

REVISED
CITY OF MORRO BAY
PLANNING COMMISSION
SYNOPSIS MINUTES

(Complete audio- and videotapes of this meeting are available from the City upon request)

Veteran's Memorial Building
Regular Meeting, 6:00 p.m.

209 Surf Street, Morro Bay
Monday, March 16, 2009

Chairperson Nancy Johnson
Vice-Chairperson Bill Woodson Commissioner Michael Lucas
Commissioner Gerald Luhr Commissioner John Diodati
Bruce Ambo, Secretary

I. CALL MEETING TO ORDER

Chair Johnson called the meeting to order at 6:00 p.m.

II. PLEDGE OF ALLEGIANCE

Jamie Hill led the Pledge of Allegiance.

III. ROLL CALL

Chair Johnson asked that the record show all Commissioners present.
Staff: Bruce Ambo, Jaime Hill, Kathleen Wold, Christine Rogers.

IV. ACCEPTANCE OF AGENDA

MOTION: Diodati/Luhr 2nd to accept the agenda as presented. VOTE: 5-0

V. DIRECTOR'S REPORT/WRITTEN COMMUNICATIONS

Bruce Ambo reported at the March 9, 2009, meeting City Council:

- Approved recording of a parcel map at 595 Kings.
- Adopted a resolution initiating the "Adopt a Tree Program".
- Opened a subsequent Public Hearing on the CalFire proposal to subcontract fire and emergency services. Will not go forward with current proposal, but will evaluate alternative actions.
- Reviewed North Main Street Bike Lanes. Funding for development of a Bike Plan to be evaluated. Will return to the Council to evaluate various funding opportunities.
- Adopted a resolution accepting a grant from the National Estuary Program for Derelict Boat Removals.
- Heard a presentation on the Sanitary Sewer Management Plan an ongoing monitoring and reporting requirement for the sewer collection systems. Additional work to be completed. Will also be presented to the Public Works Advisory Board. May coordinate a Planning Commission presentation if directed to do so.
- Reviewed discussion points for Joint City Council/Planning Commission meeting.

Bruce Ambo reported on agenda items for upcoming March 23, 2009, City Council meeting would:

- Consider Adoption of a resolution supporting Fair Share Housing Month
- Consider Dog Park proposal to initiate Master Plan Amendments.
- Conduct Public Hearing on Business Improvement District

- Consider By Law changes based upon feedback from Boards and Commissions.

Community Housing Workshop will be conducted in preparation for the Housing Element Update process on March 26th, at the Community Center from 5:30 pm – 7:30 pm. Various legislative updates will be reviewed.

Woodson asked for additional information on the Housing Element Process. Ambo clarified the State Department of Housing and Community Development (HCD) requires update on 5 year cycles, as well as a new 60 day administrative review requirement. Three hearings will occur:

- Public Workshop
- Submittal Hearings
 - Planning Commission - Recommendation for submittal to HCD
 - City Council – Recommendation for submittal to HCD

Subsequent hearings after Staff has address any revisions identified by HCD.

- Adoption Hearings
 - Planning Commission – Recommendation for adopt of final Housing Element
 - City Council – Recommendation for adoption of final Housing Element

Ambo clarified this process needs to occur by August 31st, 2009.

Johnson reported that the City Attorney had forwarded information regarding a legal action taken against the City pertaining to a lot split on Cabrillo Street. Courts found in the City's favor.

Ambo confirmed that court found the Council had made the necessary and substantial findings to justify the denial of the subdivision. Believes it is an appealable decision.

VI. PUBLIC COMMENT:

Members of the audience wishing to address the Commission on matters other than scheduled hearing items may do so when recognized by the Chairman, by standing and stating their name and address. Comments should be limited to three minutes.

John Barta – Spoke in favor of the roundabout. Mr. Barta encouraged Planning Commissioners to continue to make the difficult decisions, even in the face of opposition, for the long term interest of the community.

VII. CONSENT CALENDAR

A. Approval of minutes from hearing held on March 2, 2009.

MOTION: Woodson/Luhr 2nd to accept the minutes of March 2, 2009 with the following revision:

Delete final sentence, “Woodson felt staff should be notified, Johnson and Ambo concurred.”

VOTE: 5-0

VIII. 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.

None.

IX. FUTURE AGENDA ITEMS

- A. Planning Commission interpretation on decks in the front yard setback and what elements are allowed on them
- B. Gates on the Embarcadero Boardwalk
- C. Stormwater Retention Presentation

X. PUBLIC HEARINGS

- A. **Site Location:** 1050 Morro (Dunya Lodge) C-VS/R-3/PD/S-4/S-6 zone
Applicant: John & Joan Solo
Request: Conditional Use Permit and Coastal Development Permit to demolish an existing 12 unit hotel and reconstruct a 36 unit hotel with a conference room. This site is located outside of the Coastal Commission's Appeal Jurisdiction.
Recommended CEQA Determination: Mitigated Negative Declaration
Staff Recommendation: Conditionally approve the project.
Staff Contact: Jaime Hill, Planner, 772-6270

Chair Johnson recused herself. Woodson turned the meeting over to staff.

Jaime Hill, Contract Planner, presented the staff report addressing the following:

- 36 Room hotel proposed to replace 12 unit Days Inn.
- Reviewed overlay zones related to aesthetics and landscaping.
- Considerable flexibility imparted as a result of PD overlay
- Four exceptions requested:
 - Reduce rear yard set back (south side) 10 feet required, proposing 5 feet.
 - Exceed allowed lot coverage by 4.5% for a total of 64.5%.
 - Exception to height standards – 15 foot wide elevator shaft exceeds by 3'5", Guardrail exceeds by 2'2"
 - Exception to area per unit standards – Minimum lot area per unit 1,750 square feet which would allow for 23 units, proposing 36 units.
- Commission has authority to approve the exceptions if they result in a better design or public benefit.
- Small parking court at Morro Avenue and Beach Street, semi-subterranean parking structure.
- Site access from Morro Avenue.
- Vegetative screening provided and conditioned.
- Solar panels and green roof.
- Three signs constituting 77 square feet are within the 100 square feet allowed in the zoning district.
- Sustainable features:
 - Drought tolerant landscaping
 - Green roof capable of managing run off
 - Greywater ready

- Semi-pervious pavement at the sidewalks
- Solar Panel, Sun Tubes and energy efficiency Elevator
- Following construction intend to seek LEED Certification
- Mitigated Negative Declaration circulated. Mitigation requirements include:
 - Guardrail required for roof top guardian to be of transparent material and setback from the structure so as not to be visible from adjacent street
 - Construction documents to include lighting plan to ensure lighting does not spill on to adjacent neighboring properties.

Hill clarified the following:

- Condition regarding fence/wall is required in this zone when a commercial use is adjacent to a residential use.
- Exception for setback is property line adjacent to residential structures.

Joan Solu, Applicant, made a subsequent presentation.

- Family owned business.
- Garden roof top is the centerpiece of the design.
- Promotions Committee is promoting “Discover your Better Nature”, and eco-tourism.
- Occupancy lowest in the County. Conference facilities are limited in Morro Bay.
- Chicago, Portland and Los Angeles have instituted green hotel programs.
- Reviewed project construction history and existing design challenges.
- Hoping to be LEED Certified, or other the equivalent certification
- Would like to meet nationally accepted standards for design and construction and high performance hotels
- Sidewalks to complete the pedestrian circulation
- Rain water garden
- Will install comprehensive recycling program
- Skylights to light third floor public areas and solar panels to generate electricity on the roof
- Key card system which shuts the power down when you are not in the room
- On the official bike path, bike storage downstairs
- Addressed construction parking management.
- New product for the County, could draw tourism.

Woodson opened the Public Comment period:

John Sorgenfrei, TJA Advertising – Shared branding of current advertising campaign, “Discover your Better Nature”, and how project supports that marketing campaign. Spoke in support of the project.

Peter Candela, Morro Bay Chamber of Commerce – Spoke in support of the project and the importance of eco-tourism.

Bill Lafatte – Spoke in favor of project. Expressed concerned with impacts to neighborhood parking. Currently rents an apartment for his mother-in-law directly across the street. Requests no parking construction zone in front of her house, and placement of porta-potties in a location that will not affect residents. Neighbor Frank Logan makes the same request. Letters provided.

John Barta – Spoke in favor of the project. Felt this was an important opportunity to increase tourist base. Feels project would benefit from a public art area. Shared some challenges with the card key system proposed.

Gary Johnson – Spoke in favor of the project. Expressed some concerns regarding parking.

Matt Gullede – Property owner of apartment complex across the street. Spoke in support of the project. Would like parking restricted at 1055 Morro Avenue and suggested the City red curb that portion for the duration of the project. Clarified that the intent of the request was to have no parking at all for the duration of construction.

Hill clarified that staff has recognized these concerns and Condition 25 addresses parking restrictions.

Lawson Schaller – Spoke in favor of the project. Participates in SLO Green Build Appropriate Technologies Committee. Noted the number of sustainable components incorporated. Pending plans to salvage materials for Habitat for Humanity and divert waste.

Annette Neals, Manager, Walker Mobile Home Park – Owner lives back east, inquired as to when the project is scheduled to begin, how long will it last? This is a Senior Park, construction hours were a concern.

Nancy Johnson – Lives on Morro Ave, and owns a vacation rental property. Spoke in support of the project. Consideration of the recent approval of multiple major construction projects, and the potential initiation of construction concurrently was recommended. Concurred with parking concerns.

Clarifications were addressed as follows:

- If the project is approved on the basis of the sustainable components, what will happen if they are valued engineered out of the project? Hill clarified to some extent they are required. The findings are based upon public benefit, which are associated with those green features, which are discussed in the Staff Report and therefore a part of the project. Some modification may occur. It would be up to the Community Development Director to determine the project remains consistent with those changes.
- Elevator tower exceeds the height of the railings. Both are included in the requested exception.
- ADA Access is satisfied by the elevator with a chair lift from the third floor to the Atrium spa, and chair lift to the garden roof.
- Exceptions, not a variance requested, justified by the finding of greater community benefit, proposed by the green initiatives.
- Applicant expressed his commitment to completing the project as presented, saying that it is necessary for the project to be unique in order to succeed in the existing market.
- Mechanical Units to be screened with an exterior valance. This may be modified, considering a fire place unit.
- Accessory equipment may be visible from the street. Applicant would like to see a use permit opportunity for specific occasions.
- Applicant is amenable to providing taller vegetative screening where appropriate.
- Rain garden has been scaled back as a result of SLO Green Build peer review comments.
- Planting palette does not include tall trees and shrubs. Foam sculptures creating undulating surfaces may be utilized. Will have to evaluate as time goes on to see what types of plants will thrive.
- Mechanical equipment has not yet been determined.
- LEED Certification is proposed after construction. Wouldn't this be completed up front as part of the planning process? Applicant anticipates going before the green council for peer review on many aspects of the building. Hill clarified that it is a requirement of LEED Certification that it has to happen after construction.

Luhr, Lucas and Woodson all acknowledged having met with the Applicant to review the project some time ago.

Woodson closed the Public Comment Period.

Discussion occurred regarding:

- Visibility of accessory equipment or structures related to events on the roof. Evaluation of height restriction or temporary use permit requirement.
- Beach Street façade enhancements.
- South side fence and setback. Suggestion that trees or high growing shrubbery be planted. (Condition 20). Applicant expressed a willingness to plant a taller species, but expressed concerns regarding maintenance requirements of trees.
- Utilization of Ledge stone versus slate material. Applicant was encouraged to evaluate the issue in large format.
- Existing poles - purpose and potential removal. (Located on Morro Avenue, South side of property, and the intersection of Morro Avenue and Beach Street.)
- Pedestrian enhancements.
- Zoning regulations require whenever residential and commercial uses abut, a 6' wall shall be constructed. Waiver of the requirement was not identified as an exception, nor was it evaluated in the environmental analysis. Would require re-noticing and review at a later date. Applicant will have the ability to return with a modification request if desired. Privacy walls are intended to protect both parties from trespass and vandalism.

MOTION: Diodati/Lucas 2nd to conditionally approve the project by adopting a motion including the following actions and amendments:

1. Adopt the Findings included as Exhibit "A";
2. Approve Conditional Use Permit and Coastal Development Permit subject to the Conditions included as Exhibit "B" and the site development plans dated October 23, 2008.

Amendment to Condition #8 to read, "Best effort to underground existing perimeter utility lines."

VOTE: 4-0

XI. OLD BUSINESS

A. Current Planning Processing List

Format is still a work in progress. Staff will continue to explore alternatives.

Ambo addressed request from City Council to Planning Commission for feedback on the use of waterfront properties south of Tidelands Park. City Attorney will be preparing a report for the April 13th meeting. Harbor Advisory Board will also provide comment.

XII. NEW BUSINESS

XIII. ADJOURNMENT

Johnson reminded the Commission of the upcoming Community Housing Workshop on March 26, 2009 and the Joint City Council/Planning Commission meeting on March 30, 2009.

Johnson adjourned the meeting at 8:15 p.m. to the next regularly scheduled Planning Commission meeting at the Veterans Hall, 209 Surf Street, on Monday, April 6, 2009 at 6:00 p.m.

Nancy Johnson, Chairperson

ATTEST:

Bruce Ambo, Secretary