



# CITY OF MORRO BAY PLANNING COMMISSION AGENDA

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*The City of Morro Bay is dedicated to the preservation and enhancement of the quality of life.  
The City shall be committed to this purpose and will provide a level of municipal service and safety  
consistent with and responsive to the needs of the public.*

**Regular Meeting - Wednesday, October 19, 2011  
Veteran's Memorial Building - 6:00 P.M.  
209 Surf Street, Morro Bay, CA**

Chairperson Rick Grantham

Vice-Chairperson John Solu  
Commissioner Paul Nagy

Commissioner Jamie Irons  
Commissioner Jessica Napier

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

## PUBLIC COMMENT PERIOD

Members of the audience wishing to address the Commission on matters other than scheduled hearing items may do so at this time. Commission hearings often involve highly emotional issues. It is important that all participants conduct themselves with courtesy, dignity and respect. All persons who wish to present comments must observe the following rules to increase the effectiveness of the Public Comment Period:

- When recognized by the Chair, please come forward to the podium and state your name and address for the record. Commission meetings are audio and video recorded and this information is voluntary and desired for the preparation of minutes.
- Comments are to be limited to three minutes so keep your comments brief and to the point.
- All remarks shall be addressed to the Commission, as a whole, and not to any individual member thereof. Conversation or debate between a speaker at the podium and a member of the audience is not permitted.
- The Commission respectfully requests that you refrain from making slanderous, profane or personal remarks against any elected official, commission and/or staff.
- Please refrain from public displays or outbursts such as unsolicited applause, comments or cheering.
- Any disruptive activities that substantially interfere with the ability of the Commission to carry out its meeting will not be permitted and offenders will be requested to leave the meeting.
- Your participation in Commission meetings is welcome and your courtesy will be appreciated.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Public Services' Administrative Technician at (805) 772-6261. Notification 24 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. There are devices for the hearing impaired available upon request at the staff's table.

**PRESENTATIONS**

Informational presentations are made to the Commission by individuals, groups or organizations, which are of a civic nature and relate to public planning issues that warrant a longer time than Public Comment will provide. Based on the presentation received, any Planning Commissioner may declare the matter as a future agenda item in accordance with the General Rules and Procedures. Presentations should normally be limited to 15-20 minutes.

**A. CONSENT CALENDAR**

A-1 City Council approved minutes from the joint City Council and Planning Commission meeting held on September 13, 2011

**Staff Recommendation:** Receive and file.

A-2 Approval of minutes from Planning Commission meeting held on October 5, 2011

**Staff Recommendation:** Approve minutes as submitted.

**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 **Case No.:** UP0-338/CP0-360

**Site Location:** 3000 Hemlock Drive

**Applicant/Project Sponsor:** Estero Bay United Methodist Church

**Request:** The church has an existing use permit; therefore a use permit amendment and coastal development permit will be processed for the placement of two new modular classrooms and two sheds for a preschool on site. Parking is not adequate on site for all uses and a parking exception will be reviewed by the Planning Commission. The Planning Commission shall review all special uses because the characteristics of such unique and special form makes it impractical to include the uses in any class of use set forth in the various zoning districts.

**CEQA Determination:** Categorically Exempt Section 15303, Class 3

**Staff Recommendation:** Conditionally approve Conditional Use Permit #UP0-338 and Coastal Development Permit #CP0-360.

**Staff Contact:** Sierra Davis, Assistant Planner (805) 772-6270

**C. UNFINISHED BUSINESS**

C-1 Current and Advanced Planning Processing List

**Staff Recommendation:** Receive and file.

**D. NEW BUSINESS - None**

**E. DECLARATION OF FUTURE AGENDA ITEMS**

**F. ADJOURNMENT**

Adjourn to the next regularly scheduled Planning Commission meeting at the Veteran's Memorial Building, 209 Surf Street, on Wednesday, November 2, 2011 at 6:00 p.m.

**PLANNING COMMISSION MEETING PROCEDURES**

This Agenda is subject to amendment up to 72 hours prior to the date and time set for the meeting. Please refer to the Agenda posted at the Public Services Department, 955 Shasta Avenue, for any revisions or call the department at 772-6261 for further information.

Written testimony is encouraged so it can be distributed in the Agenda packet to the Commission. Material submitted by the public for Commission review prior to a scheduled hearing should be received by the Planning Division at the Public Services Department, 955 Shasta Avenue, no later than 5:00 P.M. the Tuesday (eight days) prior to the scheduled public hearing. Written testimony provided after the Agenda packet is published will be distributed to the Commission but there may not be enough time to fully consider the information. Mail should be directed to the Public Services Department, Planning Division.

Materials related to an item on this Agenda are available for public inspection during normal business hours in the Public Services Department, at Mill's/ASAP, 495 Morro Bay Boulevard, or the Morro Bay Library, 695 Harbor, Morro Bay, CA 93442. Materials related to an item on this Agenda submitted to the Planning Commission after publication of the Agenda packet are available for inspection at the Public Services Department during normal business hours or at the scheduled meeting.

This Agenda may be found on the Internet at: [www.morro-bay.ca.us/planningcommission](http://www.morro-bay.ca.us/planningcommission) or you can subscribe to Notify Me for email notification when the Agenda is posted on the City's website. To subscribe, go to [www.morro-bay.ca.us/notifyme](http://www.morro-bay.ca.us/notifyme) and follow the instructions.

The Brown Act forbids the Commission from taking action or discussing any item not appearing on the agenda, including those items raised at Public Comment. In response to Public Comment, the Commission is limited to:

1. Responding to statements made or questions posed by members of the public; or
2. Requesting staff to report back on a matter at a subsequent meeting; or
3. Directing staff to place the item on a future agenda. (Government Code Section 54954.2(a))

Commission meetings are conducted under the authority of the Chair who may modify the procedures outlined below. The Chair will announce each item. Thereafter, the hearing will be conducted as follows:

1. The Planning Department staff will present the staff report and recommendation on the proposal being heard and respond to questions from commissioners.
2. The Chair will open the public hearing by first asking the project applicant/agent to present any points necessary for the commission, as well as the public, to fully understand the proposal.
3. The Chair will then ask other interested persons to come to the podium to present testimony either in support of or in opposition to the proposal.
4. Finally, the Chair may invite the applicant/agent back to the podium to respond to the public testimony. Thereafter, the Chair will close the public testimony portion of the hearing and limit further discussion to the Commission and staff prior to the Commission taking action on a decision.

**APPEALS**

If you are dissatisfied with an approval or denial of a project, you have the right to appeal this decision to the City Council up to 10 calendar days after the date of action. Pursuant to Government Code §65009, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Commission, at, or prior to, the public hearing. The appeal form is available at the Public Services Department and on the City's web site. If legitimate coastal resource issues related to our Local Coastal Program are raised in the appeal, there is no fee if the subject property is located within the Coastal Appeal Area. If the property is located outside the Coastal Appeal Area, the fee is \$250 flat fee. If a fee is required, the appeal will not be considered complete if the fee is not paid. If the City decides in the appellant's favor then the fee will be refunded.

City Council decisions may also be appealed to the California Coastal Commission pursuant to the Coastal Act Section 30603 for those projects that are in their appeals jurisdiction. Exhaustion of appeals at the City is required prior to appealing the matter to the California Coastal Commission. The appeal to the City Council must be made to the City and the appeal to the California Coastal Commission must be made directly to the California Coastal Commission Office. These regulations provide the California Coastal Commission 10 working days following the expiration of the City appeal period to appeal the decision. This means that no construction permit shall be issued until both the City and Coastal Commission appeal period have expired without an appeal being filed. The Coastal Commission's Santa Cruz Office at (831) 427-4863 may be contacted for further information on appeal procedures.

MINUTES - MORRO BAY CITY  
COUNCIL/PLANNING COMMISSION  
JOINT MEETING – SEPTEMBER 13, 2011  
VETERANS MEMORIAL HALL - 5:00 P.M.

AGENDA NO: A-1  
MEETING DATE: 10/11/11

Mayor Yates called the meeting to order at 5:00 p.m.

PRESENT:	William Yates	Mayor
	Carla Borchard	Councilmember
	Nancy Johnson	Councilmember
	George Leage	Councilmember
	Noah Smukler	Councilmember
	Rick Grantham	Chairman
	Jamie Irons	Planning Commissioner
	Paul Nagy	Planning Commissioner
	Jessica Napier	Planning Commissioner
ABSENT:	John Solu	Vice-Chair
STAFF:	Andrea Lueker	City Manager
	Robert Schultz	City Attorney
	Rob Livick	Public Services Director
	Kathleen Wold	Planning Manager

I. ESTABLISH QUORUM AND CALL MEETING TO ORDER

II. PLEDGE OF ALLEGIANCE

III. DUTIES AND RESPONSIBILITIES

Pursuant to the Municipal Code Section 2.28.120 D., the Planning Commission shall meet with City Council twice each year to discuss proposed policies, programs, goals and objectives, budgeting, future planning, or any other planning matter requiring joint deliberation.

IV. PUBLIC COMMENT PERIOD - Members of the audience wishing to address the Council and Planning Commission on matters on this special meeting agenda may do so at this time – there was no public comment.

V. JOINT MEETING DISCUSSION ITEMS

Council Member Requested Discussion Item:

**A) Update on the Zoning Ordinance and General Plan/Local Coastal Plan Amendment**

Planning Manager Kathleen Wold provided an update on the General Plan/Local Coastal Plan amendment, and provided the City Council and Planning Commission with a letter from the Coastal Commission.

The City Council requested the update of the Zoning Ordinance and General Plan/Local Coastal Plan be placed higher on the priority list. A sub-committee was appointed to review the update of the Zoning Ordinance and General Plan/Local Coastal Plan, consisting of: Planning Commissioner Irons, Councilmember Johnson and Councilmember Borchard.

Planning Commission Requested Discussion Items:

**A) Implementation of the Planning Commission By-Laws**

City Attorney Robert Schultz reviewed the procedures for the Planning Commission By-Laws.

**B) Changes to the Subdivision Ordinance**

The City Council and Planning Commission discussed the importance to expedite the review of the Subdivision Ordinance in order to streamline projects.

**C) Discussion of a New Initiative to Better Serve the Measure D Area**

The majority of the Planning Commission was to not change Measure D at this time.

**D) Planning Commission Meeting Frequency**

The Planning Commission chose to continue meeting twice per month.

VI. ADJOURNMENT – 5:35 p.m.

This meeting adjourned to the regularly scheduled City Council meeting.

AGENDA ITEM: A-2

DATE: October 19, 2011

ACTION: \_\_\_\_\_

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 pm

209 Surf Street, Morro Bay  
October 5, 2011

Chairperson Rick Grantham  
Vice-Chairperson John Solu  
Commissioner Paul Nagy  
Commissioner Jamie Irons  
Commissioner Jessica Napier  
Rob Livick, Secretary

I. ESTABLISH QUORUM AND CALL TO ORDER

Chairperson Grantham called the meeting to order at 6:00 pm and noted all Commissioners are present.

Staff Present: Rob Livick, Kathleen Wold and Sierra Davis.

II. MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE

Members of Morro Bay 4H led the pledge.

III. PLANNING COMMISSIONER ANNOUNCEMENTS

Commissioner Solu announced a successful Harbor Festival last weekend and the recent Morro Bay news items featured in the Tribune newspaper and Sunset magazine. Solu also announced the roadwork repairs currently being done to State Park Road and the addition of a launch to be built in the next 60 days. Napier announced this is National 4H week. Grantham invited all to the annual free Thanksgiving dinner to be held at the Vet's Hall this year. Free senior health screenings are held every last Monday of the month from 9am to noon at the Senior Center.

Livick announced the second of the two sign workshops will be held tomorrow October 6<sup>th</sup> from 9am to noon with more information at [www.morro-bay.ca.us](http://www.morro-bay.ca.us).

IV. PUBLIC COMMENT

- Youth members of Morro Bay 4H gave a presentation to the audience about the 4H organization.

- John Weiss, resident of Morro Bay, asked to speak about Cerrito Peak due to a need to leave early. Mr. Weiss spoke in favor of the project.

V. CONSENT CALENDAR

- A. Approval of minutes from the Planning Commission meeting held on September 21, 2011

**MOTION:** Napier moved to approve the Consent Calendar. Solu seconded the motion. Motion passed 4-0.

VI. PRESENTATIONS – None.

VII. PUBLIC HEARINGS

- A. **Case No.:** CP0-295

**Site Location:** 3060 Ironwood Avenue

**Applicant/Project Sponsor:** City of Morro Bay/Barry Rands, Associate Engineer

**Request:** Construction of two public, soft-surface tennis courts at Del Mar Park, a nine-acre park located in north Morro Bay. The tennis courts have been master planned for Del Mar Park since the original conception of the park, prior to 1980. The courts are not located adjacent to residences and are bordered by an elementary school playground on one side and the park's roller hockey rink on the other. The courts are also located in a bowl-depression area that creates berms on each side. The tennis courts would be encompassed within a typical chain link fence but not include nighttime lighting.

**CEQA Determination:** Mitigated Negative Declaration

**Staff Recommendation:** Conditionally Approve Conditional Use Permit #UP0-336 and Coastal Development Permit #CP0-295 and adopt Mitigated Negative Declaration.

**Staff Contact:** Sierra Davis, Assistant Planner (805) 772-6270

Davis presented the staff report and introduced Joe Woods, Recreation & Parks Director. Mr. Woods explained the proposed project and asked for Commission approval.

Grantham opened Public Comment period and hearing none closed Public Comment period.

Commissioners discussed their support for the project.

**MOTION:** Solu moved to approve CP0-295 as presented by staff.

Grantham seconded the motion. Motion passed 4-0.

- B. **Case No.:** UP0-223/CP0-285

**Site Location:** Elliptical shaped lot including the top of Cerrito Peak; APN 066-221-001

**Applicant/Project Sponsor:** Dan Reddell / Cathy Novak

**Request:** Construction of a new 2-story, split level, 3,256-square foot residential structure including an attached 2-car 920-square foot garage, 745-square feet of decking decks, and a 711-square foot secondary living unit. Other improvements include two

uncovered parking spaces for the secondary unit and guest parking, an approximately 400-foot long driveway and hammer-head turn around, retaining walls, and associated tree and vegetation removal. The project relies upon allowance of uncovered parking within a front yard setback, removal of major vegetation on-site and within the public right-of-way, fencing within the public right-of-way, and waiver of requirements for frontage improvements on Alta Street and Jordan Terrace.

**CEQA Determination:** Mitigated Negative Declaration

**Staff Recommendation:** Conditionally Approve Conditional Use Permit #UP0-223 and Coastal Development Permit #CP0-285 and adopt the Mitigated Negative Declaration.

**Staff Contact:** Kathleen Wold, Planning Manager (805) 772-6211.

Wold presented the staff report.

Commissioners asked staff to clarify issues concerning:

- The Fire Department requirement to require a 20 foot driveway. Wold clarified it is a standard requirement for any new home development with no direct access to a public street as well as standard fire code.

Grantham opened the Public Comment period:

- Cathy Novak, representative for the Applicant presented the history and details of the project and asked Commission approve the project with the modification of removing Public Works condition #6 and the inclusion of the condition presented for the Cultural Resources section.

The following individuals spoke against the project:

- William Robert Quigley, resident of Acacia Street, stressed the project needs more review before approval.
- Kevin Elder, Attorney spoke on behalf of Nancy Mellen, resident of Morro Bay and spoke against the proposed project and Mitigated Negative Declaration (MND). Mr. Elder expressed concern about the building exceptions and aesthetics of the project and requested the Commission decline the project.
- Doreen Liberto-Blanck of Earth Designs, Inc. stressed additional analysis needs to be done on the project and also stated insufficient information is available to adopt the Mitigated Negative Declaration. She presented to the Commission new findings at the meeting.
- Nicole Dorfman, resident of Morro Bay, spoke against the project stating the Mitigated Negative Declaration is flawed. She expressed concern that the developer is trying to usurp public property for private use and disagreed with the staff report stating that the exceptions asked for are not a special privilege.
- Fred Collins, Tribal Administrator of the Northern Chumash Tribal Council stated the Cerrito Peak is a sacred site and the Mitigated Negative Declaration is flawed and asked Commission to reject staff recommendations.
- John Thompson, resident of Morro Bay expressed concern about the proposed mitigations.

The following individuals spoke in favor of the project:

- Gail Queen, resident of Morro Bay.
- Keith Taylor, resident of Morro Bay.
- Jerry Crafton, resident of Moro Bay, had no objection to the project, but was concerned about safety issues which should be addressed as part of the conditional use permit.
- Ken Vesterfelt, resident of Morro Bay, stated the owner has a right to build on a legal lot, in the same way that the two new recent homes that were built were allowed.
- Chris Bath, resident of Morro Bay.

Commissioners asked staff questions to clarify the following issues:

- Wold clarified the requirements of CEQA stating that staff feels that the staff report adequately addresses the requirements.
- The paper street status of Jordan Terrace and Alta Court. Livick noted these streets are included in the City's Circulation Element and are not needed for traffic circulation.
- The special encroachment permits will be issued for the fencing in the public right of way. Livick noted that encroachment permits are routinely issued as a standard procedure.
- The exception to City standards to defer requirement for frontage improvements.
- Drainage and erosion issues. Livick noted that at this stage of plan development, the City does not require an erosion control plan, which would be normally submitted with building plans. Commissioner Napier and Livick had discussion regarding drainage design for 100 year storm events. Livick noted that the drainage plan is intended to replicate the natural runoff patterns at the site.
- Fish and Game comments on the proposed project. Wold noted the concerns expressed by Fish and Game officials are recommendations, not requirements.
- Public trail access to open space and the applicant's agreement to post trail signs.

Chairperson Grantham closed Public Comment period and called for a short break.

After the break, Commissioners discussed:

- The number of trees to be cut down, the plan for how the City determines the requirement for replacing trees and where newly planted trees are located.
- Fencing to be allowed in the public right of way.
- The rights of private property owners to be allowed to build.
- Driveway width.
- Trail access signs for public use.
- Whether the requirement to have an eight foot walkway as listed in Public Works condition #6 is excessive and unreasonable. Commissioner Nagy suggested removing this condition. Other Commissioners agreed.

**MOTION:** Solu moved to approve the project UP0-223 and CP0-285 (consisting of environmental determination, findings and conditions) with the modification of Public Works Condition #6 as follows:

1. Prior to the issuance of a Building Permit the Developer shall process a Special Encroachment permit for the construction of non-standard improvements within the public right-of-way for Alta Street and Jordan Terrace (ie driveway and private drainage facilities).

and to add the following conditions:

1. The applicant/property owner shall provide an archaeological monitoring evaluation plan prepared by a qualified archaeologist for all construction excavations associated with grading activity. The plan shall identify all the ground disturbance activity monitored including dates the archaeologist and culturally affiliated, indigenous individual recognized by the Native American Heritage Commission were present. The evaluation report shall describe all the densities or features of artifacts associated with a particular activity encountered. Any isolated human remains encountered during construction shall be protected and their disposition be undertaken consistent with Public Resources Code 5097.98.
2. The following actions must be taken immediately upon the discovery of human remains: Stop immediately and contact the County Coroner. The coroner has two working days to examine human remains after being notified by the responsible person. If the remains are Native American, the Coroner has 24 hours to notify the Native American Heritage Commission. The Native American Heritage Commission will immediately notify the person it believes to be the most likely descendent of the deceased Native American. The most likely descendent has 48 hours to make recommendations to the owner, or representative, for the treatment or disposition, with proper dignity, of the human remains and grave goods. If the descendent does not make recommendations within 48 hours the owner shall reinter the remains in an area of the property secure from further disturbance, or; If the owner does not accept the descendant's recommendations, the owner or the descendent may request mediation by the Native American Heritage Commission Discuss and confer means the meaningful and timely discussion careful consideration of the views of each party. and taking out the section where the additional developer will maintain an eight foot wide asphalt public right of way.

Nagy seconded the motion. Motion passed 4-0.

#### VIII. UNFINISHED BUSINESS

A. Current Planning Processing List/Advanced Work Program  
Wold reviewed the Work Program with Commissioners.

#### IX. NEW BUSINESS

X. DECLARATION OF FUTURE AGENDA ITEMS – None.

XI. ADJOURNMENT

Chairperson Grantham adjourned the meeting at 8:25pm to the next regularly scheduled Planning Commission meeting at the Veteran's Hall, 209 Surf Street, on Wednesday, October 19, 2011 at 6:00 pm.

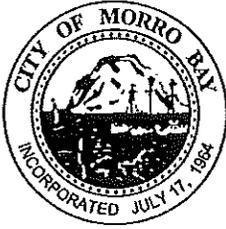
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Rick Grantham, Chairperson

ATTEST:

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Rob Livick, Secretary



AGENDA NO: B-1  
MEETING DATE: October 19, 2011

# Staff Report

**TO:** Planning Commissioners **DATE:** October 19, 2011  
**FROM:** Sierra Davis, Assistant Planner  
**SUBJECT:** Coastal Development Permit #CP0-360 & Conditional Use Permit #UP0-338 for two modular buildings and two sheds at 3000 Hemlock Avenue.

**RECOMMENDATION:**

*CONDITIONALLY APPROVE THE PROJECT* by making the following motion:

- A. Adopt the Findings included as Exhibit "A";
- B. Conditionally approve Coastal Development Permit #CP0-360 and Conditional Use Permit #UP0-338, subject to the Conditions included as Exhibit "B" and the site development plans dated August 17, 2011.

**APPLICANT:** Estero Bay United Methodist Church **AGENT:** Accord Design Group, Inc.

**LEGAL DESCRIPTION/APN (ADDRESS):**

APN-065-150-025

**PROJECT DESCRIPTION:** The church has an existing use permit; therefore a use permit amendment and coastal development permit will be processed for the placement of two new modular classrooms and two sheds for a preschool on site. Parking is not adequate on site for all uses and a parking exception will be reviewed by the Planning Commission. The Planning Commission shall review all special uses because the characteristics of such unique and special form makes it impractical to include the uses in any class of use set forth in the various zoning districts.

Prepared By: <u>SD</u>	Dept Review: _____
City Manager Review: _____	
City Attorney Review: _____	

**PROJECT SETTING:**

<b><u>Adjacent Zoning/Land Use</u></b>			
North:	OA-2/Del Mar Park	South:	R-1/Single Family Dwellings
East:	R-A/Church	West:	R-2/Del Mar School

<b><u>Site Characteristics</u></b>	
Site Area	2.08 acres
Existing Use	Church
Terrain	Mostly level
Vegetation/Wildlife	Ornamental & Vegetables/None
Archaeological Resources	None
Access	Sequoia Street

<b><u>General Plan, Zoning Ordinance &amp; Local Coastal Plan Designations</u></b>	
General Plan/Coastal Plan Land Use Designation	Low Density Residential
Base Zone District	R-A (Suburban Residential)
Zoning Overlay District	NA
Special Treatment Area	NA
Combining District	NA
Specific Plan Area	NA
Coastal Zone	Yes, outside of the Coastal Appeal area

**PROJECT ANALYSIS:**

***Background***

The site has one primary structure that consists of the main church sanctuary, offices, and classrooms. The site is moderately sloping with grasses, garden areas, children's play area, and an urban forest along Ironwood Avenue consisting of a wide variety of plants and trees. The new modular buildings are to be placed mostly in the existing play area on the easterly side of the site adjacent to Ironwood Avenue to minimize site disturbance.

The property is located in the Suburban Residential zoning district that has provisions for special uses. A church facility is a special use pursuant to section 17.30.030 for special use permits. Special uses do not have development standards because of the unique nature of the uses,

therefore the Planning Commission shall find that the use will not be unreasonably incompatible with the uses permitted in the surrounding area.

***Environmental Determination***

The project has been found to be categorically exempt from CEQA pursuant to Section 15303, Class 3. Class 3 consists of the construction and location of a limited number of new small structures or facilities. The project falls under this exemption as the proposal is to install 2 classroom modules on foundations that are approximately 1,440 square feet each. The site is zoned for a religious facility and not involving the use of significant amount of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.

***Project Specifics***

The proposed preschool will be located on a previously developed site that is currently used for multiple church, after school programs and community and private meetings. The proposed modular buildings will be used for preschool classroom facilities during the weekdays. The plans submitted show the construction of the foundation and minor site work as the modular buildings used are previously used. Construction will be limited to the foundation and minor site work and the exact size of the modular will depend on what models are available once the Conditional Use Permit is issued.

The project proposal includes adding an ADA compliant sidewalk to access the modular buildings, and improvements to the children's play areas. Sewer and water service will be extended to each modular.

No additional landscaping is proposed with this project. The existing urban forest on the easterly side of the property will provide screening as it matures for the rear of each modular. Landscaping and fencing disturbed during the installation of the modular will be replaced in kind.

***Parking***

The project's agent submitted a parking calculation analysis (please see below) for all existing and proposed parking on site. The site currently has 33 parking spaces. The existing uses on site require 49 parking spaces. The two proposed modular buildings and sheds will require an additional 10 parking spaces under today's code for a total of 59 parking spaces.

Section 17.44.020.5 provides for Joint Use Parking facilities where it is established that there will be no conflict in the operating hours of the concerned uses or where the total number of parking spaces is not less than the sum of the individual parking requirement of the joint uses. In this case the applicant is seeking to establish that not all facilities are utilized at the same time

and therefore the number of parking spaces currently on site will be sufficient to accommodate the proposed use of the site as restricted. The applicant's agent has stated that the new modular buildings will be used in conjunction with the existing offices and classrooms and at no time will the sanctuary be used at the same as the modular buildings. The required parking on site for the proposed modular buildings and the existing church office and classroom facilities is 20 parking spaces. The sanctuary use requires 39 parking spaces and the sanctuary in conjunction with the classrooms used for religious instruction would require 49 spaces. However, the existing sanctuary and classroom uses are considered nonconforming because they do not meet current parking requirements. The church and the associated classroom were constructed prior to the City's incorporation. Since the project does not include any improvements or increase in size to these facilities no additional parking can be required for these uses. However, the addition of the new use (the modular buildings) must be parked in accordance with Title 17 requirements.

As stated above the applicant proposes to meet the parking requirement by deed restricting the property to preclude the use of the sanctuary use at any time the modular buildings are being used. This would mean that there would be 33 parking spaces available for the modular buildings, office and classrooms which pursuant to the code would only require 20 parking spaces. The sanctuary and the classrooms would remain under parked as provided for under the code for nonconforming uses.

*Parking Analysis*

Room	Area (sq.ft.)	Parking Required	Parking Ratio	Required Spaces
<b>Existing Church Building</b>				
Sanctuary (fixed seating)	1544	Yes	1/40 SF	38.6
Church Office	319	Yes	1/30 SF	2
Kitchen/Classroom 1	1164	Yes	2/Class	2
Classroom 2	532	Yes	2/Class	2
Classroom 3	281	Yes	2/Class	2
Additional Office	190	Yes	2 Min	2
Storage Room	127	No		
Restrooms	232	No		
Main Hallway	763	No		
<b>New Modular Buildings</b>				
Modular 1	1440	Yes	1.5/420 SF	5
Modular 2	1440	Yes	1.5/420 SF	5
Storage Shed 1	100	No		
Storage Shed 2	100	No		

*Timetable of Uses on Site*

Frequency	Group utilizing the facility	Time	Number of People
Weekly			
Wednesday	AA	7:00 to 9:00 p.m.	20
	Bible Study	10:00 a.m. to noon	8
	Prayer Meeting	6:30 to 7:00 a.m.	4
Thursday			
	Choir	6:00 to 8:00 p.m.	5
Sunday	Worship Service	9:45 a.m. to noon	80
	Meetings and study	Noon to 2:00 p.m.	10
	Youth Group	6:00 to 8:00 p.m.	9
Monthly (once a month)	Children's Center Board	5:30 to 7:00 p.m.	8
	Trustees	5:00 to 7:00 p.m.	6
	Finance	9:00 to 11:0 a.m.	4
	Women's Group	11:00 a.m. to 1:00 p.m.	20
	Toast Masters	7:00 to 10:00 p.m.	10
Daily	After School Program	3:00 to 6:00 p.m.	20
	Preschool	6:00 a.m. to 6 p.m.	

**FINDINGS:**

The Planning Commission may grant exceptions to the limitations of the parking requirements subject to appropriate conditions adopted with a use permit and upon a finding that:

1. Special Circumstances. The exceptions will not constitute a grant of a special privilege inconsistent with the driveway or parking limitations upon other properties in the vicinity and the reduced parking or alternative to the parking design standards of this chapter will be adequate to accommodate on the site all parking needs generated by the use.
2. Health Safety and General Welfare. The exception will not adversely affect the health, safety or general welfare of persons working or residing in the vicinity and that no traffic safety problems will result from the proposed modification of parking standards.
3. Applicant's Full Enjoyment. The exception is reasonably necessary for the applicant's full enjoyment of uses similar to those upon the adjoining real property.

Staff has determined that joint use of the property would not be considered a grant of special privilege because the parking for the existing and proposed uses on site will utilize the site at different times during the week and the thereby meeting all parking needs on site. The Planning Commission shall have the authority to grant joint use of the parking facilities and restrict the use of the site by recording a deed restriction. The staggered use of the parking facilities is based on the following: the use during the week is primarily preschool and office use generating a demand

of 20 parking spaces.

The uses during the weekend are covered by the nonconforming section of the Municipal Code and accepted legal non-conforming.

**PUBLIC NOTICE:** Notice of this item was published in the San Luis Obispo Tribune newspaper on October 7, 2011, and all property owners of record within 300 feet and occupants within 100 feet of the subject site were notified of this evening's public hearing and invited to voice any concerns on this application.

**CONCLUSION:** The project site is located at 3000 Hemlock Avenue within the Suburban Residential (R-A) zoning district. The Conditional Use Permit Amendment and Coastal Development Permit can be granted pursuant to the Municipal Code pursuant to the acceptance of a parking exception to stagger use of the parking lot. The proposed preschool use is an acceptable use in the zone district and is located adjacent to an existing elementary school surrounded by residential, churches and park facilities and will not detrimental to existing uses.

**ATTACHMENTS:**

1. Findings, Exhibit A
2. Conditions, Exhibit B
3. Graphics/Plan Reductions, Exhibit C
4. Historic Correspondence, Exhibit D
5. Parking Analysis, Exhibit E
6. Concerned Citizen Letter, Exhibit F

## **EXHIBIT A**

### **FINDINGS**

**COASTAL DEVELOPMENT PERMIT #CP0-360 AND  
CONDITIONAL USE PERMIT #UP0-338  
SITE: 3000 HEMLOCK AVENUE**

Coastal Development Permit #CP0-360 & Conditional Use Permit #UP0-338 for two modular buildings and two sheds at 3000 Hemlock Avenue.

#### **California Environmental Quality Act (CEQA)**

- A. The project has been found to be categorically exempt from CEQA pursuant to Section 15303, Class 3. Class 3 consists of the construction and location of a limited number of new small structures or facilities. The project falls under this exemption as the proposal is to install 2 classroom modules each approximately 1,440 square in size on a site zoned for a religious facility and not involving the use of significant amount of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.

#### **Coastal Development Permit Findings**

- A. The project will not be detrimental to the health, safety, comfort and general welfare of the persons residing or working in the neighborhood because the modular buildings for preschool uses are a permitted use subject to a special use within the zoning district applicable to the project site and said buildings are on an existing church property.
- B. The project will not be injurious or detrimental to property and improvements in the neighborhood because the modular buildings are consistent with the City regulations applicable to this use.
- C. The project will not be injurious or detrimental to the general welfare of the City because the modular buildings are a permitted use within the zone district and plan designation applicable to the site is in accordance with all applicable project conditions and City regulations.

#### **Conditional Use Permit Findings**

- A. The establishment, maintenance or operation of the use applied for will, under the circumstances of the particular case will not be detrimental to the health, safety, morals,

comfort and general welfare of the persons residing or working in the neighborhood of such proposed use.

- B. The use will not be injurious or detrimental to property and improvements in the neighborhood or general welfare of the City.
- C. Special Circumstances. The exceptions will not constitute a grant of a special privilege inconsistent with the driveway or parking limitations upon other properties in the vicinity and the reduced parking or alternative to the parking design standards of this chapter will be adequate to accommodate on the site all parking needs generated by the use. Staff has determined that joint use of the property would not be considered a grant of special privilege because the parking for the existing and proposed uses on site will utilize the site at different times during the week and the thereby meeting all parking needs on site through the use of joint use parking facilities and recordation of a deed restriction.
- D. Health, Safety and General Welfare. The joint use of the parking facilities will not adversely affect the health, safety or general welfare of persons working or residing in the vicinity and that no traffic safety problems will result from the proposed modification of parking standards.
- E. Applicant's Full Enjoyment. The joint use of the parking facilities is reasonably necessary for the applicant's full enjoyment of uses similar to those upon the adjoining real property, because church facilities in general are used for multiple uses at staggered intervals.

**EXHIBIT B**

**CONDITIONS OF APPROVAL  
COASTAL DEVELOPMENT PERMIT #CP0-360 AND  
CONDITIONAL USE PERMIT #UP0-338  
SITE: 3000 HEMLOCK AVENUE**

Coastal Development Permit #CP0-360 & Conditional Use Permit #UP0-338 for two modular buildings and two sheds at 3000 Hemlock Avenue.

**STANDARD CONDITIONS**

1. This permit is granted for the land described in the staff report referenced above, dated October 19, 2011, for the project depicted on the attached plans dated August 17, 2011, labeled "Exhibit C", on file with the Public Services Department, as modified by these conditions of approval, and more specifically described as follows:

Site development, including all buildings and other features, shall be located and designed substantially as shown on plans, unless otherwise specified herein.

2. Inaugurate Within Two Years: Unless the construction or operation of the structure, facility, or use is commenced not later than two (2) years after the effective date of this approval and is diligently pursued thereafter, this approval will automatically become null and void; provided, however, that upon the written request of the applicant, prior to the expiration of this approval, the applicant may request up to two extensions for not more than one (1) additional year each. Said extensions may be granted by the Public Services Director, upon finding that the project complies with all applicable provisions of the Morro Bay Municipal Code, General Plan and Local Coastal Program Land Use Plan (LCP) in effect at the time of the extension request.
3. Changes: Minor changes to the project description and/or conditions of approval shall be subject to review and approval by the Public Services Director. Any changes to this approved permit determined not to be minor by the Director shall require the filing of an application for a permit amendment subject to Planning Commission review.
4. Compliance with the Law: (a) All requirements of any law, ordinance or regulation of the State of California, City of Morro Bay, and any other governmental entity shall be complied with in the exercise of this approval, (b) This project shall meet all applicable requirements under the Morro Bay Municipal Code, and shall be consistent with all programs and policies contained in the certified Coastal Land Use Plan and General Plan

for the City of Morro Bay.

5. Hold Harmless: The applicant, as a condition of approval, hereby agrees to defend, indemnify, and hold harmless the City, its agents, officers, and employees, from any claim, action, or proceeding against the City as a result of the action or inaction by the City, or from any claim to attack, set aside, void, or annul this approval by the City of the applicant's project; or applicants failure to comply with conditions of approval. This condition and agreement shall be binding on all successors and assigns.
6. Compliance with Conditions: The applicant's establishment of the use and/or development of the subject property constitutes acknowledgement and acceptance of all Conditions of Approval. Compliance with and execution of all conditions listed hereon shall be required prior to obtaining final building inspection clearance. Deviation from this requirement shall be permitted only by written consent of the Public Services Director and/or as authorized by the Planning Commission. Failure to comply with these conditions shall render this entitlement, at the discretion of the Director, null and void. Continuation of the use without a valid entitlement will constitute a violation of the Morro Bay Municipal Code and is a misdemeanor.
7. Compliance with Morro Bay Standards: This projects shall meet all applicable requirements under the Morro Bay Municipal Code, and shall be consistent with all programs and policies contained in the certified Coastal Land Use plan and General Plan for the City of Morro Bay.

#### **PLANNING CONDITIONS**

1. Conditions of Approval: Conditions of Approval shall be included as a full sheet in the building plan submittal.
2. Deed Restriction: A deed restriction shall be recorded restricting the uses on site. At no time shall the modulars buildings for the use of a preschool be used at the same time as the sanctuary.

#### **ENGINEERING CONDITIONS**

1. Stormwater Management: Stormwater Management controls are required for new and redevelopment projects which exceed 2,500 sq ft of impervious area. It appears the project will fall under Tier 1 for LID and also need to provide peak runoff flow (flood) controls. Provide a drainage report according to the City of Morro Bay's Engineering Standards Supplement shall be submitted with the building plan submittal.

2. Provide a standard erosion and sediment control plan: The Plan shall show control measures to provide protection against erosion of adjacent property and prevent sediment or debris from entering the City right of way, adjacent properties, any harbor, waterway, or ecologically sensitive area.
3. Separate water meter are required for each modular: MBMC 13.04.140 states: *Separate residential, commercial or industrial occupancies, if situated on the same premises and not under a common roof, shall have separate service connections and meters.*

Add the following Notes to the Plans:

1. No work shall occur within (or use of) the City's Right of Way without an encroachment permit. Encroachment permits are available at the City of Morro Bay Public Services Office located at 955 Shasta Ave. The Encroachment permit shall be issued concurrently with the building permit.
2. Any damage to City facilities, i.e. curb/berm, street, sewer line, water line, or any public improvements shall be repaired at no cost to the City of Morro Bay.

### **FIRE CONDITIONS**

1. Automatic Fire Sprinkler and Alarm Systems: The modular classroom project shall be protected by approved automatic fire sprinkler and alarm systems, in accordance with NFPA 13 and NFPA 72. (MBMC 14.08.090 I (1))
2. Knox Box: A Knox key box shall be provided and installed on the exterior of the modular structure. (CFC 506)
3. Fire Extinguishers: Please provide wall mounted fire extinguishers (2A 10 BC minimum) and approved signage. (CCR T-19 Sec. 568)
4. Egress: Egress doors shall swing in the direction of travel where serving an occupant load of 50 or more persons. (CFC 1008.1.2)
5. Exit Signs: Illuminated Exit signs shall be installed above the two exit doors. (CFC 1006.1)

# EXHIBIT C

## SITE INFORMATION

ZONING P-4  
 APN# 085-02-023  
 TOTAL SITE AREA = 2.05 ACRES  
 TOTAL SITE AREA PERCENTAGE CALCULATIONS  
 (C) BUILDING FOOTPRINT AREA = 5,338 SQ. FT. = 6%  
 (N) BUILDING FOOTPRINT AREA = 2,800 SQ. FT. = 3%  
 (C) PAVED DRIVEWAY AREA = 1,540 SQ. FT. = 17%  
 (N) CONCRETE AREA = 1,247 SQ. FT. = 13%  
 (N) LANDSCAPED & UNDEVELOPED AREA = 83,542 SQ. FT. = 79%  
 TOTAL SITE AREA = 90,744 SQ. FT. = 100%

## SITE USE

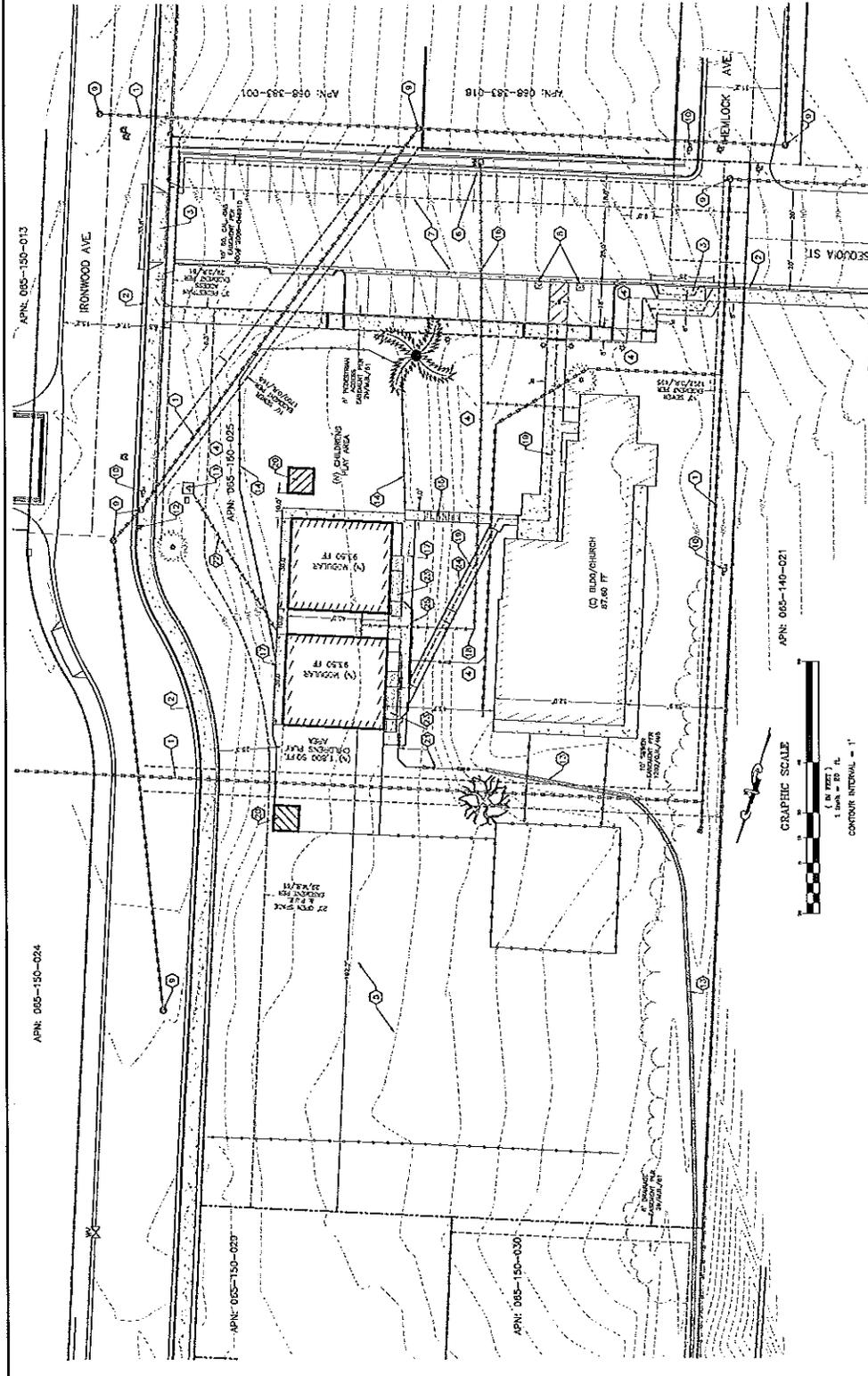
Proposed use is assembly hall of Calvary Episcopal Methodist Church. The proposed area where the modular classroom addition is located is a vacant area with non-planting open area with

## CALLOUT NOTES

- 1 (C) SANITARY COVER MAIN
- 2 (C) CURB, GUTTER & SIDEWALK
- 3 (C) ADA COMPLIANT DRIVEWAY
- 4 (C) LANDSCAPED AREA
- 5 (C) OPEN AREA
- 6 (C) WATER METER
- 7 (C) PAVED PARKING AREA
- 8 (C) ACCESSIBLE PARKING SPACES
- 9 (C) SIGN MANHOLE
- 10 (C) UTILITY POLE
- 11 (C) ELECTRICAL TRANSFORMER
- 12 (C) FIRE HYDRANT
- 13 (C) CONCRETE SURFACE DRAINAGE DITCH
- 14 (C) 4" CHAIN LINK FENCE TO BE RECESSED FOR NEW REGULAR
- 15 (C) CONCRETE STOPS
- 16 (C) WATER SERVICE
- 17 (N) 4" WIDE CONCRETE SIDEWALK
- 18 (N) WATER SERVICE
- 19 ACCESSIBLE PATH OF TRAVEL
- 20 (N) PLAY EQUIPMENT STORAGE CHED
- 21 (N) USE ROOF DRAINAGE SHALL CONNECT TO DRAINAGE DITCH WITH 4" BROWN PIPE
- 22 (N) UNDERGROUND ELECTRIC
- 23 (N) PRE-FAB ACCESSIBLE RAMP TO MODULAR
- 24 (N) 4" CONCRETE ACCESS RAMP
- 25 (N) 4" SANITARY COVER w/ CLEANOUT

## NOTES

1. DIMENSIONS FOR STRUCTURE SHOWN IN THIS PLAN SHALL BE FOR REFERENCE ONLY. REFER TO ARCHITECTURAL PLANS FOR EXACT DIMENSIONS.
2. COORDINATE WITH THE FIRE DEPARTMENT FOR ANY CHANGES TO EXISTING PLANS FOR EXACT LOCATIONS OF MANHOLE AND DITCH.
3. ALL PROPOSED OR EXISTING DIMENSIONS ARE SHOWN IN THIS PLAN SET.
4. BASIS OF CONTROL IS FROM A LINE AND THE INTERSECTION OF THE PROPERTY SURVEY PERFORMED BY ACCORD DESIGN GROUP, INC.
5. PROPERTY INFORMATION WAS OBTAINED FROM BOOK 20, LINDSEY COUNTY RECORDS AT THE OFFICE OF THE SAN JOAQUIN COUNTY AGROGRAPHER.
6. PRIOR TO FINAL INSPECTION, THE MODULAR STRUCTURE IS TO BE PROVIDED WITH AN APPROVED STATE H.A.C.D. APPROVED SIGNAGE.
7. THERE SHALL BE A MANHOLE AT THE INTERSECTION BETWEEN THE ELEVATION OF THE TOP SURFACE AND RAMP.



## PRESCHOOL PARKING CALCULATIONS

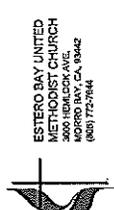
SPACES REQUIRED:  
 (C) CLASSROOMS: 2 CLASSROOMS = 4 SPACES  
 2,377 SQ. FT. = 10 SPACES  
 (N) CLASSROOMS: 2 CLASSROOMS = 4 SPACES  
 1 SPACE PER 300 SQ. FT. OF OFFICE/COMMON AREA  
 2,750 SQ. FT. = 9 SPACES  
**TOTAL = 27 REQUIRED SPACES**

## PARKING OPERATIONAL STATEMENT

PRESCHOOL HOURS OF OPERATION:  
 MONDAY - FRIDAY 6:00am to 6:00pm  
 CHURCH HOURS OF OPERATION:  
 WEDNESDAY 6:00am to 10:00pm  
 SUNDAY 10:00am to 1:00pm  
 TWO WHEELS AS THE CHURCH AND PRESCHOOL ARE NOT OPERATING DURING THE SAME TIMES.

## MODULAR CLASSROOM ADDITION

1 ADA VAN PARKING FOR 20 SPACES = 2 REQS  
 SPACES PROVIDED = 3  
**TOTAL PROVIDED = 23 SPACES**

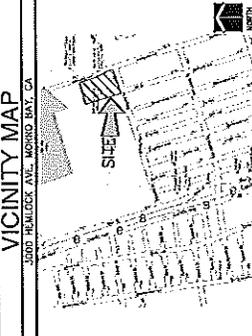


**ESTERO BAY UNITED  
 METHODIST CHURCH**  
 3000 HEMLOCK AVE.  
 MORRO BAY, CA 93442  
 (805) 772-7644



**ACCORD**  
 ARCHITECTURE, ENGINEERING & PLANNING  
 STRUCTURAL ANALYSIS - ADMINISTRATION  
 2070 BAYVIEW DRIVE, SUITE 101, SANTA MONICA, CA 90405  
 PHONE: (310) 314-3333 FAX: (310) 314-3336  
 WWW.ACCORDARCH.COM

## VICINITY MAP



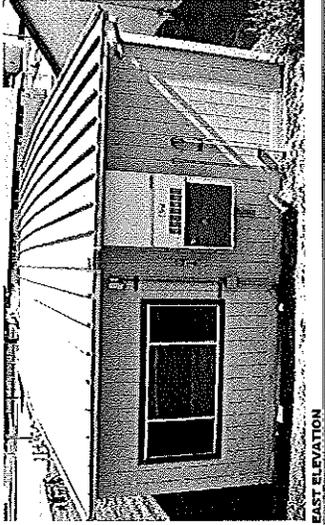
APN: 085-150-024

APN: 085-150-027

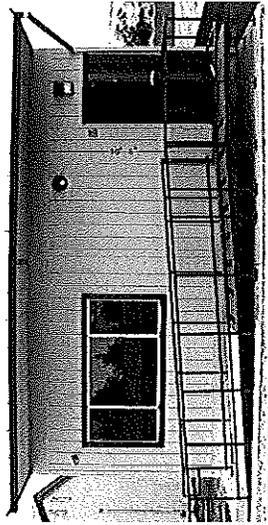
APN: 085-150-030

APN: 085-140-021

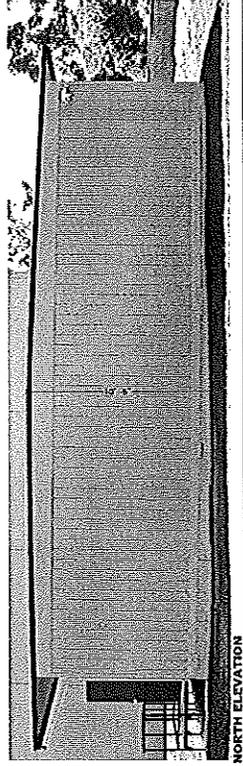
ELEVATION NOTE: ELEVATIONS PROVIDED ARE FOR REFERENCE ONLY. MODULAR FOR PURCHASE WILL BE SIMILAR TO COORDINING PROVIDED



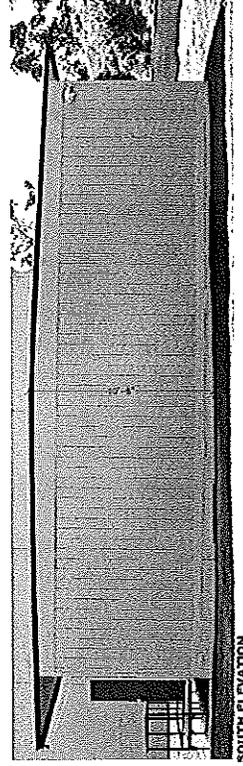
EAST ELEVATION  
SCALE: NONE



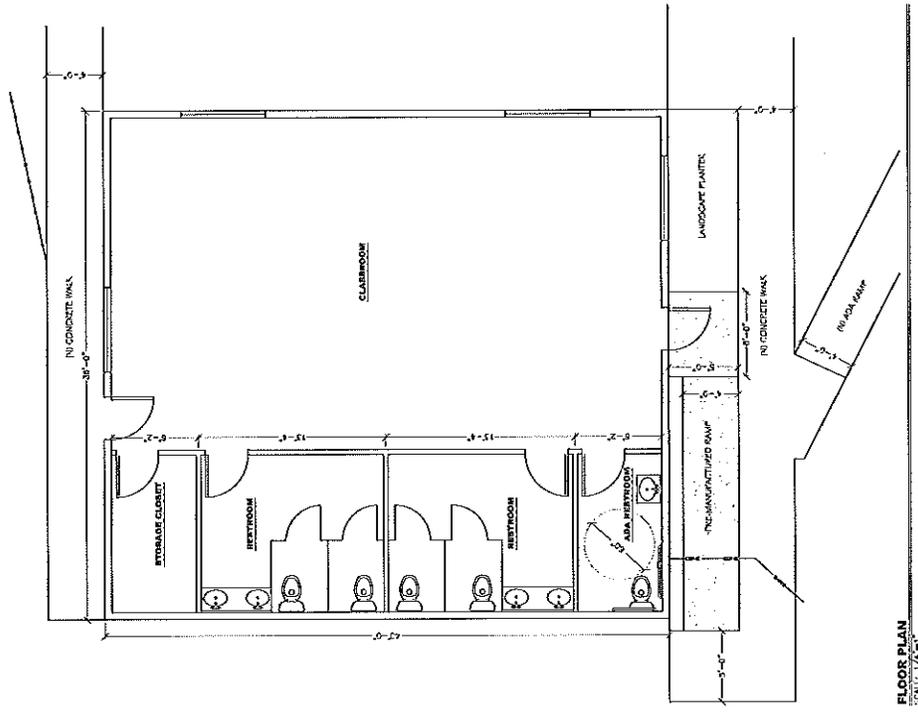
WEST ELEVATION  
SCALE: NONE



NORTH ELEVATION  
SCALE: NONE



SOUTH ELEVATION  
SCALE: NONE



FLOOR PLAN  
SCALE: 1/8"=1'-0"



ESTERO BAY UNITED  
METHODIST CHURCH  
3000 HEILLOCK AVE.  
MORRO BAY, CA 93442  
(805) 775-7044

MODULAR CLASSROOM  
ADDITION  
3000 HEILLOCK AVE.  
MORRO BAY, CA 93442



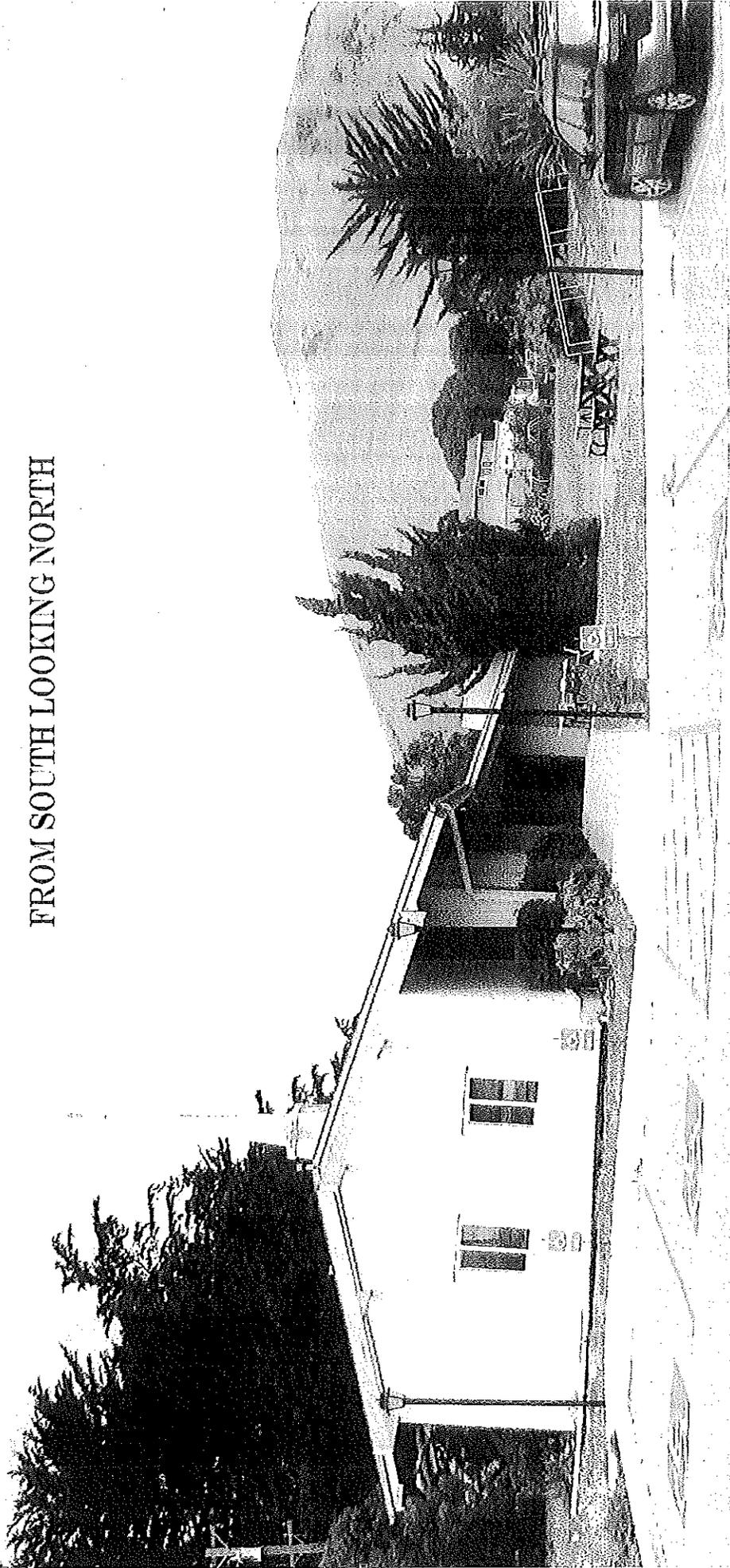
ACCORD  
ENGINEERING & ARCHITECTURE  
2015 SHAWWAY DRIVE, SUITE 101, SANTA MARIYA, CA 95470  
PHONE: (925) 346-3229 FAX: (925) 346-9170  
WWW.ACCORDENGINEERING.COM  
ARCHITECTURAL ANALYSIS & SURVEYING



## FROM EAST LOOKING WEST



FROM SOUTH LOOKING NORTH



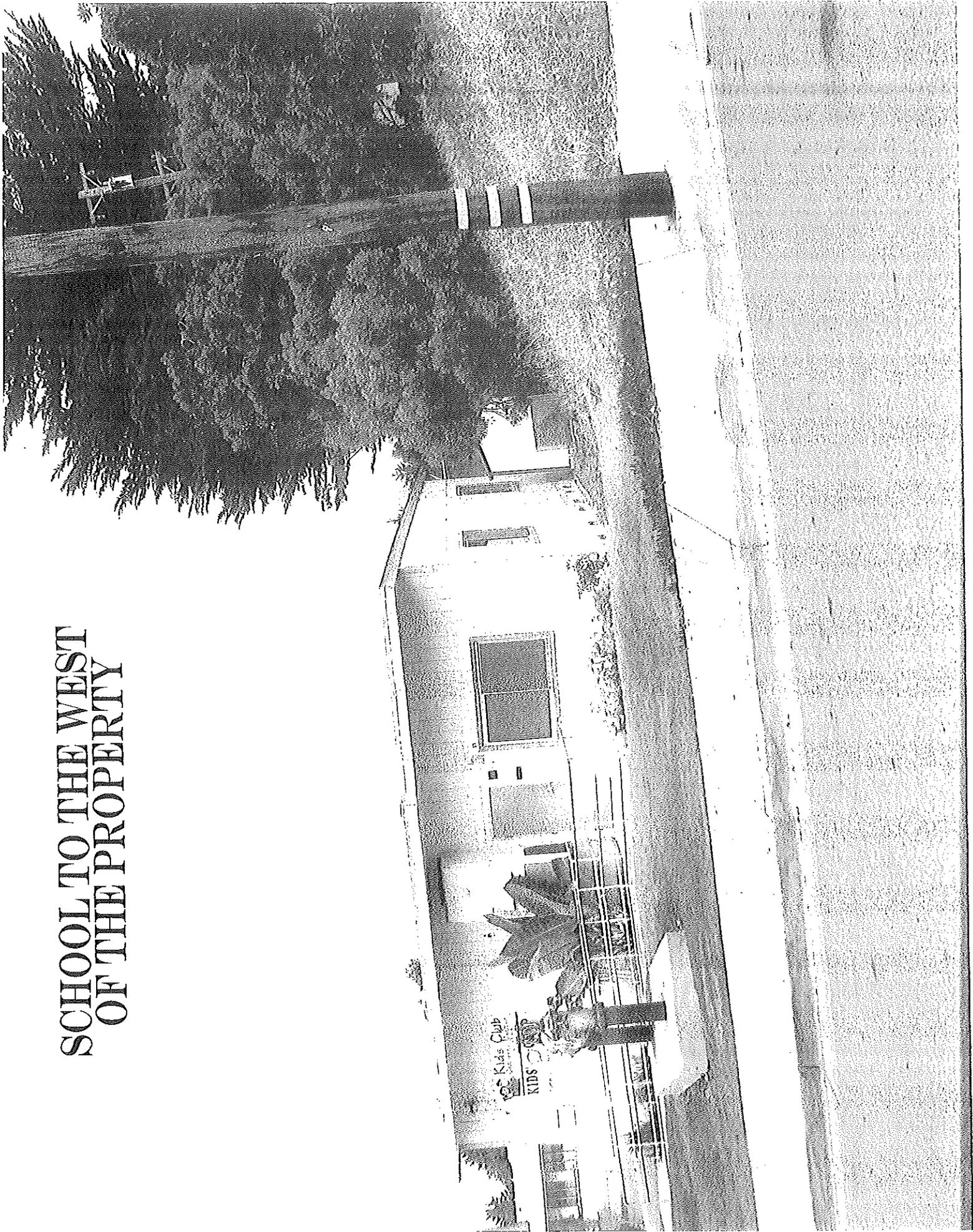


VIEW ALONG WEST PROPERTY LINE

PROPERTY TO THE NORTH



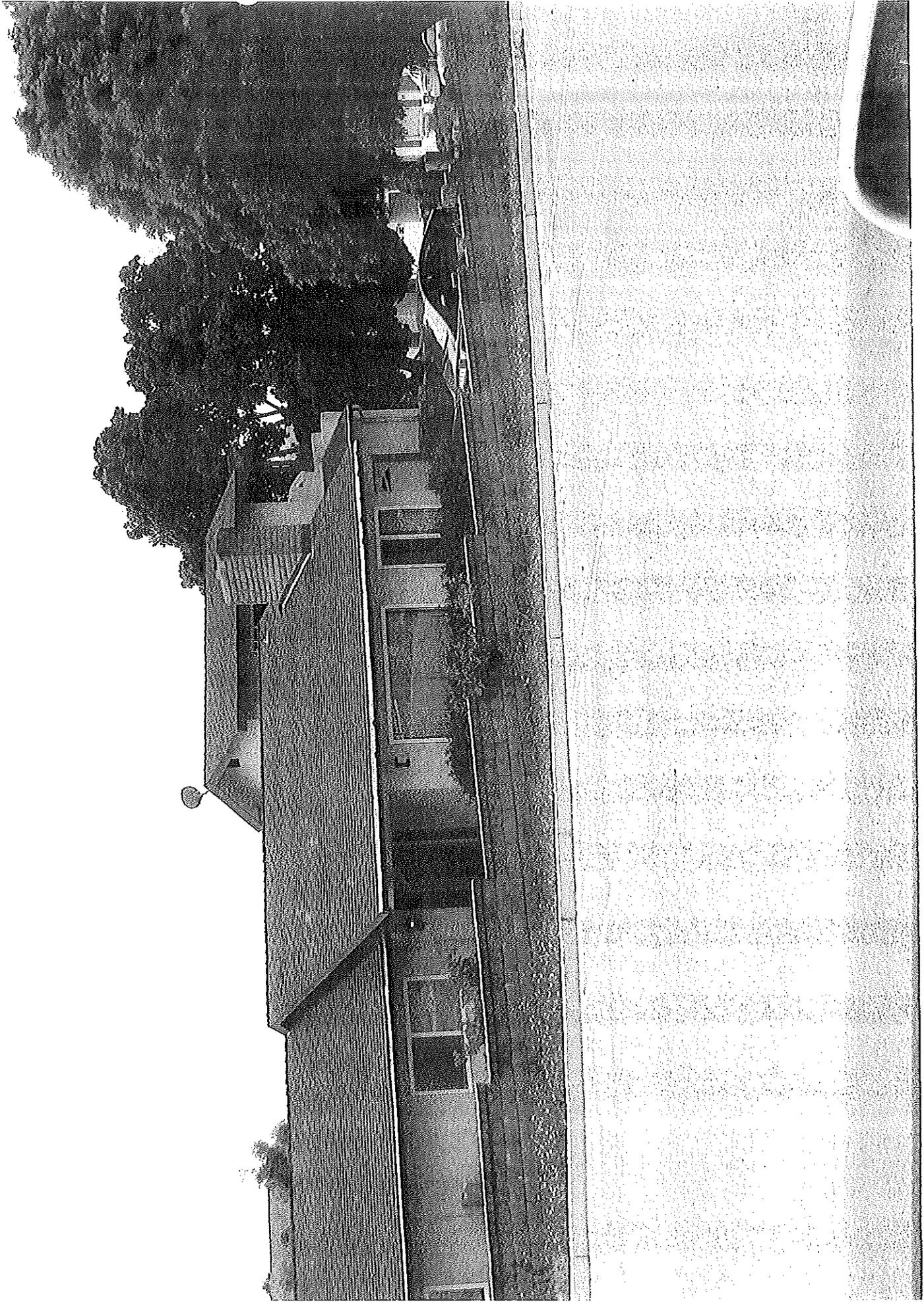
# SCHOOL TO THE WEST OF THE PROPERTY

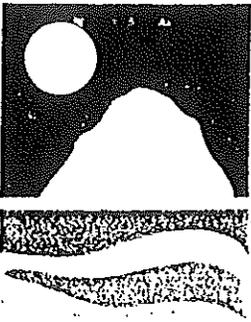


PROPERTIES TO THE EAST



# PROPERTY TO THE SOUTH





# City of Morro Bay

595 Harbor St. • Morro Bay, CA 93442 • 805-772-1214

## EXHIBIT D

December 6, 1990

Mr. William Torrey  
4605 El Camino Real  
Atascadero, CA 93442

RE: Addition to Estero Bay Methodist Church

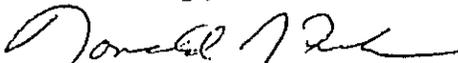
Dear Mr. Torrey:

As I mentioned to you several weeks ago, we have no records of any existing Conditional Use Permits for the Estero Bay Methodist Church. If no Conditional Use Permit had ever been obtained, the existing use would be considered non-conforming and any future expansions would require a Conditional Use Permit.

If the church has records indicating that a Conditional Use Permit had been granted, please send us a copy of that permit. The church may have been constructed prior to the incorporation of the City and we have no records of permits granted prior to 1964. If you don't have records of a Conditional Use Permit being issued, you will need to file an application for the proposed expansion.

If you have any questions please contact the Community Development Department.

Sincerely,

  
Donald J. Funk  
City Planner

*Wm. Bill Farnel  
Comm. Dev. Dir.*

CITY HALL  
595 Harbor Street

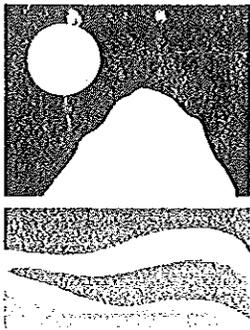
HARBOR DEPARTMENT  
1275 Embarcadero

FIRE DEPARTMENT  
715 Harbor Street

POLICE DEPARTMENT  
850 Morro Bay Blvd.

PUBLIC WORKS  
695 Harbor Street

RECREATION AND PARKS  
1001 Kennedy Way



# City of Morro Bay

595 Harbor St. • Morro Bay, CA 93442 • 805-772-1214

January 22, 1991

Mr. William Starke II  
Estero Bay United Methodist Church  
P.O. Box 234  
Morro Bay, CA 93442

RE: Conditional Use Permit for Church  
3000 Hemlock, Morro Bay

Dear Mr. Starke:

I am writing to you in response to your letter of January 14, 1991. In researching the Church's permits, we were not able to find a copy of the Conditional Use Permit for the church. However, Don Funk of our Department contacted the former County Planning Director, Ned Rogoway, regarding the history of the permit. Mr. Rogoway remembers the Conditional Use Permit being issued by the County Planning Commission prior to incorporation of the City.

Therefore, the church is a conforming use since it has a Conditional Use Permit. The small size of the current proposed addition can be approved administratively and will not require additional water equivalencies since the site area is not expanding.

Sincerely,

A handwritten signature in cursive script that reads "W Farrel". The signature is written in dark ink and is positioned above the typed name of the signatory.

William Farrel, Director  
Community Development Department

WF:dfd

cc: William Torrey, 4605 El Camino Real, Atascadero  
Address File

CITY HALL  
595 Harbor Street

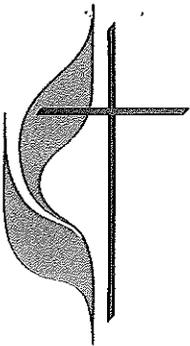
HARBOR DEPARTMENT  
1275 Embarcadero

FIRE DEPARTMENT  
715 Harbor Street

POLICE DEPARTMENT  
850 Morro Bay Blvd.

PUBLIC WORKS  
695 Harbor Street

RECREATION AND PARKS  
1001 Kennedy Way



# ESTERO BAY UNITED METHODIST CHURCH

3000 Hemlock Avenue - P. O. Box 234

Morro Bay, California 93443-0234

Telephone (805) 772-7644

Rev. Dr. Harald A. Frey  
Pastor

January 14, 1991

RECEIVED  
JAN 15 1991  
COMMUNITY DEVELOPMENT DEPT.

William Farrell, Director  
Community Development  
City of Morro Bay  
Morro Bay, California

Dear Mr. Farrell:

In November 1990 our church, the Estero Bay United Methodist Church, made application for a building permit for a small addition to the sanctuary. It is a 8' x 16'6", or 132 square feet, to place our choir, rather than stacking them on the altar as we do now. The area involved is quite small and will not add any seating for additional congregation.

By way of background, the church was built in 1961, under County jurisdiction, and substantial additions were made in 1971 and 1981 under City jurisdiction.

In our initial contact with the city, through our architect Mr. William Torrey, we had the impression that there was no conflict with the existing zoning. However, Mr. Donald Funk of your department has indicated in a letter of December 6, 1990 (copy attached) that there may indeed be a problem. Per Mr. Funk's advice we have searched our records and find no evidence of a Conditional Use Permit issued by either the County or the City for the initial structure and additions.

Our Pastor, Dr. Harald Frey, contacted Mr. Funk on this matter and he suggested that we contact you regarding relief from the requirement of a Conditional Use Permit.

Under the assumption that no land use problems existed we have proceeded to a point where the required money for construction has been collected and the selection of a contractor is imminent. We fear that a set-back in time may increase costs, and being a small congregation with limited funds, put the project out of reach.

Let me state in closing that any assistance that you can give us in the matter will be greatly appreciated.

Very truly yours,

William Starke II

Building Committee Chairman

CC: William Torrey, Donald J. Funk & file  
ns

# EXHIBIT E

## Parking Space Analysis for Two New Preschool Modular Classrooms

Room	Area (Sq.Ft.)	Parking Required	Parking Ratio	Required Spaces
<b><u>Existing Church Building</u></b>				
Sanctuary (fixed seating)	1,544	Yes	1/40 SF	38.6
Church Office	319	Yes	1/30 SF	2
Kitchen / Classroom 1	1,164	Yes	2/Class	2
Classroom 2	532	Yes	2/Class	2
Classroom 3	281	Yes	2/Class	2
Additional Office	190	Yes	2 Min	2
Storage Room	127	No		
Restrooms	232	No		
Main Hallway	763	No		
<b><u>New Modulares</u></b>				
Modular 1	1,440	Yes	1.5/420 SF	5
Modular 2	1,440	Yes	1.5/420 SF	5
Storage Shed 1	100	No		
Storage Shed 2	100	No		

**Operational Statement:** The new modulares will be used in conjunction with the offices and classrooms listed above. The sanctuary will not be in use at the same time the modulares are occupied. The number of parking spaces needed to operate the preschool is 20-25. The site currently has 33 spaces.

### Additional Information

In addition to the space designations above, the following meetings and times should be noted:

Group	Time	# of People
<b>Weekly-</b>		
Wednesday	AA	7:00-9:00pm 20
	Bible Study	10:00am-noon 8
	Prayer Meeting	6:30-7:00am 4
Thursday	Chior	6:00-8:00pm 5
Sunday	Worship Service	9:45am-noon 80
	Meetings and Study	noon-2:00pm 10
	Youth Group	6:00-8:00pm 9
<b>Monthly-</b>		
	Childrens Center Board	5:30-7:00pm 8
	Trustees	5:00-7:00pm 6
	Finanace	9:00-11:00am 4
	Women's Group	11:00am-1:00pm 20
	Toast Masters	7:00-10:00pm 10
<b>Daily-</b>		
	After School Program (these children are walked over from Del Mar School)	3:00-6:00pm 20

# EXHIBIT F

October 9, 2011

RECEIVED

OCT 12 2011

City of Morro Bay  
Public Services Department

City of Morro Bay  
Public Services Department  
Planning Commission  
955 Shasta  
Morro Bay, CA 93442

United Methodist Church  
3000 Hemlock Avenue  
Morro Bay, CA 93442

To whom it may concern:

We received the post card concerning the United Methodist Church at 3000 Hemlock. They want to put in two new modular classrooms and two sheds for a preschool site.

We are adamantly opposed to this. As a resident on Hemlock Avenue this will cause an increase of traffic and parking issues. We are already impacted by the traffic from Del Mar Elementary and the Kids Ranch that are on Sequoia. The parking is compromised by all of the parents and staff that park up and down the street during the hours of 7:00 am to 6:00 pm.

We have seen daily the traffic problems that are occurring. Speeding on Hemlock is a very big problem. The parents are going up to 35-40 miles an hour down our street and then when they come to the stop sign; they do not stop completely and just keep going. The Morro Bay Police Department has been notified and they are aware of the problem. MBPD has put up the speed indicator a few times, but once the trailer is gone, the problem starts up again. We know that MBPD does not have the manpower to have someone monitor this, but it is a continuous problem.

I do not understand how the parents who have children of their own are not thinking of the safety of the people and animals on Hemlock.

The Principal at Del Mar Elementary was also contacted.

As grandparents of four under the age of 5, we have nothing against children and nothing against the church. We just know that it is going to impact the daily lives of those of us who live in the 2900 block of Hemlock Avenue.

Please consider our appeal.

Concerned citizen.



City of Morro Bay  
Public Services/Planning Division  
Current Project Tracking Sheet

Agenda Item: C-1

Meeting

Date: 10/19/11

This tracking sheet shows the status of the work being processed by the Planning Division

New items or items which have been recently updated are italicized. Approved projects are deleted on next version of log.

#	Applicant/Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Project Planner	Approval Body
<b>Hearing or Action Ready</b>							
1	Methodist Church	3000 Hemlock	8/17/11	UP0-338 &CP0-360	<b>2 Modular School Buildings.</b> Deemed complete, scheduled for the 10/19/11 Planning Commission meeting.	SD	PC
2	Johnson	2900 Sandalwood	9/26/11	CDP-362	<b>Demo/Reconstruct SFR.</b> Requested additional information, letter 10/3/11. Additional information submitted 10/4/2011. Deemed complete 10/4/11.	SD	AD
<b>30 -Day Review, Incomplete or Additional Submittal Review</b>							
3	Sturgill	1885 Ironwood	3/23/11	CP0-349 /UP0-316 /S00-107	<b>Multifamily 16 Townhouses.</b> Incomplete letter 4/21/11. Resubmittal and redesign 7/5/11. Project submitted to consultant to begin environmental. Project redesigned to a 14 townhouse project. Letter sent by SWCA (consultant)	KW	PC
4	Hoover/Hough	301 Main	7/6/11	S00-108	<b>Lot Line Adjustment.</b> Letter sent indicating project can not be supported as submittal advised to redesign 9/21/11. Received letter from agent requesting to place project on hold	KW	AD
5	Viau	821 Pacific	7/7/11	S00-109/AD0-065	<b>Lot line adjustment and variance.</b> Met with applicant regarding submittal, applicant indicates they are redesigning.	KW	PC
6	Chevron Pipeline	4600 Hwy1	7/11/11	S00-110	<b>Certificate of Compliance.</b> Waiting on applicant to submit property owner authorization	KW	AD
7	Randell	300 Piney	7/20/11	S00-111	<b>Tentative Parcel Map.</b> 4 lot subdivision. SRB. Incomplete letter 10/4/11.	SD	AD
8	Smith/Held	901-915 Embarcadero	7/21/11	PreApp	<b>Pre-application for improvements to existing building.</b> Proposes new unit, bathroom and water improvements. Met with applicant on September 2011	SD	PC
9	Mission Linen	399 Errol	8/23/11	A00-012 &CP0-361	<b>Mission Linen Awning.</b> Proposes awning over outdoor area to facilitate loading and unloading of trucks with protection from weather. Staff is currently working on the environmental document for this project	SD	AD
10	Perry	3202 Beachcomber	9/8/11	AD0-067	<b>Variance.</b> Demo/Reconstruct. New home with basement in S2.A overlay.	KW	PC

#	Applicant/Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Project Planner	Approval Body
<b>Projects in Process</b>							
11	City of Morro Bay	Citywide	5/1/10	AD0-047	<b>Text Amendment Modifying Section 17.68 "Signs"</b> . Planning Commission placed the ordinance on hold pending additional work on definitions and temporary signs. 5/17/2010. A report on the status of this project brought to PC on 2/7/2011. Planning Commission made recommendations and forwarded to Council. Anticipate a City Council public hearing on the draft ordinance on May 2011. Scheduled for 5/10/11 CC meeting, item was continued. Item heard at 5/24/11 City Council Meeting. Interim Urgency Ordinance approved to allow projecting signs. The item shall be brought back to City Council first meeting in November. Workshops scheduled Septmeber 29, 2011 and October 6, 2011.	KW	PC/CC
<b>Environmental Review</b>							
12	Larry Newland	Embarcadero	11/21/05	UP0-092 & CP0-139	<b>Embarcadero-Maritime Museum (Larry Newland)</b> . Submitted 11/21/05, Incomplete 12/15/05 Resubmitted 10/5/06, tentative CC for landowner consent 1/22/07 Landowner consent granted. Incomplete 3/7/07. Resubmitted 5/25/07 Incomplete Letter sent 6/27/07 Met to discuss status 10/4/07 Incomplete 2/4/08. Met with applicants on 3/3/09 regarding inc. later. Applicant resubmitted additional material on 9/30/2009. Met with applicants on 2/19/2010. Environmental documents being prepared. Applicant working with City Staff regarding an lease for the subject site. Applicants enter into an agreement with City Council on project. Meeting held with city staff and applicants on 2/3/2011. Meeting held with applicant on 2/23/2011. Applicant to provide revised site plan. Staff is processing a "Summary Vacation (abandonment)" for a portion of Surf Street. Staff waiting on applicant's resubmittal	KW	PC
13	Chevron	3072 Main	12/31/08	CP0-301	<b>Remove Underground Pipes</b> . Submitted 12/31/08, environmental reports submitted for review 5/8/09. Project under review. Project routed to other agencies for comment. Environmental being processed. Requested additional documentation 4/29/10. Requested Information submitted 2/9/11. Submitted requested documents 2/9/11. Contacted consulting firm to process environmental document. Consulting firm responded in the process of putting together proposal 6/20/11. Accepted proposal 6/29/11. Staff mail request letter for fees 7/19/11. Recieved Environmental Document and is under review 9/16/11.	SD	PC

#	Applicant/Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Project Planner	Approval Body
<b>Coordinating with Other Jurisdictions</b>							
14	City of Morro Bay & Cayucos	160 Atascadero	7/1/08	EIR	<b>WWTP Upgrade.</b> Submitted 7/1/08, Preparing Notice of Preparation, Staff reviewing Ad Min Draft EIR. Modifications to project description underway and subsequent renoticing. Staff reviewing screencheck document. Public draft out for review and comments. Comment period open until 11/4/2010. Project scheduled for 12-6-2010 P.C. Project rescheduled for 12/20/2010. City Council Meeting on January 11, 2011. Project heard before CCC on March 11, 2011, and additional studies and materials are required. City working with consultant to provide information. Workshops held on 6/27/2011 and 6/28/2011 to receive comments on the proposed Wastewater Treatment Plant (WWTP) Upgrade Project alternatives analysis process, candidate evaluation criteria, and preliminary site identification.	RL	PC/CC/RW QCB
<b>Projects Continued Indefinitely, No Response to Date on Incomplete Letter or inactive</b>							
15	SLO County	60 Lower State Park	09/28/04	CP0-063	<b>Master Plan for Golf Course.</b> Submitted 9/28/04, On hold per applicant, project to be amended. Resubmitted 2/9/07 Tentative PC 3/19/07 Continued, date uncertain; Planting trees.	KW	PC/CC
16	Cameron Financial	399 Quintana	04/11/07	CP0-233	<b>New Commercial Building.</b> Submitted 4/11/07, Inc. Letter 5/09/07. Sent letter 1/25/2010 to applicant requesting direction, letter returned not deliverable	KW	AD
17	West Millennium Homes	895 Monterey	7/10/07	CUP-151 S00-067 & CP0-215	<b>Mixed-use building.</b> 16 residential units and 3 commercial units, Submitted 7/10/07, Inc Later 7/25 Resubmitted 1/14/08 SRB 3/10/08.	KW	PC
18	Kenneth & Lisa Blackwell	2740 Dogwood	07/20/07	UP0-178	<b>Addition to nonconforming residence.</b> Submitted 7/20/07, Complete, tentative PC 9/17/07 Continued, date uncertain Resubmitted 10/31/07, PC 12/17/07 Continued, date uncertain.	KW	PC
19	Jeff Gregory	1295 Morro	09/25/07	CP0-254	<b>Coastal Development Permit to allow a second single family residence on lot with an existing home.</b> Incomplete letter sent 10/9/2007. Intent to Deem Application Withdrawn Letter sent 12/29/09. Response from applicant 1/8/10 keep file open indefinitely.	KW	AD
20	Nicki Fazio	360 Cerrito	08/15/07	CP0-246	<b>Appeal of Demo/Rebuild SFR and 2 trees removal.</b> Continued to a date uncertain.	KW	PC
21	Burt Caldwell, (Embarcadero 801 LLC)	801 Embarcadero	5/15/08	UP0-212	<b>Conference Center.</b> Submitted 5/15/08, Inc Ltr 5/23 Resubmitted MND Circulating 7/15/08 PC 9/2 Approved, CC 9/22/08 Approved, CDP granted by CCC. Waiting for Precise Plan submittal. Applicant has submitted a request for a time extension on November 4, 2010. Extension granted, now expires 12/11/11. No active submittal	KW	PC/CC/ CCC
22	John King	60 Lower State Park	7/2/08		<b>Lower parking lot resurface and construction of 2 new stairways.</b> Submitted 7/02/08, PC Tent 10/6, PC Date TBD Applicant coordinating w/ CCC 10/20/08.	KW	PC
23	Ron McIntosh	190 Olive	8/26/08	UP0-232 & CP0-288	<b>New SFR.</b> Submitted 8/26/08, Inc. Letter 9/24/08; Resubmitted 12/10/08, 1/9/09 request for more information. Applicant resubmitted on 2/06/09. Environmental under review. Applicant and City agree to continuance. Applicant put project on hold.	SD	PC

#	Applicant/Property Owner	Project Address	Date	Permit Numbers	Project Description/Status	Project Planner	Approval Body
24	Pina Noran	2176 Main	10/3/08	CUP-35-99 & CDP-66-99R	<b>Convert commercial space to residential use.</b> Submitted 10/03/08, Inc. Later 10/22/08, resubmitted 2/5/09. Project still missing vital information for processing 11/30/09. Called applicant 3/22/10 and requested information. Applicant is considering a redesign of the project.	KW	PC
25	City of Morro Bay	887 Atascadero	3/9/09	N/A	<b>Nutmeg Water Tank Upgrade (City of Morro Bay CIP project).</b> Oversight of County of San Luis Obispo application process. Preapplication meeting 3/9/09. Consultant coordination meeting 3/12/09.	KW	SLO County
26	James Maul	530, 532, Morro Ave 534	3/12/10	SP0-323 & UP0-282	<b>Parcel Map.</b> CDP & CUP for 3 townhomes. Incomplete letter sent 4/20/10. Met with applicant 5/25/10. Resubmittal 11/8/10. Resubmittal did not address all issues identified in correction letter.	SD	PC
27	Hamrick Associates	1129 Market	6/10/10	UP0-291	<b>Remodel and Addition.</b> Incomplete letter 6/23/10. Submitted additional information 6/30/10. Submitted additional information 7/7/10. Building Comments. 7/9/10. Met with agent 7/15/10. Applicant will resubmit addressing fire/building comments.	SD	PC
28	Tank Farm	1290 Embarcadero	2/27/10	N/A	<b>Tank Demo.</b> Demo of seven tanks at the Morro Bay Power Plant. Materials submitted and under review. All materials submitted to date have been reviewed and sent back to the applicant. Applicant indicated to staff that the project is on hold until better weather in 2011. Dynegy has assigned new project manager. anticipate demo to commence 5/2011	SD	AD
29	Frantz	499 Nevis	9/27/10	CP0-337	<b>New SFR.</b> Incomplete Letter 10/7/10. Meeting with applicant's representative on 11/16/2010. Applicant has indicated that he is redesigning project-project placed on hold. Applicant resubmitted building permit plans but has not resubmitted for the Coastal Development Permit.	SD	PC
30	Romero	291 Shasta Ave	1/19/11	CDP-341	<b>Coastal Development Permit</b> for single family residence. Incomplete Letter 2/18/11.	SD	AD
<b>Projects in Building Plan Check</b>							
31	Viole/Held	575 - 591 Embarcadero	11/1/10	Building	<b>New Commercial Building.</b> Incomplete Memo 12/2/10. No response from applicant (2/3/11). Applicant had issues to resolve with the CCC and those have now been resolved. Based on the CCC's action a redesign is being pursued. Resubmittal 9/13/11.	SD	N/A
32	Lapp	1548 Main Street	3/1/11	Building	<b>Express Check.</b> Wind and solar System. Incomplete Submittal 3/15/11. Resubmittal 3/31/11. Incomplete letter 3/24/11. Resubmittal 3/28/11. Incomplete letter 4/14/11.	SD	N/A
33	Rowland	2630 Maple	4/14/11	Building	<b>Elevator.</b> Denied project because elevator was located in 20'x20' garage, where 2 covered and enclosed parking spaces are required, letter sent 4/18/11. Resubmittal 5/25/11. Incomplete memo 6/9/11.	SD	N/A
34	Kimbrell	323 Shasta	4/15/11	Building	<b>Stairs and Railing Replacement.</b> Incomplete Letter 4/18/11.	SD	N/A
35	Olson	2740 Dogwood	5/4/11	Building	<b>SFR Remodel and Addition.</b> Incomplete Memo 5/17/11.	SD	N/A
36	Miller/Andresen	2998 Greenwood	5/18/11	Building	<b>Demo/Reconstruct (House).</b> Issues with filing Deed Restriction, will approve once the Deed Restriction is accepted by the County. As of 10/10/11 deed restriction still not recorded	SD	N/A
37	Viole/Held	575 - 591 Embarcadero	8/9/11	Building	<b>New Dock and Gangway.</b> Incomplete/Clarification Memo 8/19/11. Resubmittal 9/13/11.	SD	N/A
38	Markowity	589 Morro Avenue	8/17/11	Building	<b>Roof Deck.</b> Plans returned to Brian, because the plans were incomplete. Resubmittal 9/20/11. A major modification shall be pursued, incomplete memo 10/3/11.	SD	N/A
39	Calandra	2749 Coral	8/31/11	Building	<b>New SFR in Cloisters.</b> Incomplete letter 9/30/11.	SD	N/A

#	Applicant/Property Owner	Project Address		Date	Permit Numbers	Project Description/Status	Project Planner	Approval Body
40	Hoover	301	Main	9/13/11	Building	Single Family Addition to a non-conforming property. Lot Line adjustment in process, not shown on plans.	SD	N/A
41	Mclean	2230	Emerald	9/20/11	Building	Photovoltaic System.	SD	N/A
42	Johnson	2900	Sandalwood	9/26/11	CDP-362	Demo/Reconstruct SFR. Requested additional information for the CDP, letter 10/3/11.	SD	AD
<b>Aging Building Permits - No response from applicant in more than 90 days.</b>								
43	Don Doubledee	360	Morro Bay Blvd	5/15/09	Building	Mixed Use Project - Ciano. Comments sent 2/25/10.	SD	N/A
44	Valori	2800	Birch Ave	2/10/10	Building	Remodel/Repair. Sunroom, garage, and study. Comments sent 2/24/10	SD	N/A
45	Colhover	2800	Dogwood	3/8/10	Building	New SFR. Comments sent 3/25/10.	SD	N/A
46	Frantz	499	Nevis	9/27/10	Building	New SFR. Incomplete Memo 10/7/10.	SD	N/A
47	Hall	2234	Emerald Circle	12/2/10	Building	New SFR. Incomplete Memo 12/21/10.	SD	N/A
48	Romero	291	Shasta Ave	1/19/11	Building	New single family residence. Incomplete Letter 2/18/11.	SD	N/A
<b>Final Map Under Review</b>								
49	Zinngarde	1305	Teresa	5/9/11	Map	Final Map. Public Works review of the final map, CCR's and conditions of approval. Plans 8/5/11. Comments given to applicant, held meeting on 9/27/2011 regarding comments.	KW	CC
50	Ortega	525/527	Atascadero	9/26/11	Map	Final Map.	KW	CC
<b>Projects &amp; Permits with Final Action</b>								
51	Hauck	206	Bradley	9/12/11	Building	SF Addition. First addition to a non-conforming house. Deemed complete 10/3/11.	SD	N/A
52	Abbot	843	Quintana	3/1/11	Building	Express Check. Incomplete letter 3/24/11. Resubmittal 3/28/11. Incomplete letter 4/14/11. Project was abandoned, per Brian Cowen 10/4/11.	SD	N/A
53	Ronald Stuard	490	Avalon	4/22/10	Building	SFR Addition. 79 sf. bedroom addition. Comments sent 4/27/10. Project was abandoned, per Brian Cowen 10/4/11.	SD	N/A
54	Joe Silva	570	Avalon	5/12/10	Building	SFR Addition. 84 sf. addition. Comments sent 5/17/10. Project was withdrawn, per Brian Cowen 10/4/11.	SD	N/A
55	City of Morro Bay	3060	Ironwood	5/18/11	CP0-295	Tennis Court Improvements at Dal Mar Park. Environmental document being processed. Sent to Stateclearing House. Environmental Review complete 9/12/11. Scheduled for 10/5/11 Planning Commission Meeting.	SD	PC
56	Dan Reddell	1	Jordan Terrance	7/25/08	UP0-223 & CP0-285	New SFR. Submitted 7/25/08, Inc. Later 8/19/08; resubmitted 2/24/09, project under review. Letter sent to agent regarding issues. Applicant and staff met 1/20/10 on site to further discuss issues. Resubmittal 2/16/10. Administrative Draft Initial Study complete. Comment review period ends 6/22/10. Comments received on MND. Project scheduled for October 5, 2011.	KW	PC



City of Morro Bay  
 Public Services/Planning Division  
 Advanced Planning Work Program

Work Item	Planning Commission	City Council	Coastal Commission	Comments	Estimated Staff Hours
Neighborhood Compatibility Standards	TBD	TBD			120 to 160
Strategic plan for managing the greening process					200 to 300
	Annual Updates	Annual Updates			
Draft Urban Forest Management Plan	TBD	TBD			200 to 300
CEQA Implementation Guidelines	TBD	TBD	NA		120 to 160
Update CEQA checklist pursuant to SWMP (2/2011)	TBD	TBD			120 to 160
Downtown Visioning	TBD	TBD			120 to 160
PD Overlay	TBD	TBD			80
Annexation Proceeding for Public Facilities		TBD			TBD
Sign Ordinance Update	2/16/11	11/1/11		Workshops Scheduled for September 29 and October 6, 2011	50 to 100
<i>Planning Commission Generated Items</i>					
Work Item	Requesting Body				Estimated Staff Hours
Pedestrian Plan	Planning Commission			To be incorporated into Bicycle Transportation, currently under preparation.	TBD
<i>Items Requiring Further Analysis When Received Back From The Coastal Commission</i>					
Work Item	Plng. Comm.	City Council	Coastal Comm.		Estimated Staff Hours
Updated Zoning Ordinance	TBD	TBD			1,800
Updated General Plan/LCP	TBD	TBD			1,800