

AGENDA ITEM:   A- 2  

DATE:   June 17, 2014  

ACTION:   APPROVED  

SYNOPSIS MINUTES – MORRO BAY PLANNING COMMISSION  
REGULAR MEETING – TUESDAY, MAY 6, 2014  
VETERANS MEMORIAL HALL – 5:00 PM

PRESENT:	Michael Lucas	Commissioner
	Richard Sadowski	Commissioner
	Robert Tefft	Commissioner
STAFF:	Rob Livick	Public Services Director
	Brandon Ward	Assistant City Attorney
	Whitney McIlvaine	Contract Planner
	Cindy Jacinth	Associate Planner

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

PLANNING COMMISSIONER ANNOUNCEMENTS

Commissioner Sadowski announced the Coastal Alliance meeting will be June 4, 2014.

ELECTION OF CHAIR AND VICE CHAIR

Commissioner Tefft stated the election of Chair and Vice Chair would be continued to the next meeting when all Commissioners would be present.

PUBLIC COMMENT

Nancy Bast, Morro Bay resident, asked if the tree on Kern would be removed after nesting season. Livick responded yes.

Greg Goris, Morro Bay resident, stated a request was made to remove a blue gum tree in front of their property that was denied noting it presents a safety issue to the property and parking lot across the street. He stated the City's tree hazard evaluation report was flawed and would like it to be reevaluated.

Robert Schriber, Morro Bay resident and certified arborist, stated he does not use the tree hazard evaluation form as it is misleading. He explained the problems with the tree.

Jean Rumble, Morro Bay resident on Shasta, stated she feels unsafe with the tree in front of her house.

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Donna Goris, Morro Bay resident on Shasta, stated the City's tree report is false, noting the City indicated she could appeal the decision to the Commission and if the appeal was successful, she would be responsible for the cost to the remove the tree.

Matt Makowetski, Morro Bay Public Works Advisory Board Chair, stated he has heard from a resident in North Morro Bay who is concerned with the ambiguous policy of who is ultimately responsible for this tree. He requests this come to a future meeting to discuss the tree removal policy and who owns the tree.

Commissioner Tefft closed Public Comment period.

Commissioner Lucas stated he would like the policy to be clearer and wanted to know if the tree in question has been identified as a heritage tree. Livick stated the tree was not nominated to be a heritage tree and the Urban Forest Management Plan is currently being reviewed noting this policy is being looked at to refine.

Commissioner Tefft reopened Public Comment period.

Robert Schriber stated the tree is not one of the heritage trees and its structure is different than the eucalyptus tree that is a heritage tree.

Commissioner Tefft closed Public Comment period.

Commissioner Sadowski stated he would like more information from staff.

Commissioner Tefft stated the Commission could not take action on this as it is not on the agenda, noting there is an appeal process that could be pursued. He stated the ordinances pertaining to trees have issues, noting this could come back for review.

## PRESENTATION

Presentation by the Cal Poly City and Regional Planning Graduate Lab – Visioning Process for Embarcadero North and the Power Plant Areas

Hemalata Dandekar, Cal Poly City and Regional Planning Faculty member, outlined the visioning process and the material provided to the Commissioners.

Vincente del Rio, Cal Poly City and Regional Planning Faculty member, reviewed the visioning process, study area, and development objectives.

The Low, Medium and High Intensity Development Groups of students presented their concept plans.

Commissioner Tefft opened Public Comment period.

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Mandy Davis stated she liked aspects of each group but noted they did not have aspects of green use and asked if that would be considered. Del Rio replied in the precise plan phase sustainability in the concepts would be looked at.

Bill Weatherford, Morro Bay resident, thanked the groups for their energy and the kinds of things presented.

Barbara Joe Osborne, Morro Bay resident, stated the presentations were great but want to caution against creating pockets of business areas but make sure they complement each another.

Kerry Maufoley, Estero Bay Community Pool Foundation Treasurer, stated she would like the concept to include a therapy pool as an upcoming ballot measure, if passed, would not have one and it had been identified in a community survey as a desired pool type to have.

Barbara Doerr, Morro Bay resident, suggested everyone think about the ideas and find some adaptation that could work so the different areas do not compete with one another.

Ray Fields, Manager Abalone Farms in Cayucos, stated abalone farming would fit in with a couple of ideas presented as it would maximize resources and speaks to cultural and historic uses as Morro Bay used to be the center of commercial abalone diving and Abalone Farms has been around for about 50 years.

Matt Makowetski, Morro Bay resident, liked all three presentations and various ideas in each, such as the gateway, integrating the power plant with Lila Keiser Park, and traffic calming. He noted what was not talked about is how would work with Coastal Commission and suggested the groups consider that as they move into the next phase.

Commissioner Tefft closed Public Comment period.

Commissioner Sadowski noted City is a working fishing harbor and to take that into consideration. He also liked that Native American heritage was included.

Commissioner Tefft stated the optimal solution may be some hybrid of the presentations. He stated for the bike and pedestrian aspects the senior and disabled populations need to be considered due to a high senior resident and visitor population.

A. CONSENT CALENDAR

A-1 Approval of minutes from Planning Commission meeting of February 19, 2014

**Staff Recommendation:** Approve minutes as submitted

A-2 Approval of minutes from Planning Commission meeting of March 5, 2014

**Staff Recommendation:** Approval minutes as submitted

Commissioner Tefft stated the minutes would be continued to the next meeting.

B. PUBLIC HEARINGS

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**B-1 Case No.: CPO-408**

**Site Location: 1000 Ridgeway**

**Proposal: *Continued from March 5, 2014 meeting.*** 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 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 Recommendation: Grant the appeal and approve CPO-408 as revised.**

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

Jacinth presented the revised staff report.

Commissioner Sadowski and Jacinth discussed the overhang, staircase and setbacks. Jacinth noted the exterior staircase does not go into the setback.

Commissioner Tefft opened Public Comment period.

Katherine Caldwell, Appellant, stated she did not feel the plans were scaled back, noting the home is still too big for the neighborhood, and has questions regarding the height, driveway length, parking spaces and setback in relation to the overhang by the staircase.

Ruel Czach, Applicant's Architect, explained the revisions that were made to reduce the house's height as well as the bulk and scale. He asked the Commission to approve the project.

Commissioner Sadowski and Czach discussed driveway length.

Nancy Bast, Morro Bay resident on Ridgeway, stated the project should be denied and the appeal upheld, noting the revised plans are still not in compliance with neighbourhood compatibility.

Susan Heinaman, Morro Bay resident, stated she would like poles put in place so you can see the height of the building.

Grant Crowell, Morro Bay resident on Fairview, stated he is against the project, noting it is still too big for the neighbourhood. He stated he would like to see story poles installed.

Bill Weatherford, Morro Bay resident on Fairview, stated people are concerned this is a large mansion changing the dynamic of the neighborhood.

Commissioner Tefft closed Public Comment.

Commissioner Lucas and staff discussed the rear yard requirement and the ability to add a granny unit added in the future. Jacinth noted code allows for a secondary dwelling unit and it would be subject to the same second unit regulations as any other owner of single family home.

Commissioner Lucas and staff discussed the height requirement of a secondary unit and how average natural grade is determined. Jacinth noted the height for the secondary unit would be

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separate from the main house. Livick stated code sets where natural average grade is where the topography was in 1988, noting most of the area is the same topography as the when it was constructed.

Commissioner Lucas stated there is not enough information required of an applicant to show Commission and neighbors building scale noting he likes the idea of story poles. He stated there are a lot of aspects of the design that might be received well if there were more interpretation provided.

Commissioner Sadowski concurred with Commissioner Lucas regarding not enough information to show scale. He stated the size of the home is not conforming to the neighborhood.

Commissioner Tefft and staff discussed the proposed parking spaces that are in the right of way.

Commissioner Tefft stated the changes made would change the bulk of the house, noting he would support the project.

Commissioner Lucas, staff and the Architect discussed the proposed landscaping and issue of a potential future secondary unit. Czach stated the Applicant is willing to put a deed restriction on the property that no secondary unit would be built.

Commissioner Lucas stated the concern he has heard was scale and there were architectural changes made to make things smaller. He expressed concern of a potential future project to add a secondary unit, noting support of the project if it were conditioned to put a deed restriction on the property to not allow that.

Commissioner Tefft noted design influences the visual impact of the structure. He stated neighborhoods evolve and the Commission is being asked if the house is beyond the natural evolution of the neighborhood.

Commissioner Lucas stated the Commission needs better planning ordinances relating to neighborhood compatibility, noting there should be a neighborhood by neighborhood review.

Commissioners, staff and the Assistant City Attorney discussed the legality to restrict someone from building a secondary dwelling. Ward replied the City would not want a condition to take away the vested right or entitled right to construct a secondary dwelling unit.

**MOTION:** Commissioner Lucas moved to continue the item to the June 3, 2014 meeting and direct Applicant to put up story poles and provide renderings that show shadows and  $\frac{3}{4}$  view from the intersection. Commissioner Sadowski seconded the motion and the motion passed unanimously. (3-0)

B-2 **Case No.:** N/A

**Site Location:** 310 Kern

**Proposal:** *Continued from March 5, 2014 meeting.* Appeal of the removal of a tree located in the public right of way.

**CEQA Determination:** N/A

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**Staff Recommendation:** Hear the appeal, deny the appeal and allow removal of the tree.  
**Staff Contact:** Damaris Hanson, Engineering Technician (805) 772-6265

Commissioner Tefft stated this item was pulled from the agenda as the Appellant has withdrawn the appeal.

C UNFINISHED BUSINESS

C-1 Current and Advanced Planning Processing List

**Staff Recommendation:** Receive and file.

Jacynth reviewed work program with the Commission.

D. NEW BUSINESS - None

DECLARATION OF FUTURE AGENDA ITEMS - None

ADJOURNMENT

The meeting adjourned at 7:58 p.m. to the next regularly scheduled Planning Commission meeting at the Veteran's Hall, 209 Surf Street, on Wednesday, May 20, 2014 at 6:00 pm.

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Robert Tefft, Commissioner

ATTEST:

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Rob Livick, Secretary