERTY LOCATED AT 685 MERMAID AVENUE TO ALLOW THE DEMOLITION OF THE EXISTING CONVERTED GARAGE AND REAR ADDITIONS, CONSTRUCTION OF A 156 SQUARE FOOT FIRST-FLOOR ADDITION, A 165 SQUARE FOOT SECOND-FLOOR ADDITION, A 337 SQUARE FOOT ATTACHED GARAGE ADDITION, AND A 339 SQUARE FOOT ATTACHED ADU. THE PROPERTY IS LISTED ON THE HISTORIC RESOURCES INVENTORY.

FACTS

1. The subject site is located at 685 Mermaid Avenue, Pacific Grove, APN 006-085-003-000.
2. The subject site has a land use designation of Medium High Density Residential, 10-20 dwelling units per acre (MHD 10-20 du/ac) in the certified City of Pacific Grove Coastal Land Use Plan (LUP Figure 6).
3. The project site is located in the R-3-PGB zoning district.
4. The property is located within the City's Area of Special Biological Significance, the Coastal Zone (LUP Figure 1), an archaeologically sensitive area (LUP Figure 7), and is listed on the City's Historic Resources Inventory (HRI).
5. The subject site is approximately 1,760 square feet in size and currently developed with an existing two-story 950 square foot single-family residence.
6. With the exception of the existing non-conforming setbacks of the historic building, as proposed, the project would conform to PGMC 23.57 (R-3-PGB zoning district) and PGMC 23.90 (Local Coastal Plan-Implantation Plan).
7. The existing development on the property is non-conforming with regard to the front, west side and rear setbacks. However, demolishing the non-historic garage will reduce the non-conforming rear setback from 2 feet 1 inch to 6 feet. All proposed, new development will conform to development regulations. No new nonconformities will be created or expanding the original setback of the historic structure.
8. Pursuant to Pacific Grove Municipal Code (PGMC) Sections 23.90.050, City CDP Determinations, and 23.90.040, CDP Exemptions, Community Development Department (CDD) staff determined the proposed project would require a Coastal Development Permit (CDP), and forwarded this determination to the Coastal Commission on June 21, 2024.
9. Per PGMC Section 23.90.140, Coastal Hazards, CDD staff reviewed LUP Figure 3 (Coastal Hazards and Areas of Potential Sea Level Rise), aerial and topographic imagery, plan set, and conducted a site visit on May 24, 2024, and determined the site and proposed development would not be subject to coastal hazards over its lifetime. The lowest point of the subject property is at an elevation of approximately 140 feet above mean sea level and approximately 220 feet from the shoreline. The property is further separated from the shoreline by a Recreation Trail, two city streets, and a block of single-family residences. In this case, submittal of a Coastal Hazards Report is not required or warranted.
10. Per PGMC Section 23.90.150, Water Quality and Marine Resources, the City did not require a water quality assessment because the proposed new development is under 2,500 square feet of new coverage, and will fall within the City's Municipal Permit. The proposed project includes removing the existing bricks and demolition of the former garage and rear addition, which will be replaced with a two-story addition set back behind the residence and to the left of the addition, an attached garage with a second floor ADU above the garage, resulting in an increased site coverage of approximately 35 square feet.
11. Per PGMC Section 23.90.160, Scenic Resources, CDD staff reviewed LUP Figure 4 (Scenic Areas), aerial and street view imagery, and conducted a site visit on May 24, 2024. This review determined the site and proposed development are not within a designated scenic view area, not visible seaward of Ocean View Boulevard or the Recreational Trail, and would not adversely impact public views along Ocean View Boulevard. As designed, the proposed second-story addition is consistent with adjacent development. In this case, submittal of a site-specific visual analysis is not required or warranted.

12. Per PGMC Section 23.90.170, Biological Resources, CDD staff reviewed LUP Figure 5, Land Habitat Sensitivity Map, aerial imagery, and conducted a site inspection on May 24, 2024. This review determined the proposed development would not have the potential to adversely affect biological resources or an environmentally sensitive habitat area. LUP Figure 5 identifies the site as having a moderate habitat value, and the property is a previously-developed site in a residentially zoned district surrounded by residential structures. The property is separated from any sensitive habitat by a recreational trail, two city streets, and open space. Additionally, the project site is approximately 220 feet from the nearest beach area. The project site is over 1,970 feet to the 5th Street beach and over 4,370 feet to the Hopkins Marine Station West Beach, and neither has a direct line of sight of the subject property. As designed and conditioned, the project would not impact natural habitats or resources; therefore, in this case, submittal of an initial site assessment for biological resources is not required or warranted.
13. Per PGMC Section 23.90.180, Community Design, the project conforms to all applicable LUP policies and IP community design standards.
14. Per PGMC Section 23.90.200, Cultural Resources, the application includes a Phase I and II Archaeological Assessment prepared for the project site by a qualified archaeologist (Historic Resource Associates, April 2024). The assessment concluded that, "Due to the presence of precontact cultural material, it is recommended that an archaeological monitor be present during any ground disturbing activity associated with the proposed remodel of the existing residential house located at 685 Mermaid Avenue." Condition Nos. 8, 9, and 10 have been added to address archaeological monitoring, as well as inadvertent discovery of cultural resources.
15. Per PGMC Section 23.90.200, Cultural Resources, the application includes a Phase II Historic Assessment prepared for the project by a qualified historian (Historic Resource Associates, August 2025). The assessment concluded that, "After carefully examining the subject property, it is my professional opinion that the former garage is [in] such a deteriorated condition and has been so altered to conclude that it no longer is a "contributing" part of the residence, which itself has undergone numerous alterations. Therefore, the rehabilitation of the residence and the demolition of the former garage appear to meet the aforementioned standards [in the Phase II report]. In this regard it is presumed that any new addition, in this case a two-story addition set back from the original residence and beyond it to the east the construction of a two-story combination garage and ADU, will be designed in a manner that does not directly damage or visually imply that either addition was once part of the original residence. At the same time, rehabilitating the residence and removing the modern circa-1950's horizontal board siding and exposing the board and batten siding, replacing the window in-kind while keeping the massing of the original residence largely intact, as well as other architectural details, such as the bay window on the front and lighted French style entry door, meet the Standards for preservation and rehabilitation."

    "Thus, CEQA Guidelines Section 15064.5 states; "Generally, a project that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995 as amended) shall be considered as mitigated to a level of less than significant impact on the historical resource."
16. On September 24, 2025, the Historic Resources Committee voted 3-0 (3 yes, 0 noes) to recommend the Planning Commission approve the project.
17. On December 11, 2025, the Planning Commission voted 4-1-1 (4 yes, 1 no, and 1 absent) to approve AP/CDP 24-0044.
18. This project has been determined to be Categorically Exempt per California Environmental Quality Act (CEQA) Guidelines, Section 15331, Class 31, Categorical Exemption for Historical Resource Restoration/Rehabilitation, Section 15301, Class 1, Categorical Exemption for Existing Facilities, and the exceptions to the exemptions in Section 15300.2 of the CEQA Guidelines do not apply.

FINDINGS

For a Coastal Development Permit per PGMC Section 23.90.080

1. *LCP Consistency. The project is consistent with the LCP. (Local Coastal Program)*

   The project meets the requirements of the LCP including, but not limited to, the applicable Coastal Resource Protection Standards (PGMC § 23.90.130) of the Implementation Plan (IP) and the Biological, Cultural, Scenic, and Community Design policies of the Land Use Plan (LUP). These standards and policies are addressed in the Facts above and in the following findings.

2. *Public Views. The project protects or enhances public views.*

   Per LUP Figure 4, Scenic Areas, the project site is not located within a designated Scenic View Area. As designed, the project would not impact public views or adversely impact public views. The proposed development would also not result in adverse visual impacts as viewed seaward from Oceanview Boulevard, the Recreation Trail, and would be consistent with the height and massing of residences in the immediate vicinity of the project area.

3. *Habitat Protection. The project protects vegetation, natural habitats, and natural resources consistent with the LCP.*

   Per LUP Figure 5, Land Habitat Sensitivity Map, the project site is identified as having a moderate habitat value, and the property is a previously-developed site in a residentially zoned district surrounded by residential structures. The property is separated from any sensitive habitat by a recreational trail, two city streets, and open space. Additionally, the project site is approximately 220 feet from the nearest beach area. The project site is over 1,970 feet to the 5th Street beach and over 4,370 feet to the Hopkins Marine Station West Beach, and neither has a direct line of sight of the subject property. As designed, the project will not impact natural habitats or resources and is consistent with the LCP, including PGMC § 23.90.170 regarding biological resources and/or environmentally sensitive habitat areas.

4. *Design Consistency. The design, location, size, and operating characteristics of the proposed development is consistent with applicable LCP design requirements, including design plans and area plans incorporated into the LCP.*

   The project conforms to all applicable LUP polices and IP community design standards (PGMC 23.90.180, Coastal Community Design).

5. *Coastal Access. The project protects or enhances public access to and along the coast.*

   As designed, the project will have no effect on coastal access to or along the coast.

6. *Visitor Serving. The project supports the LCP goal of providing for visitor-serving needs as appropriate, including providing low and no cost visitor and recreational facilities.*

   The project includes residential development and will have no visitor-serving features, yet may qualify for a Short-Term Rental (STR) license given its location within the coastal zone. As of this date, there is no indication that the applicant intends to pursue an STR license.

7. *Appropriate Use. The project is consistent with the allowed LCP uses associated with the property.*

   Per LUP Figure 6, the subject property has a Coastal Zone Land Use Designation of Medium High Density Residential 10-20 du/ac (MHD 10-20). LUP Policy LUD-6 identifies single-family residences and guest/auxiliary/second housing units as allowed uses in areas designated MHD 10-20. Therefore, the proposed use is consistent.

8. *Coastal Resources. The proposed development protects or enhances coastal resources, where applicable.*

   The 1,760 square foot property is a previously-developed site in a residentially zoned district surrounded by residential structures and is currently developed with an existing two-story 950 square foot single-family residence. As proposed and designed, the project will not impact coastal resources. See also Facts 9 – 14 and supporting information. Condition No. 11 has been added to implement the construction management plan as

well as using Best Management Practices (BMP's).

CONDITIONS OF APPROVAL

In approving the permit, the following conditions of approval are imposed and deemed reasonable and necessary to ensure that the approval will comply with the findings cited above.

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 general 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 subsequent discretionary approval.
3. **Terms and Conditions.** These terms and conditions shall run with the land and bind to all future owners and possessors of the subject property, 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 and Fire Departments, and Building Division, 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 the approved plans for "The Zheng Remodel" dated November 15, 2025, on file with the Community Development Department and to the Building Code, with the exception of any subsequently approved changes.
6. **Lighting.** All exterior lighting must conform to LUP Policy DES-6.
7. **Building Plans.** All conditions of approval for the Planning permit(s) shall be printed on a full-size plan sheet and included with the construction plan set submitted to the Building Division.
8. **Archaeological Monitoring.** As recommended in the Phase I and II Archaeological Assessment (Historic Resource Associates, April 2024) prepared for the property, a qualified archaeological monitor shall be present to observe all soil disturbance for all grading and excavation activities. If at any time, potentially significant resources or intact features are discovered, the monitor(s) shall temporarily halt work until the find can be evaluated. See also Conditions of Approval 9 and 10 below.
9. **Archaeology and Inadvertent Discovery.** When human remains or artifacts are exposed, the Health and Safety Code § 7050.5 requires that no further excavation or disturbance occurs in the area and that the county coroner is called so that the coroner can verify that the remains are not subject to medical jurisprudence. Within 24 hours of notification, the coroner calls the Native American Heritage Commission if the remains are known or thought to be Native American. The Native American Heritage Commission selects the Most Likely Descendant (MLD) from a rotating list of MLDs. The MLD has 24 hours to respond. All work will halt with a 50-yard radius until an osteologist can examine the remains, and a treatment plan for any said remains has been provided according to the MLD.
10. **Cultural and/or Archaeological Artifacts.** If such artifacts are unexpectedly discovered during ground disturbing activities, work shall be halted until the item(s) can be evaluated by a qualified professional archaeologist. If the find is determined to be significant, appropriate mitigation will be formulated, with the approval of the lead agency, and implemented prior to recommencement of work.

Planning Commission Conditions of Approval:

11. **Tribal Monitoring.** A qualified tribal monitor shall be present to observe all soil disturbance for all grading and excavation activities. If at any time, potentially significant resources or intact features are discovered, the monitor(s) shall temporarily halt work until the find can be evaluated. See also Conditions of Approval 9 and 10.

12. **Legal Lot of Record.** Applicant will provide documentation demonstrating that the subject site was lawfully created and documented under state and local Subdivision Map Act requirements.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE:

1. The Council determines that each of the Facts and Findings set forth above is true and correct, and by this reference incorporates those Facts and Findings as an integral part of this Resolution.
2. The Council denies the appeal and affirms the determination of the Planning Commission to approve CDP 24-0044.
3. The Council finds the project categorically exempt per CEQA Guidelines, Section 15301, Class 1, Existing Facilities, and CEQA Guidelines Section 15331, Class 31, Historical Resource Restoration/Rehabilitation. The Council also finds that the exceptions to the exemptions in Section 15300.2 of the CEQA Guidelines do not apply.
4. The required Findings and Conditions of Approval are hereby approved and incorporated herein by reference.
5. The Council APPROVES this permit (Application No. 24-0044) to allow the demolition of the existing converted garage and rear additions, construction of a 156 square foot first-floor addition, a 165 square foot second-floor addition, a 337 square foot attached garage addition, and a 339 square foot attached ADU.
6. This Resolution shall become effective immediately following passage and adoption thereof.

Passed and adopted at a regular meeting of the City Council of the City of Pacific Grove on the 4th day of February, 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

APPROVED:

_____

Nick Smith, Mayor

ATTEST:

_____

SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

_____

ALEX LORCA, City Attorney

Agenda No. 11 B

CITY OF PACIFIC GROVE

300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO:	Honorable Mayor and Members of the City Council
FROM:	Matthew Mogensen, City Manager
MEETING DATE:	February 04, 2026
SUBJECT:	Proposed Urgency Ordinance Repealing and Replacing Chapter 11.72 (Aircraft Landing) Regulating Aircraft Launch and Landing, and to Prohibit Recreational UAS
CEQA:	Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

1. Discuss proposed Urgency Ordinance Repealing and Replacing Chapter 11.72 (Aircraft Landing) Regulating Aircraft Launch and Landing, and to Prohibit Recreational UAS.
2. Request the City Attorney to read the title of the Urgency Ordinance
3. Motion to waive further reading of the ordinances.
4. Motion Adopt Urgency Ordinance Repealing and Replacing Chapter 11.72 (Aircraft Landing) Regulating Aircraft Launch and Landing, and to Prohibit Recreational UAS.
5. Direct that publication of the ordinances will be satisfied by publication of a summary approved by the City Attorney.

DISCUSSION

On October 1, 2025, Councilmember Lori McDonnell presented an Agenda item requesting staff to return to the City Council with an ordinance regulating operation of Unmanned Aircraft Systems (UAS, aka drones). The Agenda Report for that item can be found here.

On January 21, 2026, proposed regular and urgency ordinances regulating UAS and amending Chapter 11.72 (Aircraft Landing) were presented for the City Council's consideration. The Agenda Report for that item can be found at this link.

The Council considered the ordinances, and recognizing the need to take immediate action to limit disturbances to birds and wildlife, directed staff to return with an urgency ordinance that prohibits the use of recreational UAS within the City, with the balance of the proposed ordinance to be considered as a separate item.

The purpose of this ordinance (Attachment 1) is to prohibit the operation of recreational UAS, except as expressly permitted by federal or state law, in order to protect the privacy of the residents and visitors of the City of Pacific Grove, and to protect wildlife and birds including, but not limited to disturbing animals during breeding, nesting, rearing of young, or other critical

life history functions.

Effective Date of Ordinance and Voting Requirements
The Urgency Ordinance, if approved by a four-fifths vote of the City Council, would take effect immediately. The City Council is comprised of seven members and four-fifths of seven is six. So for the Urgency Ordinance to be adopted, an affirmative vote of six is necessary.

California Environmental Quality Act
Enactment of this ordinance action does not constitute a "project" as defined by California Environmental Quality Act (CEQA) because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment, and, *assuming arguendo* that this ordinance is a "project" subject to CEQA, the ordinance is exempt from CEQA pursuant to the following categorical exemptions: Class 1 Existing Facilities exemption in CEQA Guidelines section 15301, because the ordinance entails operation and permitting of/within existing public areas and facilities; Class 4 Minor Alterations of Land exemption in CEQA Guidelines section 15304, because the ordinance addresses permits authorizing the temporary use of UAS which will not involve the removal of any trees and will have negligible or no permanent effects on the environment; Class 7 and Class 8 exemptions in CEQA Guidelines sections 15307 and 15308, because the primary purpose of the ordinance is to protect the City's natural resources and environment (e.g., Marine Protected Areas and wildlife); and the common sense exemption in CEQA Guidelines section 15061(b)(3), because it can be seen with certainty that there is no possibility that the ordinance may have a significant adverse effect on the environment.

OPTIONS

1. Take alternative action related to this subject
2. Take no action

FINANCIAL IMPACT:
There is no direct financial impact as the result of this ordinance. Enforcement of the recreational drone ban will take staff time but it is not possible to estimate the magnitude at this time.

FOCUSED PRIORITY AREA: Not Applicable.

Attachments

Urgency Ordinance Repealing and Replacing Chapter 11.72 (Aircraft Landing) Regulating Aircraft Launch and Landing, and to Prohibit Recreational UAS

Written public comment

AN URGENCY ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PACIFIC GROVE REPEALING AND REPLACING CHAPTER 11.72 (AIRCRAFT LANDING) , REGULATING AIRCRAFT LAUNCH AND LANDING, AND TO PROHIBIT RECREATIONAL UAS

FACTS

1. The City of Pacific Grove regulates the landing and launching of aircraft, including Uncrewed Aircraft Systems (UAS), commonly known as drones, within the City in Chapter 11.72 of the Pacific Grove Municipal Code.

2. UAS, as aircraft, are subject to regulation by federal law and the Federal Aviation Administration (FAA). Federal law preempts local laws aimed at regulating aviation safety or airspace efficiency, laws that impair the reasonable use by drones of the airspace, and laws that conflict with FAA regulations are preempted.

3. However, local governments may regulate UAS under certain conditions. Examples of local laws that are not likely to be preempted include: (1) laws aimed at objectives other than aviation safety or airspace efficiency (e.g., protection of wildlife) that do not impair the reasonable use by drones of the airspace; (2) laws regulating the location of drone takeoff and landing areas; (3) laws that prohibit, restrict, or sanction operations by drones in the immediate reaches of property; (4) laws concerning where a drone operator can be located while conducting operations; and (5) drone registration requirements that do not regulate aviation safety or the efficient use of the airspace.

4. The City has determined that in light of the increased use of UAS, which frequently fly very close to wildlife, and which can intrude on people's privacy, it is appropriate to impose restrictions on the use of UAS within the boundaries of the City to protect the privacy of the residents and visitors of the City of Pacific Grove, and to protect wildlife and birds including, but not limited to disturbing animals during breeding, nesting, rearing of young, or other critical life history functions.

5. This ordinance amends Chapter 11.72 (Aircraft Landing) to include a prohibition against the use of UAS for recreational purposes anywhere within the City.

6. Harbor seal "puppy" season starts in February according to the Marine Mammal Center's *Your Guide to Seeing Harbor Seal Pups in California*, April 10, 2025: "Harbor seal pupping season varies widely across the regional populations. Seal pups are born progressively later in the year farther north along the Pacific coast, starting in February in Baja California and up until October in parts of Washington State. In California, depending on how far north or south you are, harbor seal pups are born between February and June." (Found here: https://www.marinemammalcenter.org/news/your-guide-to-seeing-harbor-seal-pups-in-california#:~:text=In%20California%2C%20depending%20on%20how,born%20between%20February%20and%20June.&text=Harbor%20seal%20pups%20depend%20on,the%20pup%20to%20grow%20strong). Based on this timeline, it is critical to adopt this

ordinance as soon as possible to ensure that the Harbor seals' puppy season is not disturbed by UAS.

7. Because of the findings set forth above, the City Council finds that this Ordinance should be adopted on an urgency basis to preserve the public health, safety, and welfare in accordance with Government Code §§ 36934 and 36937(b).

8. In the enactment of this ordinance, the City followed the guidelines adopted by the State of California and published in the California Code of Regulations, Title 14, Section 15000, et seq.

9. Enactment of this ordinance action does not constitute a "project" as defined by California Environmental Quality Act (CEQA) because it is an organizational or administrative activity that will not result in direct or indirect physical changes in the environment, and, *assuming arguendo* that this ordinance is a "project" subject to CEQA, the ordinance is exempt from CEQA pursuant to the following categorical exemptions: Class 1 Existing Facilities exemption in CEQA Guidelines section 15301, because the ordinance entails operation and permitting of/within existing public areas and facilities; Class 4 Minor Alterations of Land exemption in CEQA Guidelines section 15304, because the ordinance addresses permits authorizing the temporary use of UAS which will not involve the removal of any trees and will have negligible or no permanent effects on the environment; Class 7 and Class 8 exemptions in CEQA Guidelines sections 15307 and 15308, because the primary purpose of the ordinance is to protect the City's natural resources and environment (e.g., Marine Protected Areas and wildlife); and the common sense exemption in CEQA Guidelines section 15061(b)(3), because it can be seen with certainty that there is no possibility that the ordinance may have a significant adverse effect on the environment

NOW, THEREFORE, THE COUNCIL OF THE CITY OF PACIFIC GROVE DOES ORDAIN AS FOLLOWS:

SECTION 1. The foregoing Facts are adopted as findings of the City Council as though set forth in fully within the body of this ordinance.

SECTION 2. Existing Municipal Code chapter 11.72, entitled "Aircraft Landing" shall be repealed and replaced in its entirety as follows:

Chapter 11.72 (Aircraft Landing; Recreational UAS Prohibited)

Section 11.72.010 Definitions.

For the purposes of this chapter, the following definitions apply:

"Aircraft" means any device invented, used, or designed to navigate or fly in the air.

"City Manager" means the City's City Manager or their designee.

"Chief of Police" means the Chief of the Pacific Grove Police Department, or their designee.

"Operate" shall mean use and control, and includes flying over.

"Person" means any individual or entity of any kind.

"Uncrewed Aircraft System" or "UAS" means any device that flies, whether remotely piloted or autonomous, which includes devices commonly known as drones or model aircrafts, that operates without a pilot onboard, and associated elements, including communication links and control equipment. "Recreational UAS" means UAS operated by any person for hobby or recreational purposes.

Section 11.72.020 Launch or landing of aircraft prohibited.

(a) It is unlawful for any person to launch or land an aircraft, including a helicopter, or UAS, without a permit.

(b) Exceptions.

1. A permit is issued by the City Manager;
2. The landing of an emergency aircraft is authorized by the Chief of Police.

Section 11.72.030 Recreational UAS prohibited.

No person shall launch, land, or operate Recreational UAS anywhere in the City except when such operation is expressly authorized by federal and/or state law.

Section 11.72.040 Violations and penalties.

(a) It is unlawful and declared a public nuisance for any person to violate any provision of this chapter.

(b) Violation of this chapter may result in seizure and impound of the UAS and shall be punished as set forth in Title 1 of this code.

(c) Each and every day a violation is maintained, caused, aided, abetted, concealed, suffered, or permitted is a separate offense.

SECTION 3. The City Manager is directed to execute all documents and to perform all other necessary City acts to implement this Ordinance.

SECTION 4. Severability. If any provision, section, paragraph, sentence, clause or phrase of this ordinance, or any part thereof, or the application thereof to any person or circumstance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance, or any part thereof, or its application to other persons or circumstances. The City Council hereby declares that it would have passed and adopted each provision, section, paragraph, subparagraph, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, paragraphs, subparagraphs, sentences, clauses or phrases, or the application thereof to any person or circumstance, be declared invalid or unconstitutional.

SECTION 5. In accord with Article 15 of the City Charter, this ordinance shall become effective immediately upon its passage and adoption.

PASSED AND ADOPTED BY THE COUNCIL OF THE CITY OF PACIFIC GROVE this 4th day of February, 2026, by a four-fifths vote of the Council as follows:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

_____
NICK SMITH, Mayor

ATTEST:
DATED:_____

_____
SANDRA KANDELL, City Clerk

APPROVED AS TO FORM:

_____
Alex Lorca, City Attorney

Outlook

RE: Agenda item 11B the Drone Ordinance

From foxx swamp <oceanfoxx@yahoo.com>
Date Mon 2/2/2026 4:47 PM
To City Council Members <citycouncil@cityofpacificgrove.org>

[**NOTICE:** This message originated outside of the City of Pacific Grove email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Mayor Smith and Members of the City Council,

I am writing to ask that you Adopt the Urgency Ordinance Repealing and Replacing Chapter 11.72 (Aircraft Landing) Regulating Aircraft Launch and Landing, and to Prohibit Recreational UAS. Our wildlife is faced daily with disturbances and as we have said in the past, they also face the effects of climate change. This ordinance will help our law enforcement and give them the tools to protect our wildlife and our community from unnecessary disturbances.

Once you have dealt with the unnecessary recreational drone disturbances, I urge you to keep discussing the scientific and commercial drone flights. Particularly I would urge the requirement of monitors with local knowledge our wildlife.

Thank you for your consideration,
Kim Akeman

Outlook

Drones & Offshore Oil Drilling Update

From andree brisson <andreemariebrisson@gmail.com>
Date Wed 2/4/2026 9:19 AM
To City Council Members <citycouncil@cityofpacificgrove.org>; City Manager <citymanager@cityofpacificgrove.org>

[**NOTICE:** This message originated outside of the City of Pacific Grove email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Honorable Mayor, City Council, & City Manager,

I serve as Vice Chair on the BNRC; I contact you now as a resident.

I support the Urgency Ordinance regarding drones. It is critical to protect wildlife- especially as breeding season approaches- as well as the privacy of residents and visitors. Drones further create noise and are a blight on our scenery and views.

Additionally, there are new developments with regard to offshore oil drilling- specifying Central and Southern California for lease sales in 2027.

https://saveourshores.org/drilling/?fbclid=IwY2xjawPwQ0ZleHRuA2FlbQIxMABicmlkETE4MWR5azdwMzBMUEpFTTg0c3J0YwZhcHBfaWQQMjIyMDM5MTc4ODIwMDg5MgABHtVmI9fOk-iLzCPl7jJBi2V-FZ5AKD703_xxkGdQIXYqHQIvQLWjK9F_rO85_aem_R8WPYROx5ecoKhJ4w-3CNA

Respectfully,

Andrée Brisson
PG Resident

Outlook

Proposed Drone Ordinance, Agenda item 11B

From Lisa Ciani <lisa.ciani@gmail.com>
Date Wed 2/4/2026 5:25 AM
To City Council Members <citycouncil@cityofpacificgrove.org>

[**NOTICE:** This message originated outside of the City of Pacific Grove email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear Mayor Smith and Council Members,

I urge you to unanimously approve the proposed ordinance to help protect our coastal wildlife and the privacy of residents and visitors. PG has such a strong culture of stewardship of our natural resources, and your support is needed for our wildlife and all the volunteers on the coast who are frustrated in their protection efforts by increasing wildlife disturbance resulting from manmade perceived “predators”.

In my eleven years of experience monitoring Black Oystercatcher nesting activity for the Central Coast Black Oystercatcher (BLOY) Monitoring Project, I have witnessed the distress of nesting BLOYs trying to chase away drones, which they perceive as predators, and then staying away from their nest for as much as 20+ minutes, presumably to avoid leading the predator back to their nest but leaving the nest vulnerable to real predators and other risks.

I’ve spoken with many drone pilots, and they are often apologetic, unaware that the disturbance they’ve caused interferes significantly with incubating eggs or feeding and sheltering chicks or getting the rest needed for the parents to feed themselves and restore their energy supplies. Those drone operators immediately pack up their drones. On the other hand, drone pilots can be dismissive or belligerent and go right on with their activity. An outright ban on recreational drones is necessary to enable effective enforcement of wildlife disturbance regulations.

Thank you for your attention to this urgent issue for our special community with such a uniquely beautiful coastline, abundance and diversity of wildlife, and devoted stewards who want to protect our precious resources. Please take this important step by approving the proposed drone ordinance unanimously.

Sincerely,
Lisa Ciani
Pacific Grove

Outlook

Opposing offshore drilling and seabed mining

From Anne Downs <annedowns1@me.com>
Date Wed 2/4/2026 9:02 AM
To City Council Members <citycouncil@cityofpacificgrove.org>

[**NOTICE:** This message originated outside of the City of Pacific Grove email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

I support the City of Pacific Grove's opposition to Federal and State offshore drilling for oil and gas and seabed mining. I fully support the City Council submitting a comment letter and adopt a resolution to affirm the City's opposition to offshore drilling and seabed mining, and joining the Local Governments OCS Coordination Program linking our local coastal communities to protect our communities and our natural resources.

Thank you,

Anne and Doug Downs
P.G. residents since 1979

Outlook

2/4/26 City Council Agenda Item 11.B

From Jane Haines <janehaines80@gmail.com>
Date Wed 2/4/2026 4:37 AM
To City Council Members <citycouncil@cityofpacificgrove.org>; Pierik, Brian A. <bpierik@bwslaw.com>

[**NOTICE:** This message originated outside of the City of Pacific Grove email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear Mayor Smith and Members of the City Council,

I urge your adoption tonight of the proposed urgency ordinance described in Council agenda item 11.B, to ban recreational drones in order to protect Black Legged Oystercatchers and Harbor seals. The ordinance is needed ***now*** because the harbor seal pupping season starts this month, and the Black-Legged Oyster Catcher breeding and nesting season starts next month.

Please heed the dozens of letters from knowledgeable persons that you've received in recent months describing the need for such protection by complying with the five staff recommendations in tonight's item 11.B agenda report.

Respectfully submitted,

Jane Haines

February 4, 2026

RE: Support of 11B Emergency Ordinance

Dear Pacific Grove City Council and staff;

I am writing in support of 11 B which will provide a ban on recreational drones, for timely protection of Black Oystercatchers and Harbor seals during the approaching breeding, nesting, and pupping season. The urgency ordinance is needed because pupping season starts this month and BLOY breeding and nesting season starts next month.
Thank you for your immediate attention to this important issue to our community, its welfare, environmental health, and economic viability.

Jill Kleiss
Pacific Grove Resident

Outlook

11B: Adopt Urgency Ordinance to Prohibit Recreational UAS

From Vicki Pearse <vpearse@gmail.com>
Date Wed 2/4/2026 9:31 AM
To City Council Members <citycouncil@cityofpacificgrove.org>; City Clerk <cityclerk@cityofpacificgrove.org>; Pierik, Brian A. <bpierik@bwslaw.com>

[**NOTICE:** This message originated outside of the City of Pacific Grove email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

To: Pacific Grove City Council Members

A very brief and urgent message for tonight:
VOTE YES, please, on agenda item 11B.
Adopt Urgency Ordinance to Prohibit Recreational Drones.

All of your votes are needed on this simple ruling.
All of you expressed support at the last meeting but then, inexplicably, several of you voted No.

The essence of this ruling was adopted two years ago but never implemented.
Perhaps that's why it has become an
Urgency Ordinance?

It is time, well past time, to adopt and enforce this one safety measure for our wildlife.

Thank you,
Sincerely,
Vicki Pearse
Pacific Grove resident

Outlook

Support of agenda item 11B

From Lila Seldin <lilaseldin1@gmail.com>
Date Wed 2/4/2026 6:57 AM
To City Council Members <citycouncil@cityofpacificgrove.org>

[**NOTICE:** This message originated outside of the City of Pacific Grove email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear Honorable Mayor and City Council Members,
I am writing in support of agenda item 11 B - the regulation of uncrewed aircraft systems. We appreciate the efforts between our city and the police chief to further protect our wildlife and our privacy for our community.
My friends and I clean our shoreline daily and have witnessed disturbances from drones to our shorebirds, nesting birds,including our California Central Coast Black Oystercatcher and our beloved harbor seals. The improved ordinance will help protect harbor seals, other wildlife and human privacy from drone harassment, unknowing or intentional. For our Black Oystercatcher birds and harbor seals, drone disturbance can result in loss of eggs, chicks, or pups.
Thank you for your time and attention to this matter.
Sincerely,
Lila and Cal Seldin,
Volunteers and Residents of Pacific Grove
lilaseldin1@gmail.com
cseldinlaw@gmail.com

Outlook

Support for Urgency Ordinance Banning Recreational Drones – Agenda Item 11B

From Stephanie Turcotte <meer367@gmail.com>
Date Wed 2/4/2026 7:32 AM
To City Council Members <citycouncil@cityofpacificgrove.org>
Cc City Manager <citymanager@cityofpacificgrove.org>

[**NOTICE:** This message originated outside of the City of Pacific Grove email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Dear Mayor Smith and Members of the Pacific Grove City Council,

I am writing in support of **Agenda Item 11B**, the proposed **Urgency Ordinance to immediately ban recreational drone use** in Pacific Grove.

This urgency ordinance is critical for the timely protection of black oystercatchers and harbor seals as we enter their most sensitive periods of the year. Harbor seal pupping season begins this month, and black oystercatcher breeding and nesting season begins next month. Recreational drone disturbance during these periods poses a real and immediate risk to wildlife.

Because the urgency ordinance requires six affirmative votes to take effect immediately, I respectfully urge the Council to support this measure unanimously. Immediate action is needed to reduce disturbance during these critical life stages and to provide clear, enforceable protection for coastal wildlife right now—not months from now.

Thank you for your leadership and for taking timely action to protect Pacific Grove's coastal wildlife and natural resources.

Respectfully,
Stephanie Turcotte Edenholm

Outlook

Item 11B - URGENT

From Patsy Volpe <818pennylane@gmail.com>
Date Wed 2/4/2026 7:20 AM
To City Council Members <citycouncil@cityofpacificgrove.org>

[**NOTICE:** This message originated outside of the City of Pacific Grove email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

Please! Stop the drones! Seal pupping season starts soon as well as black oyster catchers' breeding time.
Drones are disruptive, not just to our wildlife but to humans as well.
Please consider this request. Can we please leave PG a little bit wild?

Patsy Volpe
Pacific Grove, CA
(40 year resident)

Agenda No. 13 A

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

AGENDA REPORT

TO:	Honorable Mayor and Members of the City Council
FROM:	Matthew Mogensen, City Manager
MEETING DATE:	February 04, 2026
SUBJECT:	Discussion and possible direction regarding regulation of electric bikes and other electric mobility devices
CEQA:	Proposed Ordinance not subject to CEQA based on Guideline Sections: 15060(c)(3) and 15378; 15060(c)(2); 15061(b)(3); and 150308

RECOMMENDATION

1. Receive a presentation regarding the regulatory landscape of human powered bicycles, e-bikes, and other electric mobility devices.
2. Discuss and provide direction to staff regarding amendments, if any, to the existing ordinance.
3. Provide direction to staff whether the amended ordinance should be presented to the Traffic Safety Committee for review and recommendation to the City Council.

DISCUSSION

I. Background.

The City of Pacific Grove's municipal code includes limited regulations relating to electric bikes (e-bikes), and limited regulations relating to electric scooters and pedicabs. E-bikes are proliferating and bringing with them some impacts on pedestrians and traffic. In this staff report, when we refer to bicycles, we mean human powered bicycles; electric bicycles will be referred to as e-bikes.

E-bikes are not the only electric/motorized conveyances that we are seeing on the roads and on bike paths and trails: other devices include scooters, electric mobility devices (commonly referred to as Segways), pedicabs, and motorized boards.

In this report, we will summarize the City's current regulations, regulations from the City of Monterey and the County of Monterey, what state law allows us (and does not allow us) to do, and then requested direction from the Council.

Attached hereto for the Council's convenience are copies of the City's relevant provisions, Section 21207.5 of the Vehicle Code, relating to local authority over the operation of e-bikes, and a slide deck from the Transportation Authority of Monterey County regarding e-bike regulations and resources.

II. Existing local and state laws

City of Pacific Grove regulations (PGMC §§ 14.08.015 – 016, 14.08.020 – 025)
The municipal code provides limited regulations of bicycles and for e-bikes:

- Bicycles and e-bikes are prohibited in Perkins' Park and Lovers Point Park.
- E-bikes are further prohibited from the Pacific Grove Golf Links, El Carmelo Cemetery, and property leeward of Ocean View Blvd from the city boundary to Seventeenth Street (except on paved portions of the recreational trail).
- Class 1 and 2 e-bikes are permitted on the recreational trail, as are electric personal assistive mobility devices (aka segway), and motorized boards provided they do not exceed 12mph.
- Pedestrians must use paved section of the recreational trail so as not to impede bicycle traffic.
- Pedicabs and motorized scooters are prohibited on the recreational trail, all public parks, golf links, and El Carmalo Cemetery.
- The recreational trail is the "recreational walking and biking trail running along the city's waterfront from the city boundary on the east to Seventeenth Street on the west." PGMC § 14.08.015.

The Monterey Bay Coastal Recreational Trail is the 18-mile, paved, car-free path running along the former Southern Pacific Railroad tracks between Castroville and Pacific Grove. Each city has its own bicycle/e-bike regulations.

The City of Monterey has bike rules for the trail on their website, and allows all classes of e-bikes on the Trail, and on all Class I Multiuse Paths (as defined); motorized scooters are prohibited on the Trail. Additionally, the city's code prohibits riding bicycles in areas designated by council resolution (not including bikeways).

The County of Monterey allows the use of e-bikes to the same extent and at the same locations as the use of bicycles, and requires both to yield to pedestrians and equestrians on county trails.

California Law

Bicycles and e-bikes
Bicycle is defined in Vehicle Code section 231, and includes electric bicycles, separately defined by CVC § 312.5. E-bikes are divided into Class 1, 2, and 3; Class 1 and 2 bikes can reach a top speed of 20mph, and Class 3 can reach a top speed of 28mph. As noted above, for convenience when we refer to bicycles we mean bicycles propelled by human power, and electric bicycles will be referred to as e-bikes.
The City's ability to regulate bicycles (including e-bikes) is limited by the Vehicle Code, which governs the operation of vehicles and bicycles on streets and highways. CVC § 21200 et seq. Local governments can regulate the operation and parking of bicycles "on pedestrian or bicycle facilities," provided the regulations are not in conflict with the Vehicle Code. CVC § 21100(h) expressly identifies that local governments can regulate the operation of bicycles on public sidewalks.
The vehicle code prohibits the operation of an e-bike on any bicycle path or trail, bikeway, or bicycle lane established under CVC § 21207 (i.e., bicycle lanes on highways), equestrian trail, or hiking/recreational trail unless it is within or adjacent to a roadway, or unless the local government adopts an ordinance to permit the operation over its trails and pathways. In addition, the local government can prohibit, by ordinance, any or all classes of e-bikes on equestrian trails, or hiking/recreational trails. CVC § 21207.5.
Reading the above provisions together, a local government can regulate the operation (and parking) of bicycles and e-bikes on sidewalk, bike paths, and trails; provided that e-bikes must be allowed on bike paths along roadways.

Pedicabs

Pedicabs are two or three wheeled bicycles, including e-bikes, with side cars or trailers, or similar device, that transport passengers for hire; and 4-wheeled devices that is primarily or exclusively pedal-powered, seats up to 8, and cannot travel faster than 15mph. CVC § 467.5.
Pedicabs cannot operate on a highway unless so authorized by local authority, and can adopt more stringent operating or equipment requirements that the Vehicle Code. CVC § 21215(a)(6); 21215.5.

Motorized scooters
Motorized scooters are 2-wheeled devices usually with handlebars and a floorboard to stand on. CVC § 407.5.
The City can regulate the operation and parking of scooters on pedestrian and bicycle facilities. CVC § 21225. Scooters must be allowed where Class II e-bikes are permitted in bicycle lanes, CVC § 21229, but notwithstanding any other provision, local authority can prohibit them from any bicycle path, trail, or bikeway. CVC § 21230.
Electric Personal Assistive Mobility Devices (aka segways)

An EPAMD is an electric a self-balancing, nontandem two-wheeled device, that is not greater than 20 inches deep and 25 inches wide and can turn in place, designed to transport only one person. CVC § 313.

To protect the health and safety, local agencies may regulate the time, place, and manner of operation, including prohibiting the use outright, or prohibiting the use in specified areas. CVC § 21282.

Electrical Motorized Boards
No provisions expressly allow local authorities to regulate the use of these devices.

III. What the City can and can't do

Bicycles and e-bikes
- CAN regulate/prohibit the operation and parking of bicycles and e-bikes on sidewalks, bike paths and trails, equestrian trails, hiking trails, other public property
- CANNOT limit the use of e-bikes on bike paths that are on or adjacent to roadways.
- CANNOT regulate operation on roadways (public streets and highways)

Pedicabs
- CAN regulate/prohibit use on roadways, trails, bike paths, public property. These cannot operate on roadways at all without an ordinance allowing it.

Motorized scooters
- CAN regulate/prohibit the operation and parking of scooters on sidewalks, bicycle paths, trails or bikeways.

Electrical Personal Assistive Mobility Devices
- CAN regulate the time, place, and manner of operation
- CAN prohibit operation everywhere in the City, or prohibit operation in specified areas

Electrical Motorized Board
- CANNOT regulate

IV. Direction Requested

The City of Monterey currently allows the use of e-bikes on the Monterey Bay Coastal Recreational Trail, and the County of Monterey allows the use of e-bikes on county trails to the same extent that it allows bicycles. Neither include a speed limit.

- Does the City Council wish to limit which class of e-bike is permitted on the Trail?
- Does the City Council wish to maintain the speed limit of 12 mph on the Trail?
- Does the City Council want to regulate/prohibit use of bicycles, e-bikes, other electric devices on hiking trails?
- Does the City Council want to regulate/prohibit the use of bicycles, e-bikes, or other electric devices on sidewalks?
- Does the Council wish to keep the current prohibitions and restrictions for bicycles and e-bikes in the code? As a reminder, these are the restrictions:
    - Bicycles and e-bikes are prohibited in Perkins' Park and Lovers Point Park.
    - E-bikes are further prohibited from the Pacific Grove Golf Links, El Carmelo Cemetery, and property leeward of Ocean View Blvd from the city boundary to Seventeenth Street (except on paved portions of the recreational trail).
    - Class 1 and 2 e-bikes are permitted on the recreational trail, as are electric personal assistive mobility devices (aka segway), and motorized boards provided they do not exceed 12mph.
    - Pedestrians must use paved section of the recreational trail so as not to impede bicycle traffic.
    - Pedicabs and motorized scooters are prohibited on the recreational trail, all public parks, golf links, and El Carmalo Cemetery.
    - The recreational trail is the "recreational walking and biking trail running along the city's waterfront from the city boundary on the east to Seventeenth Street on the west." PGMC § 14.08.015.

Provided the City Council gives direction to amend the existing municipal code, does the City Council want input on the draft ordinance from the Traffic Safety Committee?
Suggestions: separate out regulations for human-powered bicycles, e-bikes, and other electric mobility devices for ease of use by the public.
Note: the ordinance will include a reasonable accommodation exemption under the ADA.

OPTIONS

1. Take alternative action related to this subject
2. Take no action

FINANCIAL IMPACT:
Costs associated enforcement of the City codes.

FOCUSED PRIORITY AREA: Not Applicable.

Attachments

PGMC §§ 14.08.015, 14.08.016, 14.08.020, 14.08.021, 14.08.023, 14.08.024, 14.08.02

CVC § 21207.5

TAMC E-Bikes: Regulations and Resources

Title 14. Public Property

Chapter 14.08. PARKS

§ 14.08.015. Recreational trail as public park.

For the purposes of this chapter, the term "public park" includes, without limitation, all property included within the recreational walking and biking trail running along the city's waterfront from the city boundary on the east to Seventeenth Street on the west.
(Ord. 20-004 § 2, 2020)

§ 14.08.016. Recreational trail – Foot traffic prohibited on bicycle portion.

It is unlawful for any person to walk, run, jog, permit animals or otherwise convey himself/herself on foot along the portion of the recreational trail (defined at PGMC § **14.08.015**) paved, marked and set aside for use of bicycles in a manner that impedes the operation of bicycles or other permitted vehicles on that portion of the trail.
(Ord. 20-004 § 2, 2020)

§ 14.08.020. Bicycle and e-bike restrictions.

(a) It is unlawful for any person to ride or wheel or otherwise operate a bicycle or electric bicycle in Perkins' Park, Perkins' Park being all areas seaward of Ocean View Boulevard between Lovers Point and the Esplanade.

(b) It is unlawful for any person to ride or wheel or otherwise operate a bicycle or electric bicycle in Lovers Point Park, to include any property located seaward of Ocean View Boulevard from the city boundary on the east to Seventeenth Street on the west, except on the paved portion of the recreation trail defined in PGMC § **14.08.015**.
(Ord. 20-004 § 2, 2020)

§ 14.08.021. Electric bicycle use restrictions.

(a) The term "electric bicycle" is defined in California Vehicle Code Sections **312.5** or **24016**. Separate definitions apply to Class 1, Class 2 and Class 3 electric bicycles.

(b) Notwithstanding any other provision of this code, it is unlawful for any person to ride or wheel or otherwise operate a Class 1 or Class 2 electric bicycle as follows:

    (1) In Perkins' Park, defined by PGMC § **14.08.020(a)**, the Pacific Grove Golf Links, or El Carmelo Cemetery.

(2) On any property located seaward of Ocean View Boulevard from the city boundary on the east to Seventeenth Street on the west, except when operated within applicable speed limits on the paved portion of the recreation trail, defined by PGMC § **14.08.015**.

(c) Class 3 electric bicycles are prohibited in all parks, the Pacific Grove Golf Links, El Carmelo Cemetery. and upon the recreational trail, defined in PGMC § **14.08.015**.

(Ord. 20-004 § 2, 2020)

§ 14.08.023. Speed limit on recreational trail.

(a) It is unlawful for any person to ride or wheel or operate a bicycle, a Class 1 or 2 electric bicycle, an electric personal assistive mobility device (as defined in California Vehicle Code Section **313**), or a motorized board (as defined in California Vehicle Code Section **313.5**) at a speed equal to or in excess of 12 miles per hour on the recreational trail defined in PGMC § **14.08.015**.

(b) Notwithstanding subsection **(a)** of this section, a person shall not operate any vehicle at a speed greater than is reasonable or prudent having due regard for weather, visibility, pedestrian and vehicular traffic, and the surface and width of the trail, and in no event at a speed that endangers the safety of any person or property.

(Ord. 20-004 § 2, 2020)

§ 14.08.024. Use of pedicab prohibited in recreational trail, in all public parks, golf links and El Carmelo Cemetery.

(a) The term "pedicab" is defined to mean:

(1) A bicycle that has three or more wheels, that transports, or is capable of transporting, passengers on seats attached to the bicycle, that is operated by an individual, and that is used for transporting passengers for receipt of any form of consideration; or

(2) A bicycle with a single unarticulated frame that pulls a sidecar or similar device that transports, or is capable of transporting, passengers on seats attached to the sidecar or similar device, that is operated by an individual, and that is used for transporting passengers for receipt of any form of consideration.

(b) Notwithstanding any other provision of this code, it is unlawful for any person to ride or wheel or otherwise operate a "pedicab" on any portion of the recreational trail (defined in PGMC § **14.08.015**), in all public parks, golf links, and El Carmelo Cemetery.

(Ord. 20-004 § 2, 2020)

§ 14.08.025. Use of motorized scooters prohibited in recreational trail, in all public parks, golf links and El Carmelo Cemetery.

(a) Notwithstanding any other provision of this code, it is unlawful for any person to ride or wheel or otherwise operate a "motorized scooter," as defined in California Vehicle Code Section **407.5**, on any portion of the recreational trail (defined in PGMC § **14.08.015**), in all public parks, golf links, and El Carmelo Cemetery.

(b) This section shall not apply to any ADA "pedestrian" defined by California Vehicle Code Section **467(b)**.

(Ord. 20-004 § 2, 2020)

West's Annotated California Codes
Vehicle Code (Refs & Annos)
Division 11. Rules of the Road
Chapter 1. Obedience to and Effect of Traffic Laws
Article 4. Operation of Bicycles (Refs & Annos)

West's Ann.Cal.Vehicle Code § 21207.5

§ 21207.5. Motorized or electric bicycles; prohibited operation

Effective: January 1, 2023

Currentness

(a) Notwithstanding Sections 21207 and 23127 of this code, or any other law, a motorized bicycle shall not be operated on a bicycle path or trail, bikeway, bicycle lane established pursuant to Section 21207, equestrian trail, or hiking or recreational trail, unless it is within or adjacent to a roadway or unless the local authority or the governing body of a public agency having jurisdiction over the path or trail permits, by ordinance, that operation.

(b) The local authority or governing body of a public agency having jurisdiction over an equestrian trail, or hiking or recreational trail, may prohibit, by ordinance, the operation of an electric bicycle or any class of electric bicycle on that trail.

(c) The Department of Parks and Recreation may prohibit the operation of an electric bicycle or any class of electric bicycle on any bicycle path or trail within the department's jurisdiction.

Credits

(Added by Stats.1975, c. 987, p. 2331, § 7. Amended by Stats.1977, c. 664, p. 2180, § 1; Stats.1979, c. 373, p. 1383, § 323; Stats.2015, c. 568 (A.B.1096), § 5, eff. Jan. 1, 2016; Stats.2022, c. 343 (A.B.1909), § 1, eff. Jan. 1, 2023.)

West's Ann. Cal. Vehicle Code § 21207.5, CA VEHICLE § 21207.5
Current with all laws through Ch. 790 of 2025 Reg.Sess., and Governor's Reorganization Plan No. 1 of 2025.

End of Document

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E-Bikes: Regulations and Resources

Janneke Strause
Associate Transportation Planner
Transportation Agency for Monterey County

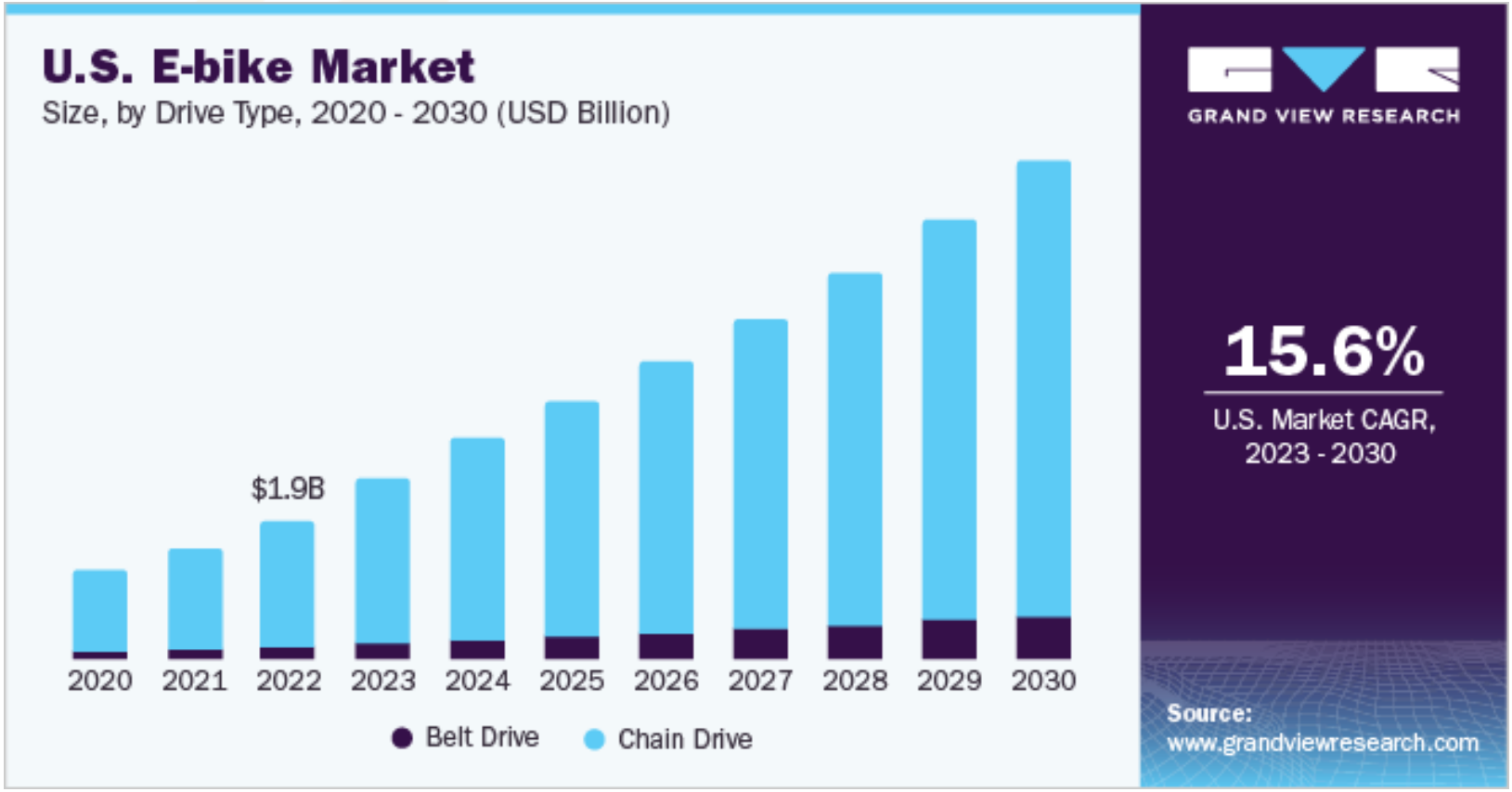
TAMC

Agenda

- E-bike overview
- Benefits and challenges
- Where can I ride?
- Education and resources



Trends


U.S. E-bike Market
Size, by Drive Type, 2020 - 2030 (USD Billion)
$1.9B
2020
2021
2022
2023
2024
2025
2026
2027
2028
2029
2030
Belt Drive
Chain Drive
GRAND VIEW RESEARCH
15.6%
U.S. Market CAGR, 2023 - 2030
Source:
www.grandviewresearch.com

What is an e-bike?

	Class 1	Class 2	Class 3
Type	Pedal-Assist Only	Throttle-Assist	Pedal-Assist with Higher Speed
Top Speed	20 mph	20 mph	28 mph
Description	The motor provides assistance only while pedaling and stops when the bike reaches 20 mph.	The motor is activated by a throttle and does not require pedaling.	• Riders must be at least 16 years old. • Helmets are mandatory for all riders. • Passengers are not allowed. • Must include front and rear lights or reflective materials.

California Vehicle Code Section 312.5

An e-bike is NOT:

1. A two-wheeled vehicle powered by an electric or gas motor that can be ridden at 20 mph on motor power alone.
2. A vehicle that is modified to have its operable pedals removed.

California Vehicle Code Section 312.5

Modification Compliance (AB-1774)

1. Prohibits tampering or modifications that change an e-bikes speed capabilities
2. Bans the sale of products or devices that can modify speed
3. Violations will be treated as criminal offense

Bill Text - AB-1774 Vehicles: electric bicycles.

Electric bicycles, powered mobility devices, and storage batteries (SB-1271)

Goes into effect January 1, 2026

1. Establishes battery safety standards by an accredited testing laboratory for compliance with a specified standard
2. Clarifies e-bike classifications (as described previously)
3. Introduces new labeling and advertising requirements displaying classification and battery compliance

Bill Text - SB-1271 Electric bicycles, powered mobility devices, and storage batteries.

You can ride further and faster with less effort.





You can more easily commit to eco-friendly transportation.



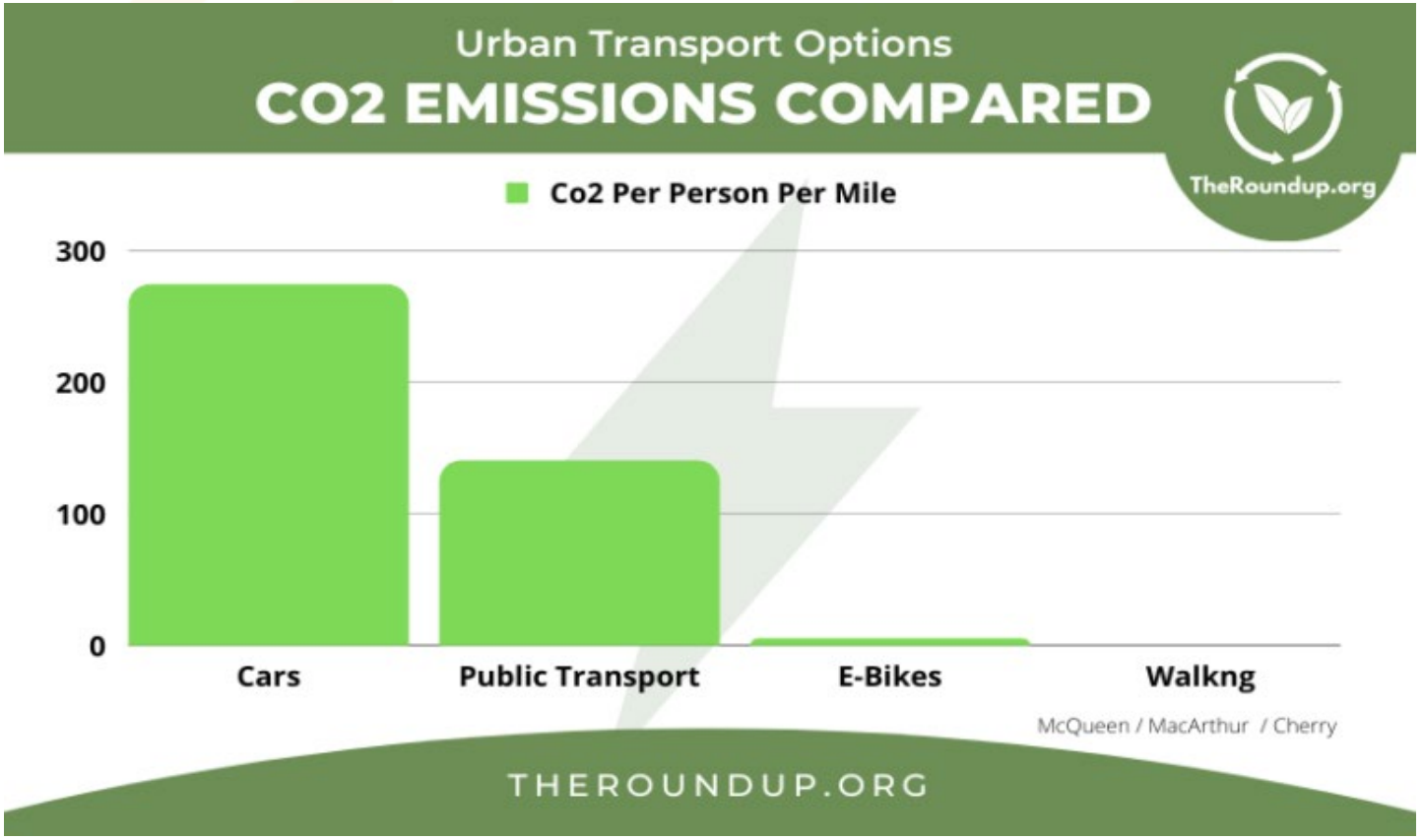


E-bikes make bicycling accessible to a wider range of people.





Low Emission Transportation



Challenges with E-bikes

- Some e-bike riders pass other cyclists and walkers at too high a speed
- Collisions at higher speed are more dangerous
- Not all multi-use path users know trail etiquette
- Difficult to enforce e-bike regulations
- More people are bicycling, but there's a lack of safety education
- Motorcycle-type bikes are being illegally ridden like e-bikes

Where can I ride?

- AB-1909 Vehicles: bicycle omnibus bill **prevents cities from restricting access to e-bike riders** in places like bicycle paths or unpaved trails, bikeways, and bicycle lanes.
- People may ride e-bikes on roadways but are subject to the California Vehicle Code (CVC)—which covers basic rules of the road, like going with the flow of traffic and obeying lights and signs.
- **Local authorities could still block access to e-bikes on certain equestrian trails or hiking and recreational trails**.
    - The Department of Parks and Recreation may prohibit the operation of an electric bicycle or any class of electric bicycle on any bicycle path or trail within the department's jurisdiction.

What Is an E-Bike? A Guide to California E-Bike Classifications. - CalBike

City of Pacific Grove

- Class 1 and Class 2 e-bikes are prohibited from certain areas defined in code 14.08.020
- Class 3 e-bikes are prohibited in all parks code 14.08.015

Chapter 14.08 PARKS

County of Monterey

- Monterey County Code 14.12.060.I, currently states, “Electric bicycles are prohibited from all County park dirt trails, unless authorized by the Director”
  - In December 2022, an Ad-Hoc Committee was formed to research E-bike use
  - In June 2024, Draft ordinance was presented to Parks Commission
  - In October 2024, Revised draft was approved for recommendation to the Board of Supervisors

Public Survey

- Online survey was conducted for 3 months in English and Spanish
- 1,300 respondents
- Direct email, newspapers, social media and County website
- 63% in favor of allowing E-bikes on County Parks multi-use trails

Monterey County Code 14.12 Update - Draft Ordinance

- Allow Class 1, 2 and 3 E-bikes on County Parks dirt trails
- No electric motorcycles, mopeds, scooters or other modalities
- Safe passage guidelines
- All passing must occur at 5 mph or less
- All trail users give way to equestrians, bikers give way to pedestrians

State Parks' e-bike policy:

- Any e-bike is allowed on a public roadways.
- Class 2 or 3 e-bikes are not allowed on trails or controlled-access roads.
- Class 1 e-bikes may be designated for use only on trails and controlled-access roads that already allow traditional (non-electric) bicycles.



California E-bike Safety Legislation

- AB 2234 – Authorizes a local authority within the County of San Diego, or the County of San Diego, to prohibit individuals under the age of 12 from operating a class 1 or 2 electric bicycle.
- AB 1778 – Authorizes a local authority within the County of Marin, or the County of Marin, to adopt an ordinance to prohibit a person under the age of 16 years from operating a Class 2 e-bike.
- Cities of Santa Cruz and Capitola support e-bike safety education in schools, enforcement of illegal e-bikes, and lobbying legislators for statewide regulations.

Resources

- CalBike
  - What Is an E-Bike? A Guide to California E-Bike Classifications. - CalBike
- People for Bikes
  - Electric Bikes | PeopleForBikes
  - For Land Managers - Electric Bikes | PeopleForBikes
- Online Safety Training
  - New E-Bike Training Resources Come Online – CalBike
- E-bike Battery Safety Tips
  - How to Prevent an Electric Bike Fire - Consumer Reports
- Trail Etiquette
  - Passing Etiquette - MORCA - Monterey Off Road Cycling Association

Janneke Strause

Associate Transportation Planner

Janneke@tamcmonterey.org

TAMC

Agenda No. 13 B

CITY OF PACIFIC GROVE

300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO:	Honorable Mayor and Members of the City Council
FROM:	Matthew Mogensen, City Manager
MEETING DATE:	February 04, 2026
SUBJECT:	Discussion regarding Chautauqua Hall ownership, uses and responsibilities
CEQA:	Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

1. Direct staff to investigate and document ownership, rights, allowable activities, and responsibilities for the use of Chautauqua Hall.
2. Direct staff to return to a future City Council Meeting with updates to City Council Policy 100-1 Chautauqua Hall Building, and any necessary recorded document amendments proposed to manage the future use of Chautauqua Hall.

DISCUSSION

The current documents relating to the use of Chautauqua Hall are contradictory to the present use of the Hall in the following ways:

- None of the currently available documents clearly note the ownership of the Hall. A title search is underway.
- A 1922 document (Attachment 1), labeled “Boy Scout Deed Restrictions" requires certain racial and ethnic groups to be excluded, no alcohol shall be allowed, and other restrictions that are not currently legal or desirable.
- The same document says that the Hall was sold by Del Monte Properties to the City of Pacific Grove for the sum of $10.00.
- The 1988 Council Policy (Attachment 2) for the use of the Hall states the Scouts (Boy, Girl and Brownies) will have first priority on the use of the Hall, and will have use of the upstairs attic and the downstairs southwest room. This document states that the building was deeded to the City with no restrictions on use and also states the building was acquired from The Boy Scouts of America. Any actual deeds or documents of these transactions are missing, hence the title search. The 1988 document, referencing a 1981 policy, prohibits the Hall being used as a “dancehall”.

In conversations with Library, Museum, Friends of Chautauqua Hall, and current users of the Hall, the following activities seem to suit those who envision using Chautauqua Hall in ways that are closer to its original purpose as a cultural center.

- Musical events and concerts (so an improved sound system would be ideal)
- Meetings, lectures, educational programs (groups will require better bathrooms)
- Weddings and social events (requiring a suitable catering kitchen)
- Receptions (an entrance area, and ADA appropriate access will be needed)

Current users of the Hall will need to make other arrangements to use a different location for the duration of demolition and construction, and perhaps for subsequent use once construction is complete. Further, policies for reserving the Hall will need to be drafted.

We have heard from Al and Friends that they have reached agreements to relocate well before demolition will occur. Other groups, ballroom dancing and Jazzercize have been temporarily relocated to the Community Center when there are scheduling conflicts. Documents do confirm that the Recreation Department is the responsible party for scheduling, and assuring that insurance and use policies are in place. The Fee Schedule is noted as the way rental fees are charged, as well as which groups are exempt from paying for their use of the Hall.

OPTIONS

1. Provide alternative direction to staff regarding necessary documentation and/or allowable uses.
2. Do nothing, allowing legal contradictions to stand

FINANCIAL IMPACT:
Staff time and legal expenses title search and for any necessary review.

FOCUSED PRIORITY AREA: Not Applicable.

Attachments

Boy Scout Deed Restrictions
City Council Policy 100-1 Chautauqua Hall Building

BOY SCOUT DEED RESTRICTIONS

THIS INDENTURE, made the Twenty-fourth day of February in the year of our Lord one thousand nine hundred and twenty-two (1922), between the DEL MONTE PROPERTIES COMPANY, a corporation duly incorporated and organized under the laws of the State of California, the party of the first part, and THE CITY OF PACIFIC GROVE, a municipal corporation, within the County of Monterey, in the State of California, the party of the second part,

WITNESSETH: That the said party of the first part, for and in consideration of the acceptance of this conveyance by the said party of the second part, subject to the provisos, and upon the conditions hereinafter mentioned and expressed, and for and in further consideration of the sum of Ten and no/100 ($10.00) Dollars, gold coin of the United States of America, to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey all its right, title and interest unto the said party of the second part, and to its successors and assigns forever, but subject to the said provisos, and upon the said conditions, in and to those certain lots, pieces, or parcels of land situate, lying and being in the County of Monterey, State of California, particularly described as follows, to wit:

Lots numbered One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7) and Eight (8), in Block numbered Forty-eight (48) in Pacific Grove Retreat Grounds, as surveyed by St. John Cox, Esq., Surveyor, July, A. D. 1875, and duly recorded in the office of the County Recorder of said County of Monterey.

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with the appurtenances, unto the said party of the second part, its successors and assigns forever.

PROVIDED, however, and this conveyance is made and accepted upon the following express conditions:

FIRST: Neither the party of the second part, nor its successors or assigns, nor any other person or persons occupying said land or premises or any part thereof, under them or any of them, shall at any time permit any species of gambling, nor manufacture, or sell, or give away, or exchange, or trade, or deal with in any way, on said premises or any part thereof any spirituous, vinous, malt or other intoxicating liquors.

SECOND: That no building for other than municipal purposes shall be erected or maintained upon said property, or no trade or business of any description shall be carried on upon said premises by the party of the second part or its successors or assigns, or by any other person or persons under or through them, or any of them, nor shall any place of business be open for the transaction of business on Sunday, without the consent in writing of the Pacific Grove Retreat Association, a corporation duly organized under the laws of the State of California, its successors or assigns.

THIRD: That no buildings, improvements or structures of any kind or character whatsoever shall be erected, constructed, placed or maintained upon the premises hereby conveyed, until the plans and specifications for the same have been submitted to, and approved in writing by the party of the first part, and further, that no building, improvement, or structure of any kind or character

Chautauqua Hall

whatsoever shall be erected, constructed, placed, or maintained upon the premises hereby conveyed without the consent in writing of the party of the first part.

FOURTH: That the premises herein described, or any part thereof, shall not be in any manner used or occupied by Asiatics or Negroes; and the party of the second part agree not to sell or lease the said property, or any part thereof, nor to convey by deed, or otherwise, any portion of the premises herein described excepting to persons belonging to the Caucasian race; and agrees not to lease, sell, convey or otherwise dispose of the whole or any portion of the premises herein described to any person born in the Turkish Empire, nor to any lineal descendant of such person , except that persons of said races may be employed as household servants.

FIFTH: The foregoing covenants and conditions shall be enforcible by said Del Monte Properties Company, its grantees and successors in interest who shall or may purchase or acquire property under like terms and conditions as herein provided, and all of such conditions shall run with the land and be incorporated in any and all deeds and agreements of sale, and the grantee in any deed or agreement of sale shall also in such deed or agreement of sale, covenant and agree that all said conditions shall be incorporated in and be made a part of any contract, deed or transfer of such property made by said grantee and by all subsequent owners and holders of said property or any part thereof; the first two foregoing covenants and conditions shall be enforcible by said Pacific Grove Retreat Association.

SIXTH: Each and all of the aforesaid conditons shall be enforcible by injunction or by other form of action available to the party aggrieved, and in the event any action be brought at any time against any owner of the property described in this deed for the purpose of enforcing any of the aforesaid covenants and conditions and the plaintiff shall recover in such suit, the defendants therein shall pay to such plaintiff a reasonable attorney's fee in such action which shall be taxed by the court as a part of the costs therein.

SEVENTH: The party of the first part hereby reserves expressly to itself, its successors and assigns, the right to enter upon the land and premises hereby conveyed, and to take absolute possession thereof and of any and all improvements thereon for and upon the breach of the aforesaid conditions, or any of them, and to hold to its own use all and any money theretofore paid under the provisions of the purchase agreement for said property as compensation for the prior enjoyment of the rights, privileges and agreements previously enjoyed hereunder by such purchaser or purchasers, and as rent, or compensation for the use and occupation of such land by such purchaser or purchasers.

And the party of the second part hereby in consideration of the foregoing, agrees to be bound by, and bind its successors and assigns in and to the foregoing conditions.

IN WITNESS WHEREOF, the said party of the first part has caused these presents to be signed by its President and by its Secretary, and its corporate seal to be hereunto affixed, and the said party of the second part has caused these presents to be executed by its officers, thereunto duly authorized the day and year first above written.

DEL MONTE PROPERTIES COMPANY,
By: S. F. B. Morse, President
And: J. Beaumont, Secretary

CITY OF PACIFIC GROVE
By: James Harper, President of Board of Trustees of the City of Pacific Grove
And: E. S. Johnston, Clerk of City of Pacific Grove

CITY OF PACIFIC GROVE, CALIFORNIA
COUNCIL POLICY

Subject	Policy No.	Effective Date	Page
USE OF CHAUTAUQUA HALL BUILDING	100-1	6/15/88	1 of 2

BACKGROUND

The City owns and operates a building known as Chautauqua Hall. This building is located on Central Avenue between 16th and 17th Streets. The building was constructed in 1889 and is on the State Historic Register as a historically significant building. The building was deeded to the City in 1922 with no restrictions on use. The building was acquired from the Boy Scouts of America and has been used over the years for scouting and other general recreation activities. In recognition of the scout heritage, City policy has been to give priority use to the scouting groups.

PURPOSE

The purpose of this policy is to:

1. establish Council policy on the maintenance of the building; and

2. establish Council policy on the operation and supervision of the building; and

3. establish Council policy on permitted uses of the building.

POLICY

1. Chautauqua Hall is considered to be a valuable resource and historically significant structure for the City. As such, the Council indicates its intent to maintain the building in the best possible condition for the use and enjoyment of Pacific Grove citizens.

2. The responsibility for operation and maintenance of the building is assigned to the City Manager and his designated representative, the Recreation Director. The City Recreation Board shall serve as the advisory body to the City Manager and Recreation Director regarding the use and operation of this facility.

3. Chautauqua Hall shall be used primarily for leisure program activities as determined by the City Manager and Recreation Director. Other activities may be permitted on a time available basis.

4. In scheduling activities, it is the policy of the Council that first priority for the use of the building shall be given to Pacific Grove scout organizations. It is further the policy that the upstairs meeting room and the downstairs southwest room shall be provided for the use of the scout organizations. For purposes of this policy, scout organizations shall include Boy Scouts, Girl Scouts, and Brownies. Use of these areas by other community groups shall be on a non-interference basis and subject to the approval of the Recreation Director. Scout organizations may mount permanent wall displays in these rooms, subject to the approval of the Recreation Director.

5. In accordance with Council policy adopted on January 7, 1981, Chautauqua Hall shall not be used for public dance hall purposes. This is due to insurance and safety issues pertaining to public dance activities.

6. All users of the building with the exception of the Boy Scouts and other groups exempted under City Resolution No. 5516 shall pay the appropriate rental fees for use of the building.

7. All users of the building shall abide by rules and regulations established by the City.

PROCEDURE

1. The Recreation Department shall be the City department responsible for scheduling of all activities in Chautauqua Hall.

Adopted: June 15, 1988
Resolution No. 5905
Amended: January 4, 1989
Resolution No. 5948

Agenda No. 13 C

CITY OF PACIFIC GROVE

300 Forest Avenue, Pacific Grove, California 93950

AGENDA REPORT

TO:	Honorable Mayor and Members of the City Council
FROM:	Daniel Gho, Public Works Director/Deputy City Manager
MEETING DATE:	February 04, 2026
SUBJECT:	Recreation Board Committee Recommendation, Metrics Request
CEQA:	Does not constitute a Project per California Environmental Quality Act Guidelines Section 15378

RECOMMENDATION

1. Receive the recommendation report prepared by the Recreation Board and provide direction to staff.
2. Alternatively, discuss and take other action on this item.

DISCUSSION

At the December Recreation Board meeting, the Recreation Board voted and approved the Chair to submit a City Council Committee Recommendation form for Council consideration. The Recreation Board is requesting staff to generate numerous metrics that are associated with the Recreation Department and present those metrics to the Recreation Board 3 times per year. The Recreation Board's submission is attached to this report, along with the 9 questions/metrics that they are requesting staff to generate and report upon.

City staff has reviewed the list of requested metrics. Though some of the information is simple to extract from Civic Rec, which is our reservation software, not all of the information is readily available. In order to compile the requested information, the Civic Rec software will need to be modified, which staff anticipates costing between $2,000 -$3,000. Staff will need to manually extract data from Civic Rec, which will be extremely time-consuming. It is anticipated that the initial setup would be approximately 40 hours, with monthly staffing hours ranging between 10-15 hours to maintain the database, and an additional 8-10 hours, three (3) times per year, to prepare and present the data to the Recreation Board.

Currently, City Staff provides the Recreation Board with an annual programming update following the summer season.

OPTIONS

Do nothing.

FINANCIAL IMPACT:

Civic Rec, the City's registration program software, will need to be modified, and this is anticipated to be between $2,000 and $3,000, which would be derived from the recreation operations budget. The recreation department has not budgeted for any extra expenses, as typical purchases are for programming supplies and materials, and funds get exhausted quickly once the programming season commences. City staff may need to wait until FY 2026/27 to commence software changes to ensure that there is adequate budget to operate all programs for FY 2025/26.

FOCUSED PRIORITY AREA: Not Applicable.

Attachments

Written public comment

Recommendation Form, Rec Board

Outlook

item 13C Recommendation of the Recreation Board

From Andrew Kubica <andrewkubica@outlook.com>
Date Wed 2/4/2026 11:14 AM
To City Council Members <citycouncil@cityofpacificgrove.org>

[**NOTICE:** This message originated outside of the City of Pacific Grove email system -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]
Honorable Mayor and City Council,

I am surprised that this item, 13C, is even being brought to the city council. The City has had a revitalized recreation program that has been improving over the last few years. It would seem that the information being requested: total registration numbers, number of participants in each program per season and annually should be readily available otherwise how has staff been hiring enough counselors for the various programs. Grant, donations, and scholarship numbers should also be readily available since the grants were applied for and scholarships provided.

Regarding the estimated $2,000.00 to $3,000.00 cost for software, I believe that expense is well within the budget authorization of the city manager. I am fairly certain that is within the budget that can be absorbed by Public Works/ Recreation department since the information is essential for informing the city council of the success of the recreation program in the city.

Please support the Pacific grove recreation and the recommendation of the Recreation Board

Thank You

Andrew Kubica

CITY OF PACIFIC GROVE

300 Forest Avenue, Pacific Grove, California 93950

Committee Recommendation

TO: (Council Liaison) Joe Amelio

FROM: (Chairperson) Jay Tulley

COMMITTEE: Recreation Board

DATE: 12-16-2025

RECOMMENDATION (include date of committee vote)

At the 12-15-2025 meeting, the board voted (4-0) to request the recreation department to provide a report three times per year to the recreation board with the attached recreation program metrics that can be tracked year over year.

DISCUSSION (attach continued discussion)

In order to analyze the progress of the recreation department, metrics need to be established and tracked over time. The recreation board has discussed the following metrics with the recreation program staff and agreed on the following 9 metrics. These metrics will help us determine what marketing works, where better marketing is needed, what programs may need additional staffing, etc. We also believe that transparency on metrics like this will foster more understanding and support from the community. During the meeting, we learned that this data is already being collected. So while the collection and reporting of the data will require some additional workload, it should be minimal. Most of the data should be in CivicRec, so there is likely a way to extract it.

FISCAL IMPACT (if known)

None

CITY COUNCIL GOAL ALIGNMENT

While this is not directly aligned to a specific goal, the idea of tracking metrics is fundamental to how a program (and a city) works.

ATTACHMENTS

List of requested recreation program metrics

	Metric	Method of Collection
1	Total registrations in each program (per season and annually)	Civic Rec
2	Number of unique participants in each program per month. (E.g. how many unique participants attend the Youth Center each month.)	Civic Rec
3	Participant demographics (Age, school, etc)	Civic Rec
4	Program fill rates (Enrollment vs capacity)	Civic Rec
5	Program retention and re-enrollment rates (Taking into account participants that “age out”.)	Civic Rec
6	Wait-lists (Number of programs with wait-lists, size of wait-lists, etc)	Civic Rec
7	Facility utilization (E.g. the number of hours open per week)	Rec Department
8	Subsidies / Financial Aid (total amount and number of subsidies); Grants, donations, and scholarships provided. (This data will likely need to come from the Finance Department.)	Finance Dept
9	Partnerships and collaborations with schools, nonprofits, or clubs.	Rec Department