

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
Tuesday, February 20, 2007

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

I. CALL MEETING TO ORDER

Chairperson Johnson called the meeting to order at 6:02 p.m.

II. PLEDGE OF ALLEGIANCE

Commissioner Woodson led the pledge.

III. ROLL CALL

Johnson asked that the record reflect all Commissioners were present.

Staff Present: Bruce Ambo, Rachel Grossman, Kimberly Peeples

IV. ACCEPTANCE OF AGENDA

MOTION: Ream, Woodson 2nd to accept the agenda as printed. Vote: 5-0.

V. DIRECTOR'S REPORT/WRITTEN COMMUNICATIONS

Ambo highlighted the City Council Agenda items from the February 13, 2007 Meeting

- Hearing on the Nitrate Emergency Response Plan
- Adopted an emergency extension of 10 ½ months on the medicinal marijuana moratorium
- Sphere of Influence Presentation from LAFCO
- Moved Joint City Council/Planning Commission Meeting to March 5, 2007 at 6:00 p.m.
- Heard and embraced the concept of developing an Urban Forest Management Plan

The items highlighted for the upcoming February 26, 2007 Meeting were:

- Acceptance of the final map at 3000 Hemlock Avenue
- Appeal of the Planning Commission denial of the variance for 340 Olive Street
- SLOCOG will be presenting the North Coast Scenic Byway Corridor Plan
- Sub-Division ordinance 1st reading and introduction of the ordinance
- Update on the intersection improvements for Main and Radcliff
- Discussion item on whether to waive the tax and equity fiscal responsibility act public hearing
- Status report on the off leash dog park

Ream asked for clarification on the voting process for annexation in reference to the Sphere of Influence.

Luhr inquired about the proposed Drug and Alcohol Care facility that he heard is being proposed at 730 Luisita and if the Planning Commission will have any involvement in the process. Ambo explained this project falls under State Law as a protected use and we would not have any involvement in its approval.

Woodson asked what City Council was trying to achieve with the Urban Forest Management Plan. Johnson asked if it would possibly detail which trees will and won't be accepted.

VI. CONSENT CALENDAR

A. Approval of minutes from hearing held on February 5, 2007

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

VII. PRESENTATIONS – None.

VIII. ORAL COMMUNICATIONS – None.

IX. FUTURE AGENDA ITEMS – None.

X. PUBLIC HEARINGS

A. Site Location: 2575 Hemlock Avenue in the R-1/S.2 Zoning District. Applicant: Pete and Ginger Hendrix. The applicant requests Conditional Use Permit and Variance approvals to construct a 528 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 Conditional Use Permit but deny the Variance.
Staff Contact: Rachel Grossman, Associate Planner, 772-6261.

Grossman presented the Staff Report noting her concerns with the variance request and the findings for denial of the variance.

Staff addressed the following topics for the Commissioners:

- If the Anteroom were removed, would they then also have to remove the roof deck
- If the house to the west is a two-story house
- If the house was in compliance at the time of original construction
- Confirmed which wall will be removed, and if the garage will be large enough for a car
- Will they have to underground the utilities
- Clarified which decks are included in the lot coverage and if the lower deck affects lot coverage
- If the house to the North met current code
- For a future addition of a second story how would the setback affect that addition
- Would the City be involved if the applicant wanted to do an architectural enhancement to the fence
- If the variance is granted how would that affect the footprint for a future tear down
- If in the future they were to try leaving one wall for a remodel at what point does it return to the Planning Commission for review

Johnson opened the Public Hearing asking the applicant to address the Commission. Peter and Ginger Hendrix addressed the Commission expressing their desire to have the variance on this project approved to help ensure their lifestyle and the living zones in their house.

The applicant addressed the following items from the Commissioners:

- If the house to the rear is two-story
- The size of both of the Boys Bedrooms
- If the current garage area is already on a slab and if it would be a usable garage when complete
- How the applicant felt about the setback to the North of their property
- Why the applicant did not consider doing a two-story addition to fit the footprint

Roger Ewing spoke in favor of the project noting the possibility of providing affordable housing.

Silvia Collins spoke in favor of the project as presented.

John Parker spoke to the Categorical Exemption applied to this project.

Ginger Hendrix provided Staff with signatures of support from her neighbors.

Johnson closed the Public Hearing and brought the item back to the Commission for discussion.

During discussion Commissioner Lucas and Commissioner Ream spoke in support of the project as presented by the applicant. The remaining Commissioners spoke in support of the project but felt it necessary to support Staff's findings to deny the variance. The Commissioners had the following comments and concerns:

- Commissioner Lucas
 - Concerned with the preservation of archeological resources and protocols
 - Felt the level of the addition is relatively modest for the area
 - Felt the footprint could not be exploited in the future
 - Three foot setback does not seem uncommon in this area
 - Neighbors seem to be in support of the project
 - Concerned about setting precedence also but feels it is the duty of the Planning Commission to look at each project individually and feels this project deserves the variance
- Commissioner Ream
 - Felt the Anteroom would be beneficial to this family
 - Spoke in support of Staff and the Environmental Review Process
 - One-story expansions are rare
 - Each project can be looked at individually
- Commissioner Luhr
 - Clarified how a deck affects lot coverage
 - Expressed his concern of setting a precedence by granting a variance on this project
 - Concerned about the use of this footprint for future remodels
 - Could not see how the Commission could make findings for a variance based on need
- Commission Woodson
 - Confirmed the process for review of the categorical exemption for this project was correct
 - Glad to see the converted garage changed back to a garage use
 - Staff's findings are well thought out and are very good recommendations
 - Can not justify a variance that is not absolutely necessary
 - The footprint can be easily achieved by removing the anteroom
 - The setback can be easily remedied for very little cost
- Commissioner Johnson
 - Commended the applicants on the appearance of the house
 - Felt the loss of the anteroom would benefit the applicant with a larger backyard
 - Applauded the applicant for bringing forth a one-story expansion
 - Cannot make the findings for the variance in this case

MOTION: Woodson, Luhr 2nd to approve the project and findings as presented by Staff. VOTE: 3-2 (Lucas and Ream opposed).

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

Woodson asked for an update on the Harborwalk. Ambo gave the Commission an update of the current status with hopes of beginning the project this summer.

XII. ADJOURNMENT

Johnson adjourned the meeting at 7:26 p.m. to the next regularly scheduled Planning Commission meeting at the Veterans Hall, 209 Surf Street, on Monday, March 5, 2007, at 6:00 p.m.

Nancy Johnson, Chairperson

ATTEST:

Michael Prater
Secretary