

AGENDA ITEM: A-2

DATE: May 20, 2014

ACTION: APPROVED

SYNOPSIS MINUTES – MORRO BAY PLANNING COMMISSION
REGULAR MEETING – MARCH 5, 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

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

PUBLIC COMMENT

Chairperson Grantham opened Public Comment period.

Hank Roth spoke about Annual Dixon Spaghetti Feed Fundraiser Dinner on March 14 and the April 5 & 6th City wide yard sale.

Livick announced the City will hold the next sign ordinance workshop meeting March 10 at the Community Center to discuss the downtown area. He also announced a special PWAB workshop March 12 to discuss water conservation and retrofitting measures.

Jacinth announced the 2014-2019 Housing Element update will be discussed at a special Planning Commission meeting on March 12.

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 Continued from February 19, 2014 Meeting

Case No.: CP0-408

Site Location: 1000 Ridgeway

Proposal: Appeal of Administrative Coastal Development Permit #CP0-408 for demolition of an existing single-family residence and subsequently construct a 4,829 square foot single-family residence with a 1,201 square foot garage. This site is located outside of the appeals jurisdiction of the California Coastal Commission.

CEQA Determination: Categorically Exempt, Class 1 and Class 3

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

Jacinth presented the staff report.

Commissioner Lucas asked about conditions of the parking exception and if this is considered a minor change from the original plans. Jacinth replied staff did not consider it a minor change as a Coastal Development permit was not applied for; they applied for a parking exception. She noted this was treated as a new application, going through the full Coastal Development permit process.

Commissioner Lucas requested explanation of condition 2 on the right of way parking note to not extend into the paved part of right of way. Livick replied it states traveled right of way and that is typically the paved portion of the right of way. He stated there is a condition of the CDP to require a street widening on the Ridgeway side which will restrict further parking.

Katherine Caldwell, Appellant, spoke in opposition of the project and brought a petition of 90 signatures, expressing concern with size of the dwelling, asking the Commission to abide by General Plan conditions for neighborhood compatibility and require a redesign of the project. She stated the photo simulations are misleading and noted she still has concerns the parking variance was granted before plans were submitted and about water usage. She stated the big house ordinance needs to be revisited.

Ruel Czach, Architect, submitted 2 letters of support for the project. He stated the project was re-evaluated after last meeting and is asking the Commission to deny the appeal and remand it back to staff for direction on modification, noting issues to address are parking for the trailhead and visual compatibility with the neighborhood. Czach stated the project submitted meets all the requirements of setbacks, lot coverage and other City codes and standards but would like to redesign the project to be more in keeping with neighborhood visually. He noted water usage would not increase as will only be the Adamson's living there and if family visits they would have the same water usage as that of staying at a hotel. He stated Adamson is willing to place a deed restriction on house stating will not divide it for rental purposes.

Chairperson Grantham expressed appreciation for the cooperation between the parties involved.

Chairperson Grantham opened Public Comment period.

Susan Heinamen, Morro Bay resident, read a letter from her neighbors, Tim and Sheradan Gover, who are against the project due to not being compatible with the neighborhood.

Chris Bath, Cayucos resident who had been a neighbor of the Adamson's, spoke in support of the project noting there are larger homes in the area that block views and this home would not block views.

Carol Rains, Morro Bay Heights homeowner, spoke in support of the project stating Adamson's prior projects have been done with concern for the community and neighbors.

Nancy Bast, Morro Bay resident on Fairview, spoke against the project due to issues with bulk and scale and parking, asking the Commission to uphold the appeal. She also requested the large house ordinance be reinstated.

Grant Crowl, Morro Bay resident, spoke against the project due to not being in character with the neighborhood in size and bulk.

Ted De Mont, Morro Bay resident, spoke against the project noting the visual simulations were inconsistent with photos submitted and paving of the right of way would make the structure look even bigger from the street.

Roger Ewing, Morro Bay resident, spoke against the project due to issues with size not being comparable with the neighborhood and is requesting the Commission uphold the appeal. He stated the parking variance should not have been issued.

Commissioner Fennacy thanked all parties and those who spoke stating it was encouraging they reached out to each other.

Commissioner Lucas asked the Architect for clarification on the Fairview elevation visual simulation and if the stone wall and landscaping is intended to be taken down during construction. Czach replied needed to dig up landscaping to put a retention area there to meet stormwater requirements.

Commissioner Lucas stated visual simulation showing the house moving closer to Fairview with the landscaping in the foreground is significantly different than what the final effect would be based on the documents submitted. Czach replied the sunroom is moving towards Fairview and the house is moving away from Ridgeway.

Commissioner Lucas commented there are window treatments on one set of plans and none on the PDF documents the Commissioners' have to suggest there are people in the house.

Commissioner Lucas read the note on A-1 regarding the concrete wall on the State Park side for the record. Czach replied it was to give a more permanent fence rather than a wood fence.

Commissioner Lucas stated there is no gray water use, rain barreling, no photovoltaic use, and no natural light features inside and expressed concern at not utilizing features of the house on the south wall to break up the blankness. Czach replied there are natural light features, windows and skylights, and reviewed window locations.

Chairperson Grantham closed Public Comment period.

Commissioner Tefft stated while the project may numerically meet code requirements for setbacks and height restrictions, it does not necessarily make it compatible with the neighborhood. He also noted compatibility does not necessary mean conformity with the other existing houses and needs to allow room for a neighborhood to evolve. He suggested the Architect consider guest bedroom size and eliminating the parking exception when redesigning the project. He requested staff bring this back to the Commission and not deal with it administratively.

Commissioner Lucas asked staff for clarification on whether the parking issue is done. Livick responded the appeal period was exhausted noting the plans presented were not part of the exception and weren't tied to any development on the property.

Commissioner Lucas asked for clarification on why there is a clause for minor change versus major change. Livick replied it is a standard permit condition in every permit.

Commissioner Lucas commented there is no ordinance spelling this out like the building code, noting the City needs a better ordinance. He stated the visual simulations are misleading and suggested to uphold the appeal and bring back a new permit.

Chairperson Grantham and Livick clarified differences between denying and upholding the appeal. Livick noted just because the Commission acts on the appeal, that does not exhaust the Applicant or the Appellant appeal rights as either party can appeal to City Council.

Commissioner Tefft asked what would be the best way to allow the Applicant to redesign the project with minimum red tape and new fees. Livick replied one way would be to continue the item, having it come back to staff and the Commission, noting that if the resubmittal is acceptable to the Appellant, they can withdraw their appeal.

Commissioner Fennacy asked Livick for clarification on the Commission continuing the item. Livick replied procedurally have not acted on the appeal and the City ran into problems on another project where it was continued to a date uncertain and it lasted 7 years. He stated if Commission wants to continue, do not continue to a date uncertain.

Commissioner Tefft stated there were a number of issues raised in this appeal, wildlife, obstruction scenic views, scenic and visual quality he did not find to be of concern, but bulk and scale was an issue.

Commissioner Fennacy stated when looking at a project you ask is it reasonable and the flip side is, if a project is unconscionable, and he does not find that here, because they are talking about downsizing the project.

MOTION: Commissioner Fennacy moved to continue this item to no longer than 60 days.

Commissioner Tefft seconded the motion.

Commissioner Lucas stated he would prefer to uphold the appeal and see it come back.

Chairperson Grantham asked if Commission votes to continue the item will the Appellant be reimbursed for costs. Livick stated not at this time as the appeal has not been resolved.

The motion passed 3-1 with Commissioner Lucas dissenting.

UNFINISHED BUSINESS

C-1 Current and Advanced Planning Processing List
Staff Recommendation: Receive and file.

Jacynth reviewed the work program with the Commission.

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Chairperson Grantham asked about interview dates for Planning Commission. Livick responded they will be on March 11, 2014.

D. NEW BUSINESS – None

DECLARATION OF FUTURE AGENDA ITEMS

- Square footage threshold
- Election of Chair and Vice Chair

Commissioner Lucas requested staff to put the square footage on the permits in the Planning List.

Commissioner Tefft suggested staff provide guidelines as to what neighborhood compatibility means and give guidelines to the community in the interim. Livick responded the current code is vague on what neighborhood capability means.

ADJOURNMENT

The meeting adjourned at 7:44 p.m. to the special Planning Commission meeting scheduled at the Veteran's Hall, 209 Surf Street, on Wednesday, March 12, 2014 at 6:00 pm.

Rick Grantham, Chairperson

ATTEST:

Rob Livick, Secretary