

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, May 5, 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

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

II. PLEDGE OF ALLEGIANCE

Ream led the pledge.

III. ROLL CALL

Woodson asked that the record show Commissioner Johnson is absent and all others were present.
Staff Present: Bruce Ambo, Michael Prater, Rachel Grossman, and Kimberly Peeples

IV. ACCEPTANCE OF AGENDA

MOTION: Ream, Luhr 2nd to accept the agenda as presented. VOTE: 4-0

V. DIRECTOR'S REPORT/WRITTEN COMMUNICATIONS

Ambo reported at the April 28, 2008 meeting, City Council:

- Approved the Memorandum of Understanding with the Morro Bay Pups
- Reviewed the Fire Sprinkler Ordinance - 1ST Reading
- Approved the Caretakers Unit Located at 1140 Front Street
- Approved Phase I of the Concept Plan for 1185-1215 Embarcadero
- Considered alternative sources for Low-Income Assistance on Water and Wastewater Treatment User Rates
- Directed Staff to secure a facilitator for the Goal Setting Workshop
- Directed Staff to bring back options for the North Main Street Bike Lanes

Ambo noted there are two upcoming Budget Workshops on May 8th & 15th and at the May 12, 2008 meeting, Ambo said City Council would:

- Hold the public hearing on the Ordinance Amending Subdivision Ordinance Regarding Tract 41
- Hold a public hearing on the Concept Plan for the Workforce Housing Project Located at 1405 Teresa Drive
- Review Phase II of the Concept Plan for Great American Fish Company/Harbor Hut/Virg's Fishing Project Located at 1185-1215 Embarcadero
- Initiate the Process to Consider Abandonment of a Portion of Palm Avenue
- Consider new Request for Proposals for Market Street/Embarcadero Property Site
- Hear a Report on the North Embarcadero Capital Improvement Plan
- Hear a report on the joint facility with the Coast Guard and Harbor Department
- Review the Space Needs Study on the Corporation Yard
- Consider the concept of creating an Ad-Hoc Committee to bring non-tourist industries to Morro Bay

Woodson asked if the new ordinance included testing of existing systems. Ambo said he would look into it and get back

to him. Luhr asked about the approval of the Pt Phase of GAFCO/Harbor Hut/Virg's Fishing Project and how much discussion took place by the Council regarding the cantilevered decks suggested by the Commission.

VI. PUBLIC COMMENT:

Cathy Novak spoke about the Healthy Gardening Workshop that was held recently in Mono Bay and thanked the City for holding the event and noted the benefit for the City.

VII. CONSENT CALENDAR

A. Approval of minutes from hearing held on April 7, 2008

Woodson asked to have the last sentence on item XII-A changed to read "Woodson agreed to write a letter to Council on behalf of the Commission and bring it back to the Commission for review.

MOTION: Ream, Luhr 2nd to approve the minutes as presented with the one exception that was noted. VOTE: 4-0.

VIII. PRESENTATIONS - None

IX. FUTURE AGENDA ITEMS -None

X. PUBLIC HEARINGS

A. Site Location: 990 Morro Avenue in the C-VS/R-3/PD/S.4/S.6 Zoning District. Applicant: Dave Nowak. The applicant requests Conditional Use Permit approval to convert an existing top floor patio and breakfast room into an enclosed multipurpose room with clerestory providing daylight to interior spaces. This site is located outside of the appeals jurisdiction of the Coastal Commission. (Recommended CEQA Determination: Categorical Exemption, Class 1). Staff Recommendation: Conditionally approve the project. Staff Contact: Rachel Grossman, Associate Planner.

Grossman presented the Staff Report. Woodson confirmed the applicant had paid the noted Parking-in-lieu fees.

Woodson opened the Public Hearing asking the applicant or their agent to address the Commission. Tom Brajkovich agent for the applicant addressed the Commission noting their reasoning behind making this change. Luhr asked if the applicant took into consideration the heat gain element from the west facing windows and do they have features included to offset that? Mr. Brajkovich said they did by using energy efficient windows with a tint and using a heavy curtain on those windows. Luhr asked if they had considered stepping back the height to limit the massing. Mr. Brajkovich said they had considered other options, but felt this proposal was the best. Woodson asked if they had considered sound proofing the walkway as well as sound proofing the new room. Mr. Brajkovich said they have.

Woodson closed the Public Hearing seeing no further comment.

Lucas, Ream & Woodson spoke in favor of the project. Luhr was not in favor of allowing the height increase, which he sees as a special privilege. Lucas was concerned about setting a precedent but felt it was a situation where there is no testimony against this project so there isn't a precedent being set.

MOTION: Ream, Lucas 2nd to approve the project as presented. VOTE: 4-0.

B. Subdivision Ordinance Amendment: The Planning Commission will hold a public hearing on the Subdivision Ordinance Amendment including revisions to Tract 41 Chapter 9. (Recommended CEQA Determination: A Negative Declaration has been previously adopted). Staff Recommendation: Adopt Resolution 03-08 forwarding the recommendation and review of the Subdivision Ordinance Amendment to City Council.

Prater presented the Staff Report noting the history behind this item. Luhr asked for clarification on the text in Exhibit B that is indicated by dots. Prater clarified. Luhr also asked about the text that is underlined in Exhibit A. Prater indicated the text that is underlined in Exhibit A is the new text and in the paragraph named Minimum Lot Sizes it will remain underlined and bold. Woodson noted the Resolution does not specifically indicate the boundaries. Prater said it refers to Exhibit A, which does have the boundaries. Lucas & Woodson confirmed that this change does not affect secondary units; it is only for subdivision of lots. Luhr confirmed the status of the project that prompted this change. Prater confirmed it is in litigation. Woodson opened the Public Hearing.

Jim Bianchi addressed the Commission and spoke favorably about Staff's draft of the change but felt the history of why this change is being made should be in the statute and the description of Tract 41 should be the one the residents provided.

Joe Attinello addressed why Luisita was originally included in the resident's description but only wants to be sure the 40 houses in Tract 41 are the only houses to be included and felt the legal description would work best.

Woodson closed the Public Hearing seeing no further comment.

Luhr asked why Staff is not sending notices to the individual property owners and how long noticing would take. Prater confirmed the process & how long it would take. Luhr also confirmed if the boundary description could be amended to include the resident's description of the Tract 41. Ream said he is in favor of approving the changes. Woodson expressed concern about not notifying all of the property owners and confirmed that lots less than 9000 square feet in this tract could still be developed.

MOTION: Woodson, Ream 2nd to approved Resolution 03-08 using the property description in Exhibit B and require noticing to all property owners prior to the City Council Meeting.

During discussion Lucas noted he felt only the bold text of the property line description in Exhibit B, which is the legal description, should be included in the motion.

AMENDED MOTION: Woodson, Ream 2nd to approve Resolution 03-08 using the property description in bold text on Exhibit B and requiring noticing to all owners prior to the City Council Meeting. VOTE: 4-0.

XI. OLD BUSINESS

A. Current Planning Processing List

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

1. 945 Embarcadero; Remodel MUP
2. 500 Mono Bay Blvd. Open air market TUP

XII. NEW BUSINESS - None

XIII. ADJOURNMENT

Woodson adjourned the meeting at 7:07 p.m. to the next regularly scheduled Planning Commission meeting at the Veterans Hall, 209 Surf Street, on Monday, May 19, 2008, at 6:00 p.m.

Bill Woodson, Vice-Chairperson

ATTEST:

Michael Prater, Secretary