

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, August 6, 2007

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 6:02 p.m.

II. PLEDGE OF ALLEGIANCE

Ream led the pledge.

III. ROLL CALL

Johnson asked that the record show all Commissioners were present.

Staff Present: Rob Schultz, Bruce Ambo, Mike Prater, Rachel Grossman, Joan Drake

IV. ACCEPTANCE OF AGENDA

MOTION: Ream, Woodson 2<sup>nd</sup> to make X-D the first Public Hearing Item. Vote: 5-0.

V. DIRECTOR'S REPORT/WRITTEN COMMUNICATIONS

Ambo reported the July 23, 2007 City Council meeting was cancelled. He said the next Neighborhood Character Workshop would be held Saturday, August 11, 2007, 10 a.m. to Noon at Veterans Hall. Ambo said a study session on the Parking Management Plan is planned for September 17, 2007, prior to the regular Planning Commission meeting.

At the August 13, 2007 meeting, Ambo said Council would:

- Award the preliminary design contract for Lift Station #3 replacement
- Hear the Second Reading and Adopt the Administrative Citation Program for Municipal Code Violations
- Adopt a Resolution of Intent to Annex City-Controlled/Owned Properties in the Chorro Valley in response to meetings with LAFCO
- Reject the Request for Proposals for operation of transit services in San Luis Obispo County relating to the Morro Bay Dial-A-Ride and Trolley Services
- Hold a Public Hearing for the First Reading/Introduction of Ordinance No. 532 amending the Morro Bay Municipal Code regarding construction hours
- Hear a presentation on the Wastewater Treatment Plant Upgrade/Collections System Maintenance Revenue Enhancement Plan
- Hold a Public Hearing on current water issues, including: approval of a nitrate notification plan, status report on the water resources availability and water conservation plan, and 2006 Annual Water Report
- Have a discussion on water connection/ impact fees
- Consider a contract to complete a Comparative Study of City Cost Efficiency and Effectiveness

VI. CONSENT CALENDAR

A. Approval of minutes from hearing held on July 16, 2007

MOTION: Woodson, Luhr 2<sup>nd</sup> to approve the minutes as written. Vote: 5-0.

VII. PRESENTATIONS – None

## VIII. PUBLIC COMMENT

Richard Sadowski, speaking about the WWTP, said a regional solution was needed.

Joey Recano said he agreed with Sadowski, had spoken with Congressional Representative Lois Capps and she supported a regional solution.

Marla Jo Bruton asked if the General Plan/Local Coastal Plan was submitted to the California Coastal Commission.

Johnson closed the Public Comment Period. Prater stated the GP/LCP was before the Coastal Commission.

## IX. FUTURE AGENDA ITEMS

A. Pedestrian pathway and circulation plan.

B. Secondary unit design competition and consideration to waive development fees for secondary units.

## X. PUBLIC HEARINGS

D. Site Location: 2783 Coral Avenue in the CRR/GC/PD zoning district. Applicant: City of Morro Bay. The applicant proposes to subdivide a vacant 43,091 square foot lot into six legal lots ranging in size from 6,491 square feet to 7,710 square feet. This site is located within the appeals jurisdiction of the California Coastal Commission.

(Recommended CEQA Determination: A Mitigated Negative Declaration has been prepared for the project). Staff Recommendation: Conditionally approve the project.

Grossman presented the Staff Report. Johnson asked if there were questions of staff. Commissioners determined the hammerhead design was selected because it limited curb cuts and had more curb appeal; zoning is for single family residences, not multiple-family or affordable housing; and the street is the minimum dimension required.

Johnson opened the Public Hearing. City Attorney Rob Schultz summarized action taken by the City since dedication of the lot at the time of the Cloisters development. He said the City decided to have a subdivision map prepared because developers were not interested in the parcel until it was divided into lots. Schultz said two-story homes were included because a fire station would be at least that height.

Recano distributed copies of "Forest Voice" to the Commissioners and said timing of the project is suspicious because the upcoming tree ordinance would reduce the number of trees that could be removed.

Sadowski said it was a conflict of interest for Schultz to represent the City.

Keith Taylor spoke in support of staff and the project.

Chuck Reaser stated he was sorry the lot was not going to be used for a fire station. He, Jim Nance and Peter Wightman said second stories should not be permitted.

Nance, Bruton and Wightman stressed saving the trees.

Paul Reichardt of eda design professionals explained his company had tried a number of different designs and this one had the most street appeal and removed the minimum number of trees.

Johnson closed the Public Hearing and asked for Commissioner comments. During discussion, concerns were expressed about the loss of trees, number of lots and hammerhead street design, questionable use of available land, questioned the ability to build on PG & E underground right-of-way adjacent to the property, ability for the lots to be built on as shown, the lack of a showing on the drawings for the San Jacinto sound barrier wall, concern was expressed about the 17' height, and the hammerhead sidewalks substantially reducing available land for buildable footprints.

MOTION: Ream, Johnson 2<sup>nd</sup> to conditionally approve S00-059/UPO-118/CPO-184 by adopting Exhibit "A" and "B" with a height limit of 17-feet. Vote: 2-3 (Lucas, Luhr and Woodson opposed)

Prater recommended the Commission request one revision, not multiple options. Ambo suggested asking the applicant if he preferred accepting the denial and appealing it to City Council. Schultz said he wanted to work through the Planning Commission but four lots were not viable and he was willing to accept the denial.

MOTION: Lucas, Luhr 2<sup>nd</sup> to deny S00-059/UPO-118/CPO-184 due to the probable number of existing trees that would be removed, the implications of the building sites and the access road. Vote: 3-2 (Ream and Johnson opposed)

- A. Site Location: 210-218 Barlow Lane in the R-1 Zoning District. Applicant: Max & Carol Crigger. Continued request to remodel a triplex in a single-family zone that would retain two of the rental units with no change in size and increase the front unit to 2,584 square-feet. The site is considered non-conforming because the structure does not comply with the front setback, exterior setback, lacks sufficient parking for one space, and has three units in a single-family zone. 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: Direct staff accordingly

Prater stated this item was considered previously by the Commission and explained changes made to the project. Johnson asked if there were questions of staff. Luhr said he was concerned about setbacks and discussed changing the frontage to Main Street. Lucas expressed concern about accuracy of the roofline.

Johnson opened the Public Hearing. Applicant Max Crigger said they tried to incorporate all the Commissioner concerns and would trim the trees at a neighbor's request.

Dorothy Cutter said the project had all the concerns brought up at the Neighborhood Character Workshop: bulk and scale, parking, variances. She supported trimming the trees.

Ray McKelligott said there were parking and bulk and scale problems. He said trimming the trees was a big plus.

Johnson closed the Public Hearing and asked for Commissioner comments. Lucas stated he had received a letter opposing the project from the trailer court owner. Commissioners discussed concerns about size, bulk and scale and parking. Some stated this was setting a precedence. Woodson suggested tandem parking in the garage. Lucas, Ream and Luhr stated they had met with the applicants. Johnson clarified the project included one exception and no variances.

MOTION: Woodson, Lucas 2<sup>nd</sup> to approve UPO-152 by adopting the Findings included as Exhibit "A" subject to the Conditions included as Exhibit "B" and re-orient the frontage to Barlow Lane and require tandem parking.

Ream stated he opposed tandem parking. Luhr asked if Ream would accept an amendment of simply an additional parking space. Ream agreed, but Woodson did not choose to change his motion. Vote: 5-0.

- B. Site Location: 501 Embarcadero in the WF/PD/S.4 District. Applicant: Ken Scott. The applicant requests a Precise Plan approval via Conditional Use Permit to demolish the existing Estero Landing office and construct a mixed-use project with the first floor as retail commercial comprising of five lease spaces ranging from 360 to 720 square feet, with the ability to combine two or more lease spaces to create a large area if needed. The second floor would consist of six lodging units approx. 2,000 square feet. The applicant was granted flexibility in height because significant public benefit will be provided. The project was also approved to provide four parking spaces for the lodging units on-site and three offsite across the street. The applicant was granted four in-lieu spaces from previous payments for the retail spaces. This site is located inside of the Coastal Original Jurisdiction. (Recommended CEQA Determination: A Mitigated Negative Declaration was adopted). Staff Recommendation: Conditionally approve the project.

Prater explained this hearing was about details. He said the project was still before the Coastal Commission and if substantial changes were made, it would come back to the Planning Commission. Johnson asked if there were questions of staff. Commissioners clarified 25 percent of parking spaces could be designated for compacts; despite the project being reviewed by the Coastal Commission the applicant felt confident about moving ahead with the precise plan; and City permits won't be issued until Coastal permits are received.

Johnson opened the Public Hearing. Cathy Novak, agent for the applicant, noted an ADA unisex restroom had been added and there was an additional on-site parking space.

Johnson closed the Public Hearing and asked for Commissioner comments. During discussion, Planning Commissioners added the following Conditions:

42. Removable bollards shall be placed between the platform and parking area.
43. Trash enclosure shall be closer to the platform.
44. The handicapped parking space shall be move closer to the sidewalk.
45. The parking spaces shall be required for the patrons of the lodging units except the H/C space.
46. The parking lot should provide for defined pattern or color scheme to alert vehicles where to avoid.
47. An 8-foot sidewalk shall run the length of the property.
48. Consistent stone planter boxes.
49. Consistent wood siding on all sides above the stone wainscot.
50. Consistent lighting fixtures for building and parking lot areas.
51. Consistent material for all railing details.
52. A minimum of two entries shall be required for each retail/office space with one addressing Embarcadero.
53. The laundry space within the office lease shall be moved to provide entrance and visibility onto Embarcadero.
54. The office space and another retail space may take one another's place or merging of the spaces may occur.
55. Relocate elevator door to the west side of the same wall plane.
56. Provide a unisex public restroom.
57. Reduce the upper floor deck along the southern side by appropriate dimension (~3-feet) to correspond with the new elevator door location to better facilitate natural light, scale.
58. Construction hours shall be from 7 a.m. to 7 p.m. Monday through Friday only.

MOTION: Woodson, Lucas 2<sup>nd</sup> to approve the Precise Plan with the added Conditions noted by staff. Vote: 5-0.

- C. Site Location: 470-488 Rockview Street in the R-4/PD zoning district. Applicant: Glenn Rider. The applicant proposes to subdivide three existing duplexes into airspace condominium units, resulting in six for sale residential condominium units. This site is not located within the appeals jurisdiction of the California Coastal Commission. (Recommended CEQA Determination: Categorical Exemption, Class 1 Section 15301). Staff Recommendation: Conditionally approve the project

Grossman presented the Staff Report. Johnson asked if there were questions of staff. Commissioners clarified there would be three separate sets of CC&Rs; the units have only minor changes, but will be sold separately and there is no loss of rental potential; garage space is in compliance and storage space is covered in a Condition. Answering a question of why this wasn't done at the beginning of the project, Grossman replied the new Subdivision Ordinance facilitates conversions. Prater added insurance requirements had also changed.

Johnson opened the Public Hearing. Applicant Glenn Rider stated there was approximately 800 square feet of storage space per unit, there is one set of CC&Rs per lot and the properties will be more affordable if sold separately.

MOTION: Woodson, Ream 2<sup>nd</sup> to continue past 10 p.m. Vote: 5-0.

Luhr clarified the CC&Rs can be changed by the HOA. Prater stated they are recorded with the map and the project must be compliant with City codes.

Ray McKelligott stated there were too many conversions from rentals to condominiums and no homes for workers. Betty Winholtz, speaking as a private citizen, said the project had been approved by City Council as rentals. She said it was not her intent to make conversions easier when passing the Subdivision Ordinance.

Johnson closed the Public Hearing and asked for Commissioner comments. Lucas said he would probably vote against the project based on his feeling that the record was incomplete regarding rental status. Ream, Luhr, Woodson and Johnson concurred the change adds to the affordability, doesn't decrease rental stock and opens opportunity for home ownership.

MOTION: Woodson, Ream 2<sup>nd</sup> conditional approve S00-071, 072, 073/CPO-235, 236, 237/UPO-175, 176, 177 with no changes as requested and recommended by staff by adopting the Findings for approval in Exhibit "A" including those

pertaining to the California CEQA and approving the Tentative Parcel Maps, Coastal Development Permits and Minor Use Permits. It should be noted that the storage requirements are changed in Condition 14. Vote: 4-1 (Lucas opposed)

XI. OLD BUSINESS

A. Current Planning Processing List

Projects submitted for Administrative Approval (not single-family residential unless in MCR)

1. None

Answering questions, Prater said the Colmer project has been postponed by the Coastal Commission until December. He said 735 Cabrillo will be going before City Council on August 27, 2007 and regarding 575-591 Embarcadero, the neighbor's concerns about his dock and the quality of water for his fish will be addressed in the Precise Plan.

XII. NEW BUSINESS

A. Consideration of Resolution 01-07 Amending the Planning Commission agenda format and order of proceedings. (Moving Public Comment after Directors Report/Written Comments)

Prater stated the Resolution was written at the insistence of the City Attorney.

MOTION: Ream, Lucas 2<sup>nd</sup> to adopt Resolution 01-07. Vote: 5-0.

Luhr suggested changing the sign-in sheet location so speakers during the Public Comment period can sign before speaking.

Johnson reminded people about the Neighborhood Character Workshop on Saturday August 11<sup>th</sup>.

XIII. ADJOURNMENT

Johnson adjourned the meeting at 10:25 p.m. to the next regularly scheduled Planning Commission meeting at the Veterans Hall, 209 Surf Street, on Monday, August 20, 2007, at 6:00 p.m.

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Nancy Johnson, Chairperson

ATTEST:

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Michael Prater  
Secretary