

REVISED
CITY OF MORRO BAY
PLANNING COMMISSION
SYNOPSIS MINUTES

(Complete audio- and videotapes of this meeting are available from the City upon request)

Veteran's Memorial Building
Regular Meeting, 6:00 p.m.

209 Surf Street, Morro Bay
Monday, February 2, 2009

Chairperson Nancy Johnson
Vice-Chairperson Bill Woodson Commissioner Michael Lucas
Commissioner Gerald Luhr Commissioner John Diodati
Bruce Ambo, Secretary

I. CALL MEETING TO ORDER

Vice-Chair Bill Woodson called the meeting to order at 6:00 p.m.

II. PLEDGE OF ALLEGIANCE

After a brief introduction, John Diodati, newly appointed Planning Commissioner, led the Pledge of Allegiance.

III. ROLL CALL

Staff: Bruce Ambo, Jaime Hill, Christine Rogers
Commissioners: Michael Lucas, John Diodati, Vice Chair Bill Woodson, Gerald Luhr
Absent: Nancy Johnson, Chair

IV. ACCEPTANCE OF AGENDA

MOTION: Luhr/Lucas 2nd to accept the agenda as presented.
VOTE: 4-0

V. DIRECTOR'S REPORT/WRITTEN COMMUNICATIONS

A. Oral Report

Bruce Ambo provided an update of the January 12, 2009, City Council meeting discussion as follows:

- 1) A presentation occurred regarding the formation of a Local Business Improvement District, with a subsequent presentation regarding a Countywide Business Improvement District. After much discussion, the Council decided not to participate in the Countywide BID, and scheduled a follow up discussion regarding specific elements of a local BID on February 23, 2009.

- 2) The Mid-Year Budget was adopted. A resolution will return at the February 23rd meeting. Bruce Ambo noted the following approved budget items:
 - a. \$25K Funding for third party consultation to draft FAR ordinance.
 - b. \$60K Funding for the mandatory Housing Element Update. (Bruce Ambo noted that this will be critical to obtaining future grant awards from HUD for the HOME Investment Partnership and CDBG programs.)
 - c. \$25K Funding to complete the Neighborhood Compatibility Standards.
 - d. \$50K Funding for Stormwater improvements (pipe or drainage facilities).

VI. PUBLIC COMMENT:

Members of the audience wishing to address the Commission on matters other than scheduled hearing items may do so when recognized by the Chairman, by standing and stating their name and address. Comments should be limited to three minutes.

- 1) Richard Sadowski, north Morro Bay resident, provided a synopsis of his background. He stated he has worked with the Cayucos Sanitary District, experienced in mechanical field engineering, worked on launch pads at Vandenberg Air Force Base and other top secret projects in a field engineering capacity. He later worked with the CSD where he achieved the highest certification possible for wastewater collection. During his tenure at the CSD over 2003 and 2004 he conducted a flow study which showed a severely surcharging overburden, as well as system capacity inadequate to handle Cayucos sewage, less so, Morro Bay. Mr. Sadowski reported having been requested by various private parties to complete a survey of Morro Bay, which he later submitted to staff. Mr. Sadowski inquired as to why staff has not been notifying the public and board of safety hazards. He indicated the Department of Health has shut down the Chorro Valley wells, and felt that while staff was notified, public notification was inadequate in his opinion. He requested that the Commission look into the matter.

Bill Woodson inquired of staff. Bruce Ambo noted that there was little to respond to other than to clarify that staff has been working with the Department of Health Sciences regarding elevated nitrate detected two years ago. The City has addressed the issue with a very vigorous program and will be going into closed session to review remedies, usually followed by an update to the Council. Bruce felt that these issues were very well known. He was in agreement with Mr. Sadowski's comments pertaining to the collections system but noted it was not appropriate to address these issues at this time.

Michael Lucas asked Mr. Ambo to confirm that sewer laterals are now required to be evaluated as part of any development or renovation permit and that retrofit may be required by individual owners if an issue is identified. Confirmation was given.

VII. CONSENT CALENDAR

- A. Approval of minutes from hearing held on January 5, 2009.

Bill Woodson requested a follow up email providing contact information to Commissioners for the new Planners and Planning Commission members.

MOTION: Lucas/Luhr 2nd to accept of the minutes as presented.

VOTE: 3-0, John Diodati abstained, as he did not attend.

VIII. PRESENTATIONS

Informational presentations are made to the Commission by individuals, groups or organizations, which are of a civic nature and relate to public planning issues that warrant a longer time than Public Comment will provide. Based on the presentation received, any Planning Commissioner may declare the matter as a future agenda item in accordance with the General Rules and Procedures. Presentations should normally be limited to 15-20 minutes.

No presentation made.

IX. FUTURE AGENDA ITEMS

- A. Planning Commission interpretation on decks in the front yard setback and what elements are allowed on them
- B. Gates on the Embarcadero Boardwalk

Bill Woodson inquired as to whether the Commission had any additional items for review. He indicated a desire to see a short presentation related to how the City is addressing storm water retention requirements and making the process user friendly to new applicants.

Bruce Ambo agreed to review with the City Engineer appropriate timing and resources, and return with a tentative presentation date.

X. PUBLIC HEARINGS

- A. **Site Location:** 925, 931 and 935 Main Street
Applicant: Bruce Carpenter

Request: Conditional Use and Coastal Development Permit approvals to remodel the façade of the existing structure at 925 Main, demolition of the building at 931/935 Main and construction of a new 5,908-square foot Mixed-Use Building in the C-1/S-4 zoning district. This site is located outside of the appeals jurisdiction of the California Coastal Commission. (Recommended CEQA Determination: Categorical Exemption, Class 3, Section 15332).

Staff Recommendation: Conditionally approve the project
Staff Contact: Jaime Hill, Planner, 772-6270

Hill provided a brief staff report regarding key components:

- 1) Two buildings (925 Main, and 931/935 Main)
- 2) 925 Main Street would be remodeled with a new façade

- 3) 931/935 Main Street (unreinforced Masonry) is proposed for removal and replacement with mixed use project
 - i. Two Commercial units on the ground floor
 - ii. Two Residential units above
 - iii. Subterranean parking (four spaces) to be reserved for use by the tenants (access off Harbor Blvd)
 - iv. Commercial parking to be satisfied by in lieu fees
- 4) Access off of Harbor Blvd.
- 5) Property in compliance with property development standards for C-1 district
- 6) Architectural design and features consistent with the neighborhood

Discussion followed related to the following issues:

- Trash Enclosure - Luhr expressed concern that there was no condition that such an easement be obtained. Hill clarified that the existing condition is being upheld with an easement. Lucas inquired as to the actual location of trash enclosures relative to property boundaries. Applicant indicated that they would be on both parcels. Luhr asked if an existing easement agreement was in place. Applicant confirmed that currently there is no agreement, however he has been on contact with Rabobank and they seem amenable.
- Streetscape - Lucas noted that in many instances a visual simulation of the streetscape is required as part of the submittal. Ambo clarified that this requirement is primarily required in cases of significant visual impact and confirmed that additional analysis could be required of the applicant if deemed necessary.
- Archaeological - Lucas noted that the CEQA determination and nature of the archaeological report in Exhibit 3 appeared to be in conflict. Hill clarified that a historical evaluation was completed to satisfy CEQA requirements due to the age of the structure and found that the buildings have been significantly modified and were not associated with a person, place or event which would deem them potentially historically significant.
- Street Trees - Lucas inquired as to whether there were requirements for street tree replacement if removed? Hill confirmed that there is a standard Public Works Municipal Code requirement that City property damaged during the course of construction is replaced or reconstructed.
- Demolition Plan - Luhr stated that a demolition plan would have been helpful. Brackovich confirmed a demolition plan will be submitted with the working documents.
- Sidewalk Repair - Diodati noted that Condition 13 addresses repair and replacement of the sidewalk. There appears to be existing sidewalk lifting due to a tree onsite. He inquired if the condition would address that issue or was just for damage as a result of construction? Hill confirmed that the applicant will have to reconstruct the sidewalk to meet City standards, noting that this is a standard Public Works conditions, and that applicant would also be required to meet ADA standards. Applicant's representative acknowledged his understanding that this is a City requirement. Ambo confirmed that after construction, depending on what condition the sidewalk is in, this condition may be required.
- Parking and Access - Diodati asked if City staff had any concerns regarding parking and access from Harbor being impacted by delivery trucks, traffic issues, etc. Hill clarified that traffic issues fall under the purview of the City Engineer who has determined that based upon the minimal number of commercial and residential units, no unnecessary conflicts were anticipated. Woodson asked if the Commission had the ability to waive parking in lieu fees. Ambo clarified that to do

so would require a parking variance which has not been applied for or noticed at this time. Ambo also confirmed that the in-lieu parking fee amount was set by the City Council and that it has actually been reduced recently.

- Business Improvement District - Woodson inquired as to whether the applicant would qualify for any particular benefits as a result of the proposed Business Improvement District. Ambo responded that customarily those properties would pay a fee for the purpose of marketing and enhancing business in the area. The resulting improvements may be of benefit to the retail component.
- Earthquake Retrofit – Brackovich explained that they had evaluated reinforcing the building at 931/935 Main Street, but determined that it would be more efficient to replace the building. (The Goofy Graphics building is reinforced.)
- Bedroom Locations - Lucas asked whether consideration was given to potentially relocating the bedrooms to the rear of the building rather than the street. Applicant explained that they wanted to capture the bay view from the common areas rather than views over Main Street.
- Mechanical Equipment - Luhr noted that he was unable to determine placement of the mechanical equipment. Brackovich clarified that PG&E and telephone will be located in the basement parking in a utility room. Current mechanical sizing has yet to be determined. Residences will have demand water heater systems which are wall mount and direct vent. Forced air unit will be in a ventilated attic. Exact locations have yet to be determined. Brackovich stated units will either be not visible, or screening will be provided. Luhr noted that the condition reads that mechanical equipment cannot be higher than the parapet. Ambo confirmed that it is a plan check requirement that equipment is not visible.
- ADA Compliance - Luhr inquired as to ADA compliance. Brackovich confirmed that a unit was eliminated, making the elevator requirement inapplicable.
- Storage - Luhr inquired as to what provisions have been made for residential storage and bicycles. Brackovich responded that the bike requirement will be met on the sidewalk per City regulations. Each unit will have a closet at the entry, and additional storage in the basement under the stairs will be available.
- Roof Drainage - Luhr asked for clarification of proposed roof drainage. Brackovich clarified that roof gutters will be directed to the rear of the site to the parking lot, per historical drainage patterns. Elster, Civil Engineer stated that roof drainage is collected in the walls through filtered systems, with maintenance stations at waist height, then delivered to the historical drainage patterns in accordance with Regional Water Quality Control Board requirements. Parking drainage and wash water will go to a sump with a filter system and be discharged to the street.
- Fence Removal – Lucas inquired as to whether the fence would be removed. Applicant confirmed that this was the proposal, Hill confirmed this was shown on the plans.
- Solar Ready – Luhr inquired as to whether the applicant would be willing to make the unit solar ready for hot water and electric use. Applicant confirmed that was the intent.

Woodson opened the Public Comment period. Seeing no comment, the Public Hearing was closed.

MOTION: Woodson/Lucas 2nd to conditionally approve the Conditional Use and Coastal Development Permit as presented with the following amendments:

1. Revise Condition No. 7 to read “new and existing building on the “site” rather than ”project”.
2. Condition 24f. An easement or reciprocal maintenance agreement shall be recorded with neighboring property for trash enclosure.
3. Add condition that street tree spacing be reviewed and trees provided as needed to maintain regular spacing.
4. Add condition that the site be over-excavated to allow area for lockable storage and bike parking in the parking garage.
5. Add condition that an Archeological monitor be on-site during excavation until a sufficient amount of native soil is exposed to make a determination.
6. The project shall be designed and constructed to be “solar ready”.

XI. OLD BUSINESS

A. Current Planning Processing List

Woodson recommended estimated planning hours for the Zoning Ordinance and General Plan updates be increased.

XII. NEW BUSINESS

A. None

XIII. ADJOURNMENT

Adjourn to the next regularly scheduled Planning Commission meeting at the Veterans Hall, 209 Surf Street, on Tuesday, February 17, 2009, at 6:00 p.m.

Bill Woodson, Vice-Chairperson

ATTEST:

Bruce Ambo, Secretary