

AGENDA ITEM:   A- 3  

DATE:   June 17, 2014  

ACTION:   APPROVED  

SYNOPSIS MINUTES – MORRO BAY PLANNING COMMISSION  
REGULAR MEETING – MAY 20, 2014  
VETERANS MEMORIAL HALL – 6:00 PM

PRESENT:	Robert Tefft	Chairperson
	Gerald Luhr	Vice Chairperson
	John Fennacy	Commissioner
	Michael Lucas	Commissioner
	Richard Sadowski	Commissioner
STAFF:	Rob Livick	Public Services Department
	Whitney McIlvanie	Contract Planner
	Cindy Jacinth	Associate Planner

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

ELECTION OF CHAIR AND VICE CHAIR  
Commissioner Tefft opened the nominations for Chair.

**MOTION:** Commissioner Fennacy moved to nominate Commissioner Tefft as Chairperson. Commissioner Lucas seconded the motion and the motion passed unanimously. (5-0)

**MOTION:** Commissioner Lucas moved to nominate Commissioner Luhr as Vice Chair. Commissioner Fennacy seconded the motion and the motion passed unanimously. (5-0)

PUBLIC COMMENT - None

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 February 19, 2014  
**Staff Recommendation:** Approve minutes as submitted.
- A-2 Approval of minutes from Planning Commission meeting of March 5, 2014  
**Staff Recommendation:** Approve minutes as submitted.
- A-3 Approval of minutes from Planning Commission meeting of March 12, 2014  
**Staff Recommendation:** Approve minutes as submitted.
- A-4 Approval of minutes from Planning Commission meeting of March 19, 2014  
**Staff Recommendation:** Approve minutes as submitted.
- A-5 Approval of minutes from Planning Commission meeting of April 1, 2014  
**Staff Recommendation:** Approve minutes as submitted.

Commissioner Luhr stated for the March 19 minutes paragraph 8 on page 3 regarding the lease hold for the Inn at Morro Bay paragraph is not clear. He requested staff review the audio and correct to make certain an easement would be given to the lease holder.

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**MOTION:** Commissioner Lucas moved to approve the minutes of the February 19, 2014 meeting. Commissioner Fennacy seconded the motion and the motion passed. (3-0-2; Luhr and Sadowski abstained)

**MOTION:** Commissioner Lucas moved to approve the minutes of the March 5, 2014 meeting. Commissioner Fennacy seconded the motion and the motion passed. (3-0-2, Luhr and Sadowski abstained)

**MOTION:** Commissioner Lucas moved to approve the minutes of the March 12, 2014 meeting. Commissioner Luhr seconded the motion and the motion passed. (3-0-2, Fennacy and Sadowski abstained)

**MOTION:** Commissioner Lucas moved to approve the minutes of the March 19, 2014 meeting as amended by Commissioner Luhr. Commissioner Luhr seconded the motion and the motion passed. (3-0-2, Fennacy and Sadowski abstained)

**MOTION:** Commissioner Lucas moved to approve the minutes of the April 1, 2014 meeting. Commissioner Luhr seconded the motion and the motion passed. (3-0-2, Tefft and Sadowski abstained)

B. PUBLIC HEARINGS

B-1 **Case No.:** #CP0-420 (*Request for Continuance to the 6/3/14 meeting*)

**Site Location:** 3031 Beachcomber

**Proposal:** Coastal Development Permit approval for an addition of 309 square feet to an existing single family residence in the S.2A overlay zoning district. This site is located inside the appeals jurisdiction of the California Coastal Commission.

**CEQA Determination:** Categorically exempt, Class 1

**Staff Recommendation:** Continue to the 6/3/14 Planning Commission meeting

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

Jacinth stated staff is requesting a continuance due to the Applicant working on information requested from the Commission and not being able to make the noticing requirements for the June 3, 2014 meeting.

Chairperson Tefft opened Public Comment period and seeing none closed Public Comment period.

**MOTION:** Vice Chair Luhr moved to approve continuing the item to the June 3, 2014 meeting. Commissioner Lucas seconded the motion and the motion passed unanimously. (5-0)

B-2 **Case No.:** #CP0-409 & UP0-366

**Site Location:** 279 Main Street

**Proposal:** Coastal Development Permit & Conditional Use Permit to construct a 2,617 square foot single family residence on a vacant lot. This project is located inside the Coastal appeals jurisdiction.

**CEQA Determination:** Categorically exempt, Class 32

**Staff Recommendation:** Conditionally approve

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

Chairperson Tefft recused himself as the proposed project is close to his residence and turned the meeting over to Vice Chairperson Luhr.

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Jacinth presented the staff report.

Commissioner Lucas and staff discussed the visual simulations provided. Commissioner Lucas expressed concern about the roof line pitch.

Commissioner Luhr and Jacinth discussed view shed restrictions.

Commissioner Sadowski and Livick discussed the number of lots, how they were split and the utility services provided when they were split.

Vice Chairperson Luhr opened Public Comment period.

Cathy Novak, Applicant's Representative, outlined the project, noted a local architect took the photos and created the visual simulations for the project, and stated she is available for questions.

Vice Chairperson Luhr and Novak discussed roof pitch selection, grading for parking and the cypress tree next to the parking.

Vice Chairperson Luhr closed Public Comment period.

Commissioner Lucas stated he is in favor of the house design and appreciates the landscaping and arrangement of trees. He noted some of the visual representations are misleading.

Commissioners Fennacy and Sadowksi stated they support the project.

Vice Chairperson Luhr agrees with Commissioner Lucas regarding visual representations and stated he would like to see a lower roof line. Jacinth stated Commissioners could continue the item and request more information regarding the visual simulations.

Commissioner Fennacy stated the plans for the roof line are within code and what is allowable.

Vice Chairperson Luhr reopened Public Comment period and asked if the Applicant is firm about the proposed roof pitch. Novak replied yes.

Vice Chairperson Luhr closed Public Comment period.

**MOTION:** Commissioner Fennacy moved to adopt Planning Commission Resolution 10-14 to include the findings and conditions of approval for the project depicted on the site development plans dated May 5, 2014. Commissioner Sadowski seconded the motion and the motion passed. (3-1, Luhr voting no)

Vice Chairperson Luhr turned the meeting over to Chairperson Tefft.

B-3 **Case No.:** #CP0-403 & UP0-362

**Site Location:** 788 Main Street

**Proposal:** Coastal Development Permit & Special Use Permit to place a 160 square foot recycling enclosure in the parking lot of the AT&T building and to allow modifications to the parking area and a wall and fence higher than the allowed 6.5 feet. This project is located outside the Coastal appeals jurisdiction.

**CEQA Determination:** Categorically exempt, Class 11

**Staff Recommendation:** Conditionally approve

**Staff Contact:** Whitney McIlvaine, Contract Planner, (805) 772-6211

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McIlvaine presented the staff report.

Commissioner Lucas asked if the gate was going to be open or closed during the day.

Commissioner Luhr and McIlvaine discussed fence height and set back requirements.

Commissioner Sadowski stated he viewed the site and noted the fence was higher than the proposed wall height.

Chairperson Tefft and McIlvaine discussed merged lots that have different zoning requirements and architectural design standards. McIlvaine noted zoning would remain.

Chairperson Tefft opened Public Comment period.

Michael Morgan, AT&T Representative, stated the gate will remain closed and is available for questions.

Commissioner Lucas and Morgan discussed the mesh screen fence.

Vice Chairperson Luhr and Morgan discussed the hazardous waste control measures for the recycling area, the block wall and landscaping.

Chairperson Tefft and Morgan discussed public safety when exiting and entering the facility.

Chairperson Tefft closed Public Comment period.

Vice Chairperson Luhr stated he would like to add to Condition #3 that landscaping is to be maintained. He expressed concern with the fence height, design and materials.

Commissioner Lucas agreed with comments from Vice Chairperson Luhr given the close proximity to the downtown businesses.

Commissioner Sadowski stated he liked what has been proposed noting it is an aesthetic improvement.

Chairperson Tefft agreed with comments from Commissioners Luhr and Lucas noting AT&T has an opportunity for better design aesthetics and stated he does not support the proposed design. He stated the conditions should include that landscaping should be low water and to have the Public Works department sign off on the pedestrian safety aspect with the solid wall so close to the sidewalk.

Commissioner Fennacy stated support for the project.

McIlvaine clarified the zoning where the improvements would be is located in the C1/R4 zoned portion of the property stating there is a lesser reason to apply the architectural review standards like are required of the S4 overlay, on the other underlying lot.

**MOTION:** Commissioner Fennacy moved to approve Planning Commission Resolution 09-14 to include the findings and conditions as depicted on the site development plan dated March 7, 2014 with the addition of conditions to include that landscaping be low water and maintained and sign off by the Public Works department regarding pedestrian safety. Commissioner Sadowski seconded the motion.

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McIlvaine requested consideration to add changes noted by staff earlier to include the height of the swing gate to be 6.5 feet, access to the storage facility not to interfere with the loading area of the ADA parking space and change to Condition #4 to be prior to final inspection by Building.

**AMENDED MOTION:** Commissioner Fennacy amended his motion to include the requested additions from McIlvaine. Commissioner Sadowski seconded the amended motion.

Vice Chairperson Luhr stated he cannot support the project as proposed without further amendment.

Chairperson Tefft stated he appreciates need for security noting the design could be different and still maintain security.

Chairperson Tefft called the question. The motion failed. (2-3, Chairperson Tefft and Commissioners Luhr and Lucas voting no)

**MOTION:** Vice Chairperson Luhr moved to approve Planning Commission Resolution 09-14 if design changes are made to remove approximately the top 4 feet of CMU wall and replace it with AT&T's existing pallet of privacy fencing and support columns while leaving the remaining design as proposed. Commissioner Lucas seconded the motion.

Commissioner Lucas expressed concern with the change to the left side due to doors being opened to the generator room stating the left wall works with the building and he just wants right south side wall changed.

Chairperson Tefft expressed concern that the Commission is designing the project for the Applicant.

Chairperson Tefft opened Public Comment period.

Morgan stated it would be acceptable to AT&T to retain the wall on the left side as proposed, to remove the southern portion of the wall above the planter box line and replace it with a continuation of the proposed wrought iron and privacy mesh, and retain the planter boxes as proposed.

**AMENDED MOTION:** Vice Chairperson Luhr amended his motion to approve Planning Commission Resolution 09-14 to include the findings and conditions as depicted on the site development plan dated March 7, 2014 with the modification to remove the southern portion of the wall above the planter box line and replace it with a continuation of the proposed wrought iron and privacy mesh.

McIlvaine requested Condition #5 change to require color and materials for wall, fencing and storage structure and trash enclosure to be in substantial compliance with plans as approved by the Planning Commission and specifically the southern CMU wall would be replaced above the planter box line with the wrought iron and mesh screening as shown on the plans.

Chairperson Tefft asked if the previous motion's amendments regarding ADA parking, that landscaping be low water and maintained, and a sign off by the Public Works department regarding pedestrian safety would be part of the amended motion.

Vice Chairperson Luhr accepted the additions to the amended motion. Commissioner Lucas accepted the additions to the amended motion.

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Chairperson Tefft called the question. The amended motion passed. (4-1, Chairperson Tefft voting no)

C. UNFINISHED BUSINESS

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

Jacinth reviewed the work program with the Commissioners.

D. NEW BUSINESS - None

E. DECLARATION OF FUTURE AGENDA ITEMS - None

ADJOURNMENT

The meeting adjourned at 8:17 p.m. to the next regularly scheduled Planning Commission meeting at the Community Center Multi-Purpose Room, 1001 Kennedy Way, on Tuesday, June 3, 2014 at 5:00 p.m.

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Robert Tefft, Chairperson

ATTEST:

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Rob Livick, Secretary