

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, July 7, 2008

Chairperson Nancy Johnson
Vice-Chairperson Bill Woodson Commissioner Michael Lucas
Commissioner Gerald Luhr Commissioner Gary Ream
Michael Prater, Secretary

I. CALL MEETING TO ORDER

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

II. PLEDGE OF ALLEGIANCE

Dan Doris led the pledge.

III. ROLL CALL

Johnson asked that the record show all Commissioners were present.

Staff Present: Bruce Ambo, Michael Prater, Rachel Grossman, Kay Miller and Dan Doris.

IV. ACCEPTANCE OF AGENDA

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

V. DIRECTOR'S REPORT/WRITTEN COMMUNICATIONS

Ambo reported at the June 23, 2008 meeting, City Council:

- Approved transmitting a letter to Governor in opposition of state budget cuts that would impact state transit assistance – Morro Bay Dial-A-Ride
- Issued a Certificate of Public Convenience for Surf Cab Service in Morro Bay
- Authorized the filing of Notice of Completion for Fire Station 54
- Authorized Staff to enter into an agreement with General Electric to purchase a brackish water equipment train for the Desalinization Plant
- Approved the lighting and landscape District for Northpoint and the Cloisters
- Discussed putting Measure D on the ballot and decided to postpone it
- Assigned a lease for 225 Main Street from Norm Arnold to Bob Crizer
- Adopted in-lieu parking fee boundary and reduced the fees to \$2,000 for 5 year period
- Held a goal setting meeting on June 30th and the report is forthcoming from the facilitator

Ambo reported for the upcoming Agenda for the July 14th City Council Meeting:

- Resolution to appoint Andrea Lueker as City Manager
- Minor Revisions to cost of living adjustments to Master Fee Schedule
- Final Action of the Abandonment of Palm Street
- Two items as place holders for applying for grants for housing and economic development. It is possible this may need to be moved to the August 11th Meeting because the Notice of Funding and Availability may not be out by then.
- The Economic Vitality Corporation will propose to City Council to participate in a city cost study for a Countywide Tourism Study
- Presentation of space needs study on expansion of City Corp yard and ask Council for direction
- Set date to discuss the Management Partners Study and follow-up on implementation of recommendations

VI. PUBLIC COMMENT

- Jeannie Gonsenhauser and Francis Jeffrey, Members of the Sea Air CO2 Committee, expressed concern of the impact of pollution to the ocean, children, pregnant women and climate change.
- Marla Jo Bruton and Richard Sadowski presented a Coastal Commission Notification of Appeal regarding closing out the monitoring wells at 1840 Main Street and expressed concerns of the city's collection system
- Ken Vestefelt congratulated Post 43 Youth Group competed with the western agencies and came in second place overall and the Cal Fire ADHOC Committee will host a workshop regarding contracting with Cal Fire on July 12, 2008
- Johnson announced upcoming Dahlia Days
- Bill Woodson stated Michael Lucas was awarded outstanding Academic for Professor at Cal Poly

VII. CONSENT CALENDAR

- A. None

VIII. PRESENTATIONS

- A. Dan Doris, the City Building Official, addressed Special Conditions versus Code Compliance.
- This year the City adopted a new building code that is the international building code.
 - There are new storm water measures and fire sprinklers that are in place for new and remodeled buildings.
 - Occasionally the Commission makes a recommendation for a special condition that is in conflict with the code, however, the building department takes precedent.
 - Doris clarified the following questions from the Commission:
 - Any project that has already been approved does not require fire sprinklers. Any project after June 11th, 2008, needs to comply with new code.
 - All new projects require a landscape plan and staff encourages native, drought tolerant species, high efficiency landscape irrigation systems and low flow fixtures

IX. FUTURE AGENDA ITEMS

- A. Planning Commission interpretation on decks in the front yard setback and what elements are allowed on them.

X. PUBLIC HEARINGS

- A. Site Location: 1170 Front Street in the C-VS/PD (SP) Zoning District. Applicants: Robin Martella and George Leage. The applicant requests to modify the Commission's previous approval to construct a six-unit hotel, associated manager's unit and seven space subterranean parking lot, as a result of changes requested by the California Coastal Commission. This site is located within the original jurisdiction of the Coastal Commission. (Recommended CEQA Determination: A Mitigated Negative Declaration has been prepared and filed).
Staff Recommendation: Conditionally approve the modified project.
Staff Contact: Rachel Grossman, Associate Planner, 772-6261

Grossman presented the Staff Report

Lucas questioned does the city allow construction of habitable space within the flood plane and imagines the lower floor of the basement to be in the flood plane and Grossman stated that the City Engineer reviewed this and showed no concern about having construction in the basement

Woodson stated concern about rooms having only one exit and Grossman said this has been reviewed by the building department and the project will not be able to move forward until they meet code compliant egress from the structures

Woodson questioned is this it for this project and where does it go from here and Grossman replied once they get approval from us they will get concurrence from the California Coastal Commission then they can move forward with building permits submittal

Luhr asked does the consistency analysis from the previous staff report still apply or has it been upgraded and Grossman responded that it has not been upgraded except for some verbal denotations on the staff report the project is more consistent with design requirements and the waterfront master plan

Luhr asked about in-lieu parking fees are they entitled to dedicate parking or is this a public lot and Grossman responded it would be a public lot.

Woodson said that Ambo stated at the last City Council Meeting there was a change in parking in-lieu fees so how does it effect this projects commitment to pay seven in-lieu fees and how does that set with the CCC in the negotiations with them on agreeing with the seven in-lieu spaces in-lieu of any on site parking and Grossman responded that reduced fees do not apply to this area of town, so this project is subject to the \$15,000 per space fee that is currently in effect for the water front area

Johnson said that Grossman mentioned the project is a vacation rental with no manager on site, so does that mean they are subject to additional regulations that apply to vacation rentals rather than motels and Grossman replied that she assumed so but that would go through the business license clerk and she is going to let the applicant speak to that specifically

Johnson opened public hearing

Novak, agent for applicant, said the major modification to the project was the structural height which was redesigned to protect the view of the bluff behind the project and that the project does not need to go back to CCC and that there will no roof top equipment. Novak also stated there will be a management service for this project.

Seeing no other comment, Johnson closed public hearing

Grossman clarified that a condition of approval is to re-stripe the parking lot

The Commission Discussion:

- No mechanical on roof assuming that it would not include solar, photovoltaic and hot water. Luhr requested a condition to include future solar systems
- A condition that there is no storage or structures behind building
- Trash cans moved back an additional five feet and remove concrete stopper for parking space so trash cans can be rolled away with ease, Woodson request it be a suggestion not a condition
- Clarification vinyl would be the material used for fence
- Concerns of retaining wall elevation and the plantings
- Concerned with amplified noise

Johnson states there are three conditions before they vote which are: no storage or structure behind building, exclude solar panels from roof and noise level not to exceed city ordinance

Lucas wants to condition the plants to cover retaining wall

MOTION: Woodson moved to approve the project with the following conditions, Lucas 2nd:

- No storage or structure behind building
- No mechanical on roof except solar
- Noise level not to exceed city ordinance

VOTE 5-0

- B.** Site Location: 2195 Ironwood Avenue in the R-1 Zoning District. Applicants: Tim & Carol Daniels. The applicant requests a 3 lot Parcel Map to subdivide an existing parcel into a deep-lot subdivision with private driveway access with offsite easements and hammerhead turn-a-round. The resulting lots will be Parcel 3, 6,000 sqft, Parcel 2, 6,000 sqft, and Parcel 1, 9,776 sqft in gross area. Parcel 1 would retain the existing residences and detached garage that would record a lot tie agreement to remove or remodel the garage at the time of sell or development for Parcel 2. No residential development is proposed for the remaining lots at this time. This site is located outside the appeals jurisdiction of the Coastal Commission. (Recommended CEQA Determination: A Mitigated Negative Declaration has been prepared).
- Staff Recommendation: Conditionally approve the project.
 Staff Contact: Mike Prater, Planning Manager, 772-6261.

Prater presented the Staff Report

- Lucas and Woodson expressed concern that the retaining wall and fence are too tall

Johnson opened Public Hearing

Novak, agent for the applicant, discussed size of lots, fire turn around, sewer issues

Roger Ewing expressed concern about sidewalk, curb and gutter. He would prefer a 90-degree angle curb versus a rolling curb

Seeing no other comment, Johnson closed public hearing

Commission continued discussion of retaining wall and fence height, sidewalk, curb and gutter, fire turn around and drainage

MOTION: Bill Woodson moved to approve the project with the following conditions, Ream 2nd:

- Change condition # 22 for Fence Height – The maximum fence height shall be six-feet and allowed above the retaining walls. The retaining walls are expected to not exceed five-feet. If the combination of the retaining wall and fence exceed eight feet in height from finish grade then concurrence from the Planning Commission shall be required. The maximum height shall be reduced along the front setbacks to meet code of four feet in height
- Change condition # 10 to include fire turn around
- Add condition # 24 – The applicant shall acquire all necessary easements from the adjacent properties for utilities and drainage and shall be recorded prior to final map recordation
- Add condition # 25 - The driveway for Parcel 1 shall utilize the proposed shared common driveway
- Add condition # 26 – Sidewalk and curb shall be concrete and meet the city standards
- Add condition # 27 – The City Engineer should consider requiring frontage improvements per collector street detail
- Add condition # 28 – The current curb material of the private driveway shall match the future improvements of Parcel 19

Vote: 5-0

I. OLD BUSINESS

- Prater working on neighborhood compatibility standards anticipating it coming back August 4, 2008.

A. Current Planning Processing List

Projects submitted for Administrative Approval (not single-family residential unless in MCR)

1. None

XII. NEW BUSINESS – None

XIII. ADJOURNMENT

Johnson adjourned the meeting at 9:18p.m. to the next regularly scheduled Planning Commission meeting at the Veterans Hall, 209 Surf Street, on Monday, July 21, 2008, at 6:00 p.m.

Nancy Johnson, Chairperson

ATTEST:

Michael Prater, Secretary