

AGENDA ITEM:   A-2  

DATE:   May 3, 2016  

ACTION:   APPROVED  

ACTION MINUTES – MORRO BAY PLANNING COMMISSION  
REGULAR MEETING – JANUARY 19, 2016  
VETERANS MEMORIAL BUILDING – 6:00 PM

PRESENT:     Robert Tefft                                     Chairperson  
              Michael Lucas                                   Commissioner  
              Richard Sadowski                               Commissioner  
              Gerald Luhr                                     Commissioner

STAFF:       Scot Graham                                    Community Development Manager  
              Whitney McIlvaine                             Contract Planner

ESTABLISH QUORUM AND CALL TO ORDER  
MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE  
PLANNING COMMISSIONER ANNOUNCEMENTS – NONE

PUBLIC COMMENTS – NONE

PRESENTATIONS – NONE

A.     CONSENT CALENDAR

<https://youtu.be/RYPQMibOnPU?t=2m54s>

Commissioner’s synopsis of the Planning Processing List with staff.

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

A-2     Approval of minutes from the Planning Commission meeting of November 24, 2015 and  
          December 1, 2015.  
          **Staff Recommendation:** Approve minutes as submitted.

**MOTION:** Commissioner Lucas moved to approve Consent Calendar. Commissioner Sadowski seconded and the motion passed unanimously (4-0).  
<https://youtu.be/RYPQMibOnPU?t=7m58s>

B.     PUBLIC HEARINGS

<https://youtu.be/RYPQMibOnPU?t=8m44s>

**B-1     Case No.:** #CP0-469 and #UP0-414

**Site Location:** 1147 West Avenue, Morro Bay, CA

**Project Description:** Continued review of a request for a Coastal Development Permit and Conditional Use Permit to demolish a 375 square-foot residential structure and a portion of an 1,100 residential structure and construct a new two-story, 2,805 square-foot dwelling, with an attached 675 square-foot garage and 277 square feet of upper level deck area on a vacant 6,302 square-foot bluff top lot on the westerly side of West Avenue within the Beach Street Specific Plan area. The property is zoned Duplex Residential with a Planned Development and

Specific Plan overlay (R-2/PD/SP) This project is located in the Coastal Commission appeal jurisdiction.

**CEQA Determination:** Categorically Exempt, Section 15303(a), Class 3

**Staff Recommendation:** Conditionally Approve

**Staff Contact:** Whitney McIlvaine, Contract Planner, (805) 772-6211

**Case No.:** #CP0-470 and #UP0-415

**Site Location:** 1149 West Avenue, Morro Bay, CA

**Project Description:** Continued review of a request for a Coastal Development Permit and Conditional Use Permit to demolish a 1,100 square-foot residential structure and construct a new two-story, 2,805 square-foot dwelling, with an attached 580 square-foot garage and 277 square feet of upper level deck area on a vacant 6,774 square-foot bluff top lot on the westerly side of West Avenue within the Beach Street Specific Plan area. The property is zoned Duplex Residential with a Planned Development and Specific Plan overlay (R-2/PD/SP) This project is located in the Coastal Commission appeal jurisdiction.

**CEQA Determination:** Categorically Exempt, Section 15303(a), Class 3

**Staff Recommendation:** Conditionally Approve

**Staff Contact:** Whitney McIlvaine, Contract Planner, (805) 772-6211

#### COMMISSIONERS DISCLOSURE OF EX PARTE COMMUNICATIONS – NONE

McIlvaine presented staff report.

Chairperson Tefft opened Public Comment period.

<https://youtu.be/RYPQMibOnPU?t=19m49s>

Chuck Stevenson, agent for A.J. Wright and Bill Merrifield, presented his report to the Commission. He stated the archeologist did not find anything on site. Also went over other items concerning the project; type of materials being used on the structure, retaining wall, draining and landscaping. Stevenson also noted there was no issues with the conditions of approval.

Peter Behman, owner and operator of Bay Front Inn and Frankie and Lola's Café, stated there was no inspection done on the retaining wall. Behman stated his concerns regarding the run off from the property coming onto his property. Behman also noted the hours of construction and if there would be some consideration since there are hotels in the project area.

Chairperson Tefft closed the Public Comment period.

<https://youtu.be/RYPQMibOnPU?t=49m33s>

Chairperson Tefft opened Public Comment period.

<https://youtu.be/RYPQMibOnPU?t=56m12s>

Behman stated there wasn't anything in place for the water to flow into so the water run off flows downhill to his property. Behman feels since the drainage will affect his property, he should be able to see what type of drainage plan will be put in place.

Stevenson stated he has no problem showing the plans to Mr. Behman. Stevenson also stated they are not licensed engineers nor licensed engineering geologist. He noted the proper thing would be to let the engineers work on the drainage issue.

Frederick Joseph Beam, Morro Bay resident stated the structure is a two-story building being built on a sand bluff. Beam believes the structure will put a lot of weight on the sand and noted the same problem occurred when they built the Tower of Pisa. Beam noted he is also concerned about the people living below the project.

Stevenson stated they do not know what the integrity of the wall is. Stevenson noted the project does not affect that area.

Chairperson Tefft closed the Public Comment period.  
<https://youtu.be/RYPQMibOnPU?t=1h1m4s>

Chairperson Tefft opened Public Comment period.  
<https://youtu.be/RYPQMibOnPU?t=1h36m29s>

Bill Merrifield, applicant, spoke about the fencing around the property. Merrifield stated he and the neighbor on the south of the property intend to have a 6 feet fence, but only between the structures. A 3 feet wall in the back will be placed 15-20 feet from the bluff for privacy. Merrifield also noted the water usage for the property has been taken into consideration.

Stevenson stated he will be working with a landscape designer to pick plants that will soften the structure. Stevenson noted they have no interest in building up the height of the wall along the bluff.

Chairperson Tefft closed the Public Comment period.  
<https://youtu.be/RYPQMibOnPU?t=1h41m14s>

**MOTION:** Commissioner Luhr moved to approve Resolution PC 05-16 with added conditions of concerns regarding drainage, notification of neighbor and prohibition of gating the driveway. Commissioner Lucas seconded.

Commissioner Sadowski discussed the surcharge to the neighbor's wall with McIlvaine. McIlvaine stated she added language to Public Works condition # 2.

**AMENDED MOTION:** Commissioner Luhr amended his motion and Commissioner Lucas amended his second, and motion passes (4-0).

**MOTION:** Commissioner Luhr moved to approve previous conditions for Resolution PC 06-16 with added conditions of concerns regarding drainage, notification of neighbor and prohibition of gating the driveway. Commissioner Lucas seconded and the motion passes unanimously (4-0).

C. NEW BUSINESS

**C-1 Design Guideline Discussion – 6-Month Review.**

<https://youtu.be/RYPQMibOnPU?t=2h4m5s>

Graham presented staff report and updated the Commissioners on the status of the Design Guidelines.

D. UNFINISHED BUSINESS - NONE

E. PLANNING COMMISSIONER COMMENTS

<https://youtu.be/RYPQMibOnPU?t=2h33m41s>

Chairperson Tefft commented on how he liked the City Council staff report and how the process of running the meeting was handled.

Commissioner Luhr needed clarification on the mobile home and asked for status on the Haul-Out status.

Commissioner Luhr asked staff about the development on the Embarcadero eel grass.

Commissioner Sadowski discussed the need to hold polluters accountable.

Chairperson Tefft asked staff for an update on the Code Enforcement Department and their activity.

F. COMMUNITY DEVELOPMENT MANAGER COMMENTS

Graham reviewed Resolution 04-16 with the Commissioners.

G. ADJOURNMENT

The meeting adjourned at 11:00 p.m. to the regular Planning Commission meeting at the Veteran's Memorial Building, 209 Surf Street, on February 2, 2016, at 6:00 p.m.

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Robert Tefft, Chairperson

ATTEST:

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Scot Graham, Secretary