

AGENDA ITEM: A- 1

DATE: June 6, 2012

ACTION: APPROVED

SYNOPSIS MINUTES - MORRO BAY PLANNING COMMISSION
REGULAR MEETING – MAY 16, 2012
VETERANS MEMORIAL HALL – 6:00 P.M.

Chairperson Grantham called the meeting to order at 6:00 p.m.

PRESENT:	Rick Grantham	Chairperson
	John Solu	Vice-Chairperson
	Paul Nagy	Commissioner
	Jessica Napier	Commissioner
	John Fennacy	Commissioner
STAFF:	Rob Livick	Public Services Director
	Sierra Davis	Assistant Planner

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

PUBLIC COMMENT

Chairperson Grantham opened Public Comment period.

Tim Moscardi addressed the status of his attempt to get a planning permit for a project on Alder Street since last November. He stated he has been frustrated with the experience specifically the need for a major modification for a roof deck and asked for Planning Commission assistance.

Ken Vesterfelt, resident of Morro Bay, announced the annual Tip-A-Cop dinner to be held on May 18, 2012 at 5:30pm to benefit the Special Olympics organization. Also, the second annual Canine Walkathon will be held on June 9, 2012 from 10am-2pm at the Rock Parking Lot which is a free event for all. Mr. Vesterfelt also expressed support for Mr. Moscardi's frustration with receiving additional requirements during his third plan check submittal.

John Barta, resident of Morro Bay, addressed the issue of signs and urged the Planning Commission to take the time to consider the various issues associated with signage such as type of signs and construction type.

Amber, Owner of Nibble Nook in Morro Bay, addressed the issue of different sign needs for different zoning and asked the Commissioner to consider the zoning and the different shopping centers on Quintana including to consider the eye level view. She noted that commercial frontages whether on flat land or situated uphill have different needs.

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Chairperson Grantham closed Public Comment period.

Grantham asked Livick to address Mr. Moscardi's concerns. Livick clarified that staff and the City Manager met with Moscardi on April 4, 2012 to provide direction on how to proceed. Staff is currently awaiting a resubmittal from him. Since the roof deck could not be administratively approved, staff recommended to Moscardi that he submit a plan without the roof deck for approval now, and then apply for a modification after the project is in progress. Davis clarified we do not have the approved plans from the project because plans were not proposed with the community housing project.

Chairperson Grantham reopened Public Comment period to allow Mr. Moscardi to comment.

Mr. Moscardi stated his frustration is a result of submitting his application in November and not being told until April about the major modification requirement.

Chairperson Grantham closed Public Comment period.

PRESENTATIONS – None.

Unless an item is pulled for separate action by the Planning Commission, the following actions are approved without discussion.

A. CONSENT CALENDAR

- A-1 Approval of minutes from Planning Commission meeting of May 2, 2012
Staff Recommendation: Approve minutes as submitted.

MOTION: Commissioner Nagy moved to approve the minutes of the May 2, 2012 Planning Commission meetings. Commissioner Fennacy seconded and the motion passed unanimously. (5-0).

B. PUBLIC HEARINGS

- B-1 **Case No.:** Amendment to Special Use Permit #SUP 31-80 and Coastal Development Permit #CDP 56-89
Site Location: 590 Morro Avenue, Twin Dolphin Motel
Proposal: The applicant is seeking an amendment to the existing Use Permit/Coastal Development Permit at 590 Morro Ave to allow modifications to the existing 31 room motel with a manager's unit. The project proposes to eliminate the manager's unit and the manager's garage and remodel these areas to other motel functions.
CEQA Determination: Categorically Exempt, Class 32.
Staff Recommendation: Conditionally approve with conditions.
Staff Contact: Kathleen Wold, Planning and Building Manager, 805-772-6211

Davis presented the staff report.

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Chairperson Grantham opened Public Comment period.

Pretty Patel, Applicant, spoke to say he was available to answer questions on his project.

Chairperson Grantham closed Public Comment period.

Commissioners stated support for the project.

MOTION: Commissioner Solu moved to adopt the findings included as Exhibit “A” and conditionally approve the amendment to Special Use Permit #SUP 31-84 and Coastal Development Permit #CDP 56-84 subject to the Conditions included as Exhibit “B” and the site development plans dated May 1, 2012.

The motion was seconded by Commissioner Fennacy and carried unanimously. (5-0)

B-2 **Case No.:** Conditional Use Permit #UP0-284 (Precise Plan)

Site Location: 1001 Front Street, water lease sites 105.1W and 105.2W adjacent to 1001 Front Street.

Applicant/Project Sponsor: Giovanni DeGarimore / Cathy Novak

Request: The applicant seeks Precise Plan approval for the reconfiguring and expansion of the existing dock system. The proposal includes expanding the head-float and installation of four new finger floating docks approximately 50 feet by 4 feet 4 inches wide. The project would include the construction of a new accessible landing and gangway. The project also includes the addition of a windscreen and retractable awning over the existing general public outdoor dining area located on the wharf, this portion of the project is zoned Waterfront (WF). Parking will be accommodated within a parking lot adjacent to Front Street.

Davis presented the staff report.

Chairperson Grantham opened Public Comment period.

Cathy Novak, Applicant’s Representative, spoke to highlight the changes to the Precise Plan review and urged Commission’s approval of the project.

Davis added that the Applicant has submitted a letter to the City dated May 2, 2012 which addresses a three part construction phasing plan which includes: Phase 1 – floating docks and parking lot work; Phase 2 – electrical service to the floating docks; Phase 3 – install awning over patio area. Davis stated this construction phasing plan will have to be approved with the Precise Plan.

Commissioners discussed with staff various details of the Precise Plan including Coastal Commission’s requirements, the public access management plan, parking and lighting. Davis also clarified the project is seeking final approval tonight. The phasing of the project is for the purpose of obtaining building permits in phases.

Grantham closed Public Comment period.

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MOTION: Commissioner Napier moved to adopt the findings included as Exhibit “A” and approve the Conditional Use Permit #UP0-284, subject to the Conditions included as Exhibit “B” and the site development plans dated April 27, 2012.

Livick asked if the motion includes the modification requested by the Applicant for the phasing.

Commissioner Napier stated yes.

The motion was seconded by Commissioner Nagy and carried unanimously. (5-0)

B-3 Case No.: Conditional Use Permit #UP0-348 & Coastal Development Permit #CP0-372
Site Location: 281 Main Street
Proposal: The applicant is seeking approval of a Use Permit and Coastal Development Permit to allow the construction of an approximately 2,828 square foot single-family residence.
CEQA Determination: Categorically Exempt, Class 3.
Staff Recommendation: Conditionally Approve.
Staff Contact: Sierra Davis, Assistant Planner, 805-772-6270

Davis presented the staff report.

Commissioners discussed the property’s previous 2009 approvals and the requirements associated with a planned development overlay including:

- The color board;
- Lighting and the photometric plan;
- Landscape plan and the requirement of a 2 to 1 tree replacement ratio.

Commissioner Nagy asked staff if the Applicant can submit an alternative lighting plan in lieu of submitting a photometric plan. Davis clarified that the photometric plan is the only tool available to correctly analyze the lighting impacts on a neighborhood.

Commissioner Napier asked staff to clarify the archaeological issues with this site and the neighboring site and asked staff to clarify the rules for the 300 feet distance. Davis referenced Municipal Code 17.48.310 which addresses the protection of archaeological resources and explained the threshold for requiring a Phase I study is if a property is within 300 feet of an archaeological site. Livick clarified that per State law, archaeological resources are sensitive and are not allowed to be disclosed.

Commissioner Napier also expressed concern about tree removal and the proposal to site the house close to a big tree which may need to be removed.

Chairperson Grantham opened Public Comment period.

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Cathy Novak, Applicant's Representative spoke to clarify the proposal and asked the Commission to modify the tree replacement requirement of 15 gallon tree and replace that with 5 gallon tree for the following reason: inconsistent with major vegetation policy; difficult to purchase native and drought tolerant species in a 15 gallon size.

Chris Christiansen, retired builder, developer landscaper and arborist, addressed the issue of tree removal and stated yes it is a large tree and close to the house, but it is not native to California. He spoke in favor of allowing the applicant to remove the tree and stated a 15 gallon tree would have a harder time to withstand strong winds versus a 5 gallon tree which can be allowed to grow and develop the strength needed to withstand wind.

Chairperson Grantham closed Public Comment period.

Commissioner Fennacy asked why this project requires a photometric plan and whether the Applicant can mitigate lighting impacts by agreement. Davis clarified that a photometric plan is the only way we can address light in that Planned Development (PD) overlay district.

Commissioner Solu asked staff to address the tree replacement ratio. Davis clarified the condition is not unique to the Applicant. The 2 to 1 replacement ratio is pursuant to the City's adopted major vegetation guidelines.

Livick added that staff is proposing a modification to the condition to strike the requirement that tree replacement be only from the City's Street Tree list in order to allow the Applicant increased tree choices.

Commissioner Nagy stated he does not support the lighting requirement for a photometric plan.

Livick reviewed the lighting requirements as identified in the PD overlay district and clarified to Commissioners that as long as the Applicant does not vary from the fixtures presented and the locations presented on the map, that that would satisfy the requirement for the lighting plan. Livick added he recommends that detailed photometrics be done for commercial sites based on recent commercial sites that have gone in and are very bright at night.

MOTION: Commissioner Nagy moved to adopt the findings included as Exhibit A and approve the Conditional Use Permit #UP0-284, subject to the Conditions included as Exhibit "B" and the site development plans dated April 27, 2012 with the following changes:

1. Strike Planning Commission condition 1 to not require a photometric plan;
2. Modify Planning Commission condition 4 to replace 15 gallon tree with 5 gallon tree; and
3. Strike the requirement that the species be from the City of Morro Bay's approved Street Tree list.

The motion was seconded by Commissioner Fennacy and carried unanimously. (5-0)

Chairperson Grantham called for a five minute break and the meeting resumed at 7:25pm.

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B-4 **Case No.:** Zoning Text Amendment #A00-015 (continued from May 2, 2012 meeting)

Site Location: Citywide

Proposal: The City of Morro Bay is proposing a Municipal Code Amendment modifying Section 17.68 “Signs”. Recommendations from the previous sign workshops, sign survey results, previous work for the 2004 Planning Commission report and direction from City Council (2012) will be presented at the May 2, 2012 meeting. The Planning Commission will review these items, take public testimony and provide direction to staff.

CEQA Determination: To be determined.

Staff Recommendation: Review documentation, take public testimony and provide direction to staff.

Staff Contact: Kathleen Wold, Planning and Building Manager, 805-772-6211

Chairperson Grantham opened Public Comment period.

Kim Van Norstrand, business owner of ArtSea, spoke of presenting a theme for the Morro Bay community comparing the examples of San Clemente and Laguna Niguel. She also spoke about the need for additional and appropriate signage for retail stores in “off the beaten track” areas.

Chairperson Grantham closed Public Comment period.

Commissioners discussed with staff the following:

Zoning Maps and District Boundaries:

The zoning maps and boundaries of the four districts were reviewed which include Quintana area, North Main, Downtown and Embarcadero areas. Commissioners agreed that the general boundaries for Quintana would include the commercial strip along the freeway. Both sides of Quintana between South Bay Boulevard all the way up to the intersection with Main ending at the freeway overpass. Mixed commercial residential would be included in this area. Properties north of this would be part of the North Main district.

Commissioners agreed that the boundaries of the Downtown area would encompass Morro Bay Blvd from Kern Ave down to just above Front Street and incorporate the businesses within this area with the north boundary expanded from Beach to Surf Street.

Commissioners directed staff to bring back a more detailed map with precise boundaries.

The boundaries agreed upon for the Embarcadero area include the area from Tideland Park up to Coleman Drive on both sides of street and including businesses with Front Street addresses.

The North Main Street boundaries include from where the Quintana district ends all the way north to Yerba Buena Street.

Sign Definitions:

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Commissioners reviewed the definitions to determine whether any listed need to either be revised, updated or if there are terms missing that should be included. Commissioners accepted the existing definitions and agreed to add sign definitions for the following types of signs: Blow up (inflatable signs); public signs, kiosks or directory signs; kiosk, lease directional signs; fence signs; feather signs; illuminated signs; art, mural or roof art signs; A-frame signs to be added to free-standing sign definition; animated and moving signs; definitions of prohibited types of signs; pub or projecting signs; dock signs; awning signs; all preliminary sign options which should match up with the definitions; and neon open, food/beverage neon signs.

Commissioners discussed with staff the definitions of signs on vehicles – when they are allowed and when they are prohibited.

Commissioners reviewed the preliminary sign options spreadsheet with staff discussing the categories for the Downtown area:

General Sign Area Calculations: Commissioners directed staff to bring back examples of this in order to visually see the building frontage impact.

A-Frame Signs: Commissioners Napier and Fennacy stated support for A-frame signs. Commissioners Solu, Nagy and Chairperson Grantham stated support against A-frame signs.

Awning Signs: Commissioners stated support for allowing this.

Dock Signs: Commissioners stated support for allowing this.

Flag Signs: Commissioners stated support for not allowing this.

Gateway Signs: Commissioners stated support for allowing this.

Internally and Externally: Commissioners reviewed definitions with staff and agreed more discussion is needed.

Marquee Signs: Commissioners stated support for allowing this.

Monument Signs: Commissioners stated support for allowing this.

Off Premise Signs: Commissioners stated support for allowing this.

Pole Signs: Commissioners stated support for not allowing this.

Pub Signs: Commissioners stated support for allowing this.

Wall Signs: Commissioners stated support for allowing this.

Window Signs: Commissioners directed staff to expand this section to better define different types of window signs.

Time limits for non-conforming signs: Commissioners directed staff to look to other cities for examples that are written much clearer.

Commissioners directed staff to bring back:

1. Further detail on sign area ratio and percentages;
2. Photos of sign types for internal and external illuminated signs;
3. A matrix comparison in a column format to include comparisons to Pismo Beach, all poll results and staff recommendations; and
4. Shopping center definitions.

Planning Commissioners also agreed to direct staff to bring this back to the June 20, 2012 Planning Commission meeting.

UNFINISHED BUSINESS

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C-1 Current and Advanced Planning Processing List
Staff Recommendation: Receive and file.

Livick reviewed the Work Program with Commissioners.

NEW BUSINESS – None.

DECLARATION OF FUTURE AGENDA ITEMS

Commissioner Napier stated she and Commissioner Nagy would like to give an update on the Subdivision Ordinance Subcommittee, meet with Councilmember Johnson regarding this, agendize this for an upcoming meeting and will follow up with staff.

ADJOURNMENT

The meeting adjourned at 9:10 pm to the next regularly scheduled Planning Commission meeting at the Veteran's Hall, 209 Surf Street, on Wednesday, June 6, 2012 at 6:00 pm.

Rick Grantham, Chairperson

ATTEST:

Rob Livick, Secretary