

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, May 19, 2008

Chairperson Nancy Johnson
Vice-Chairperson Bill Woodson Commissioner Michael Lucas
Commissioner Gerald Luhr Commissioner Gary Ream
Michael Prater, Secretary

I. CALL MEETING TO ORDER

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

II. PLEDGE OF ALLEGIANCE

Luhr led the pledge.

III. ROLL CALL

Johnson asked that the record show all Commissioners were present.

Staff Present: Bruce Ambo, Michael Prater, Rachel Grossman, Rick Algert and Kay Miller.

IV. ACCEPTANCE OF AGENDA

MOTION: Ream, Lucas 2nd to accept the agenda as presented. VOTE: 5-0

V. DIRECTOR'S REPORT/WRITTEN COMMUNICATIONS

Ambo highlighted the following action taken by the Council at the last meeting held May 12, 2008:

- Second reading of adoption of fire sprinkler ordinance
- First hearing was held for Tract 41 Minor Subdivision Regulations
- 1405 Teresa Drive Project Concept Affordability Plan - Approved
- Adopted a Morro Bay Municipal Code on down utility lines
- Approved Phase II for GAFCO/Virg's and Thai Boat walkway proposal
- Adopted Resolution to proceed with Palm Ave. abandonment
- Gave staff direction to make minor amendments to the RFP for Embarcadero Property, Pacific, Market and Centennial Stairs to get proposals for a Conference Center
- Council formed an ADHOC Committee to attract non-tourist business to promote economic development

A Special Meeting was held last Thursday on the budget:

- The budget was adopted and it is balanced
- Presentation was given on the organizational and management study of the City
- Choices for Measure Q distribution were presented
- PWAB will be hearing the draft update for the Storm Water Management Plan on Wednesday, and on June 2nd for the Planning Commission Meeting and June 9th for the City Council Meeting

For the May 27th meeting the following items will be heard:

- 2nd reading for the adoption of the subdivision ordinance amendment
- Adoption of Right of Way Amendments for utilities
- Sub-committee contracting with Fire department with a presentation
- Item to increase Solid Waste Collection Fees
- Report on the Capitol Improvement Plan for Coleman Drive
- Progress Report on concept of combining Harbor/Coastguard Facility into a Joint Project
- Discussion of removal of in-lieu parking fees in the downtown area for five years

Ream questioned if the City Council reduced the number of low income and medium income housing on the Teresa Drive project from what the Commission had recommended. Prater said three of the units would be restricted for thirty years. Ream asked if the Commission had requested a higher number. Prater responded initially, yes all were restricted then at the modification stage Commission clarified for three units. Ream asked if the City Council reduced the number of trees requested. Prater responded that the Council accepted the landscape plan, which was for twelve trees, and Commission had requested twenty.

Woodson wanted to know if the study that was mentioned for the Coast Guard and Harbor Department Joint Facility would have any bearing on the item that will be heard tonight for the Harbor Departments revised office. Ambo replied the facility proposed tonight is temporary and the Joint Project is a long-term solution.

Luhr asked about the status of the in-lieu parking fees. Ambo addressed his concern.

VI. PUBLIC COMMENT – None.

VII. CONSENT CALENDAR

A. Approval of minutes from hearing held on May 5, 2008

Ambo clarified that the third bullet under Director’s Report states the Appeal of the Caretakers Unit as “Approved” and it should be “Denied” and this will be corrected.

Grossman stated that the following typos would be corrected:

- On page 2, correct the spelling of Thom to Tom
- On page 2 the 4th line down in Public Hearing Item A the sentence ending in “to offset that” needs a question mark
- On page 2 in Public Hearing Item B in the 3rd line from the bottom of the page, there is a double parenthesis and one will be removed

MOTION: Ream, Lucas 2nd to approve the minutes with changes. VOTE: 5-0

VIII. PRESENTATIONS – None.

IX. FUTURE AGENDA ITEMS - None.

X. PUBLIC HEARINGS

A. Site Location: 2920 Juniper Avenue in the R-1 zoning district. Applicant: Steve Carnes. The applicants request Conditional Use and Coastal Development Permit approvals to construct a 3,829 square foot single-family residence and an attached 1,227 square foot garage/workshop. This site is located outside of the appeals jurisdiction of the California Coastal Commission. (Recommended CEQA Determination: Categorically exempt, Class 3, Section 15303). Staff Recommendation: Conditionally approve the project. Staff Contact: Rachel Grossman, Associate Planner.

Grossman presented the Staff Report.

Lucas asked what the regulations are on roof overhangs for side yard area and Prater replied that the new building code supercedes the zoning ordinance and that would be at least three feet from the property line.

Luhr asked when did the interpretation change on front set back for decks. Grossman replied that there is no formal written interpretation but Staff interpreted the ordinance to read that decks need to be fifteen

feet back. Grossman clarified this property to be within the coastal zone and the City has the authority to issue the coast development permit. Property line and set back locations on the plans were clarified.

Johnson opened Public Hearing, asking the applicant or their agent to address the Commission.

Steve Carnes stated he is the engineer of record for this project and that the set back of fifteen feet is not workable. He showed photos of other homes in town and on the same street where these guidelines were not met.

Johnson closed the Public Hearing, seeing no further comments.

Johnson called Carnes back for questions. Carnes clarified the following concerns for the Commission:

- The house is stucco and the garage door is flat panel aluminum that will have windows
- The drainage issue has not been addressed and it will be
- There will be a yard with some planting not just stamped concrete in the backyard
- The water heater would be an in line water heater and a hydronic heating system will probably use an air handler with a re-circulating hot water source

General discussion followed regarding:

- Concern over the inconsistency with homes that have decks and the need for a better policy
- Staff clarified that drainage plans are not required for the discretionary phase
- Stack effect in the stairway and cantilever over the garage and translucent glass in garage doors
- Preference for plants and trees in the backyard and side yard.
- Preference for solar panels
- If there is a way to create consistency for deck set-backs

Grossman stated a need to bring back deck set backs as review to the code and to do a formal interpretation. Prater stated the ruling has been ruled in the same manner since he has been with the City. Commission recommended that deck set back interpretation be brought back as future agenda item.

MOTION: Woodson, Lucas 2nd to approve project with the following conditions:

- Condition number fifteen to be removed from Exhibit B
- Deck be allowed at five foot set back and the deck does not protrude more than six inches over the garage

Discussion continued on the motion regarding the garage façade and that this project is under ordinance 535. The motion was amended Woodson and a 2nd was received by Lucas to include light transmitting panels in the garage. More discussion occurred.

FINAL MOTION: Woodson, Lucas 2nd to approve the project with the following conditions:

- Condition number fifteen to be amended to permit deck within 5' of property line
- Include light transmitting panels in the garage

VOTE 5-0

B. Site Location: 1840 Main Street in the MCR/R-4 zoning district. Applicant: Equilon Enterprises & Delta Consultants. A request for approval of a Coastal Development Permit for the removal of sixty-eight groundwater monitoring wells at and/or near the project site. The applicant has completed the groundwater assessment and monitoring plan. The work plan was in response to the MTBE leak at the request of the City of Morro Bay and California Regional Water Quality Control Board (RWQCB). This site is located outside of the appeals jurisdiction of the California Coastal Commission. (Recommended CEQA Determination: Categorically exempt, Class 1, Section 15301). **Staff Recommendation:** Conditionally approve the project. Staff Contact: Mike Prater, Planning Manager.

Prater presented the Staff Report. Questions and concerns from the Commission addressed by Staff were:

- There is no benefit in keeping these wells
- The RWQCB has ordered clean up and abandonment of these wells
- There is an approved project for this location and the plans are close to being approved and permitted
- The compaction and filling of the wells meets requirements

Johnson opened the Public Hearing, seeing no comments she closed the Public Hearing

MOTION: Luhr, 2nd Ream to approve the project as presented. VOTE 5-0

C. Site Location: 1275 Embarcadero in the CF zoning district. Applicant: Harbor Department City of Morro Bay. The Harbor Department is requesting Concept and Precise Plan approval for a Conditional Use Permit to remove and replacement the Harbor Office. The existing 966 s.f. office would be demolished and replaced with a new 1,440 s.f. modular building and 80 s.f. of storage space. This site is located inside of the original jurisdiction of the California Coastal Commission (CCC) and will obtain a permit directly from the CCC. (Recommended CEQA Determination: Categorically exempt, Class 3, Section 15303). Staff Recommendation: Conditionally approve the project. Staff Contact: Mike Prater, Planning Manager.

Prater presented the Staff Report. Mr. Algert gave a background presentation on the project. The Commissioners had concerns about; the aesthetics of building and felt it should be industrial in nature, the new building is not attractive, looks almost the same as the existing building from the 50's, and the project lacks sidewalk access. The Commissioners discussed the 14' height limit and expressed interest in complying with the height limit.

Johnson opened the Public Hearing, seeing no comments she closed the Public Hearing.

MOTION: Ream, Luhr 2nd to approve project with the recommendation that the maximum height of building not to exceed 14' if possible. VOTE: 4-1 (Woodson)

D. Site Location: 400 Pico Street in the R-1 zoning district. Applicant: Chip Appel. The applicant requests Conditional Use Permit approval to construct a 953 square foot addition to an existing nonconforming residence. This site is located outside of the appeals jurisdiction of the California Coastal Commission. (Recommended CEQA Determination: Categorically exempt, Class 1, Section 15301). Staff Recommendation: Conditionally approve the project. Staff Contact: Rachel Grossman, Associate Planner

Grossman presented the Staff Report and addressed the Commissioners concerns about the house not exceeding the twenty-five foot height restriction. She also confirmed the property will be surveyed and a height certification will be required. Grossman confirmed the detached garage setbacks are within code and fire sprinklers may be required.

Johnson opened the Public Hearing

Chip Appel, the applicant spoke and stated the need for the addition.

Chris Weber, project designer addressed concerns about the design.

Johnson closed the Public Hearing seeing no further comments.

MOTION: Woodson, Lucas 2nd to approve the Project change condition number eight to include all fixtures to be retrofitted to conserve water. VOTE: 5-0

XI. OLD BUSINESS

- A. Current Planning Processing List
 - Projects submitted for Administrative Approval (not single-family residential unless in MCR)
 - 1. None

XII. NEW BUSINESS -NONE

XIII. ADJOURNMENT

Johnson adjourned the meeting at 9:05pm to the next regularly scheduled Planning Commission meeting at the Veterans Hall, 209 Surf Street, on Monday, June 2, 2008, at 6:00 p.m.

Nancy Johnson, Chairperson

ATTEST:

Michael Prater, Secretary