

AGENDA ITEM: A- 1

DATE: May 20, 2014

ACTION: APPROVED

SYNOPSIS MINUTES – MORRO BAY PLANNING COMMISSION
REGULAR MEETING – FEBRUARY 19, 2014
VETERANS MEMORIAL HALL – 6:00 PM

Chairperson Grantham called the meeting to order at 6:00 p.m.

PRESENT:	Rick Grantham	Chairperson
	John Fennacy	Commissioner
	Michael Lucas	Commissioner
	Robert Tefft	Commissioner

STAFF:	Rob Livick	Public Services Director
	Cindy Jacinth	Associate Planner
	Damris Hanson	Engineering Technician
	Barry Rands	Associate Civil Engineer

ESTABLISH QUORUM AND CALL TO ORDER
MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE
PLANNING COMMISSIONER ANNOUNCEMENTS

PUBLIC COMMENT

Chairperson Grantham opened Public Comment period.

Roger Ewing, Morro Bay resident, stated B-1 is a very important item and should be reviewed by the full 5 member Commission.

Chairperson Grantham closed Public Comment period.

PRESENTATIONS- None

Unless an item is pulled for separate action by the Planning Commission, the following actions are approved without discussion.

A. CONSENT CALENDAR - None

B. PUBLIC HEARINGS

B-1 Case No.: CPO-408

Site Location: 1000 Ridgeway

Proposal: Appeal of Administrative Coastal Development Permit #CPO-408 for demolition of an existing single-family residence and subsequently construct a 4,829 square foot single-family residence with 1,201 square foot garage. This site is located outside of the appeals jurisdiction of the California Coastal Commissions.

CEQA Determination: Categorically Exempt, Class 1 and Class 3

Staff Contact: Cindy Jacinth, Associate Planner (805) 772-6577

Jacinth stated the Applicant has requested a continuance based on illness and staff recommends the Commission consider the request and open the hearing for public comment for those who wish to speak on the matter.

Reed Adamson, Applicant, asked for continuance as his representative who had a presentation and could answer the Commission's questions has the flu. He stated the master suite and living area will be on the second floor and the first floor will be for family.

Katherine Caldwell, Appellant and resident of the Heights, expressed concern about neighbourhood compatibility, water usage and the driveway variance. She would like the Commission's consideration on what neighbourhood compatibility is and refer it to the City Council for clarification if it is not clearly defined. She is not opposed to the continuation and asked for clarification of the driveway variance.

Nancy Bast, Morro Bay resident on Fairview, spoke against the project due to size, bulk and scale as well as parking issues. She would like the Commission to uphold the appeal, order the proposal to conform to the LCP policy to fit in the neighbourhood and require it has a 20 foot driveway.

Roger Ewing, Morro Bay resident, stated he supports the Appellant and spoke against the project due to issues with size, parking and water usage.

Livick stated the 2500 square foot threshold was passed as an urgency ordinance by the City Council for one year and it was never brought back to adopt as a provision in the code. He noted there is no size limit requirement that would require going to the Planning Commission.

Dorothy Cutter, Morro Bay resident, expressed concern about the parking variance and spoke against the project due to issues with neighbourhood compatibility. She requested the project be sent back for redesign.

Marsha Tilley, Morro Bay resident, spoke in support of the project noting it is a great thing when people want to invest money in our real estate and it will be beneficial to the value of the real estate in the neighborhood.

Ted De Mont, Morro Bay resident, spoke against the project due to issues with size and neighbourhood compatibility.

Alex Beatty, Morro Bay resident, spoke against the project due to issues of compatibility with the area and goals of Morro Bay.

Grant Crowel, Morro Bay resident, spoke against the project due to issues with not in keeping in size and scale of the character of the community, stating the photo simulations tell a story that is not true.

Jim Bianchi, Morro Bay resident, spoke in support of the project noting the visual impact of the house is reduced because you cannot view it from all except in the park where the house is obscured by trees.

Nancy Kerr, Morro Bay resident, spoke against the project due to issues of size and incompatibility with the neighbourhood.

Chairperson Grantham closed Public Comment period.

Chairperson Grantham asked staff to address the variance issue. Jacinth stated the project is not requesting a variance and this time as the item is an appeal of an Administrative Coastal Development permit which is allowed as a Director level approval under the code. She noted the variance issue referred to is a parking exception granted by the Commission in 2012, noting the plans submitted showed the proposed future home but the item was for a parking exception only. She stated variances run with the land so it stays with the property.

MOTION: Commissioner Fennacy moved to continue the item until March 5, 2014.

Commissioner Tefft seconded the motion and the motion passed unanimously. (4-0).

Commissioner Tefft asked staff if the plans submitted for the variance were substantially similar to the ones they are reviewing now. Jacinth stated yes.

Chairperson Grantham noted that Commission put on a future agenda item to take a closer look on how City is going to look at bigger homes.

B-2 Case No: N/A

Site Location: 310 Kern

Proposal: Appeal of the removal of a tree located in the public right of way.

CEQA Determination: N/A

Staff Contact: Damaris Hanson, Engineering Technician (805) 772-6577

Hanson presented the staff report.

Chairperson Grantham opened Public Comment period.

Gail Coffman, Morro Bay resident on Kern Avenue, stated the tree is in her front yard and understands the roots are a problem. She wants the tree to remain but decision needs to be made by the experts who are not emotionally tied to the property, acting in the best interests for all to

come to a working solution. She stated there was a tree in the public right of way that had its roots removed so the tree could stay and asked if the same could be done with this tree.

Nancy Bast, Morro Bay resident, spoke in support of not removing the tree due to the tree's health, not all of the damage done is due to the tree and alternatives such as root cutting to retain the tree.

Marlys McPherson, Morro Bay resident, stated she is opposed to removing the tree and hopes Commission looks at alternatives to save the tree and mitigate the damage.

Carol Olson, Morro Bay resident, spoke in support of removal or trimming of the tree.

Glen Seliea, Morro Bay resident, spoke against removing the tree stating this is a signature tree and is healthy.

Ann O'Brien, Appellant, spoke in support of removing the tree due to issues with property damage to the garage, retaining wall and stairway to the house. She stated would like City to put her welfare as a property owner over the welfare of the tree that is not healthy and take liability for damage that has been done.

Chairperson Grantham closed Public Comment period.

Chairperson Grantham disclosed he visited the location, spoke with the property owner and viewed the tree.

Commissioner Tefft asked about root pruning, techniques that control root growth without removing the tree and if City has any record of maintenance done prior to this. Hanson replied the arborist did not comment on it and do not know if root trimming could be done on this tree, noting the City could look into it and ask an arborist. She noted the tree had not been maintained during her time with the City.

Commissioner Tefft expressed concern as this tree is not unique with multiple trunks. He would like root control to be addressed not only for this tree but all trees located on this street and take a uniform approach to all of them.

Commissioner Lucas asked if the City is sure it is a root problem and not just expansive clay or some reaction to ground water with clay. Livick replied City claims process is looking into that issue and cautioned the Commission from making any liability claims about this tree during its deliberation.

Commissioner Lucas asked if the wall was approved for a permit and the City had engineering drawings. Livick replied no permit is required for that type of garden wall.

Commissioner Fennacy stated the tree is beautiful but noted there were gale winds today and the debris from that tree alone in the street. He stated all Commission has to go on is staff and arborist reports.

Chairperson Grantham stated the tree is affecting the property owner's structure and value. He commented he does not know how trimming is going to help the root system, and might stimulate the root system. He would like to know, short of removing the tree, what the options are in mitigation of the root system and the property owner's structure.

Commissioner Tefft stated Commission does not have all the information needed. He stated once the appeal is approved to remove the tree, City does not have the opportunity to investigate any of these issues. He suggested approving the appeal with the request that some of these answers be brought back in the near future to consider again. Livick replied approving the appeal would mean the tree would stay noting it is still in the City right of way and staff would continue to inspect the tree and talk with an arborist about root pruning.

Chairperson Grantham asked if there is anything short of removing the tree to protect the property owner's structure. Livick replied have already done a lot of what is in the recommendation as far as trimming the tree and would just need to get cabled. He stated was not sure if all damage is from the root system and waiting on City's claims adjustor and their engineer. Chairperson Grantham suggested the Commission wait for that.

MOTION: Commissioner Tefft moved to continue this item to a date uncertain when would have answers to the items related to the damage to the property from the tree and what alternatives would be available to prevent future damage.

Chairperson Grantham seconded the motion.

Livick asked Commissioner Tefft to set a date certain on the review of this item.

Commissioner Tefft amended his motion to continue this item to April 15, 2014 with the rest of the motion unchanged.

Commissioner Lucas seconded the amended motion and the amended motion passed unanimously. (4-0).

Commissioner Tefft suggested looking at the ordinance and finding a way to allow individual owners to get a permit to do maintenance that needs to be done. Livick responded the code does allow that but the issue is large pines are very expense to maintain. He also noted the Urban Forest Management plan that was reviewed by the Commission had recommendations regarding tree maintenance and it will be going to City Council March 11, 2014. He stated what will come from that are changes to the ordinance that will come back to the Commission for review.

C-1 Current and Advanced Planning Processing List

Staff Recommendation: Receive and file.

Upcoming Projects: 300 Piney Way Condition Modifications

Jacynth reviewed the work program with the Commission.

D. NEW BUSINESS

D-1 Stormwater Management Post Construction and Low Impact Development Requirements

Rands presented the staff report.

Chairperson Grantham asked where the 2,500 threshold came from. Rands replied there was discussion among the agencies and the 2,500 lower limit was decided upon.

Chairperson Grantham asked about incentives, if it is building fees or other incentives. Livick responded the incentive is on the reduction in amount of stormwater control needed to be done for re-development, noting there are no economic incentives with building or planning application permits.

Commission Tefft stated stormwater retention would be harder in a community with lots of hills, dealing with slopes. He asked if that was built in to the standards. Rands replied yes that is one of the criteria for technical and feasibility.

Commission Lucas asked if a person who could not technically put something in due to terrain issues contribute to a bank that someone else could use to put in rain harvesting elsewhere. He asked if City could look into a system to encourage people to retrofit their houses for things like rainwater retention and rain barrels. Livick replied he would bring this up at the upcoming special PWAB meeting that will talk about water incentives and retrofit options.

DECLARATION OF FUTURE AGENDA ITEMS

- Schedule regular and joint Planning Commission meeting dates for 2014
- Elections of Chair and Vice Chair
- 1000 Ridgeway

ADJOURNMENT

The meeting adjourned at 7:50 p.m. to the next regularly scheduled Planning Commission meeting at the Veteran's Hall, 209 Surf Street, on Wednesday, March 5 2014 at 6:00 pm.

Rick Grantham, Chairperson

ATTEST:

Rob Livick, Secretary