

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, November 6, 2006

Acting Chairperson Bill Woodson  
Vice-Chairperson Nancy Johnson      Commissioner Robert Tefft  
Commissioner Vacant                      Commissioner Gary Ream  
Mike Prater, Secretary

I.      CALL MEETING TO ORDER

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

II.     PLEDGE OF ALLEGIANCE

Johnson led the pledge.

III.    ROLL CALL

Woodson asked that the record show the four remaining Commissioners were present.

Staff Present: Bruce Ambo, Rob Schultz, Michael Prater, Rachel Grossman, and Kimberly Peeples

IV.    ACCEPTANCE OF AGENDA

Woodson announced Public Hearing item X-C has been withdrawn.

MOTION: Ream, Johnson 2<sup>nd</sup> to approve the agenda as revised. Vote: 4-0.

V.      DIRECTOR'S REPORT/WRITTEN COMMUNICATIONS – None

Ambo highlighted the following City Council items from the October 23, 2006 meeting:

- A Pollution Abatement Grant from the National Estuary Program in the amount of \$38,500.00 was accepted.
- The County-Wide Business Improvement District Proposal was heard and that item was placed on the agenda for the November 13, 2006 meeting.
- A resolution was adopted for a Community Development Block Grant Application for \$500,000.00 to apply for upgrades to the North Morro Bay Fire Station.
- Sub-division ordinance update was heard and a special workshop for 5:00 p.m. on November 15, 2006 at the Morro Bay Community Center was scheduled.

Upcoming items for the November 13, 2006 meeting will be:

- Resolution giving consent to participate in the County-Wide Business Improvement District Program
- Authorization for a grant application for the Rural Transit Grant Program
- Award of bid for the South Bay Blvd. Overlay
- Calendar of meetings for 2007
- Response to the County Grand Jury Report for portions of 2005/2006 year regarding the Waste Water Treatment Plant
- Appeal of the Colmer South Bay Blvd. Sub-Division Project
- Consideration of Wastewater Fee Increases
- Revised design for the project on Sunset Ave.
- Long term plan for the Harbor Fire station
- Topics for the potential upcoming Joint Council/Planning Commission Meeting

VI. CONSENT CALENDAR

A. Approval of minutes from hearing held on October 16, 2006

MOTION: Tefft, Ream 2<sup>nd</sup> to approve the minutes as written. Vote: 4-0.

VII. PRESENTATIONS – None

VIII. ORAL COMMUNICATIONS:

Betty Winholtz spoke as a Morro Bay citizen who is running for office about a political advertisement that was received in the mail called the Morro Bay Rag Times and clarified some of the incorrect statements in the articles.

Melody DeMeritt spoke as a citizen of Morro Bay and as a member of the New Futures Committee. She reminded the public about the November 15, 2006 sub-division workshop and spoke about the article in the Morro Bay Rag Times regarding the New Futures Committee. She also announced the next New Futures Committee meeting on November 20, 2006 at the Community Center and urged everyone to participate.

Pepper Hughes; spoke favorably about a number of the articles in the Morro Bay Rag Times.

Ken Vesterfelt, Morro Bay resident, thanked Mayor Peters and Jeff O'dell for running a "clean" campaign. He also announced the upcoming "The Fireman's Muster" event scheduled for June 1-3, 2007.

John Barta spoke about measures R-06 and S-06 and urged all voters to come out and be heard tomorrow.

Jeff O'Dell spoke about the Morro Bay Rag Times and the incorrect information presented about his position on the Power Plant and urged everyone to vote.

IX. FUTURE AGENDA ITEMS – None

X. PUBLIC HEARINGS

A. *Continued From October 16, 2006*

Site Location: 810 Morro Bay Blvd in the C-1/S.4 Zoning District. Applicant: David Armentrout. The applicant is requesting a Conditional Use, Coastal Development Permit, Parking Exception and Lot Merger to remodel and occupy an existing building to establish a restaurant with live music. The restaurant requires a total of seventeen (17) parking spaces. The proposed parking plan would provide eleven (11) on-site spaces, five (5) off-site spaces, and request In-Lieu-Payment for one (1) space. Modifications are requested for the angle and aisle width along with the need to back out into the alley before moving in a forward direction. This site is located outside of the Coastal Commission's Appeal jurisdiction. (Recommended CEQA Determination: Categorically Exempt, Classes 1, 3, and 5).

Staff Recommendation: Conditionally approve the project and Deny the Parking Exception.

Staff Contact: Mike Prater, Senior Planner, 772-6261.

Prater presented the staff report noting the creativeness of the proposed parking arrangements and Staff's concerns about the issues presented with that proposal. The Commissioners questioned and expressed concern about the lighting in the parking lot, if a rear entrance to the restaurant will be provided and the parking issues.

Woodson opened the public comment period and asked the applicant or agent to address the Commission. Greg Barker, agent for the applicant addressed the Commission's concerns about the restaurant layout, a rear entrance that will be available and confirmed the level of music at the restaurant would be very mild.

Ream questioned the concrete swale in the alley that causes water in or around the walkway. He also expressed his concerns about the issues he sees with the rear entrance and the potential noise affecting the nearby neighbors.

Johnson questioned the potential solutions for lighting in the parking lot, if the shared parking ideas have been discussed with the neighboring parties and what is the nature of the surrounding businesses.

Tefft asked if any of the expected music would be outside. It was clarified that music would be inside only.

Woodson questioned if any landscaping plans were in the works to improve the appearance of the front of the building. The owner David Armentrout acknowledged they do intend to improve the landscape.

Jeff O'Dell, spoke in favor of the concept of the shared parking for the smaller businesses in Morro Bay.

Woodson closed the Public Hearing, seeing no further comment.

During discussion the Commissioners commented on the following topics:

- Spoke against the parking layout and did not feel it was appropriate for this site
- Spoke favorably about the shared parking concept
- Adjustments in the floor plan to prevent accidents
- Landscaping improvements
- Required number of spaces is too high
- Swale in the alley should be addressed

Rob Schultz, City Attorney gave the Commission some guidance for the parking solution for this project.

Woodson questioned the applicant if they had any input as to the direction they would like to see the motion. Greg Barker said they had not researched the survey option and were unsure of the cost for such a study, so they don't feel they can make that decision tonight, but would be in favor of coming back at a future meeting to address all of the Commissions concerns.

MOTION: Tefft, Ream 2<sup>nd</sup> to continue the item to the next scheduled meeting. VOTE: 4-0.

- B. Site Location: 2840 Birch Street in the R-1/S.2 Zoning District. Applicant: The applicant requests Conditional Use Permit and Coastal Development Permit approval to demolish an existing garage and storage sheds and subsequently construct a 1,895 square foot primary residence. This site is located outside of the Coastal Commission's Appeal jurisdiction. (Recommended CEQA Determination: Categorically Exempt, section 15301 and section 15303). Staff Recommendation: Conditionally approve the project. Staff Contact: Rachel Grossman, Assistant Planner, 772-6261.

Grossman presented the staff report noting the non-conforming aspects of this project. Johnson questioned if the appearance of the existing unit will be modified to conform to the new unit. Grossman acknowledge it would.

Woodson opened the public hearing and asked the representative for the applicant to address the Commission. Gary Glenden, agent to the applicant addressed the Commission's concerns satisfactorily.

Woodson closed the Public Hearing seeing no further comment.

During discussion all of the Commissioners spoke favorably of the project.

MOTION: Ream, Johnson 2<sup>nd</sup> to approve the project as presented. VOTE: 4-0.

- C. Site Location: 418 A Main Street in the R-3 Zoning District. Applicant: The applicant is requesting Conditional Use Permit approval to authorize the use of employees at a home-based business. This site is located outside of the Coastal Commission's Appeal jurisdiction. (Recommended CEQA Determination: Categorically Exempt, Class 1). Staff Recommendation: Staff recommends that the Planning Commission considers the request and determine if it is consistent with the intent of section 17.48.260 (Home Occupation Requirements) of the Municipal Code. Staff Contact: Rachel Grossman, Assistant Planner, 772-6261

The application for this project was withdrawn.

Woodson called for a five-minute break at 7:47 p.m. Woodson called the meeting back to order at 7:55 p.m.

D. Site Location: 630 Avalon in R1/S.2 Zoning District. Applicant: Julie Kelly. The applicant requests approval of three separate variances 1) for the construction of the second floor that was not built in accordance with the approved plans which now lie within the exterior setback as an as-built condition 2) because the upper floor was constructed in the setback the upper deck was also constructed too far within the exterior setback 3) the applicant also requests the construction of a staircase that leads from the deck to be constructed in the exterior setback as an alternate entry into the secondary unit on the second floor. If the third variance is granted then the second variance for the deck is not needed. This site is located outside of the Coastal Commission's Appeal jurisdiction. (Recommended CEQA Determination: Categorically Exempt 3). Staff Recommendation: Conditionally approve the project. Staff Contact: Mike Prater, Senior Planner, 772-6261.

Prater presented the staff report noting the history of this project and the variances that are being requested. Johnson clarified what would be required should the Commission deny the requested variances. Tefft asked Staff to clarify if additional floor space was added to the lower room. Woodson asked Staff to clarify what are Staff's main concerns with the staircase in question.

Woodson opened the Public Hearing and asked the applicant to address the Commission. John Belcher, agent for the applicant, addressed the Commission. He expressed the applicant's opinion that in theory they have already had a permit granted that allows the staircase. The applicant Julie Kelly addressed the Commission and presented her personal background and site history.

Jere Sullivan, attorney for Mr. Peterson, spoke in favor of the variances that are being requested.

Rob Schultz, City Attorney addressed the Commission to clarify the variance issues at hand.

Woodson closed the Public Hearing.

During discussion Woodson questioned if there was an alternate location for the stairs that would not require a variance. Prater replied there is not another location that would not require a variance. Ream spoke in favor of the variance for the wall, but did not look favorably on the variance for the staircase. Woodson spoke in favor of the variance for the "as built" plans for the wall and upper deck. and the staircase as long as it does not impede access to the garage. Johnson spoke in favor of the variance for the wall and deck, but did not favor a variance for the staircase. Tefft expressed his concern about setting a precedent in approving variances after changes are made in building plans. Considering the situation he felt he could approve both variances to help resolve the situation. John Belcher displayed the second story floor plan for the Commission's review.

MOTION: Johnson, Woodson 2<sup>nd</sup> to approve the variance for the "as built" plans for the wall and deck and a variance for a staircase that does not encroach into the egress of the garage. VOTE: 3-1 (Tefft opposed).

XI. OLD BUSINESS

A. Current Planning Processing List

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

1. 2840 Main Street, Medical Marijuana dispensary

XII. NEW BUSINESS – None

XII. ADJOURNMENT

Woodson adjourned the meeting at 9:12 p.m. to the next regularly scheduled Planning Commission meeting at the Veterans Hall, 209 Surf Street, on Monday, December 4, 2006, at 6:00 p.m.

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Bill Woodson, Acting Chairperson

ATTEST:

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Michael Prater, Secretary