

AGENDA ITEM: A-2

DATE: APRIL 4, 2017

ACTION: APPROVED

ACTION MINUTES – MORRO BAY PLANNING COMMISSION
REGULAR MEETING – JANUARY 17, 2017
VETERANS MEMORIAL BUILDING – 6:00 PM

PRESENT: Robert Tefft Chairperson
Richard Sadowski Commissioner
Joe Ingraffia Commissioner
Michael Lucas Commissioner
Gerald Luhr Vice-Chairperson

STAFF: Scot Graham Community Development Director
Cindy Jacinth Associate Planner
Joan Gargiulo Assistant Planner

ESTABLISH QUORUM AND CALL TO ORDER
MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE
PLANNING COMMISSIONER ANNOUNCEMENTS

<https://youtu.be/5xtswrokjvE?t=5m6s>

Commissioner Sadowski announced on January 24th, the Board of Supervisors will be meeting with the Chumash Heritage National Marine Sanctuary. Sadowski would like for people to attend or watch it on TV.

Chairperson Tefft announced the Open Air Alliance will be holding a meeting on January 26th at the Community Center, Multipurpose room, 6:30 pm -8 pm, to discuss open space around Morro Bay and the Chevron property.

PUBLIC COMMENT PERIOD

<https://youtu.be/5xtswrokjvE?t=6m20s>

Rigmore, Morro Bay resident, appreciated the Commissioners inputs and comments at the Joint Meeting on Wednesday. Rigmore found the meeting to be very interesting and would like to see more meetings like that in the future. Rigmore spoke about parking issues in Morro Bay when big events are held. Rigmore gave an example of how a small Norwegian fishing village handles their parking when they held big events in the town.

Chairperson Tefft commented there will be a meeting for the Master Plan on February 2nd. Tefft would like to see people come out and participate.

Chairperson Tefft closed the Public Comment period.

<https://youtu.be/5xtswrokjvE?t=10m41s>

PRESENTATIONS – NONE

A. CONSENT CALENDAR

<https://youtu.be/5xtswrokjvE?t=10m41s>

A-1 Current and Advanced Planning Processing List

Staff Recommendation: Receive and file.

MOTION: Commissioner Sadowski motioned to move to approve. Commissioner Ingraffia seconded and the motion passed unanimously (5-0).

B. PUBLIC HEARINGS

Public testimony given for Public Hearing items will adhere to the rules noted above under the Public Comment Period. In addition, speak about the proposal and not about individuals, focusing testimony on the important parts of the proposal; not repeating points made by others.

B-1 *(continued from the December 20, 2016 Planning Commission meeting)*

Case No.: UP0-448

Site Location: Gray's Inn, 561 Embarcadero, Morro Bay, CA

Project Description: Request for Conditional Use Permit for both land and waterside improvements including installation of new 10 foot harborwalk to match existing elevation, installation of 1 new pile, sleeving of 4 existing piles, provide 4 foot wide vertical access on south side of building to allow public access to harborwalk, along with building façade improvements, sidewalk improvements, repair of existing decking,

CEQA Determination: Categorically exempt Section 15303, Class 3c.

Staff Recommendation: Forward a favorable recommendation to the City Council.

Staff Contact: Cindy Jacinth, Associate Planner, (805) 772-6577

<https://youtu.be/5xtswrokjvE?t=11m36s>

COMMISSIONERS DISCLOSURE OF EX PARTE COMMUNICATIONS –

Commissioner Sadowski had a conversation with Denise Krueger at Kayak Horizons.

Jacinth presented staff report.

Commissioners presented their questions to staff.

Chairperson Tefft opened the Public Comment period.

<https://youtu.be/5xtswrokjvE?t=28m4s>

Cathy Novak, representative for the applicant, thanked the Commissioners letting her acquire the additional material the Commission requested and time to prepare alternatives to help answer questions and concerns. Novak noted the modification to the vertical access way's concrete design, using a wood grain design that could be used for other projects to create continuity on future designs. Novak discussed the view corridor and components. Novak also spoke of the modification to condition 15 to include utilities as well as fencing not to exceed 30 inches in requirement. The parking marks would show parking spaces and noted the trip hazard if the walkway was raised above the parking lot.

Gene Doughty, architect, explained the reason for the application and stated he informed the new owners if they wanted to renew the lease, they would have to invest money into the lease site, which includes the sidewalk and vertical access. Doughty feels the applicant shouldn't be penalized or restricted because they are providing a public benefit.

Chairperson Tefft closed the Public Comment period.
<https://youtu.be/5xtswrokjvE?t=39m39s>

Chairperson Tefft opened the Public Comment period.
<https://youtu.be/5xtswrokjvE?t=39m55s>

Discussion between Commissioners and staff.

Novak addressed the eel grass issue and policy. Novak noted if a pre-construction survey is conducted and eel grass is discovered, they would run into some trouble. Novak stated the eel grass study is a snap shot in time now, but won't be guaranteed to hold for the future.

Discussion between Commissioners and staff.

Chairperson Tefft closed the Public Comment period.
<https://youtu.be/5xtswrokjvE?t=57m53s>

Discussion between Commissioners and staff

Chairperson Tefft opened the Public Comment period.
<https://youtu.be/5xtswrokjvE?t=1h34m49s>

Novak stated the applicants would like to keep the sign. Novak noted if the sign was moved to the side of the building, it would not be visible to people coming from the north going south. Novak stated the project was approved in 1993 along with the sign and now asking for a minor exception for one parking space. Novak emphasized the project does have total public benefit and the applicants have already given up a lot and would like to keep the sign as part of the project.

Chairperson Tefft closed the Public Comment period.

MOTION: Commissioner Lucas moved to provide City Council a favorable recommendation for conditional use permit UP0-448, including amendments as noted, and adopt PC resolution 02-17. Commissioner Ingraffia seconded with Vice-Chairperson Luhr dissenting. The motion passed (4-1).
<https://youtu.be/5xtswrokjvE?t=1h54m1s>

Modified condition 15 as indicated in bold italics:

15. Applicant shall maintain the view corridor on the south side of the Grays Inn building with no view corridor obstructions other than the fencing *and existing utilities* per approved plans for #UP0-448.

Conditions added by the Planning Commission on January 17, 2017

- 16. An interpretive sign with content relating to the historical nature of Morro Bay shall be submitted for review and approval by the Community Development Director and shall be installed along the Harborwalk lateral access prior to final occupancy of the building permit.*
- 17. No change shall be made to the sign copy of design of the existing Gray's Inn pole sign which was previously permitted through conditional use permit #07-92.*
- 18. The vertical access path, in the area adjacent to the parking spaces shall be delineated by a bollard or other suitable feature in order to prevent parked vehicles from encroaching on the vertical access pathway. The type, location, and method of delineations shall be submitted to the Community Development Department for review and approval.*
- 19. The three existing parking spaces shall be maintained with the parking space widths evenly divided (approx. 8 feet 7 inches).*

B-2 Case No.: UP0-466

Site Location: 545 Shasta Avenue, Morro Bay, CA

Project Description: The Applicant proposes to co-locate a live theater playhouse at the existing St. Peter's Episcopal Church. Specifically, the Applicant proposes to use the existing Social Hall Building located at the northwest corner of the parcel to host a maximum of 99 customers. The stage area will include removable 4ft. x 8 ft. x 8 in. high wooden platforms. The platforms, sets, props, lighting, and other equipment will be removed from the hall and stored in an existing storage structure on site when not utilized for playhouse purposes. The project site is located within the R-2 Residential Zoning District and outside of the Coastal Commission Appeal Jurisdiction.

CEQA Determination: Categorically Exempt, Section 15301, Class 1

Staff Recommendation: Conditionally Approve

Staff Contact: Joan Gargiulo, Assistant Planner (805) 772-6270

<https://youtu.be/5xtswrokjvE?t=2h49s>

Commissioner Lucas recused himself due to extensive relationship with St. Peter's Episcopal Church.

COMMISSIONERS DISCLOSURE OF EX PARTE COMMUNICATIONS –
Commissioner Sadowski spoke to a few neighbors.

Gargiulo presented staff report.

Chairperson Tefft opened the Public Comment period.

<https://youtu.be/5xtswrokjvE?t=2h6m48s>

Lynn Enns, Senior Warden at St. Peter's Episcopal Church, stated one of the missions at the church is to be relevant and active in the community and believe that providing an opportunity to bring live theater to the arts community in Morro Bay. Enns noted St. Peter's will comply with all regulations and what other regulations the City requires.

Janice Peters, Morro Bay resident and secretary, gave a history of why the theater group was looking for venue. Peters is hoping the new zoning would reflect the need for live theater possibilities. Peters noted they looked at other locations, but due to the zoning they didn't work out.

Sandy Tandler, Morro Bay resident, asked the Commission to approve the special use permit so St. Peter's could bring live theater to Morro Bay. Peters wanted to clarify to the Commission they do not have intentions to use the kitchen for a dinner theater.

Commissioner Sadowski read a public comment for Ann Travers.

Travers asked what activities are appropriate for or allowed in residential neighborhoods. Travers lives next door to the church and would like to know why this would be allowed in a residential neighborhood. Travers stated a theater group is different, it's not a support group or a bridge club. Travers is concerned with the activities that go along with a theater group i.e. rehearsals, extra lighting in the parking lot, set ups and take downs of sets etc. Travers stated they City Coastal Plan and General Plan don't provide guidelines for what is allowed in residential areas. Travers asked if there was another venue in a commercial zone that would be appropriate for the theater group.

Chairperson Tefft closed the Public Comment period.

<https://youtu.be/5xtswrokjvE?t=2h22m3s>

Chairperson Tefft opened the Public Comment period.

The Commissioners presented their questions and concerns to the applicant.

Anita Schwaber, President and Board of Directors, spoke of the times for intermission which usually last about ten minutes and would be held either in the hall or patio. Schwaber stated is the show starts at 7 pm, the cut off time should be around 9:00 pm or 9:15 pm.

Chairperson Tefft closed the Public Comment period.

<https://youtu.be/5xtswrokjvE?t=2h31m34s>

Discussion between Commissioners and staff.

MOTION: Commissioner Ingraffia motioned to move to adopt PC 03-17 with amendment. Commissioner Sadowski seconded and the motion passed (4-0), Commissioner Lucas abstained.

NOTE: Conditions listed below in bold and italics have been added by the Planning Commission:

1. Alcohol consumption and/or sales are prohibited unless and until the Applicant furnishes proof of a valid license from the Department of Alcoholic Beverage Control to the Community Development Director. ***Any future sales of alcohol shall be prohibited after 9:30p.m.***
2. ***The Applicant shall ensure that the parking lot is vacated by audience patrons by 10:00 p.m.***
3. ***The project shall be reevaluated by the Planning Commission within 12 months of project approval.***
4. ***Prior to the start of each performance, an announcement shall be made reminding audience members of the sensitive residential nature of the surrounding neighborhood.***

C. NEW BUSINESS - NONE

D. UNFINISHED BUSINESS - NONE

E. PLANNING COMMISSIONER COMMENTS

<https://youtu.be/5xtswrokjvE?t=2h46m16s>

Commissioner Ingraffia commented he came across a magazine which published the benefits of Morro Bay and listed the elected officials and various department heads along with opportunities and activities in Morro Bay. Ingraffia noted he didn't know who published it but thought they did an excellent job.

Chairperson Tefft suggested the Commission to appoint a liaison for the Harbor Advisory meeting. Tefft feels since the Planning Commission is involved with projects on the Embarcadero, it would be a good idea to be involved in that meeting.

Graham responded he will agendize Chairperson Tefft's request to appoint a liaison for the Harbor Advisory meeting

Commissioner Sadowski announced on January 26th & 27th he will be attending the Climate Change symposium in Sacramento.

F. COMMUNITY DEVELOPMENT DIRECTOR COMMENTS

<https://youtu.be/5xtswrokjvE?t=2h46m57s>

Graham announced there will be a General Plan/LCP update workshop on February 2nd, at the Community Center, from 5:30 pm – 8:00 pm.

G. ADJOURNMENT

The meeting adjourned at 8:55 p.m. to the regular Planning Commission meeting at the Veteran’s Memorial Building, 209 Surf Street, on February 7, 2017, at 6:00 p.m.

Robert Tefft, Chairperson

ATTEST:

Scot Graham, Secretary